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SEVENTY-SIXTH

GENERAL ASSEMBLY

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LEONARD L. BOSWELL, President of the Senate
RON J. CORBETT, Speaker of the House

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Des Moines

SEVENTY-SIXTH GENERAL ASSEMBLY

1996 Regular Session

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1996 REGULAR SESSION

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Address ..... Westfield
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Senatorial District ..... 2—Plymouth, Woodbury
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Former Legislative Service 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76 (1st)

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Former Legislative Service 70, 71. 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76 (1st)

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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, 76 (1st)

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Former Legislative Service 76 (1st)

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Senatorial District ..... 22—Scott
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76 (1st)

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Senatorial District ..... 39—Adair, Dallas, Guthrie, Madison
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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, 76 (1st)

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Age 47
Occupation ..... Job Developer, Community Based Corrections
Senatorial District ..... 49—Johnson, Linn
Former Legislative Service 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76 (1st)

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Senatorial District ..... 45—Warren, Marion
Former Legislative Service 75, 76 (1st)

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Senatorial District ..... 17—Dubuque, Jackson
Former Legislative Service 76 (1st)

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Age 63
Occupation ..... Farming
Senatorial District ..... 50—Lee, Des Moines
Former Legislative Service 71 (2nd), 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76 (1st)

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Address ..... Storm Lake
Age 55
Occupation ..... Substitute Teacher
Senatorial District ..... 5—Buena Vista, Cherokee, Clay, O'Brien, Plymouth, Pocahontas
Former Legislative Service 75 (2nd), 76 (1st)

DONALD E. GETTINGS

Address ..... Ottumwa
Age 72
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, 76 (1st)

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Occupation ..... Attorney
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Former Legislative Service 75, 76 (1st)

MICHAEL E. GRONSTAL

Address ..... Council Bluffs
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Senatorial District ..... 42—Pottawattamie
Former Legislative Service 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76 (1st)

ROD HALVORSON

Address ..... Fort Dodge
Age 46
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, 76 (1st)

JOHNIE HAMMOND

Address ..... Ames
Age 63
Occupation ..... Legislator
Senatorial District ..... 31—Story
Former Legislative Service 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76 (1st)

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Address ..... Sioux City
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Occupation ..... Property Management
Senatorial District ..... 1—Woodbury
Former Legislative Service 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76 (1st)

H. KAY HEDGE

Address ..... Fremont
Age 67
Occuation ..... Grain and Livestock Farmer
Senatorial District ..... 48—Mahaska, Keokuk, Marion, Wapello, Washington
Former Legislative Service 73, 74, 74X, 74XX, 75, 76 (1st)

WALLY E. HORN

Address ..... Cedar Rapids
Age 62
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, 76 (1st)

EMIL J. HUSAK

Address ..... Toledo
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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, 76 (1st)

STEWART E. IVERSON, JR.

Address ..... Dows
Age 45
Occupation ..... Farmer
Senatorial District ..... 17—Wright, Franklin, Hamilton, Hardin
Former Legislative Service 73 (2nd), 74, 74X, 74XX, 75, 76 (1st)

JOHN W. JENSEN

Address ..... Plainfield
Age 69
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, 76 (1st)

PATTY JUDGE

Address ..... Albia
Age 52
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Senatorial District ..... 46—Monroe, Appanoose, Clarke, Davis, Lucas, Van Buren, Wayne
Former Legislative Service 75, 76 (1st)

JOHN P. KIBBIE

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Age 66
Occuation ..... Farmer
Senatorial District ..... 4—Palo Alto, Clay, Dickinson, Emmet, Kossuth
Former Legislative Service 59, 60, 60X, 61, 62, 73, 74, 74X, 74XX, 75, 76 (1st)

MARY E. KRAMER

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Occupation ..... Insurance Executive
Senatorial District ..... 37—Polk
Former Legislative Service 74, 74X, 74XX, 75, 76 (1st)

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Age 40
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Former Legislature Service 71 (2nd), 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76 (1st)

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Former Legislative Service 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76 (1st)

O. GENE MADDOX

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Former Legislative Service 75, 76 (1st)

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Senatorial District ..... 28—Jones, Linn
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76 (1st)

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Address ..... Farragut
Age 46
Occupation ..... Farmer
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Former Legislative Service 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76 (1st)

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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, 76 (1st)

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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, 76 (1st)

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Former Legislative Service 75 (2nd), 76 (1st)

WILMER RENSINK

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Occupation ..... Farmer
Senatorial District ..... 3—Sioux, Lyon, O'Brien, Osceola
Former Legislative Service 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76 (1st)

JACK RIFE

Address ..... Durant
Age 52
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Senatorial District ..... 20—Cedar, Clinton, Jones, Scott
Former Legislative Service 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76 (1st)

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Senatorial District ..... 19—Clinton, Scott
Former Legislative Service 74, 74X, 74XX, 75, 76 (1st)

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Former Legislative Service 74 (2nd), 74X, 74XX, 75, 76 (1st)

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Former Legislative Service 73, 74, 74X, 74XX, 75, 76 (1st)

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Occupation ..... Agri Business/Social Worker
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Senatorial District ..... 49—Henry, Des Moines, Lee, Washington
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Occupation ..... Retired Farmer
Senatorial District ..... 16—Allamakee, Clayton, Fayette, Winneshiek
Former Legislative Service 75, 76 (1st)

JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 8, 1996

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 1996 Regular Session of the Seventy-sixth General Assembly convened at 10:05 a.m., and the Senate was called to order by President Leonard L. Boswell.

Prayer was offered by the Reverend Ranny Mann, pastor of the Lamoni RLDS Church, Lamoni, Iowa.

OPENING REMARKS BY THE PRESIDENT OF THE SENATE

President Boswell addressed the Senate with the following remarks:

I want to welcome you as we begin the second regular session of the 76th General Assembly. I especially want to welcome all the new members of our Senate family here today; staff and pages. I appreciate the effort of all the members and staff towards our business in the Senate. I look forward to working with all of you.

There are always many issues facing us each year. In 1996 the gravity of those issues is heightened by the actions being taken in Washington, D.C. More and more responsibilities are being sent to the state legislatures to decide. In addition, this is an election year which could complicate our business here. I hope it doesn't.

It is my hope and goal that we use good Iowa common sense to find solutions to the many issues that will come before us this year. There is the old way of governing that meant partisanship and gridlock. There is a new way to govern that seeks common ground and common sense to craft productive solutions for our citizens. I think we should try the new way. Isn't that what the folks back home expect of us?

We can do it. We crafted the Budget Reform and Spending Limitation Act in 1992, an election year. Thanks to that legislation, the state's fiscal house is in order and we have money set aside for a rainy day. Now that was old fashioned Iowa common sense at work.

We know what Iowans want. They deserve our best cooperative efforts to provide sensible solutions to the pressing problems of job creation, rural development, housing, crime, and good schools for our children.

I challenge each of us to approach the 1996 session with a new attitude of cooperation. Let us use good old fashioned Iowa common sense to solve our problems. The people of Iowa will truly benefit if we do.

I wish all of you the best this session. My door is always open.

Thank you.

REMARKS BY THE MAJORITY LEADER

Senator Horn addressed the Senate as follows:

Mr. President, Senators, staff, and guests:

Good morning, and welcome back to you all. It's a pleasure to be back, and an honor to again serve as your majority leader this year.

We had a good year in '95. We succeeded in formulating a balanced state budget, building a healthy budget balance AND providing significant property tax relief while making some positive movement on key priorities like education and crime.

Despite our differences with the House, I am optimistic we can also make progress this year. Today's reality is that members of the House are beginning to see that the common-sense Senate priorities, like property tax relief, have the support of most Iowans.

Here's some examples of what I believe are the common sense values Iowans expect us to maintain this year.

Maintaining a balanced state budget with a healthy surplus should again be the Senate's top priority in 1996. Since 1992 we've eliminated a $400 million state debt and now have a $430 million surplus. Again this year, we cannot and will not spend more than we have--for any reason. We must be particularly cautious now due to uncertainty about proposed federal funding cutbacks, estimated at a cost to Iowa of $50-250 million.

Last year, the Senate was the first to heed Iowans' pleas to decrease property taxes. After reviewing our state finances, and holding down other spending, we put together a multi-year property tax relief program that will return over $500 million to Iowans. While we've made a good start, we should again make property tax relief a 1996 priority.

Repeal of "M & E," a deduction of health insurance premiums for the self-employed, and increased family credits were enacted in '95. We should give serious consideration to other tax-cutting proposals in '96. Iowans expect us to use our

common-sense by reducing taxes reasonably and carefully, and to resist the temptation to cut taxes too much now, only to find ourselves back into deficit due to federal cutbacks or economic downturns.

During past financial crises, repair and renovation of our public buildings, roads, parks & bridges has also been delayed. Now that the budget is in the black, we should take steps to protect our existing investment in infrastructure. These are sensible 'one-time' expenditures that protect our existing investments across the state and allow us to make the best use of the facilities we already have.

I believe two other specific priorities deserve increased state support this year. These are education and training needs, and crime control.

Iowans understand the need to prepare our youth to compete in today's global economy, and to provide continuing education and job training for all our citizens. Iowans expect us to keep education--both K-12 and higher education-- a key priority.

Iowans' exposure to crime--often violent crime--is another priority. In 1995, we authorized construction of nearly 1,000 additional prison spaces to keep convicted criminals off the streets. In '96, we should authorize more space to house prisoners, no matter what specific plans we choose.

Finally, I want to say a word about the federal budget changes looming on the horizon. It appears to me that we will be faced with cutbacks in several areas that impact on our elderly and our children. I believe we need to speak up to our federal officials about the impact of these proposed changes on Iowans. I believe it is our obligation to try to maintain needed services for our elderly and our children--even though it will certainly impact our state budget. Helping those who really need assistance is another common-sense Iowa value in my book.

In 1996, if we in the Senate continue to focus on Iowans key concerns, and provide common-sense leadership with fiscal stability, we will have another truly successful session. I look forward to working with you on the issues we face in the year ahead.

Thank you.

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.

REMARKS BY THE MINORITY LEADER

Senator Rife addressed the Senate as follows:

Fellow Senators, staff, families and friends. Welcome to the Iowa Senate and the beginning of the 1996 Legislative Session. I am sure that this body will once again look at many topics that will touch everyone in the state of Iowa.

During the 1995 interim, I had the opportunity to visit with many of my constituents and Iowans across the state. The topics of discussion ranged from hog lots to prisons; federal funds to education; and speed limits to the ICN. All of these are very important issues that will touch at least one person in our families. I will highlight a few of the items that I see as significant issues for this legislative session.

Initially, the increase in responsibility for state governments over their constituents has arrived and will continue to do so. Before we address the tasks ahead of us, I want to remind everyone that we have been handed a full-deck of cards by our federal legislators. They have given more power back to the states through block grants, yet perameters and scope have only begun to be defined. With this, I am willing to work with my fellow colleagues in the Iowa Senate and House to make sure that these block grants are used for the better of all Iowans.

This session's high profile issue and number one priority will be addressing hog lots. This issue will be a major test of this body's ability to both -- resolve conflicts and find the proper solution for all parties involved.

Education is always one of my priorities. It is our duty as legislators, and some as parents, to provide for our state's future. During the 1996 session, we need to look at the rapidly increasing cost and enrollment of Special Education. In FY 1994 alone, expenditures for this exceeded revenues by $13.5 million. For FY 1995, they are projected to exceed $15 million. We need to remember these kids in our budget for FY 1996 with adequate funding. This will only better these citizens to cope and live in Iowa as prosperous adults.

In talking of appropriations and the FY 96 budget, the State of Iowa is in an advantageous position of deciding what to do with budget surpluses -- a position many other states envy. There are several directions that we can go regarding this surplus. No one argues that there are very serious capital improvements that need to be done all across the state. The longer the state delays repairing roads and buildings the more expensive the repairs will be in the future. The building that we are sitting in is a perfect example.

Another direction the state could choose to go is tax relief. Income tax and property tax reductions have been the subject of much media coverage and constituent concern. Many have argued that with a surplus and the state's finances in order, tax relief is the next step.

Finally, the state must consider the effect of the federal budget changes. At this point, no one, including the budget negotiators, knows what the final budget will be. We would be wise to wait to learn of the final impact of the federal budget before we commit funds to other areas.

As we wait for the federal budget negotiations to be settled, the suspense continues as we wait to hear Congress' final decision about Medigrant, which is currently the Medicaid Program. How Iowa develops its Medigrant plan and how we budget for this huge program will be a challenge.

Although Iowa has made great progress in health care reform during the past few years, the "any willing provider" concept continues to cause controversy. "Any willing provider" would require managed care organizations to include any licensed provider seeking to serve the organization's enrollees. I expect to see more battles over this issue.

Prisons and overcrowding continues to be a problem for Iowa. We must formulate a responsible policy in relying more on community-based corrections in dealing with non-violent offenders who do not belong in prison. This will free up additional beds for the truly violent offenders. We simply cannot afford to maintain the status quo of building one new prison after another.

Domestic violence is another area of concern to me and many others. We must appropriate funds to counties for shelters and counseling if we are to prevent this crime from becoming a statewide crisis. Domestic abuse filings are increasing more rapidly than any other area. For example, in 1990 there were 188 domestic abuse petitions filed. In 1994, more than 4,262 domestic abuse petitions were filed in the courts. I feel this problem needs to be addressed now -- not at a later date.

We have got to keep moving in a positive direction regarding housing development in our state and the development of a strong workforce. These are both important to the economic development of our state, and we have to make sure the legislature is part of the solution -- not the problem.

The state's speed limit, the ICN, public retirement, gambling and competition in our utilities industry will also be touched on by the legislators in these two governing bodies. As I stated in the opening, it is my hope that with this divided majority, we will all be able to work together for a more better Iowa. After all, making Iowa a better place to live is one of my goal's as a legislator.

Before I close, there is one group of people I would like to address -- THE IOWA TAXPAYER. The legislature needs to thank them -- for they are the ones who have removed our past deficits and filled our current surpluses which is nearly an unfathomable number of half- a- billion- dollars!! We need to thank all of them, with a reduction in our askings.

Notice I didn't say tax replacement -- that doesn't reduce our askings. It just changes where we get the money to pay for government. I proposed in the past that we reduce Iowa's individual income tax to a flat rate. I offered the concept in 1987 at a time when Iowa's state government was set to reap a similar amount of a windfall because of the Federal tax reform act.

Now that the state has a surplus, I would like to see that surplus spent on the citizens of Iowa and not on more state government. The opportunity for individual income tax reform has come, and it would be my hope that we will take this chance to implement a change in Iowa's income tax.

In closing, I am looking forward to the 1996 legislative session. I know that we are all ready to get to work and make Iowa a better place to live.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rensink for the day and January 9, 1996, on request of Senator Rife.

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 Gronstal, Chair; Priebe, Sorensen, Bartz and Maddox.

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 Connolly, Chair; Giannetto, Fraise, Boettger and McLaren.

SUPPLEMENTAL REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

Senator Horn asked and received unanimous consent to take up the following supplemental 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 1996 Session of the Seventy-sixth General Assembly:

Administrative

Finance Officer . . . . . Lois Brownell

Legal Counsel

Assistant to the Legal Counsel . . . . . Mark Haugen

Majority Caucus

Research Analyst . . . . . Ron Parker

Minority Caucus

Research Analyst . . . . . Mark Braun
Research Analyst . . . . . Kaye Lozier
Research Analyst . . . . . Michael Savala

Services

Switchboard Operator . . . . . Connie Follett

Secretaries to Senators

Secretary . . . . . Rebecca Beach
Secretary . . . . . Juliet Bliss
Committee Secretary . . . . . David Cmelik
Committee Secretary . . . . . James A.A. Fitzgerald
Committee Secretary . . . . . Judy Frazier
Committee Secretary . . . . . Sara Halvorson
Committee Secretary . . . . . Kara McWhirter Waugh
Committee Secretary . . . . . Jean Nelson
Committee Secretary . . . . . Susan Reynolds
Administrative Secretary to President Pro Tempore . . . . . Jane Tays
Secretary . . . . . Martha Ullem
Secretary . . . . . Janine Vaudt

WALLY HORN, Chair

Senator Horn moved the adoption of the supplemental 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.

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 1996 Session of the Seventy-sixth General Assembly:

Annette Athy, Stanton, Secretary of the Senate's Page
Sara Bailey, Anita
Beth Bernholtz, Carroll
Laura Brown, Carlisle
Brent Elswick, Lamoni
Nathan Haggard, Fort Dodge
Patrick Hassenfritz, Sperry
Jason Hedden, Wilton
Tom Hopkins, Ankeny, President of the Senate's Page
Amy Longwill, Nodaway
Christopher Noring, West Liberty
Luke Quinn, Lowden
Angie Richardson, Bedford
Carrie Stephens, Norway
Justin Thiltgen, Dubuque
Leah Van Mersbergen, Cedar
Amanda Whims, Swea City

WALLY HORN, Chair

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

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

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

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

The report was accepted and the committee discharged.

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 8, 1996, adopted the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 101, a resolution providing for a joint convention on Tuesday, January 9, 1996, at 10:00 a.m. for Governor Terry E. Branstad to deliver his condition of the state and budget message.

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

House Concurrent Resolution 102, a resolution providing for a joint convention on Wednesday, January 10, 1996, at 9:30 a.m. for Chief Justice McGivern to present his message of the condition of the judicial department.

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

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for immediate consideration House Concurrent Resolution 101.

House Concurrent Resolution 101

On motion of Senator Horn, House Concurrent Resolution 101, a resolution providing for a joint convention on Tuesday, January 9, 1996, at 10:00 a.m. for Governor Terry E. Branstad to deliver his condition of the state and budget message, was taken up for consideration.

Senator Horn moved the adoption of House Concurrent Resolution 101, which motion prevailed by a voice vote.

INTRODUCTION OF BILLS

Senate Joint Resolution 2001, by Vilsack, a joint resolution proposing an amendment to the Constitution of the State of Iowa

relating to the power of the people to affirm or reject Acts of the General Assembly relating to the sales or use tax or individual income tax.

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

Senate File 2001, by Freeman, a bill for an act relating to the appropriation and distribution of proceeds from the franchise tax on financial institutions and providing a repeal date.

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

Senate File 2002, by Kibbie, a bill for an act exempting computers sold or leased to insurance companies from the state sales, services, and use taxes.

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

Senate File 2003, by Kibbie, a bill for an act relating to the maximum value of a prize for jackpot bingo conducted by certain qualified organizations.

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

Senate File 2004, by Szymoniak, a bill for an act exempting the seller of a portable water system from the requirements and the penalties of the consumer fraud law.

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

Senate File 2005, by Vilsack, a bill for an act relating to the auditing of contracts providing managed care services under the medical assistance program.

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

Senate File 2006, by Vilsack, a bill for an act relating to notice to victims when the perpetrator of the crime is released from custody and including an applicability provision.

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

Senate File 2007, by Tinsman, a bill for an act prohibiting the release of persons convicted of forcible felonies on parole or work release.

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

Senate File 2008, by Judge, Hammond, and Boswell, a bill for an act relating to medical services access through hospitals and providers in rural counties by enrollees of managed care plans or indemnity plans.

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

Senate File 2009, by Fraise, 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, providing for a reduction in the amount of good and honor time that may be earned by forcible felons, providing for a legislative interim and a departmental study, providing for a pilot project, and making other related changes.

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

Senate File 2010, by Szymoniak, a bill for an act relating to prohibiting the assault of an emergency medical care provider or a health care provider providing emergency services in a hospital and providing penalties.

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

Senate File 2011, by Kibbie, a bill for an act removing the confidential status of water and ice vessel accident reports filed with the natural resource commission of the department of natural resources and providing for the Act's applicability.

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

Senate File 2012, by Szymoniak and Kramer, a bill for an act relating to the conduct of raffles.

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

Senate File 2013, by Judge, a bill for an act requiring the licensure of respiratory care therapists and creating a board for respiratory care practitioners.

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

Senate File 2014, by McKean, a bill for an act relating to the time period for applying for death benefits under the Iowa public employees' retirement system.

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

Senate File 2015, by Vilsack, a bill for an act relating to legal defenses under state privatization contracts.

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

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Gronstal 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.

COMMITTEE ON MILEAGE

Senator Horn moved that a committee of four be appointed as a committee on Mileage to examine and file a supplemental report on mileage.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Gettings, Chair; Deluhery, Bennett and Lundby.

RECESS

On motion of Senator Horn, the Senate recessed at 10:43 a.m., until 3:00 p.m.

APPENDIX

ANNOUNCEMENT OF APPOINTMENTS BY THE PRESIDENT OF THE SENATE

The President announced the following statutory and other miscellaneous appointments made during the 1995 legislative interim:

June 30, 1995

HEALTH DATA COMMISSION
(Code 145.2)

Senator Randall Giannetto, 7/1/95 - 6/30/96

AGRICULTURAL GRAIN MARKETING COMPACT
(Code 183.1)

Senator Patty Judge, 7/1/95 - 6/30-97

IOWA PEACE INSTITUTE
(Code 38.2)

Senator Dennis Black, 7/1/95 - 6/30/99

COLLEGE AID COMMISSION
(Code 261.1)

Senator Al Sorensen, 7/1/95 - 6/30/99

July 17, 1995

MEDICAL ASSISTANCE ADVISORY COUNCIL
(Code 249A.4)

Senators Elaine Szymoniak and Maggie Tinsman, 7/1/95 - 6/30/97

IOWA PEACE INSTITUTE
(Code 38.2)

Senator Maggie Tinsman, 7/1/95 - 6/30/99

COMMISSION ON ELDER AFFAIRS
(Code 231.11)

Senator Wilmer Rensink, 7/1/95 - 6/30/99

July 25, 1995

COMMISSION ON ELDER AFFAIRS
(Code 231.11)

Senator Jack Kibbie, 7/1/95 - 6/30/99

October 18, 1995

WORKFORCE DEVELOPMENT COUNCIL
(Request of the Council)

Senator Dick Dearden, 10/18/95 - 4/30/97

DEPARTMENT OF ECONOMIC DEVELOPMENT/
Community College Job Training Study
(Request of IDED)

Senator Randall Giannetto, duration of the study

ANNOUNCEMENT OF APPOINTMENT BY THE MINORITY LEADER

The Minority Leader announced the following appointment made during the 1995 legislative interim:

YOUTHFUL OFFENDER JURISDICTION TASK FORCE
(House File 528)

Senator Don Redfern

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Service Bureau during the 1995 legislative interim:

IHELA

1995 Annual Report for the Iowa Higher Education Loan Authority in compliance with Section 261A.21 of the Iowa Code.

IOWA UTILITIES BOARD

1994 Annual Report as required by IOWA CODE 7a.1, 7a.10 AND 476.16.

DEPARTMENT OF HUMAN SERVICES

A report "Pertaining to the Discretionary Medical Assistance Process" according to the 1995 Iowa Act, Senate File 462, section 3, subsection 11.

DEPARTMENT OF HUMAN SERVICES

Preliminary report from the State County Management Committee as required in section 23, Senate File 69.

IOWA DEPARTMENT OF TRANSPORTATION

Annual Report of Highway Research and Development. (July 1, 1994 to June 30, 1995) Published in accordance with Sections 310.35 and 312.3A of the Code of Iowa.

DEPARTMENT OF HUMAN SERVICES

The Family Support Subsidy summary and Evaluation for FY 1995 as required in 225C.42 of the Code of Iowa.

IOWA SEED CAPITAL CORPORATION

1995 First Annual Report

AUDITOR OF STATE

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

IOWA DEPARTMENT OF NATURAL RESOURCES

Household Hazardous Materials Toxic Cleanup Days Program. The Annual Report to the General Assembly.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Community Economic Betterment Account (C.E.B.A.). Annual Report

LEGISLATIVE FISCAL BUREAU

Summary of FY 1997 Budget and Department Requests.

IOWA DEPARTMENT OF NATURAL RESOURCES

Registry of Hazardous Waste or Hazardous Substance Disposal Sites & Hazardous Waste Remedial Fund, according to Section 455B.425 of the Code of Iowa.

IOWA COMMISSION OF VETERANS AFFAIRS

Two mandated reports submitted to Governor Terry E. Branstad and Members of the Seventy-seventh General Assembly, pursuant to House File 203.

IOWA TELECOMMUNICATIONS & TECHNOLOGY COMMISSION

ITTC Report of Review of Maintenance Contract Pursuant to the Code of Iowa, Chapter 8D.3(3)(g).

IOWA PUBLIC TELEVISION

A report on the Support Responsibilities Related to Educational use of the Iowa Communications Network, pursuant to Senate File 266, section 1, subsection 14.

DEPARTMENT OF CULTURAL AFFAIRS

FY 95 Annual Report

SUPPLEMENTAL REPORT OF THE COMMITTEE ON MILEAGE

MR. PRESIDENT: Your committee appointed to determine the mileage for the members of the Senate for the Seventy-sixth general assembly submits the following supplemental report:

NAME	ROUND TRIP MILES
Judge, Patty	140
Palmer, William D.	22

Respectfully submitted,

DON E. GETTINGS, Chair
PATRICK J. DELUHERY
WAYNE BENNETT
MARY A. LUNDBY

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, 1996 Session, and their respective classification, grades and steps:

		Class	Grade	Step
Assistant to Legal Counsel	Mark Haugen	S—O	19	1
Switchboard Operator	Connie Follett	S—O	14	1
Admin. Secy. to Pres. Pro Tempore	Jane Tays	S—O	21	1
Legislative Committee Secretary	David Cmelik	S—O	18	1
Legislative Committee Secretary	James A.A. Fitzgerald	S—O	18	1
Legislative Committee Secretary	Judy Frazier	S—O	18	2+2
Legislative Committee Secretary	Sara Halvorson	S—O	17	1
Legislative Committee Secretary	Kara McWhirter Waugh	S—O	18	1
Legislative Committee Secretary	Jean Nelson	S—O	18	3
Legislative Committee Secretary	Susan Reynolds	S—O	18	1
Legislative Secretary	Rebecca Beach	S—O	18	1
Legislative Secretary	Juliet Bliss	S—O	17	1
Legislative Secretary	Martha Ullem	S—O	16	1
Legislative Secretary	Janine Vaudt	S—O	18	1
Page	Annette Athy	S—O	Minimum Wage	
Page	Sara Bailey	S—O	Minimum Wage	
Page	Beth Bernholtz	S—O	Minimum Wage	
Page	Laura Brown	S—O	Minimum Wage	
Page	Brent Elswick	S—O	Minimum Wage	
Page	Nathan Haggard	S—O	Minimum Wage	
Page	Patrick Hassenfritz	S—O	Minimum Wage	
Page	Jason Hedden	S—O	Minimum Wage	
Page	Tom Hopkins	S—O	Minimum Wage	
Page	Amy Longwill	S—O	Minimum Wage	
Page	Christopher Noring	S—O	Minimum Wage	
Page	Luke Quinn	S—O	Minimum Wage	
Page	Angie Richardson	S—O	Minimum Wage	
Page	Carrie Stephens	S—O	Minimum Wage	
Page	Justin Thiltgen	S—O	Minimum Wage	
Page	Leah Van Mersbergen	S—O	Minimum Wage	
Page	Amanda Whims	S—O	Minimum Wage	

WALLY E. HORN, Chair

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 increases and reclassifications and the effective dates of Senate employees:

Secretary of the Senate	John F. Dwyer	Annual Salary 60,382.40 to 68,307.20 effective 6/16/95
Assistant Secretary of the Senate III	Cynthia A. Clingan	Grade 38-4 to 38-5 effective 6/16/95

Sr. Administrative Assistant to Majority Leader	Greg Nichols	Step 5 to Step 6 effective 6/16/95
Sr. Research Analyst	James Boose	Step 2 to Step 3 effective 6/16/95
Admin. Asst. to Leader II to Admin. Asst. to Leader III	John Cacciatore	Grade 32-2 to 35-1 effective 6/16/95
Admin. Asst. to Leader II to Admin. Asst. to Leader III	Stephanie Laudner	Grade 32-2 to 35-1 effective 6/16/95
Confidential Secretary to Secretary	Lori Bristol	Step 4 to Step 5 effective 6/16/95
Research Analyst III to Sr. Research Analyst	Suzanne Johnson	Grade 35-3 to 38-3 effective 8/25/95
Research Analyst III to Sr. Research Analyst	Steve Conway	Grade 35-3 to 38-2 effective 9/8/95
Research Analyst III	Randall Bauer	Step 2 to Step 3 effective 8/25/95
Senior Finance Officer	Linda Laurenzo	Step 2 to Step 3 effective 9/8/95
Finance Officer I	Lois Brownell	Grade 24-1 effective 12/4/95
Indexing Assistant	Kathleen Curoe	Step 5 to Step 6 effective 9/8/95
Research Analyst II to Research Assistant P-PT	Robyn Mills	Grade 32-3 to 24-6 effective 11/3/95
Research Analyst III to Sr. Research Analyst	Theresa Kehoe	Grade 35-3 to 38-2 effective 11/17/95
Sr. Caucus Staff Director	Debbie O'Leary	Step 1(-1) to Step 1 effective 8/25/95
Admin. Assist. to Leader I to Admin. Assist. to Leader II	Julie Simon	Grade 29-3 to 32-2 effective 10/6/95
Senior Research Analyst	William Haigh	Step 1 to Step 3 effective 1/12/96
Journal Editor II	Teri Souer	Step 2 to Step 3 effective 1/13/96
Research Analyst III to Senior Research Analyst	Carolann Jensen	Grade 35-3 to 38-2 effective 3/8/96
Admin. Secretary to Leader to to Admin. Assist. to Leader	Mary Ann Peer	Grade 21-6 to 27-3 effective 6/16/95
Executive Secretary to Leader to Confidential Secy. to Leader	Vicki Davis	Grade 24-4 to 27-3 effective 1/12/96
Research Assistant	L. Day Barnes	Step 2 to Step 3 effective 7/14/95

Research Analyst	Kristin Ripperger	Step 1 to Step 2 effective 9/8/95
Research Analyst	Mark Braun	Step 1 to Step 2 effective 10/6/95
Research Analyst	Kaye Lozier	Step 1 to Step 2 effective 10/20/95
Research Analyst	Michael Savala	Grade 27-1 effective 8/31/95
Research Analyst I	Ronald M. Parker	Grade 29-1 effective 11/14/95
Asst. Sergeant-at-arms	Lynn Brandt	Step 3 to Step 4 effective 1/12/96
Doorkeeper	Svend Christensen	Step 3 to Step 4 effective 2/23/96
Doorkeeper	George Finkenauer	Step 2 to Step 3 effective 1/12/96
Doorkeeper	Everett Samuelson	Step 4 to Step 5 effective 2/23/96
Postmaster	Eleanor Hesseling	Step 3 to Step 4 effective 4/5/96
Journal Editor I	Linda Morrow	Grade 22, Step 3 effective 1/12/96
Switchboard Operator	Kimberly Russell	Step 1 to Step 2 effective 2/23/96
Recording Clerk	Madonna Hauge	Step 1 to Step 2 effective 1/26/96
Legislative Committee Secretary	Anne Black	Step 1 to Step 2 effective 1/12/96
Legislative Committee Secretary	Faye Fraise	Step 3 to Step 4 effective 1/12/96
Legislative Committee Secretary	Mary Ann Gass	Step 3 to Step 4 effective 4/5/96
Legislative Committee Secretary	Jean Goudy	Step 4 to Step 5 effective 1/12/96
Legislative Committee Secretary	Robert Halvorson	Step 2 to Step 3 effective 4/5/96
Legislative Committee Secretary	Dorothy Husak	Step 4 to Step 5 effective 2/23/96
Legislative Committee Secretary	Kay Kibbie	Step 2 to Step 3 effective 2/23/96
Legislative Committee Secretary	Mary Reed	Step 1 to Step 2 effective 2/23/96

Legislative Committee Secretary	Nancy Wayman	Step 1 to Step 2 effective 2/23/96
Legislative Committee Secretary	Jo Ann West	Step 5 to Step 6 effective 1/26/96
Legislative Secretary	Mary Lou Aspengren	Step 1 to Step 2 effective 2/23/96
Legislative Secretary	Susan Cowden	Step 1 to Step 2 effective 2/23/96
Legislative Secretary	Valerie Hansen	Step 1 to Step 2 effective 2/23/96
Legislative Secretary	Alleen Hedge	Step 3 to Step 4 effective 4/5/96
Legislative Secretary	Jeanine Iverson	Step 2 to Step 3 effective 4/5/96
Legislative Secretary	Susan Jennings	Step 3 to Step 4 effective 4/5/96
Legislative Secretary	Myrtle Jensen	Step 4 to Step 5 effective 1/26/96
Legislative Secretary	Gay Leverich	Step 5 to Step 6 effective 1/26/96
Legislative Secretary	Marlene Martens	Step 1 to Step 2 effective 2/23/96
Legislative Secretary	Carole Peterson	Step 4 to Step 5 effective 4/5/96

WALLY E. HORN, Chair

AFTERNOON SESSION

The Senate reconvened at 3:05 p.m., President Boswell presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 101, by Bartz and Hammond, a concurrent resolution designating the week of January 7-14, 1996, as Children's Week in Iowa.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 2002, by Fraise, a joint resolution to nullify an administrative rule of the department of human services relating to the time limit for the granting of a hearing to an appeal and providing an effective date.

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

Senate File 2016, by Szymoniak, a bill for an act relating to the provision of outpatient services and treatment to minors with mental illness at community mental health centers without the consent of a parent or legal guardian.

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

Senate File 2017, by Fraise, a bill for an act increasing the fine for moving traffic violations in school zones.

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

Senate File 2018, by Halvorson, a bill for an act relating to price determination for acquisition of certain electric facilities.

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

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for immediate consideration House Concurrent Resolution 102.

House Concurrent Resolution 102

On motion of Senator Horn, House Concurrent Resolution 102, a resolution providing for a joint convention on Wednesday, January 10, 1996, at 9:30 a.m. for Chief Justice McGivern 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 102, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Concurrent Resolutions 101** and **102** be **immediately messaged** to the House.

APPENDIX

STUDY BILLS RECEIVED

SSB 2001 Ways & Means

Relating to state and county mental health and developmental disability funding provisions and including an applicability provision.

SSB 2002 Human Resources

Relating to the testing and confidentiality of records requirements regarding human immunodeficiency virus-related tests and making existing remedies applicable.

SSB 2003 Human Resources

Providing for legislative appointments to the state child day care advisory council.

SSB 2004 Human Resources

Relating to the use of alternative licensing for nursing facilities.

SSB 2005 Human Resources

Relating to the authorization of the medical examiner for the making of an anatomical gift under specified circumstances.

SSB 2006 Human Resources

Relating to compensation to employees for occupational hearing loss.

SSB 2007 Human Resources

A Concurrent Resolution designating the week of January 7-14, 1996, as Children's Week in Iowa.

SUBCOMMITTEE ASSIGNMENTS

SSB 2001

WAYS AND MEANS: Szymoniak, Chair; Iverson and Vilsack

SSB 2002

HUMAN RESOURCES: Vilsack, Chair; Hansen and Tinsman

SSB 2003

HUMAN RESOURCES: Hammond, Chair; Bartz and Neuhauser

SSB 2004

HUMAN RESOURCES: Dvorsky, Chair; Bartz and Hammond

SSB 2005

HUMAN RESOURCES: Boettger, Chair; Hansen and Vilsack

SSB 2006

HUMAN RESOURCES: Szymoniak, Chair; Dvorsky and Vilsack

SSB 2007

HUMAN RESOURCES: Hammond, Chair; Bartz and Neuhauser

BILLS ASSIGNED TO COMMITTEE

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

S.J.R.	2001	State Government
S.J.R.	2002	Human Resources
S.C.R.	101	Human Resources
S.F.	2001	Appropriations
S.F.	2002	Ways and Means
S.F.	2003	State Government
S.F.	2004	Judiciary
S.F.	2005	Human Resources
S.F.	2006	Judiciary
S.F.	2007	Judiciary
S.F.	2008	Human Resources
S.F.	2009	Judiciary
S.F.	2010	Judiciary
S.F.	2011	Natural Resources, Env. & Energy
S.F.	2012	State Government
S.F.	2013	State Government

S.F.	2014	State Government
S.F.	2015	State Government
S.F.	2016	Human Resources
S.F.	2017	Transportation
S.F.	2018	Commerce

COMMITTEE REPORT

HUMAN RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 102, a resolution designating the week of January 7-14, 1996, as Children's Week in Iowa.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Hansen and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 102, by the committee on Human Resources, a resolution designating the week of January 7-14, 1996, as Children's Week in Iowa.

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

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 3:10 p.m., until 9:00 a.m., Tuesday, January 9, 1996.

JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 9, 1996

The Senate met in regular session at 9:13 a.m., President Boswell presiding.

Prayer was offered by the Reverend Bill Kerns, pastor of the First Presbyterian Churches of Osceola and Lucas, Iowa.

The Journal of Monday, January 8, 1996, was approved.

INTRODUCTION OF BILLS

Senate File 2019, by Rittmer, a bill for an act relating to nuisance suit protections for animal feeding operations.

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

Senate File 2020, by Priebe, a bill for an act relating to the establishment of a uniform telephone answering and messaging policy for state employees.

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

Senate File 2021, by Priebe, a bill for an act permitting the manufacture of the chlorofluorocarbon freon to operate air conditioners.

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

Senate File 2022, by Priebe, a bill for an act relating to the collection and use of tonnage fees for the disposal of solid waste, and providing an effective date.

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

Senate File 2023, by Rittmer, a bill for an act relating to the exemptions allowed for purposes of the state inheritance tax and providing an effective and applicability date provision.

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

Senate File 2024, by Rittmer, a bill for an act relating to the rate of tax applicable to specified beneficiaries under the state inheritance tax and providing an effective and applicability date provision.

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

Senate File 2025, by Dvorsky, a bill for an act relating to the definition of criminal gang offenses.

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.

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 102.

Senate Concurrent Resolution 102

On motion of Senator Hammond, Senate Concurrent Resolution 102, a concurrent resolution designating the week of January 7-14, 1996, as Children's Week in Iowa, was taken up for consideration.

Senator Hammond moved the adoption of Senate Concurrent Resolution 102, which motion prevailed by a voice vote.

WITHDRAWN

Senator Bartz asked and received unanimous consent that **Senate Concurrent Resolution 101** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Concurrent Resolution 102** be **immediately messaged** to the House.

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 101, duly adopted, the Senate proceeded to the House under the direction of the Secretary of the Senate and the Sergeant-at-arms.

JOINT CONVENTION

The joint convention convened at 10:00 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 Judge, Szymoniak and Freeman on the part of the Senate, and Respresentatives Garman, Teig and Myers on the part of the House.

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

The joint convention resumed session, President Boswell presiding.

The following guests were escorted into the House Chamber:

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

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

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

The joint convention resumed session, President Boswell presiding.

Governor Branstad's wife, Chris, and his children, Eric, Allison and Marcus, were escorted into the House Chamber.

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

The joint convention resumed session, President Boswell presiding.

Lieutenant Governor Joy Corning was escorted into the House Chamber.

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

The joint convention resumed session, President Boswell presiding.

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.

Birthdays are a time to celebrate, give thanks, and reflect. And so it is today as we gather in this, the 150th year of Iowa's Statehood.

We should celebrate. We have a right to. The condition of our state is not just good... it is great. Iowa is as strong as it's ever been and poised to grow even stronger.

We should give thanks. Thanks to the pioneers who tamed the wilderness and forged the communion we still today have with this beautiful land. Thanks to the leaders like former Governor and current Sesquicentennial Chair Bob Ray, Co-chair C.J. Niles, members of the Sesquicentennial Commission and the many

former elected state officials who have joined us for this special occasion. I ask that this group stand and be recognized.

We should reflect. Reflect on this special place between two great rivers that we call Iowa. It's a place where hard work, common sense, family, and faith in God still count for something. I believe as sure as I am standing before you today that this is a blessed place; that this state has not happened by chance, but by the grace of God. We are so fortunate to be Iowans.

It is entirely proper that our celebrations, our thanksgivings, and our reflections turn to the past as we mark this important milestone in our state's history.

Hugh Sidey, the Greenfield, Iowa native who is a contributing editor of *Time* magazine, put it best when he wrote that our state "has a subtle magic which was God-given at first, but has been protected and enlarged by Iowa's generations and now yields a culture that has remarkable virtues."

Ours is a state of good people, closely tied to the rhythms of nature with a stability and resilience that was, and still is uncommon. Where else can a young boy be taught by his father that life is not a sprint, it's a marathon and take that lesson and teach it to his children? Only here in Iowa. It is here that the character of a people, though weathered by 150 years of flood and drought, depression and war, has emerged stronger and tougher than ever before.

Just look at a few of our accomplishments over the past year. Our economy is thriving; our fiscal condition is sound; our communities are growing; and our families are stronger.

Today:

More Iowans are working than ever before and our unemployment rate remains at half the national average.

Exports and land values continue to rise. For the first half of 1995, we saw exports jump 29% and land values is increased by over 7% last year.

Our state budget is in the best condition in a generation with cash reserves full and a surplus of $435 million.

Iowa school children continue to receive a truly first class education with more students taking courses in foreign languages, higher levels of math and science, and advanced placement.

We are one of the best places in the country to raise a family. Kids Count ranks us second in the quality of life for children.

Our focus on jobs and quality education has paid off. Today, Iowa is truly a vibrant, growing state, even though just a few years ago the "experts" said we were destined for decline. Well, they couldn't measure with their census tracts the character and resilience of Iowans.

But as we celebrate and give thanks for our successes let us remember that this is not a sprint, but a marathon. And the finish line has yet to be crossed.

We must not now abandon that common sense and constancy of purpose which has been the hallmark of our character. Today, we stand at the threshold of a new century, poised for greatness and it is those very same qualities that will help us build on our success and make it last.

We must seize this day, and fashion a future string of endless success stories: of families coming back home for good paying jobs; of communities with new leaders and new life; of a state known for steady growth.

How do we do it?

First, we must remember the lesson of our ancestors -- that educating our citizens is government's most important task.

The progressive nature of Iowans was never demonstrated more clearly than in 1839, when Iowa's territorial government set up the first free public schools. They made sure that a schoolhouse was within two miles of every Iowan.

Today, those one room township schoolhouses are gone. But in their place, we have 384 local school districts, many non-public schools, three world-renowned state universities, 35 independent colleges and universities, and 15 area community colleges.

In the last decade, we have taken education in Iowa to new heights, but now we must go even further. There is no state in the nation which is better prepared to educate its children to succeed in the Information Age than we are today in Iowa.

Just as we were ahead of the times in 1839, our investment in the Iowa Communications Network vaults us ahead of other states and countries in the education of our children.

In his new book, The Road Ahead, Bill Gates, the visionary founder of Microsoft, discusses how important it is for us to use technology and the information superhighway to advance education. I'm sure even Bill Gates would be impressed if he knew that his vision for the future is up and running in Iowa today. Soon every school district will have access to two-way, interactive classes provided by the Iowa Communications Network. The ICN will make certain that distance or size does not disadvantage any student, even in the smallest or most remote school district of this state.

Look around you. Almost every work place -- even this House -- is run by the computer. Yet too few of our students have access to computer-aided instruction.

We need to change that. By the year 1999, every Iowa high school student should have access to the information superhighway and be taught by teachers who are trained to deliver the technological know-how necessary to prepare them for the jobs of the next millennium.

I am proposing we establish a four-year, $150 million School Improvement and Technology Fund to provide our local schools with the flexibility and resources they need to bring the opportunities of the Information Age to every Iowa student.

Our schools must continue to be places where our children are enabled to reach the limits of their talents; where they can exceed their ambitions; and where they will be able to progress beyond the dreams of their parents. This is the Iowa dream. We all know there is more to improving Iowa's schools than computers and technology alone. The teacher will always be fundamental to our system of quality education. We must take steps this year to redevelop the teaching profession so that teachers are prepared to equip our children with the skills to compete in the 21st century.

Now, we must also strengthen our state's commitment to equitable local school funding while we reduce reliance on property taxes. That is why I am proposing that from now on all allowable growth in school budgets be paid for by the state, and not the local property taxpayer. This is an historic move that will greatly strengthen all of our schools for the future.

Just two months after Iowa became a state, our first state university was chartered. Iowa's state universities are among the finest public universities in America, offering a quality, affordable education, conducting trend-setting research, and serving as a valuable tool for economic development. In preparing for the future, we should make key strategic investments in facilities so our Regents' institutions can grow to meet the challenges that lie ahead.

I am recommending a three-year, $66 million program to fund facilities for biological sciences, the performing arts, engineering, and livestock research at our state universities.

Our independent colleges and universities attract students from Iowa and all over the country -- most of whom stay here to live and work. To meet rising education costs, we should increase the Iowa Tuition Grant, which helps keep some of our best and brightest young people here in Iowa.

Our community colleges are our link to the workforce. The training and education they provide to our workforce helps make Iowa workers the most productive in the land. These colleges will play a key role as we restructure our workforce development programs.

We must stay on the course for economic development. Our continuous improvement strategy to attract good-paying jobs is working. Last year, we made progress by eliminating the property tax on machinery and equipment. We cannot afford to stop there. This session, we must reform our regulatory system to keep Iowa on a course for growth and opportunity for the next 150 years.

We should also take new steps to improve our overall competitiveness, helping both families and small businesses grow.

Iowans work hard all their lives to leave a family farm, business, or other assets to their children. But for too many Iowans, that dream is eroded by a state inheritance tax. We should eliminate the inheritance tax among family members to protect family farms and businesses and to keep more of our citizens here in their retirement years.

We can help small business by giving them the same benefits our tax structure offers to larger corporations. And, all Iowans would be helped by fully indexing the state income tax rates.

We also need to reform our property tax system. The current system is hopelessly complicated and archaic. There are 8,000 different jurisdictions that can levy property taxes and there are numerous credits, many of which aren't fully funded. Over the last 13 years, we have spent $900 million in property tax relief, yet few Iowans have seen their property taxes go down. We need to make it fairer, simpler, and less of a burden. It is time to start fundamentally changing it with a top-to-bottom review as we prepare for comprehensive reform next year.

To help control both spending and taxes, we should adopt the Taxpayers Rights Amendment to the Iowa Constitution. The growth of government should be limited to the rate of inflation and increases in population unless it is approved by a vote of the people.

As a state, we have learned some difficult lessons. In the past, we became complacent and lost our competitive edge. We will not let that happen again.

We also have a responsibility to see to it that all Iowa communities have the opportunity to share in our economic success. The New Jobs and Income Program, adopted just two years ago, has generated $1.6 billion in capital investment and created hundreds of quality jobs. We should make this tool available to smaller projects in rural communities.

And let us never forget our economic backbone -- agriculture. We need to take full advantage of new opportunities which lie in the area of value-added agriculture. The list of products made from our agricultural commodities grows longer each year. Ethanol processing now employs 12,000 Iowans and is responsible for 11% of net farm income. The Asian market is hungry for our food products, and we are preparing to intensify our promotion of Iowa Quality Meats.

We must improve our farm cooperative laws and allow farmers to have greater ownership and involvement in the value-added processing industry. As we help our livestock producers meet new challenges, we must also recognize the need to protect our rural quality of life.

Education and economic development. That's what brought us success and will make it last.

As we continue to grow and prosper, we must never neglect the quality of life we have in this state. Our state is only as good as its families and communities.

So many of the problems we face today, as a nation and as a state, can be traced back to the decay of the family. Unfortunately, government policies have inadvertently perpetuated illegitimacy, torn families apart, and robbed children of opportunity.

This year, we are launching a Campaign for the Family. It is designed to strengthen and reconnect families by focusing on stability, health, safety, and self-sufficiency. Iowa's success in the next century and a half depends on the vitality of our homes, churches, neighborhoods, and communities.

Government can't rebuild a family. That is the responsibility of individuals. We can encourage the exercise of individual responsibility.

So at the risk of being dubbed old-fashioned, I believe that we can, as a state, reinforce the two-parent family for the good of children. Each year, more than a million children go through divorce in this country. And while there are many single parents who are doing a great job, we've seen that children who grow up without the benefit of having both parents at home are five times more likely to live in poverty and two and a half times more likely to be dropouts, commit serious crimes, abuse drugs, or get pregnant.

I believe we should reform our divorce laws to require mutual consent or specific grounds for divorce. Our present no-fault divorce laws have transformed marriage into an arrangement of convenience rather than an act of commitment. Parents need to understand that a divorce can severely hurt children and impact the opportunities their kids have. Please join me in our effort to find a better way.

As part of our Campaign for the Family, we want to reduce out-of-wedlock births and reengage fathers, holding them to their parental responsibilities and assuring them of their parental rights.

I believe parents deserve the right to know when their child is undergoing a significant medical procedure. We should require parental notification before an abortion can be performed on a minor.

Strong families provide the fertile soil from which strong people and solid communities grow. The key to addressing these problems lies in reconnecting and reinforcing Iowa's families.

This is even more critical as power shifts away from the federal government. The devolution of power from Washington to states, local communities, and inevitably to families and individuals, gives us both an opportunity and a challenge.

It is an opportunity to take charge of our own destiny, find solutions that best fit our own problems, and empower individuals and communities to fashion their own futures.

But it is also a challenge. We must be prepared to bear the burden of authority and accept responsibility for our own actions.

Iowans are better prepared than most to meet that challenge. The spirit of neighbor helping neighbor is as Iowan as the tall corn we grow.

State government, too, must be prepared to meet the challenge. We must not become a bottleneck in the historic flow of power from Washington to the family.

We must rise to our new responsibilites and reshape state goverment. In Iowa, the transformation of our welfare system serves as a model for empowering individuals and families. Our Family Investment Program has helped thousands of families gain self-sufficiency and has broken the culture of dependency.

From workforce development to Medicaid to our child welfare system, new flexibility from the federal government will allow us to design a state government that is results-oriented, customer-focused, competitively-based, and most important, relies on a partnership with communities, churches, and families.

One size does not fit all when it comes to helping families in need; government must be changed to better meet the true needs of those we are trying to help.

All Iowans want to live in safe communities, having streets, schools, and homes that are free from the cancer of violent crime. We have among the lowest crime rates in the nation, but we are all troubled by the level of violence and drug-related crime in our state. Every Iowan has the right to feel safe and secure and that should be our guiding principle.

To protect Iowans, I believe we should reinstate the death penalty for those who commit two class "A" felonies, one of which is murder. Rape and kidnap victims, prison guards, and the innocent people of Iowa deserve this protection. The clear majority of Iowans support capital punishment. It is time for us to answer the call of the people and restore the death penalty.

We must not waver in our war on crime. We should eliminate parole for forcible felons and sexual predators. The most dangerous criminals should not be given a second chance to rob or rape again. In addition, juveniles involved in crime must be held accountable for their actions. Public disclosure of juvenile arrests and greater access to records will send a strong message and help stop young people from professing to a life of adult crime.

In less than a year, we have seen the use of methamphetamines in Iowa double. Already, we have launched an ambitious prevention campaign, and I am recommending increased penalties for making and dealing in "crank". This scourge cannot be allowed to infect our communities and destroy the lives of more Iowans.

Until we show criminals that their actions do not pay, there is no hope of stopping the few that disrupt the safe and peaceful lives of Iowans. We have made good progress in the last couple of years in addressing our need for more prison space. This year, we should authorize construction of another 750 bed prison and use prison labor to remodel and reopen cellhouse 17 at Fort Madison.

When I grew up in rural Iowa, we didn't need locks on our doors. Let us work together to restore that sense of security once again to the neighborhoods, schools, and homes of Iowa.

As a state, we are better prepared than ever to act on the priorities I have outlined for you today. We made the tough decisions that Washington is only now beginning to grapple with. Our actions have paid off.

No state in the nation stands in the solid financial position we are in today. Our cash reserves are full and we have a GAAP balance of $435 million. This year, Financial World magazine ranked Iowa as the 6th best managed state in the nation. Our goal should be no less than to be the best managed state in the nation.

This year, we must continue to live by the spending reforms that took our state government from a $400 million deficit to a surplus that is even greater. This budget that I am presenting to you protects our cash reserves and keeps ongoing expenditures at 4% growth.

We know from our history that there are times to reap and times to sow, that there are droughts and floods that follow bin-busting harvests. We must be prudent in our spending today so that we will be able to meet the needs of Iowans when times are leaner.

We are also working to make state government more accountable and responsive. The bi-partisan Council on Human Investment, chaired by Lt. Governor Joy Corning, is developing and implemeting a new state budget system that ties expenditures to the results Iowans want. The system, called Budgeting for Results, will be used by seven agencies beginning this year and will be expanded to all state agencies by the year 2000.

This is also the time to pay attention to our infrastructure needs. It is the generation's turn to invest in our public facilities. Therefore, I am recommending that we establish a permanent Infrastructure Fund that will provide a reliable and steady stream of funding to build and rebuild our public buildings and infrastructure.

This year, we Iowans have much to celebrate, much to give thanks for, much to reflect upon. Iowa's subtle magic, that Hugh Sidey described, has indeed been protected and enlarged. Today, we are better prepared for our future than ever before.

But birthdays involve gift-giving. And it is that last feature of our sesquicentennial that we must also remember throughout this year.

As citizens, each of us should take the time this year to help out a friend in need; assist a family in trouble; help clean up a park; coach the local team; serve on a community board; and say a prayer for our local troops overseas. These are gifts we can give our state. They will make this an even better, more civil place.

Such giving is one of the remarkable virtues which have been given to us by those who have gone before us.

As public servants, we should use this year to give to the state our commitment to do what is best for Iowa. The course I have laid out for you is ambitious and challenging. But it is a steady course; a clear course for our future.

Our gift to this state in its 150th year should be to leave all personal, partisan, or private interests at the door. For this must be the place where the public interest rules.

And, we and those we serve will be better for it.

So let us celebrate, let us give thanks, let us reflect during this year. Let us give the state the best that is in us.

With God's help and yours, we can make our state stand out like a candle of light in the Heartland of America -- the same beacon of hope which guided those early pioneers 150 years ago.

And 150 years from this day, they will look back and thank us for giving them the greatest days in the history of the Great State of Iowa.

Thank you, God bless you, and Happy Birthday, Iowa.

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

On motion of Respresentative Siegrist, the joint convention was dissolved.

The Senate returned to the Senate Chamber and resumed regular session, President Pro tempore Bisignano presiding.

RECESS

On motion of Senator Judge, the Senate recessed at 10:43 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:35 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 BILLS

Senate File 2026, 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.**

Senate File 2027, by Bisignano, a bill for an act relating to increasing the hourly minimum wage requirement in Iowa.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: January 8, 1996, 1:40 p.m.

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

Members Absent: Hansen and Kramer (excused).

Committee Business: Approved SSB 2007 as a committee bill.

Adjourned: 1:49 p.m.

RULES AND ADMINISTRATION

Convened: January 8, 1996, 9:15 a.m.

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

Members Absent: none.

Committee Business: Approved floor access to democratic, republican and governor's staffs; approved personnel report for senate staff and democratic caucus staff.

Adjourned: 9:35 a.m.

STATE GOVERNMENT

Convened: January 8, 1996, 1:36 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: Organizational meeting; discussed public retirement systems.

Adjourned: 1:50 p.m.

WAYS AND MEANS

Convened: January 8, 1996, 2:25 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Connolly, Deluhery, Freeman, Iverson, Neuhauser, Priebe and Vilsack.

Members Absent: Bennett, Ranking Member; Drake, Hedge, McLaren, Murphy and Szymoniak.

Committee Business: Assigned SSB 2001 to a subcommittee.

Adjourned: 2:26 p.m.

CERTIFICATES OF RECOGNITION

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

For attaining the rank of Eagle Scout — Chad A. Carlisle, Jason Cottrell, Nick Klenske, Drew Kueter and Tom Viner, all from Dubuque. Senator Flynn.

STUDY BILL RECEIVED

SSB 2008 Transportation

Extending an exemption from federal motor carrier safety regulations for medically unqualified drivers and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate File 188

BUSINESS AND LABOR RELATIONS: Dearden, Chair; Banks and Gettings

Senate File 196

BUSINESS AND LABOR RELATIONS: Dvorksy, Chair; Dearden and Iverson

Senate File 232

TRANSPORTATION: Drake, Chair; Dearden and Fraise

Senate File 2017

TRANSPORTATION: Fink, Chair; Fraise and Jensen

SSB 2006
(Reassignment)

HUMAN RESOURCES: Szymoniak, Chair; Bartz and Dvorsky

SSB 2008

TRANSPORTATION: Gettings, Chair; Connolly and Douglas

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2019	Judiciary
S.F.	2020	State Government
S.F.	2021	Natural Res., Environ. & Energy
S.F.	2022	Natural Res., Environ. & Energy
S.F.	2023	Ways and Means
S.F.	2024	Ways and Means
S.F.	2025	Judiciary
S.F.	2026	Judiciary
S.F.	2027	Business and Labor Relations

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: *SENATE FILE 2030 (SSB 2001), a bill for an act relating to state and county mental health and developmental disability funding provisions and including an applicability provision and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Husak, Bennett, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2030 and they were attached to the committee report.

INTRODUCTION OF BILLS

Senate File 2028, by Boswell, a bill for an act relating to increasing the maximum family income which may be considered for purposes of tax increment financing for housing.

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

Senate File 2029, by Halvorson, a bill for an act increasing the speed limit on certain highways and providing an effective date.

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

Senate File 2030, by the committee on Ways and Means, a bill for an act relating to state and county mental health and developmental disability funding provisions and including an applicability provision and an effective date.

Read first time under rule 28 and **placed on Ways and Means Calendar.**

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 1:52 p.m., until 9:00 a.m., Wednesday, January 10, 1996.

JOURNAL OF THE SENATE

THIRD CALENDAR DAY
THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 10, 1996

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

Prayer was offered by the Reverend Ronald Bouwkamp, pastor of the Peoria Christian Reformed Church, Pella, Iowa.

The Journal of Tuesday, January 9, 1996, was approved.

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 102, 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 102, duly adopted, the joint convention was called to order at 9:30 a.m., President Boswell presiding.

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

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

Senator Horn moved that a committee of six, three members from the Senate and three members from the House, be appointed to escort Lieutenant Governor Joy Corning to the Condition of the Iowa Judiciary Message.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Dvorsky, Dearden and McKean on the part of the Senate, and Representatives Bradley, Grundberg and Nelson of Pottawattamie 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 Redfern on the part of the Senate, and Representatives Dinkla, Millage and Moreland on the part of the House.

The following guests were escorted into the House Chamber:

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

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, 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 Lieutenant Governor Joy Corning and escorted her to the speaker's station.

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

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

Mr. President, Mr. Speaker, Governor, members of the General Assembly, state officials, judicial colleagues, and friends:

Thank you for the kind invitation to appear before you today.

It's a privilege to visit with you each year about the condition of Iowa's courts. This address is an opportunity for me to review with you the significant activities of our courts, to evaluate whether we're meeting our citizens' needs for justice, and to recommend improvements as necessary. I hope this review helps you with some of the tough decisions you'll face in the months to come.

Providing Iowans with a fair, effective and efficient court system is a mission we share with you. Our roles may be different, but our goals are not. The strength of Iowa's justice system depends, in large part, on the strength of our partnership. And we, in the judiciary, recognize the importance of communication in maintaining a good partnership.

We understand the cost of poor communication, as did former FBI director, J. Edgar Hoover. He learned that even the simplest message, when not clearly communicated, can have a major impact. Years ago in an effort to cut costs, the FBI reduced the size of memo paper. One of the new memo sheets ended up on J. Edgar Hoover's desk. He disliked it immediately and wrote on the narrow margin, "watch the borders".

His message was misinterpreted. For the next six weeks, it was extremely difficult to enter the United States by road from either Mexico or Canada!

I'll try to be clear.

Although the news this year is not uniformly good, I hope you will conclude, as I have, that much of it is encouraging.

First, I'd like to focus on some of our achievements. It is always a pleasure to report on progress.

We're certainly encouraged by progress in the collection of fines and fees, a matter in which we all are vitally interested. I'd like to tell you in some detail what we're doing.

Everyone if offended when some scofflaws are allowed to accumulate substantial unpaid fines.

Respect for court orders is on the line. Inconsistent enforcement of court orders calls into question the authority and effectiveness of the courts. A fine is a sentence. Its enforcement should be pursued diligently--as diligently as an enforcement of a jail sentence. The greatest impact on fine enforcement is made at the "front-end" of the process--the time when a sentence is imposed.

We have set in motion a host of changes to improve the fine collection record of the courts. Many magistrates and judges are taking a tougher attitude. For example, in Linn County, Magistrate Pamela Lewis tells defendants appearing before her that they are expected to pay their fine that day. And she goes one step further. With the aid of a computer linked to the clerk of court office, she checks to see if they have unpaid fines from previous sentences. If they do, they are told to pay those, also.

Across the state, all of our judicial districts have stepped up their fine and collection programs. Many judges are following the methods successfully used by the district associate judges in Scott County. In that program, the payment of fines, fees and restitution is made a condition of unsupervised probation in serious and aggravated misdemeanor cases. At sentencing, defendants are told that they must appear before the court on a date set in the future. The purpose of the court date is to determine if the conditions of probation have been met. Willful failure to comply with the terms of the unsupervised probation can result in a finding of contempt of court and jail time.

A special team effort is in place in Sac County. Magistrates Warren Bush and Joseph Heidenreich and the clerk of court, Mary Jo Herrig, and her staff are working together to collect unpaid fines. Defendants are sent a notice reminding them of their unpaid fines and fees. They are also informed that if the amount is not paid by a certain date they must appear for a contempt of court hearing. Due to this extra effort, the Sac County court has collected over $22,000 in three months.

We've also achieved remarkable success with the aid of our computer system in the counties that have it.

We've collected over one million dollars from income tax refund offsets since 1994. Our computer system helped make this possible. It allows us to electronically send to the Department of Revenue and Finance lists of people who have unpaid fines. As we expand our computer system into more counties, the scope of this program will increase.

This year we start using the central collection unit of the Department of Revenue and Finance to collect unpaid fines. Our computer system is crucial to this operation. When fines are not paid for sixty days, we'll send the information to the central collection unit by computer. The central collection unit will then work on the case. They'll make phone calls, send notices, and take any further action necessary to enforce payment.

In fiscal year 1995, our courts collected over $54 million. Currently our receipts are up 6% over last year. At this rate, there will be some enhanced court collection funds available to use for expanding our computer system. Expanding our computer system is one of our budget recommendations for you. However, we plan to apply most of the enhanced court collection funds to offset our budget request for the computer system. We'll work with you on the details.

We're proud of the extra efforts our judges and staff are making to enforce fines. However, it's not our intent to force people to pay fines in cases of poverty. But we have no intention of taking second place in a line of consumer choices. There is a difference between poverty and simply preferring to pay for cable T.V. Those who are convicted of committing crimes must expect to make some sacrifices as a consequence. This is what fines are all about.

We have other examples of our commitment to effective fine enforcement. However, now it's time for a dose of reality so the visions of dollar signs don't cloud our collective good judgment. The types of procedures I mentioned earlier add to the already heavy workload of our courts. They take time away from other priorities. Furthermore, it would not be cost effective to spend our valuable resources on cases in which the cost of collecting a fine far exceeds the fine itself. And finally, there are some people who, no matter what steps are taken, just cannot be made to pay off their debt. I'm talking about transients; people who, for whatever reasons, don't have any money; and people serving time in prison. For all these reasons, we must not view the annual tally of unpaid fines and fees as an unlimited vein of revenue just waiting to be mined.

There is another area in which we've also made positive strides. I'm pleased to report our progress in responding to the recommendations of our Domestic Abuse Task Force. Under the leadership of many judges, and with the help of Jennifer Juhler, our domestic abuse intervention coordinator, local community domestic abuse coalitions have been created around the state. The purpose of the coalitions is to promote a community response to the problem of domestic abuse. We have also sponsored domestic abuse round table discussions in all of our judicial districts. We've been working closely with the Department of Public Safety to create a statewide domestic abuse registry. The registry will provide law enforcement officers around the state with the most current information on protective orders.

We're making other substantial advances with the help of technology.

Our court computer system, the Iowa Court Information System or ICIS, is making us more efficient and effective. It also serves the needs of and assists other government departments. For example:

We're sending criminal disposition data to the Department of Public Safety and the Department of Corrections through our network.

In a few months, we'll be linked by computer with the Department of Transportation so it can get traffic and criminal case information from the courts electronically.

And we've developed a new program to assist county treasurers to stop the renewal of vehicle registration of persons who have unpaid fines.

Technology also can help relieve the record storage problems of county courthouses. Most of Iowa's courthouses are bursting at the seams with old records. Records are stacked from floor to ceiling, piled in attics and basements, and crammed in garages and storage buildings. Counties are simply running out of space. Records stored in poor conditions are deteriorating quickly. Imaging technology may be one solution to this problem. We decided to find out.

Last March, the Sac County clerk's office, with the help of many volunteers, started "purging" court files. Purging means removing from a file, and destroying, records which have no legal value. Once this was finished, the files were ready

to be reproduced. A document imaging company was hired to reproduce the records. Each document was placed, one at a time, through a scanner. An exact reproduction was automatically stored on a compact disc. The discs look like those sold in music stores. The results of this six-month project are astonishing! Fifty years of court records that filled 65 file drawers are now stored on 11 four-inch C.D.s.

Technology can also help us manage the flood of criminal cases. Often in some of our high-volume courts, the system is so clogged that judges have little choice but to make decisions about criminal defendants based upon incomplete information. Polk County district associate court is developing an automated case management system to solve this problem. This system will serve as a prototype for courts around the state. This system will link, by computer, judges, the county attorney's office, the jail, the public defender's office, the department of correctional services, and the clerk's office. Once this is ready, everyone on the network will have instant access to information about criminal defendants. That's the way it ought to be.

I wholeheartedly support further use of technology! My technology of comfort is a sharp, number two, Ticonderoga pencil. It's user-friendly, low maintenance, and it's not smarter than I am. But times are changing and we all must change with it.

I'm delighted to note that a majority of Iowans favor the use of technology in the courts. In response to a new survey conducted for our Commission on Planning for the 21st Century, a majority polled thought that increasing the use of computer and communications technology in court operations is a good idea.

Today, we've set up a court technology exhibit in the hall outside our courtroom downstairs to showcase some of our innovative programs. Please come down after these remarks, join us for coffee, and look through our display.

We're making significant progress in the area of planning for the future. As that wise baseball sage, Yogi Berra, pointed out, "The future isn't what is used to be."

We are eagerly awaiting the report of our Planning Commission, which is chaired by Justice Linda Neuman. Never before have the Iowa courts conducted a comprehensive, long-range planning effort of this magnitude. Since last May, 60 hardworking Iowans from all walks of life have devoted substantial time to this project. They have been closely examining our court system and studying changes which will help us meet the needs of Iowans in the 21st Century. Thank you in advance for the financial support your leadership has pledged for this study.

The Planning Commission is scheduled to complete its work and report to the Supreme Court by June. A year from now, we hope to provide you with a full complement of legislative proposals which will help prepare our courts for the future. I am confident that together we can shape a justice system that will continue, even in the face of tremendous changes in society, to administer the highest levels of justice.

Now, I'd like to journey back a bit.

Last year in my State of the Judiciary message, I reported that the courts were struggling under the weight of a crushing caseload. Case filings in all categories were at record levels. I talked with you about our most troubling cases, juvenile, domestic abuse and criminal, which were consuming most of our court resources. We faced the strong possibility that all of our resources would eventually be used for criminal matters at the expense of civil cases. More resources, particularly more judges, were needed to help us confront this crisis.

Thank you, for your generous response. The additional resources you provided, although not our full request, have somewhat eased the pressure.

It would be easy for us to respond to this help by leaning back, and breathing a sigh of relief. But that would be a mistake because the problems I described last year are still very much with us.

Keeping up with the rising tide of cases remains our biggest challenge. More than one-half million cases, not including simple traffic violations, were filed last year in this state. That's more than one case every minute. In other words, during the time that I'm visiting with you this morning, thirty new cases will be filed.

Criminal, domestic abuse and juvenile cases continue to crowd our dockets and consume our time the most.

Please listen to the growth last year in the number of these cases:
Indictable criminal cases, the most serious crimes, jumped 10%.
Simple misdemeanor cases, a category in which we always see high-volume, increased 13%.
Juvenile cases grew 6%.
And, domestic abuse cases continue to pour in at a frenzied rate; they shot up 31%.

There's no end in sight to these alarming trends. Because of time constraints, I won't go into more detail about the caseload now. But I ask that you carefully review the information that is attached to these remarks.

You must bear in mind that new laws and mandates inevitably increase the pressure. Tougher criminal penalties add to the demands on our courts. New civil remedies add to the demands on our courts. Shorter time frames for hearings add to the demands on our courts. Each one adds to the demands placed on the courts, which in turn adds to the need for more resources. It's like trying to manufacture a newly designed car without retooling the factory.

How does all of this look to the hundreds of Iowans coming to court each day?

Sensational trials, such as that of O.J. Simpson, grab front-page headlines and public attention. But while they serve in some ways to educate the public about court procedures, they bear little resemblance to typical cases that represent the courts' routine business.

Last year, I provided you with some descriptions of the hectic pace in our urban courthouses. Rural courts are also overwhelmed. However, there's a major difference between court service in a rural courthouse and an urban courthouse. Rural courts do not have the luxury of having a judge available each day.

In Dallas County, just to the west, court service day resembles a "cattle call" with people nervously waiting for hours to have their case heard. Criminal matters get top priority. They are heard first. Civil cases are heard later in the day only if all criminal matters are completed. It's not unusual for court service to continue into the night with some matters left unresolved.

Many cases get "bumped" until later dates. Recently, I learned of a dissolution case pending in Dallas County involving the custody of two children. The day before trial, the case was continued because all of the judges were busy, presiding over other cases. The family came back six weeks later. Again, the day before trial, the case had to be continued because the judges were too busy on other matters. Imagine the strain on the parents and the children. The case is scheduled again to be heard this month. I certainly hope that it can be.

What can we do to reduce some of this enormous burden and still provide the public with an appropriate method for resolving disputes?

Alternative dispute resolution, such as mediation, is one way to reduce our civil caseload. According to the survey which I mentioned earlier, this is favored by most Iowans.

This past year we've been working with our judicial districts and private providers to furnish mediation services around the state. Many of our busiest courts now offer small claims mediation. Mediation of personal injury cases appears to be growing rapidly.

Mediation of family law cases is not catching on as much as we'd like to. We don't know why. Educating people on the value of mediation in these cases should help. We've sponsored, with the help of other groups, many training programs on the use of mediation in family law cases. We hope this training promotes mediation and encourages people to try it.

Two new family law mediation projects are underway thanks to grants from the court's technology fund, which you provided to us two years ago. The Johnson County Bar Association and the Sixth Judicial District have teamed up to start a court-annexed family mediation program. The Second Judicial District and the Center for Creative Justice in Ames are working together on a child custody and visitation mediation project to divert modification of custody claims from the courts.

Whether mediation will make a noticeable difference in our caseload remains to be seen. However, any progress we make on the civil side is overshadowed by the relentless growth in criminal, domestic abuse and juvenile cases.

Breaking the back of crime, protecting victims of domestic abuse, and turning around the lives of troubled children are high on your agenda. We share your concerns and our courts wrestle with these issues daily. But right now, these cases have us in a 'choke-hold' with little time left for other important cases.

I want to commend our judges and staff. They're working their hardest, with the aid of technology and innovative programs, to handle the constant barrage of cases. However, we need your continued support.

As long as the unprecedented demand for court services continues, we'll need more judges, more staff and more support. Our specific budget needs and recommendations are contained in our budget request which we have submitted to you.

In addition, adequate compensation to attract and retain good judges shores up the strength of our operation. Our judges were heartened last year by your attempt to meaningfully respond to the recommendations of the judicial compensation commission. We hope that issue will be re-examined by you this year.

You deserve and have our warmest thanks for responding to our concerns in the past. We must continue to work together to meet the public's need for a fair and effective court system.

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

Lieutenant Governor Corning 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, President pro tempore Bisignano presiding.

RECESS

On motion of Senator Judge, the Senate recessed at 10:22 a.m., until 3:00 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2001

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

Senate File 52
(Reassignment)

AGRICULTURE: Priebe, Chair; Banks and Fraise

Senate File 58

AGRICULTURE: Priebe, Chair; Banks and Fraise

Senate File 67

COMMERCE: Hansen, Chair; Deluhery and Lundby

Senate File 92

WAYS AND MEANS: Murphy, Chair; McLaren and Szymoniak

Senate File 334

AGRICULTURE: Priebe, Chair; Banks and Fraise

Senate File 401

COMMERCE: Deluhery, Chair; Douglas and Hansen

Senate File 421

COMMERCE: Palmer, Chair; Husak and Redfern

Senate File 464

WAYS AND MEANS: Vilsack, Chair; Deluhery and Freeman

Senate File 465

WAYS AND MEANS: Vilsack, Chair; Deluhery and Drake

Senate File 485

WAYS AND MEANS: Murphy, Chair; Connolly and Drake

Senate File 2003

STATE GOVERNMENT: Bisignano, Chair; Fink and Lind

Senate File 2004

JUDICIARY: Szymoniak, Chair; Bartz, Giannetto, Maddox and Vilsack

Senate File 2006

JUDICIARY: Hammond, Chair; Giannetto, McKean, Redfern and Vilsack

Senate File 2007

JUDICIARY: Giannetto, Chair; Hammond, McKean, Redfern and Vilsack

Senate File 2009

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

Senate File 2010

JUDICIARY: Szymoniak, Chair; Drake, Giannetto, Hammond and Maddox

Senate File 2011

NAT. RESOURCES, ENVIR. & ENERGY: Kibbie, Chair; Hedge and Judge

Senate File 2012

STATE GOVERNMENT: Bisignano, Chair; Fink and Lind

Senate File 2013

STATE GOVERNMENT: Connolly, Chair; Halvorson and Lundby

Senate File 2014

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and Rittmer

Senate File 2015

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

Senate File 2018

COMMERCE: Hansen, Chair; Deluhery and Douglas

Senate File 2020

STATE GOVERNMENT: Connolly, Chair; Bisignano and McLaren

Senate File 2021

NAT. RESOURCES, ENVIR. & ENERGY: Gronstal, Chair; Black and Lundby

Senate File 2025

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

Senate File 2026

JUDICIARY: Hammond, Chair; Bartz, Halvorson, Maddox and Szymoniak

House File 511

COMMERCE: Gronstal, Chair; Deluhery and Redfern

COMMITTEE REPORT

AGRICULTURE

Final Bill Action: *SENATE FILE 2034 (LSB 3618), a bill for an act relating to county zoning of animal feeding operations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Priebe, Judge, Black, Boswell, Fraise, Giannetto, Palmer and Sorensen. Nays, 6: Bartz, Banks, Douglas, Hedge, McLaren and Zieman. Absent or not voting, 1: Husak.

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 2034 and they were attached to the committee report.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: January 9, 1996, 4:16 p.m.

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

Members Absent: Bisignano (excused) and Priebe.

Committee Business: Assigned bills to subcommittees; overview of the insurance department by the commissioner of insurance.

Adjourned: 4:50 p.m.

TRANSPORTATION

Convened: January 9, 1996, 3:20 p.m.

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

Members Absent: Connolly and Halvorson (both excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:27 p.m.

WAYS AND MEANS

Convened: January 9, 1996, 3:35 p.m.

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

Members Absent: Connolly (excused).

Committee Business: Assigned bills to subcommittees; amended and approved SSB 2001 as a committee bill.

Adjourned: 4:09 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:10 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 2031, by Boswell, Husak, Judge, Kibbie, Fraise, Jensen, Gettings, Dearden, Gronstal, Bisignano, Sorensen, Dvorsky, Black, Giannetto, Deluhery, Fink, Rittmer, Murphy, Palmer, Szymoniak, Flynn, Lundby, Neuhauser, Banks, Iverson, Priebe, Connolly, and Hansen, a bill for an act relating to the compensation of merchant marines for active service, creating a merchant marine service compensation fund, providing for administrative procedures, providing for other properly related matters, making an appropriation, and providing a penalty.

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

Senate File 2032, by Connolly, a bill for an act relating to minimum instructional time requirements for a school week.

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

Senate File 2033, by Jensen and Palmer, a bill for an act appropriating money from the general fund of the state to repair and renovate the soldiers and sailors monument of the civil war on the state capitol complex.

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

Senate File 2034, by committee on Agriculture, a bill for an act relating to county zoning of animal feeding operations.

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

Senate File 2035, by Kibbie, a bill for an act relating to the control and eradication of ecologically harmful exotic species and Eurasian milfoil and establishing a penalty.

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

Senate File 2036, by Connolly and Kibbie, a bill for an act relating to dates of active duty for purposes of the military service property tax exemption and providing an applicability date.

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

Senate File 2037, by Kibbie and Husak, a bill for an act relating to animal feeding operations by providing for county zoning of certain operations, and imposing requirements relating to construction permits.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rensink for the day and remainder of the week 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 47 present, 3 absent and a quorum present.

The Senate stood at ease at 4:25 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 5:05 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.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 2030.

Senate File 2030

On motion of Senator Szymoniak, Senate File 2030, a bill for an act relating to state and county mental health and developmental disability funding provisions and including an applicability provision and an effective date, was taken up for consideration.

Senator Iverson offered amendment S—5002 filed by him from the floor to pages 1-3 of the bill and moved its adoption.

Amendment S—5002 lost by a voice vote.

Senator Szymoniak offered amendment S—5001 filed by her from the floor to pages 2 and 3 of the bill and moved its adoption.

Amendment S—5001 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

BUSINESS PENDING

Senate File 2030

The Senate resumed consideration of Senate File 2030.

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. 2030) 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	Palmer	Priebe
Redfern	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Kramer	Rensink

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 2030** be **immediately messaged** to the House.

INTRODUCTION OF BILL

Senate File 2038, by Sorensen, Giannetto, Kibbie, Neuhauser, Hammond, Vilsack, Halvorson, Flynn, Murphy, Dearden, McKean, Bartz, Zieman, Rittmer, and Judge, a bill for an act relating to the inclusion of a minimum level of maternity benefits in an individual or group health care policy or contract issued in the state.

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

APPENDIX

STUDY BILLS RECEIVED

SSB 2009 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, and providing effective and retroactive applicability dates.

SSB 2010 Judiciary

Relating to the amount of 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, providing for a reduction in the amount of good and honor time that may be earned by forcible felons, providing for a legislative interim and a departmental study, providing for a pilot project, and making other related changes.

SSB 2011 Judiciary

Relating to the law enforcement academy's minimum vision requirements for entrance into approved law enforcement training schools.

SSB 2012 Judicairy

Relating to vision requirements of the Iowa law enforcement academy for law enforcement officer recruits.

SSB 2013 Judiciary

Relating to peace officer status for state department of transportation employees.

SSB 2014 State Government

Relating to the powers and duties of the racing and gaming commission and minimum age for gambling at racetrack enclosures, and subjecting violators to a penalty.

SSB 2015 State Government

Relating to permissible fees and commission to be paid to certified public accountants and accounting practitioners.

SSB 2016 State Government

Relating to notaries public by establishing requirements relating to identification of persons and maintaining an official journal, and providing authorization to notaries public to sign for certain individuals.

SSB 2017 State Government

Relating to setting the compensation for publication of certain notices by the superintendent of printing.

SSB 2018 Judiciary

Relating to nonsubstantive Code corrections, and providing effective and retroactive applicability dates.

SSB 2019 Judiciary

Relating to public access to criminal history data maintained by the department of public safety.

SSB 2020 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 a commercial vehicle while disqualified, and making penalties applicable.

SSB 2021 Judiciary

Relating to fingerprinting requirements for certain public offenses.

SSB 2022 Judiciary

Relating to the arresting authority of peace officers outside the officers' jurisdiction.

SSB 2023 Education

Establishing an environmental education program in the state of Iowa.

SUBCOMMITTEE ASSIGNMENTS

SSB 2009

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

SSB 2010

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

SSB 2011

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

SSB 2012

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

SSB 2013

JUDICIARY: Giannetto, Chair; Boettger, Drake, Fraise and Vilsack

SSB 2014

STATE GOVERNMENT: Bisignano, Chair; Fink and Lind

SSB 2015

STATE GOVERNMENT: Giannetto, Chair; Fink and Lind

SSB 2016

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

SSB 2017

STATE GOVERNMENT: Gronstal, Chair; Bennett and Kibbie

SSB 2018

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

SSB 2019

JUDICIARY: McKean, Chair; Giannetto, Halvorson, Hammond and Redfern

SSB 2020

JUDICIARY: Hansen, Chair; Boettger, Giannetto, Hammond and Maddox

SSB 2021

JUDICIARY: Halvorson, Chair; Bartz, Boettger, Giannetto and Szymoniak

SSB 2022

JUDICIARY: Giannetto, Chair; Drake, Hammond, Redfern and Vilsack

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2028	Appropriations
S.F.	2029	Transportation
S.F.	2031	Appropriations
S.F.	2032	Education
S.F.	2033	Appropriations
S.F.	2035	Nat. Resources, Env. & Energy
S.F.	2036	Ways and Means

PRESENTATION OF VISITOR

Senator Horn welcomed the Honorable Tom Harkin, U.S. Senator from Iowa, who was present in the Senate chamber.

AMENDMENTS FILED

S—5001	S.F.	2030	Elaine Szymoniak
S—5002	S.F.	2030	Stewart Iverson, Jr.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:38 p.m., until 9:00 a.m., Thursday, January 11, 1996.

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 11, 1996

The Senate met in regular session at 9:12 a.m., President Boswell presiding.

Prayer was offered by Dr. Sam Massey, pastor of the Westminster Presbyterian Church, Des Moines, Iowa.

The Journal of Wednesday, January 10, 1996, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Szymoniak for the day on request of Senator Horn.

INTRODUCTION OF BILLS

Senate File 2039, by Flynn, a bill for an act relating to the income tax exemption for retirement income for purposes of state individual income taxation and providing a retroactive applicability date.

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

Senate File 2040, by Flynn, a bill for an act increasing maximum gross weight for special trucks.

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

Senate File 2041, by Flynn, a bill for an act relating to the definition of resident for the purpose of obtaining licenses to hunt, fish, or take protected species of animals.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: January 10, 1996, 8:15 a.m.

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

Members Absent: Husak (excused).

Committee Business: Approved LSB 3618 as a committee bill.

Adjourned: 9:13 a.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: January 10, 1996, 8:43 a.m.

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

Members Absent: Deluhery, Vice Chair; McLaren, Ranking Member and Hansen (all excused).

Committee Business: Organizational meeting; unanimous consent was granted for no further action to be taken on Senate Files 355 and 324 and Senate Concurrent Resolution 21.

Adjourned: 8:57 a.m.

STUDY BILL RECEIVED

SSB 2024 Ways and Means

Updating the Iowa Code references to the Internal Revenue Code and providing a retroactive applicability date and an effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 16

AGRICULTURE: Boswell, Chair; Banks and Husak

Senate Resolution 25

AGRICULTURE: Fraise, Chair; Douglas and Zieman

Senate Concurrent Resolution 32

AGRICULTURE: McLaren, Chair; Giannetto and Husak

Senate Joint Resolution 9

AGRICULTURE: Black, Chair; Hedge and Judge

Senate File 380

BUSINESS AND LABOR: Gettings, Chair; Dearden and Iverson

Senate File 383

BUSINESS AND LABOR: Dearden, Chair; Freeman and Giannetto

Senate File 404

NAT. RESOURCES, ENVIRON & ENERGY: Fink, Chair; Lundby and Sorensen

Senate File 2029

TRANSPORATION: Gettings, Chair; Connolly and Douglas

Senate File 2032

EDUCATION: Connolly, Chair; Kibbie and Redfern

Senate File 2035

NAT. RESOURCES, ENVIRON & ENERGY: Kibbie, Chair; Judge and Rensink

House File 395

NAT. RESOURCES, ENVIRON & ENERGY: Fink, Chair; Lundby and Sorensen

SSB 2023

EDUCATION: Hammond, Chair; Connolly and Kramer

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 103, by Hansen, a concurrent resolution posthumously honoring Mr. Loren Callendar, and

recognizing his many contributions to city government and to the citizens of Siouxland.

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

INTRODUCTION OF BILLS

Senate File 2042, by Bennett, a bill for an act relating to the amount of the penalty for failure to file a tax return or deposit form before the due date and for failure to remit a certain percent of tax due before an extension is made and providing an effective and applicability date provision.

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

Senate File 2043, by Fraise, a bill for an act relating to the HIV-related testing of an alleged offender following an alleged sexual assault and making penalties applicable.

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

Senate File 2044, by Boswell, Fraise, Gettings, Halvorson, Judge, Vilsack, Priebe, and Kibbie, a bill for an act establishing a regional equipment center, requiring the appointment of a board of directors, authorizing the assessment of fees, and providing a conditional effective date.

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.	2037	Nat. Res., Environ. & Energy
S.F.	2038	Commerce
S.F.	2039	Ways and Means
S.F.	2040	Transportation
S.F.	2041	Nat. Res., Environ. & Energy
S.F.	2042	Ways and Means
S.C.R.	103	Small Business, Econ. Dev. & Tourism

COMMITTEE REPORT

NATURAL RESOURCES, ENVIRONMENT & ENERGY

Final Bill Action: *SENATE FILE 2046 (formerly Senate File 2011), a bill for an act removing the confidential status of water and ice vessel accident reports filed with the natural resource commission of the department of natural resources and providing for the Act's applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Fink, Black, Lundby, Dearden, Freeman, Gronstal, Hedge, Judge, Kibbie and Sorensen. Nays, none. Absent or not voting, 5: Banks, Borlaug, Deluhery, Priebe and Rensink.

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 2046 and they were attached to the committee report.

INTRODUCTION OF BILLS

Senate File 2045, by Lind, a bill for an act relating to the family investment program special needs provisions by prohibiting payment of charges for drivers' education.

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

Senate File 2046, by committee on Natural Resources, Environment and Energy, a bill for an act relating to water and ice vessel accident reports filed with the natural resource commission of the department of natural resources and providing for the Act's applicability.

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

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 9:20 a.m., until 9:00 a.m., Friday, January 12, 1996.

JOURNAL OF THE SENATE

FIFTH CALENDAR DAY
FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, January 12, 1996

The Senate met in regular session at 9:02 a.m., Senator Judge presiding.

Prayer was offered by the Honorable Albert G. Sorensen, member of the Senate from Boone County, Boone, Iowa.

The Journal of Thursday, January 11, 1996, was approved.

INTRODUCTION OF BILLS

Senate File 2047, by Lundby, a bill for an act relating to declaration of political party affiliation on voter registration forms.

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

Senate File 2048, by Lundby, a bill for an act relating to private investigative agency and security agent licensing qualifications.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 11, 1996, 10:05 a.m.

Members Present: Judge, Chair; Sorensen, Vice Chair; Bartz, Ranking Member; Horn and Lundby.

Members Absent: none.

Committee Business: Organizational meeting; adopted rules.

Adjourned: 10:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 11, 1996, 10:05 a.m.

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

Members Absent: none.

Committee Business: Discussion of federal budget cuts and their impact on the state led by the directors of the department of employment services and the department of economic development.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 11, 1996, 10:04 a.m.

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

Members Absent: none.

Committee Business: Presentations by LFB and the department of management.

Adjourned: 11:02 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 11, 1996, 10:10 a.m.

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

Members Absent: Rensink, Ranking Member (excused).

Committee Business: Review of federal funding by department panelists.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 11, 1996, 10:10 a.m.

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

Members Absent: Szymoniak, Vice Chair (excused).

Committee Business: Discussed the implications of federal welfare reform on Iowa policy and funding.

Adjourned: 11:59 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 11, 1996, 10:05 a.m.

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

Members Absent: Dvorsky, Vice Chair (excused).

Committee Business: Introductions and presentations by the departments of judicial, public safety, public defender, public defense, corrections and board of parole.

Adjourned: 11:12 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 11, 1996, 10:08 a.m.

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

Members Absent: none.

Committee Business: DOT overview of '96 and '97 federal funding.

Adjourned: 10:45 a.m.

EDUCATION

Convened: January 11, 1996, 1:19 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Fink, Hammond, Lind, Neuhauser and Tinsman.

Members Absent: Deluhery, Dvorsky, Iverson, Kramer, Murphy, Rensink and Szymoniak (all excused).

Committee Business: Assigned bills to subcommittees; with the exception of Senate File 209, unanimous consent was granted for no further action to be taken on the bills held over from last session.

Adjourned: 1:30 p.m.

JUDICIARY

Convened: January 11, 1996, 1:40 p.m.

Members Present: Giannetto, Chair; Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser and Redfern.

Members Absent: Vilsack, Vice Chair; McKean, Ranking Member and Szymoniak (all excused).

Committee Business: Organizational meeting; assigned bills to subcommittees.

Adjourned: 1:55 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: January 11, 1996, 1:38 p.m.

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

Members Absent: Banks (excused), Borlaug, Deluhery (excused), Priebe and Rensink (excused).

Committee Business: Assigned bills to subcommittees; amended and approved Senate File 2011 as a committee bill.

Adjourned: 1:55 p.m.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2043	Judiciary
S.F.	2047	State Government

ADJOURNMENT

On motion of Senator Black, the Senate adjourned at 9:05 a.m., until 1:30 p.m., Tuesday, January 16, 1996.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 16, 1996

The Senate met in regular session at 1:45 p.m., Senator Sorensen presiding.

Prayer was offered by the Reverend Roger Todd, pastor of the First Presbyterian Church of Adair, and the Westminster Presbyterian Church of Des Moines, Iowa.

The Journal of Friday, January 12, 1996, was approved.

INTRODUCTION OF BILL

Senate File 2049, by McKean, a bill for an act relating to the authority of cities and counties to restrict public indecent exposure and providing an effective date.

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

The Senate stood at ease at 1:48 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 2:12 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 2050, by Maddox, a bill for an act relating to determining the costs of a cremation permit.

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

Senate File 2051, by Maddox, a bill for an act providing access to a county medical examiner to all accident reports and related appendices prepared by or in the possession of the state department of transportation.

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

APPENDIX

STUDY BILL RECEIVED

SSB 2025 Education

Establishing a school improvement technology program to fund instructional technology for school districts, the Iowa braille and sight saving school, the state school for the deaf and the Price laboratory school, providing for properly related matters, and making appropriations.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2002

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Hansen

Senate Concurrent Resolution 33

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

Senate File 64

STATE GOVERNMENT: Bisignano, Chair; Lind and McLaren

Senate File 154
(Reassignment)

HUMAN RESOURCES: Neuhauser, Chair; Kramer and Szymoniak

Senate File 212

APPROPRIATIONS: Halvorson, Chair; Douglas and Fraise

Senate File 259

STATE GOVERNMENT: Sorensen, Chair; Connolly and Lundby

Senate File 281
(Reassignment)

HUMAN RESOURCES: Szymoniak, Chair; Bartz and Hammond

Senate File 299

STATE GOVERNMENT: Lind, Chair; Giannetto and Kibbie

Senate File 306

STATE GOVERNMENT: Fink, Chair; Gronstal and Lundby

Senate File 335

STATE GOVERNMENT: Dearden, Chair; Halvorson and Lundby

Senate File 343

APPROPRIATIONS: Flynn, Chair; Hammond and Tinsman

Senate File 426

STATE GOVERNMENT: Gronstal, Chair; Halvorson and Lundby

Senate File 425

STATE GOVERNMENT: Bisignano, Chair; Fink and Lind

Senate File 2001

APPROPRIATIONS: Gronstal, Chair; Kramer and Vilsack

Senate File 2002

WAYS AND MEANS: Murphy, Chair; Drake and Palmer

Senate File 2005

HUMAN RESOURCES: Vilsack, Chair; Neuhauser and Tinsman

Senate File 2008

HUMAN RESOURCES: Szymoniak, Chair; Hansen and Kramer

Senate File 2016

HUMAN RESOURCES: Hammond, Chair; Bartz and Dvorsky

Senate File 2023

WAYS AND MEANS: Palmer, Chair; Bennett, Connolly, Freeman and Neuhauser

Senate File 2024

WAYS AND MEANS: Palmer, Chair; Bennett, Connolly, Freeman and Neuhauser

Senate File 2028

APPROPRIATIONS: Vilsack, Chair; Gronstal and Tinsman

Senate File 2031

APPROPRIATIONS: Kibbie, Chair; Boswell and Kramer

Senate File 2033

APPROPRIATIONS: Halvorson, Chair; Douglas and Judge

Senate File 2036

WAYS AND MEANS: Palmer, Chair; Drake and Murphy

Senate File 2038

COMMERCE: Gronstal, Chair; Bisignano, Freeman, Hansen, Jensen, Palmer and Redfern

House File 570

APPROPRIATIONS: Kibbie, Chair; Dvorsky and Kramer

SSB 2025

EDUCATION: Connolly, Chair; Dvorsky and Redfern

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2048	State Government
S.F.	2049	Local Government
S.F.	2050	Local Government
S.F.	2051	Local Government

AMENDMENT FILED

S—5003	S.F.	2046	John P. Kibbie

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:15 p.m., until 9:00 a.m., Wednesday, January 17, 1996.

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 17, 1996

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

Prayer was offered by the Reverend Kay Roath, pastor of the Marion Street United Methodist Church, Boone, Iowa.

The Journal of Tuesday, January 16, 1996, was approved.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 11, 1996, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 102, a concurrent resolution designating the week of January 7-14, 1996, as Children's Week in Iowa.

INTRODUCTION OF BILL

Senate File 2052, by Vilsack, a bill for an act relating to an assessment of the employability skills of recent high school graduates by the board of directors of a school district and providing an appropriation.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Giannetto until he arrives on request of Senator Connolly.

RECESS

On motion of Senator Horn, the Senate recessed at 9:12 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 11, 1996, 10:06 a.m.

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

Members Absent: Gettings.

Committee Business: Impact of potential federal funding changes--department of agriculture and land stewardship and department of natural resources; presentation -- national native american war memorial complex.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: January 11, 1996, 10:10 a.m.

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

Members Absent: none.

Committee Business: Presentation on long-term care study.

Adjourned: 11:30 a.m.

BUSINESS AND LABOR

Convened: January 16, 1996, 4:30 p.m.

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

Members Absent: Freeman, Ranking Member; Banks and Connolly.

Committee Business: Assigned bills to subcommittees.

Adjourned: 4:33 p.m.

COMMERCE

Convened: January 16, 1996, 3:49 p.m.

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

Members Absent: Bisignano and Husak (both excused).

Committee Business: Assigned bills to subcommittees; presentation by the chairman of the Iowa Utilities Board.

Adjourned: 4:54 p.m.

EDUCATION

Convened: January 16, 1996, 1:54 p.m.

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

Members Absent: Hammond, Iverson, Rensink, Szymoniak and Tinsman (all excused).

Committee Business: Assigned SSB 2025 to a subcommittee.

Adjourned: 1:56 p.m.

LOCAL GOVERNMENT

Convened: January 16, 1996, 3:53 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Black, Fraise, Halvorson, Rittmer and Zieman.

Members Absent: Judge and McKean (both excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:57 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: January 16, 1996, 3:02 p.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: Recommended passage of Senate Concurrent Resolution 103.

Adjourned: 3:19 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 103

SMALL BUSINESS, ECONOMIC DEVELOPMENT & TOURISM: Hansen, Chair; Bennett, Boettger, Borlaug, Flynn, Giannetto, Judge, Kibbie, Maddox, McKean, Palmer, Sorensen, Szymoniak, Vilsack and Zieman.

Senate File 77

LOCAL GOVERNMENT: Fink Chair; Halvorson and Maddox

Senate File 101

LOCAL GOVERNMENT: Black, Chair; Judge and McKean.

Senate File 194

LOCAL GOVERNMENT: Sorensen, Chair; Judge and Rittmer

Senate File 198

LOCAL GOVERNMENT: Fraise, Chair; Fink and Zieman

Senate File 344

LOCAL GOVERNMENT: Fraise, Chair; Black and Maddox

Senate File 456

LOCAL GOVERNMENT: Rittmer, Chair; Fraise and Sorensen

Senate File 2027

BUSINESS AND LABOR: Gettings, Chair; Dearden and Iverson

Senate File 2039

WAYS AND MEANS: Murphy, Chair; Bennett and Palmer

Senate File 2040

TRANSPORTATION: Black, Chair; Dearden and Rittmer

Senate File 2042

WAYS AND MEANS: Szymoniak, Chair; Bennett and Husak

Senate File 2047

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

SSB 2024

WAYS AND MEANS: Deluhery, Chair; Hedge and Priebe

COMMITTEE REPORT

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Final Bill Action: SENATE CONCURRENT RESOLUTION 103, a concurrent resolution posthumously honoring Mr. Loren Callendar, and recognizing his many contributions to city government and to the citizens of Siouxland.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Hansen, Judge, Zieman, Bennett, Boettger, Borlaug, Flynn, Giannetto, Kibbie, Maddox, McKean, Palmer, Sorensen, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 3:07 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 2053, by Freeman, a bill for an act adopting the uniform transfer on death security registration act.

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

Senate File 2054, by Maddox, a bill for an act to adjust the jurisdictional amount for municipal infractions tried before a judge in district court.

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

APPENDIX

STUDY BILLS RECEIVED

SSB 2026 Judiciary

Relating to assisted suicide and providing civil causes of action and criminal penalties.

SSB 2027 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, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2022

NATURAL RESOURCES, ENVIRONMENT & ENERGY: Priebe, Chair; Kibbie and Rensink

SSB 2026

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

SSB 2027

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

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2044	Local Government
S.F.	2045	Human Resources
S.F.	2052	Education
S.F.	2053	Judiciary
S.F.	2054	Judiciary

INTRODUCTION OF BILL

Senate File 2055, by Dearden, a bill for an act prohibiting abuse of a human corpse, and providing a penalty.

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

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 3:09 p.m., until 9:00 a.m., Thursday, January 18, 1996.

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 18, 1996

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

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

The Journal of Wednesday, January 17, 1996, was approved.

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

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

RECESS

On motion of Senator Horn, the Senate recessed at 10:35 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: January 17, 1996, 1:44 p.m.

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

Members Absent: Bartz, Hansen, Tinsman and Vilsack (all excused).

Committee Business: Assigned bills to subcommittees; without objection, the following bills will receive no further committee action: Senate Files 43, 46, 49, 54, 63, 75, 89, 115, 123, 137, 151, 190, 218, 244, 269, 289, 312, 339, 342, 430, 449, Senate Concurrent Resolution 101, House Concurrent Resolution 40 and House Files 111 and 430.

Adjourned: 2:18 p.m.

STATE GOVERNMENT

Convened: January 17, 1996, 1:38 p.m.

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

Members Absent: Giannetto (excused), McLaren and Sorensen (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:46 p.m.

WAYS AND MEANS

Convened: January 17, 1996, 2:21 p.m.

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

Members Absent: Murphy and Vilsack (both excused).

Committee Business: Assigned bills to subcommittees; presentation by the deputy revenue director on the federal update bill and tax concerns.

Adjourned: 2:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 17, 1996, 9:35 a.m.

Members Present: Sorensen, Vice Chair; Bartz, Ranking Member and Lundby.

Members Absent: Judge, Chair and Horn (both excused).

Committee Business: LFB budget presentation.

Adjourned: 10:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 17, 1996, 9:38 a.m.

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

Members Absent: none.

Committee Business: Overview of departments' 1997 budget requests and governor's recommendations by LFB; review of intent language from appropriations bill, House File 553--1995 Ag/NR Act.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 17, 1996, 9:43 a.m.

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

Members Absent: none.

Committee Business: Meeting at the state historical building for budget discussion and a tour.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 17, 1996, 9:33 a.m.

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

Members Absent: Giannetto, Vice Chair (excused).

Committee Business: Department expenditure oversight and issue review; overview and discussion of FY 1997 governor's recommendations.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 17, 1996, 9:35 a.m.

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

Members Absent: Deluhery.

Committee Business: Discussed governor's recommendations and child support recovery issues.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 17, 1996, 10:40 a.m.

Members Present: Dvorsky, Vice Chair; Iverson, Ranking Member and Redfern.

Members Absent: Fraise, Chair and Husak (both excused).

Committee Business: Legislative oversight by LFB.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: January 17, 1996, 9:45 a.m.

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

Members Absent: Boswell and Maddox (both excused).

Committee Business: Continued presentation on long-term care study; presentations by DHS and the department of elder affairs.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS.

Convened: January 17, 1996, 9:26 a.m.

Members Present: Halvorson, Chair; Douglas, Ranking Member and Murphy.

Members Absent: Palmer, Vice Chair and Jensen (both excused).

Committee Business: LFB overview of governor's fiscal recommendations for FY1997 on DOT and capitals projects.

Adjourned: 11:21 a.m.

STUDY BILLS RECEIVED

SSB 2028 Judiciary

Relating to civil disorder and unlawful training activity and establishing a penalty.

SSB 2029 Judiciary

Relating to the appointment of district judges in lieu of district associate judges.

SSB 2030 Judiciary

Establishing the offense of promoting or possessing contraband in prisons, jails, and juvenile facilities and establishing penalties.

SSB 2031 Judiciary

Relating to Iowa law enforcement officer certification by the Iowa law enforcement academy.

SSB 2032 Judiciary

Relating to persons required to register with the sex offender registry and providing a penalty.

SSB 2033 Judiciary

Eliminating the minimum fine for a simple misdemeanor.

SSB 2034 Human Resources

Relating to the immunity from civil liability for health care peer review committee members.

SSB 2035 Agriculture

Providing for the control of coyotes, providing an appropriation, and providing a penalty.

SSB 2036 Agriculture

Relating to implements of husbandry by providing for machinery towed by a motor vehicle or farm tractor, and providing and effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate File 287
(Reassignment)

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

Senate File 2019

JUDICIARY: Bisignano, Chair; Boettger, Giannetto, Maddox and Vilsack

Senate File 2043

JUDICIARY: Boettger, Chair; Bisignano, Fraise, Giannetto and Maddox

House File 135
(Reassignment)

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

SSB 2028

JUDICIARY: Bisignano, Chair; Bartz, Giannetto, Maddox and Vilsack

SSB 2029

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

SSB 2030

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

SSB 2031

JUDICIARY: Bisignano, Chair; Bartz, Drake, Giannetto and Vilsack

SSB 2032

JUDICIARY: Bisignano, Chair; Boettger, Giannetto, Hammond and McKean

SSB 2033

JUDICIARY: Vilsack, Chair; Bisignano, Giannetto, McKean and Redfern

SSB 2034

HUMAN RESOURCES: Dvorksy, Chair; Hansen and Kramer

SSB 2035

AGRICULTURE: Judge, Chair; Boswell and Zieman

SSB 2036

AGRICULTURE: Priebe, Chair; Banks and Palmer

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

Eric Lassance and Robert J. Winders, Dubuque — For attaining the rank of Eagle Scout. Senator Connolly (1-17-96 and 1-18-96).

Chuck Gifford, Newton — For many years of service to the working men and women of the state of Iowa. Senator Dearden (1-18-96).

AFTERNOON SESSION

The Senate reconvened at 1:51 p.m., President Boswell presiding.

INTRODUCTION OF BILL

Senate File 2056, by Banks, a bill for an act relating to the operation of motor vehicles in border cities and providing an effective date.

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

The Senate stood at ease at 1:52 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 2:47 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 2057, by Rife, a bill for an act requiring the consideration of tank lining durability and quality in the calculation of actuarially sound premiums for underground storage tank insurance.

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

Senate File 2058, by Rife, a bill for an act to provide for the supplementation of horse race purses with net receipts from gambling games.

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

Senate File 2059, by Rife, a bill for an act relating to the distribution of fines received from the enforcement of county ordinances by distributing a portion of the fines to a county public safety fund.

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

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2055	Judiciary
S.F.	2056	Transportation

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Boettger until she arrives on request of Senator Jensen.

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 103.

Senate Concurrent Resolution 103

On motion of Senator Hansen, Senate Concurrent Resolution 103, a concurrent resolution posthumously honoring Mr. Loren Callendar, and recognizing his many contributions to city government and to the citizens of Siouxland, with report of committee recommending passage, was taken up for consideration.

Senator Hansen moved the adoption of Senate Concurrent Resolution 103, which motion prevailed by a voice vote.

APPENDIX

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 2063 (SSB 2025), a bill for an act establishing a school improvement technology program to fund instructional technology for school districts, the Iowa braille and sight saving school, the state school for the deaf and the Price laboratory school, providing for properly related matters, and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink and Szymoniak. Absent or not voting, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2062 (SSB 2009), 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, and providing effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL AND AMEND AS PROVIDED IN AMENDMENT S—5004.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Bisignano, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Absent or not voting, 2: Boettger and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 2060, by Rittmer, a bill for an act relating to the use of blaze orange apparel by pheasant hunters and subjecting violators to a penalty.

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

Senate File 2061, by Rittmer and Tinsman, a bill for an act increasing the amount of the retirement income tax exemption for purposes of state individual income taxation and providing a retroactive applicability date.

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

Senate File 2062, 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, and providing effective and retroactive applicability dates.

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

Senate File 2063, by committee on Education, a bill for an act establishing a school improvement technology program to fund instructional technology for school districts, the Iowa braille and sight saving school, the state school for the deaf and the Price laboratory school, providing for properly related matters, and making appropriations.

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

AMENDMENT FILED

S—5004 S.F. 2062 Judiciary

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:50 p.m., until 1:00 p.m., Monday, January 22, 1996.

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 22, 1996

The Senate met in regular session at 1:20 p.m., President Boswell presiding.

Prayer was offered by the Reverend Jack Gray, pastor of the Calvary Christian Reformed Church, Orange City, Iowa.

The Journal of Thursday, January 18, 1996, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Tinsman for the day on request of Senator Bennett; Senator Dvorsky for the day on request of Senator Hammond and Senator Kramer for the day on request of Senator Borlaug.

INTRODUCTION OF BILLS

Senate File 2064, by Boswell, a bill for an act relating to the authority of counties to establish revitalization areas and to issue revenue bonds for such areas.

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

Senate File 2065, by Boswell, a bill for an act authorizing the establishment of enterprise zones.

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

Senate File 2066, by committee on Judiciary, a bill for an act relating to assisted suicide and providing criminal penalties.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 18, 1996, 10:45 a.m.

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

Members Absent: none.

Committee Business: Overview of topics to be presented during subcommittee; discussed comparison sheet on decision packages as well as spreadsheets on the former trust fund balances.

Adjourned: 11:08 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 18, 1996, 10:30 a.m.

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

Members Absent: Hansen.

Committee Business: Discussed workforce development and tourism.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 18, 1996, 10:53 a.m.

Members Present: Kibbie, Chair and Fink.

Members Absent: Connolly, Vice Chair; Kramer, Ranking Member and Freeman (all excused).

Committee Business: A meeting was called but lacked a quorum at the State Library.

Adjourned: 11:36 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 18, 1996, 10:00 a.m.

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

Members Absent: none.

Committee Business: Presentations by child support recovery clients and the department of human services.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 18, 1996, 10:45 a.m.

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

Members Absent: Dvorsky, Vice Chair.

Committee Business: Presentations by the Iowa law enforcement academy and the attorney general's office.

Adjourned: 11:27 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: January 18, 1996, 10:55 a.m.

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

Members Absent: Gronstal, Vice Chair (excused).

Committee Business: Presentation by the department of management on the new budgeting system (budgeting for results) developed by the Council on Human Investment.

Adjourned: 11:56 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTRATION, INFRASTRUCTURE AND CAPITALS

Convened: January 18, 1996, 10:43 a.m.

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

Members Absent: Jensen and Murphy (both excused).

Committee Business: Overview by the DOT on FY97 budget requests and specific committee questions on rest area spending, beautification budget, driver's license pilot project, the revolving fund, rail/air program items and capital budget requests at DOT.

Adjourned: 12:15 p.m.

EDUCATION

Convened: January 18, 1996, 3:30 p.m.

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

Members Absent: Tinsman (excused).

Committee Business: Amended and approved SSB 2025 as a committee bill.

Adjourned: 3:36 p.m.

JUDICIARY

Convened: January 18, 1996, 3:00 p.m.

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

Members Absent: Boettger (excused).

Committee Business: Approved SSB 2009 as a committee bill and filed a separate committee amendment; amended and approved SSB 2026 as a committee bill.

Adjourned: 3:25 p.m.

STUDY BILLS RECEIVED

SSB 2037 Transportation

Relating to transportation-related sanctions by increasing penalties for certain offenses, prohibiting the issuance of

temporary restricted licenses for certain offenses, providing scheduled fines for various violations, prohibiting certain activities of motor vehicle dealers, and allowing the issuance of a uniform citation and complaint to a corporation for certain violations.

SSB 2038 Transportation

Relating to transportation by granting the state department of transportation condemnation rights for utility facility replacement, providing for entry onto private property for sounding and drilling, relating to the disposal of abandoned vehicles, transferring motorcycle rider education responsibilities, and providing for release of retained funds for public improvements.

SSB 2039 Transportation

Relating to motor carrier certification by providing for a compliance review, requiring a motor carrier education course, and imposing fees.

SSB 2040 Transportation

Increasing the speed limit on certain highways and providing an effective date.

SSB 2041 Transportation

Relating to the establishment of an anatomical gift awareness and transplantation fund to be administered by an anatomical gift advisory committee to be established within the Iowa department of public health.

SSB 2042 State Government

Creating an advisory commission on intergovernmental relations, specifying its membership and its powers and duties, providing for other properly related matters, and providing an effective date.

SSB 2043 Human Resources

Relating to the disbursement of the remaining funds in a nonguaranteed irrevocable burial trust fund following satisfaction of payment in accordance with an agreement for funeral merchandise and funeral services.

SUBCOMMITTEE ASSIGNMENTS

SENATE FILE 2037

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Kibbie, Chair; Gronstal, Judge, Lundby and Rensink

Senate File 2041

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Fink, Chair; Black and Lundby

Senate File 2048

STATE GOVERNMENT: Giannetto, Chair; Dearden and Lundby

Senate File 2056

TRANSPORTATION: Rittmer, Chair; Dearden and Fraise

House File 166

AGRICULTURE: Banks, Chair; Douglas and Priebe

SSB 2037

TRANSPORTATION: Drake, Chair; Black and Gettings

SSB 2038

TRANSPORTATION: Connolly, Chair; Gettings and Lind

SSB 2039

TRANSPORTATION: Fraise, Chair; Halvorson and Jensen

SSB 2040

TRANSPORTATION: Gettings, Chair; Douglas and Fraise

SSB 2041

TRANSPORTATION: Gettings, Chair; Douglas and Fink

SSB 2042

STATE GOVERNMENT: Sorensen, Chair; Fink and Rittmer

SSB 2043

HUMAN RESOURCES: Vilsack, Chair; Bartz and Szymoniak

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2057	Natural Resources, Environ. & Energy
S.F.	2058	State Government
S.F.	2059	Local Government
S.F.	2060	Natural Resources, Environ. & Energy
S.F.	2061	Ways and Means
S.F.	2064	Appropriations
S.F.	2065	Small Business, Econ. Dev. & Tourism

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 2066 (SSB 2026), a bill for an act relating to assisted suicide and providing civil causes of action and criminal penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Giannetto, Vilsack, McKean, Bartz, Bisignano, Drake, Fraise, Hammond, Hansen, Maddox, Redfern and Szymoniak. Nays, none. Pass, 2: Halvorson and Neuhauser. Absent or not voting, 1: Boettger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 259, a bill for an act relating to the practice of mortuary science, cremation, and licensing of funeral establishments and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 2: Halvorson and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 2067, by Bisignano, a bill for an act relating to compensation for the transportation commission.

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

Senate File 2068, by Vilsack, a bill for an act relating to the issuance of deer hunting licenses to landowners and their immediate family.

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

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 1:25 p.m., until 9:00 a.m., Tuesday, January 23, 1996.

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 23, 1996

The Senate met in regular session at 9:11 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 22, 1996, was approved.

INTRODUCTION OF BILL

Senate File 2069, by Hammond, a bill for an act relating to cigarettes and tobacco products including providing for the prohibition of smoking in a public place or public meeting at a future date, providing for the enforcement of smoking prohibitions through rulemaking, providing for more restrictive local enforcement of smoking provisions, making provisions for distribution and advertising related to cigarettes and tobacco products, providing penalties, and providing an effective date.

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

RECESS

On motion of Senator Horn, the Senate recessed at 9:15 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: January 22, 1996, 4:45 p.m.

Members Present: Murphy, Chair; Black, Borlaug, Douglas, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, McLaren, Neuhauser, Rensink and Vilsack.

Members Absent: Boswell, Vice Chair; Lind, Ranking Member; Banks, Bartz, Bisignano, Dvorsky, Kramer and Tinsman (all excused).

Committee Business: Reassigned bills from 1995 session and assigned new bills to subcommittees.

Adjourned: 4:48 p.m.

HUMAN RESOURCES

Convened: January 22, 1996, 3:09 p.m.

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

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

Committee Business: Approved SSB 2003 as a committee bill.

Adjourned: 3:19 p.m.

STATE GOVERNMENT

Convened: January 22, 1996, 3:07 p.m.

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

Members Absent: Halvorson and Lind.

Committee Business: Approved SSB 2042 as a committee bill; recommended passage of Senate File 259.

Adjourned: 3:17 p.m.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Service Bureau:

January 3, 1996

DEPARTMENT OF HUMAN SERVICES

The report from the State County Management Committee to fulfill the requirements of section 331.438(3)(c)(13), the Code; Section 23, Senate File 69, and as the final report required under Section 6 of Senate File 315.

January 3, 1996

IOWA DEPARTMENT OF AGRICULTURE

Semi-Annual Report

January 5, 1996

DEPARTMENT OF HUMAN SERVICES

Pursuant to Senate File 431, Section 13, a report concerning an evaluation and recommendations for Nonpublic Assistance Recipients Child Support Recovery Costs.

January 5, 1996

DEPARTMENT OF JUSTICE

A report requesting that the Attorney General Study the development of regional multidisciplinary teams to focus on child abuse prosecution and intervention needs pursuant to Senate File 208.

January 5, 1996

DEPARTMENT OF HUMAN DEVELOPMENT AND FAMILY STUDIES

Alternative Strategies for Child Support Cost Recovery.

January 8, 1996

IOWA DEPARTMENT OF CORRECTIONS

A study of the establishment of a 50 bed infirmary for the care of inmates pursuant to Senate File 459, Section 4, subsection 4, passed by the 1995 General Assembly.

January 8, 1996

DEPARTMENT OF PERSONNEL

Average time to fill Vacancies report, according to HF430, Chapter 178, 1993 Acts, as amended by Senate File 2229.

January 8, 1996

DEPARTMENT OF JUSTICE

A departmental study of the legal issues, cost, and alternatives to civil commitment of violent sex offenders pursuant to Senate File 432 (1995), 95 Acts Chapter 144.

January 8, 1996

IOWA TELECOMMUNICATIONS & TECHNOLOGY COMMISSION

A five-year financial plan for the Network according to Code of Iowa Chapter 8D.3.

January 8, 1996

DEPARTMENT OF JUSTICE

Written procedures and policies to be followed by prosecuting attorneys in the prosecution of domestic abuse cases under chapters 236 and 708 pursuant to Iowa Code 13.2(13) (Supp. 1995).

January 8, 1996

DEPARTMENT OF ECONOMIC DEVELOPMENT

Pursuant to House File 512, Section 1, subsection 1b, - Privatizing Computer Services.

January 9, 1996

IOWA DEPARTMENT OF TRANSPORTATION

Pursuant to Iowa Code Section 307.26, (5), c., REPORT TO IOWA GENERAL ASSEMBLY ON PUBLIC HIGHWAY-RAILROAD GRADE CROSSING CLASSIFICATIONS AND WARNING DEVICE STANDARDS.

January 9, 1996

LEGISLATIVE FISCAL BUREAU

State of Iowa Summary of FY 1997 Budget and Governor's Recommendations.

January 9, 1996

IOWA UTILITIES BOARD

A study to determine the overall impact of the Iowa Communications Network on the private telecommunications industry in Iowa pursuant to Chapter 1184, Section 26 of the 1994 Acts.

January 10, 1996

IOWA TELECOMMUNICATIONS & TECHNOLOGY COMMISSION

Agency Savings Report as required by Code of Iowa Chapter 8D.10.

January 11, 1996

IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Biennial Report '96.

January 12, 1996

DEPARTMENT OF HUMAN SERVICES

"Improving the Adequacy of Reimbursement for Family Foster Care" pursuant to the 1995 Iowa Act, Senate File 462, Section 26, subsection 2.

January 12, 1996

STATE BOARD OF REGENTS

Board of Regents FY 1997-FY 2001 Five Year Building Program in accordance with Section 262A.3 of the Code of Iowa.

January 12, 1996

IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

The report to the Iowa General Assembly concerning the Hungry Canyons Conference held August 22, 1995, pursuant to Chapter 216, Section 21, 1995 Iowa Acts.

January 16, 1996

DEPARTMENT OF PUBLIC HEALTH

Pursuant to House File 530, the report of Iowa Lead Poisoning Coalition.

Pursuant to House File 530, Annual Report of Home Care Aide/Chore Program.

Pursuant to House File 530, Annual Report of Healthy Iowans.

Pursuant to Code Ch. 272C.4(2)"b", Annual Report For The Professional Licensing Boards.

January 16, 1996

THE UNIVERSITY OF IOWA
CENTER for HEALTH EFFECTS of ENVIRONMENTAL CONTAMINATION

Progress Report - 1995

January 16, 1996

STATE BOARD OF REGENTS

The Beginning Farm Center Annual Report, in accordance with Chapter 266.39E, Code of Iowa.

January 16, 1996

IOWA MANAGED SUBSTANCE ABUSE CARE PLAN

IMSACP Program Fact Sheet.

January 16, 1996

DEPARTMENT OF HUMAN SERVICES

Report to the Iowa Legislature on Court-Ordered Detoxification in accordance with Senate File 462, Section 3, item 9.

January 16, 1996

THE STATE PSEUDORABIES ADVISORY COMMITTEE

The Official 1996 Report On Calendar Year 1995 Activities, as required by Chapter 166D.3 Code of Iowa.

January 16, 1996

DEPARTMENT OF NATURAL RESOURCES

Pursuant to 258A., Code of Iowa, the summary of activities for the 1995 certification programs to certify persons to engage in well construction, water distribution systems and to operate sanitary landfill disposal facilities and solid waste incinerators.

A copy of the 1996 Iowa Comprehensive Energy Plan Update, as required in Section 473.7 of the Iowa Code.

January 17, 1996

DEPARTMENT OF PUBLIC SAFETY

A report on RC&D dry hydrant demonstration projects as required by Senate File 484.

January 17, 1996

DEPARTMENT OF ELDER AFFAIRS

Annual Report of the Office of the State Long-Term Care Ombudsman Program, as required by Section 249D.42 of the Iowa Code.

January 17, 1996

IOWA INSURANCE COMMISSIONER

A report concerning the elimination of age as a rating characteristic in the individual health insurance market. The report submitted in accordance with Section 513C.5, subsection 2, Iowa Code.

January 18, 1996

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

Electronic Records Issues, Introduction to Privacy and Government Records, The Monitoring of Electronic Mail in the Private Sector Workplace: An Electronic Assault on Employee Privacy Rights.

January 19, 1996

DEPARTMENT OF MANAGEMENT

Targeted Small Business and Contract Compliance Report for FY 1996, in accordance with Iowa Code 19B.7.

January 19, 1996

DEPARTMENT OF ELDER AFFAIRS

Annual Report per Code 231.58.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE RESOLUTION 16, a 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.

Recommendation: DO PASS.

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 2072 (SSB 2036), a bill for an act relating to implements of husbandry by providing for machinery towed by a motor vehicle or farm tractor, and providing an effective date.

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.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2070 (SSB 2003), a bill for an act providing for legislative appointments to the state child day care advisory council.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Szymoniak, Hammond, Boettger, Bartz, Hansen and Neuhauser. Nays, none. Absent or not voting, 4: Dvorsky, Kramer, Tinsman and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2071 (SSB 2042), a bill for an act creating an advisory commission on intergovernmental relations, specifying its membership and its powers and duties, providing for other properly related matters, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 2: Halvorson and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S—5005 S.F. 2066 Randal J. Giannetto

AFTERNOON SESSION

The Senate reconvened at 2:31 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 January 22, 1996, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 105, a concurrent resolution recognizing the women who have served Iowa as state legislators and celebrating 100 years of women elected to state legislatures.

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

ALSO: That the House has on January 23, 1996, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 103, a concurrent resolution posthumously honoring Mr. Loren Callendar, and recognizing his many contributions to city government and to the citizens of Siouxland.

ALSO: That the House has on January 23, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 16, a bill for an act relating to certain minors' rights to object to voluntary commitment and providing for surrogate decision making by parents, legal guardians, or other legal representatives under certain circumstances.

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

House File 121, a bill for an act relating to the taping and broadcasting of certain high school athletic events.

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

House File 329, a bill for an act relating to an award of attorney fees in an action to enforce a mechanic's lien.

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

House File 2001, a bill for an act extending an exemption from federal motor carrier safety regulations for medically unqualified drivers and providing an effective date.

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

House File 2065, a bill for an act relating to an appropriation to the judicial department for long-range and strategic planning and providing an effective date.

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

INTRODUCTION OF BILLS

Senate File 2070, by committee on Human Resources, a bill for an act providing for legislative appointments to the state child day care advisory council.

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

Senate File 2071, by committee on State Government, a bill for an act creating an advisory commission on intergovernmental relations, specifying its membership and its powers and duties, providing for other properly related matters, and providing an effective date.

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

Senate File 2072, by committee on Agriculture, a bill for an act relating to implements of husbandry by providing for machinery towed by a motor vehicle or farm tractor, and providing an effective date.

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

Senate File 2073, by Boswell, a bill for an act making an appropriation to the department of natural resources for statewide forestry and rural development through forestry projects in cooperation with resource, conservation, and development areas.

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

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 2063** be referred from the Regular Calendar to the committee on **Appropriations.**

APPENDIX

STUDY BILLS RECEIVED

SSB 2044 Natural Resources, Environment & Energy

Relating to the regulation of timber sales and surety bonds paid by timber buyers and providing an effective date.

SSB 2045 Natural Resources Environment & Energy

Relating to the limitations on the use of toxic materials in packaging and providing additional exemptions.

SSB 2046 Appropriations

Creating a lost federal funds stabilization account in the state treasury and providing an effective date.

SSB 2047 Judiciary

Relating to permits to acquire and carry weapons, including background checks of persons seeking permits, making existing penalties applicable, and providing effective dates.

SSB 2048 Judiciary

Relating to the harassment of public officials and establishing a penalty.

SSB 2049 Ways & Means

Relating to the computation of the inflation factors for the tax brackets and standard deduction of the state individual income tax and providing an effective and retroactive applicability date provision.

SSB 2050 Ways & Means

Relating to the exemption from inheritance tax of property passing to certain heirs and providing an applicability date provision.

SSB 2051 Ways & Means

Providing a sales, services, and use tax exemption on certain packaging materials used in agricultural, livestock, or dairy production.

SSB 2052 Ways & Means

Providing a livestock production credit for state income tax purposes,repealing the agricultural land and family farm property tax credits, and providing applicability dates.

SSB 2053 Ways & Means

Relating to the method for the computation of state income tax on shareholders of corporations whose income is taxed directly to its shareholders and providing an effective and retroactive applicability date provision.

SSB 2054 Judiciary

Adding certain property to the list of exemptions from execution available to a debtor.

SSB 2055 Education

Relating to the duties of the college student aid commission in administering the Iowa guaranteed loan program, creating a chiropractic loan revolving fund, and providing for matters related to the chiropractic graduate student forgivable loan program.

SSB 2056 Education

Relating to the duties of the college student aid commission in administering the Iowa guaranteed loan program, creating a chiropractic loan revolving fund, and providing for matters related to the chiropractic graduate student forgivable loan program.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2053

JUDICIARY: Redfern, Chair; Giannetto, McKean, Neuhauser and Vilsack

Senate File 2054

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

Senate File 2055

JUDICIARY: Giannetto, Chair; Bartz, Drake, Hammond and Neuhauser

Senate File 2057

NATURAL RESOURCES, ENVIRON. & ENERGY: Gronstal, Chair; Banks, Black, Deluhery and Lundby

Senate File 2060

NATURAL RESOURCES, ENVIRON. & ENERGY: Dearden, Chair; Black and Rensink

Senate File 2061

WAYS AND MEANS: Murphy, Chair; Bennett and Palmer

Senate File 2065

SMALL BUSINESS, ECON. DEVLPT, AND TOURISM: Flynn, Chair; Boettger, Kibbie, Maddox and Vilsack

SSB 2044

NATURAL RESOURCES, ENVIRON. & ENERGY: Black, Chair; Fink and Lundby

SSB 2045

NATURAL RESOURCES, ENVIRON. & ENERGY: Fink, Chair; Black and Lundby

SSB 2046

APPROPRIATIONS: Husak, Chair; Bartz and Murphy

SSB 2047

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

SSB 2048

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

SSB 2050

WAYS AND MEANS: Palmer, Chair; Bennett, Connolly, Freeman and Neuhauser

SSB 2051

WAYS AND MEANS: Priebe, Chair; Deluhery, Drake, Hedge and Husak

SSB 2052

WAYS AND MEANS: Palmer, Chair; Deluhery, Drake, McLaren and Priebe

SSB 2054

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

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2067	State Government
S.F.	2068	Natural Resources, Environ. & Energy
S.F.	2069	Human Resources
S.F.	2073	Appropriations
H.C.R.	105	Human Resources
H.F.	16	Judiciary
H.F.	121	Education
H.F.	329	Judiciary
H.F.	2001	Transportation
H.F.	2065	Appropriations

INTRODUCTION OF BILL

Senate File 2074, by Hammond, a bill for an act relating to the dates on which city hospital or health care facility trustees take and depart from office.

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

AMENDMENTS FILED

S—5006	S.F.	2034	Berl E. Priebe
S—5007	S.F.	2034	Tom Flynn

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:35 p.m., until 9:00 a.m., Wednesday, January 24, 1996.

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 24, 1996

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

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

The Journal of Tuesday, January 23, 1996, was approved.

INTRODUCTION OF BILLS

Senate File 2075, by Dvorsky, a bill for an act concerning assistive devices by providing for a warranty, replacement of devices, and providing consumer remedies.

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

Senate File 2076, by Tinsman, Lind, and Rittmer, a bill for an act eliminating the bond requirement for out-of-state construction contractors.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kramer for the day on request of Senator Rife.

RECESS

On motion of Senator Horn, the Senate recessed at 9:15 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 23, 1996, 9:55 a.m.

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

Members Absent: Horn (excused).

Committee Business: Presentations by the departments of revenue and finance, and personnel.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 23, 1996, 9:45 a.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.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 23, 1996, 9:50 a.m.

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

Members Absent: none.

Committee Business: Presentations by DES industrial and labor services.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 23, 1996, 9:55 a.m.

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

Members Absent: Kramer, Ranking Member (excused).

Committee Business: Presentations by Iowa braille and sight saving school, Iowa school for the deaf, and Iowa state university.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 23, 1996, 9:48 a.m.

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

Members Absent: none.

Committee Business: Presentations by the Iowa civil rights commission and GASA budgets; discussed testing grants.

Adjourned: 11:14 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 23, 1996, 9:58 a.m.

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

Members Absent: none.

Committee Business: Presentation on child welfare and discussion of child support listening post.

Adjourned: 11:58 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 23, 1996, 10:55 a.m.

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

Members Absent: none.

Committee Business: Presentations by the public defender and indigent defense fund and department of public safety.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: January 23, 1996, 10:00 a.m.

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

Members Absent: McLaren, Ranking Member and Boswell (both excused).

Committee Business: Staff review of development and charge of subcommittee; review of prioritized issues list and schedule for subcommittee.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 23, 1996, 9:51 a.m.

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

Members Absent: Palmer, Vice Chair and Murphy (both excused).

Committee Business: Presentations by the department of general services and the governor's office on Capitol restoration and relocation, maintenance and old historical building renovations.

Adjourned: 10:45 a.m.

AGRICULTURE

Convened: January 23, 1996, 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: Recommended passage of Senate Resolution 16; approved SSB 2036 as a committee bill.

Adjourned: 8:55 a.m.

COMMERCE

Convened: January 23, 1996, 3:46 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.

Committee Business: Presentations by the superintendent of banking and the superintendent of credit unions.

Adjourned: 4:34 p.m.

LOCAL GOVERNMENT

Convened: January 23, 1996, 3:47 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Fraise, Halvorson, Judge, McKean, Rittmer and Zieman.

Members Absent: Black (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:49 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: January 23, 1996, 3:02 p.m.

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

Members Absent: Giannetto, Palmer and Vilsack (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:06 p.m.

TRANSPORTATION

Convened: January 23, 1996, 3:00 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 D.O.T.

Adjourned: 3:20 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2028
(Reassignment)

APPROPRIATIONS: Gronstal, Chair; Borlaug and Vilsack

Senate File 2044

LOCAL GOVERNMENT: Judge, Chair; Fraise and Rittmer

Senate File 2045

LOCAL GOVERNMENT: Fraise, Chair; Halvorson and McKean

Senate File 2049

LOCAL GOVERNMENT: Black, Chair; Fink and Maddox

Senate File 2050

LOCAL GOVERNMENT: Halvorson, Chair; Black and McKean

Senate File 2051

LOCAL GOVERNMENT: Sorensen, Chair; Fraise and Maddox

House File 2001

TRANSPORTATION: Gettings, Chair; Connolly and Rittmer

SSB 2049

WAYS AND MEANS: Szymoniak, Chair; Bennett, Connolly, Iverson and Neuhauser

SSB 2053

WAYS AND MEANS: Vilsack, Chair; Connolly, Deluhery, Freeman and McLaren

AFTERNOON SESSION

The Senate reconvened at 1:37 p.m., President Boswell presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 104, by McLaren and Banks, a Senate concurrent resolution requesting Iowa State University to establish an Iowa Agriculture 2000 Conference in order to provide information to independent agricultural producers regarding production and marketing structures.

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

INTRODUCTION OF BILLS

Senate File 2077, by Fink, a bill for an act relating to a property tax exemption for a person who is totally disabled while on active duty with the armed forces of the United States and providing an effective date.

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

Senate File 2078, by Boettger, Douglas, McKean, and Szymoniak, a bill for an act relating to the prohibition of the sale of cigarettes or tobacco products through vending machines in any location other than a bar and making a penalty applicable.

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

QUORUM CALL

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

The vote revealed 48 present, 2 absent and a quorum present.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Files 2066, 2071 and 2072.

Senate File 2066

On motion of Senator Giannetto, Senate File 2066, a bill for an act relating to assisted suicide and providing criminal penalties, was taken up for consideration.

Senator Giannetto offered amendment S—5005, filed by him on January 23, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5005 was adopted by a voice vote.

Senator Hansen asked and received unanimous consent that action on **Senate File 2066** be **deferred.**

Senate File 2071

On motion of Senator Sorensen, Senate File 2071, a bill for an act creating an advisory commission on intergovernmental relations, specifying its membership and its powers and duties, providing for other properly related matters, and providing an effective date, 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. 2071) 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 2072

On motion of Senator Priebe, Senate File 2072, a bill for an act relating to implements of husbandry by providing for machinery towed by a motor vehicle or farm tractor, and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2072) 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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that

Senate Files 2071 and **2072** be **immediately messaged** to the House.

APPENDIX

STUDY BILLS RECEIVED

SSB 2057 Natural Resources

Relating to the hunting season for ungulates on a hunting preserve and providing an effective date.

SSB 2058 Human Resources

Relating to public health administration, including the duties of the director of public health, primary care recruitment and retention, professional licensure, and health data.

SSB 2059 Judiciary

Relating to imposing a civil penalty for certain motor vehicle license revocations, 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 and the district court, providing for the creation of a county security fund, providing for the imposition of courthouse security fees as a court cost, and providing for the purchase and maintenance of county security equipment and the administration of the county security fund.

SSB 2060 Judiciary

Relating to the human immunodeficiency virus testing of an alleged offender and making penalties applicable.

SSB 2061 Judiciary

Providing that appeal of certain sentences be by writ of certiorari.

SSB 2062 Judiciary

Relating to sexual exploitation by law enforcement officers and providing a penalty.

SSB 2063 Business & Labor

Relating to asbestos removal and encapsulation.

SSB 2064 Education

Relating to school finance by increasing the foundation base level for special education and providing an effective date.

SSB 2065 Education

Relating to the establishment of the state percent of growth for purposes of the state school foundation program and providing an effective date.

SSB 2066 Human Resources

Relating to th documentation and reporting requirements of hospitals and organ procurement organizations relating to anatomical gifts.

SSB 2067 Judiciary

Providing for agency and department cooperation in employing inmates under the hard labor program.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2058

STATE GOVERNMENT: Bisignano, Chair; Fink and Lind

Senate File 2067

STATE GOVERNMENT: Fink, Chair; Drake and Kibbie

Senate File 2069

HUMAN RESOURCES: Hammond, Chair; Dvorsky and Kramer

House Concurrent Resolution 105

HUMAN RESOURCES: Hammond, Chair; Szymoniak and Tinsman

House File 16

JUDICIARY: Neuhauser, Chair; Boettger, Hammond, Maddox and Szymoniak

House File 329

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

SSB 2057

NATURAL RESOURCES, ENVIR. & ENERGY: Dearden, Chair; Black and Rensink

SSB 2058

HUMAN RESOURCES: Neuhauser, Chair; Boettger and Hammond

SSB 2059

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

SSB 2060

JUDICIARY: Fraise, Chair; Bisignano, Boettger, Giannetto and Maddox

SSB 2061

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

SSB 2062

JUDICIARY: Maddox, Chair; Bisignano, Boettger, Giannetto and Vilsack

SSB 2063

BUSINESS AND LABOR: Connolly, Chair; Freeman and Hammond

SSB 2066

HUMAN RESOURCES: Neuhauser, Chair; Boettger and Dvorsky

SSB 2067

JUDICIARY: Bisignano, Chair; Boettger, Fraise, Giannetto and McKean

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2074	State Government
S.F.	2075	Human Resources
S.F.	2076	Business and Labor
S.F.	2077	Ways and Means
S.F.	2078	Human Resources
S.C.R.	104	Agriculture

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 2081 (SSB 2064), a bill for an act relating to school finance by increasing the foundation base level for special education and providing an effective date.

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.

ALSO:

Final Bill Action: *SENATE FILE 2082 (SSB 2065), 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 date.

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 2082 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 2083 (Senate File 2032), a bill for an act relating to minimum instructional time requirements for a school week.

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 2083 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 2080 (SSB 2018), a bill for an act relating to nonsubstantive Code corrections, and providing effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL AND AMEND AS PROVIDED IN AMENDMENT S—5009.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting: 1, Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE FILE 2022, a bill for an act relating to the collection and use of tonnage fees for the disposal of solid waste, and providing an effective date.

Recommendation: DO PASS

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.

INTRODUCTION OF BILLS

Senate File 2079, by Deluhery, a bill for an act relating to

school finance by increasing the foundation base level presently in effect for special education and providing an effective date.

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

Senate File 2080, by committee on Judiciary, a bill for an act relating to nonsubstantive Code corrections, and providing effective and retroactive applicability dates.

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

Senate File 2081, by committee on Education, a bill for an act relating to school finance by increasing the foundation base level for special education and providing an effective date.

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

Senate File 2082, by committee on Education, 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 date.

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

Senate File 2083, by committee on Education, a bill for an act relating to minimum instructional time requirements for a school week.

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

AMENDMENTS FILED

S—5008	S.F.	2063	Mike Connolly
S—5009	S.F.	2080	Judiciary

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:25 p.m., until 9:00 a.m., Thursday, January 25, 1996.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 25, 1996

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

Prayer was offered by the Reverend Dan Lozer, pastor of the Tabor Congregational United Church of Christ and the Presbyterian Church, Randolph, Iowa.

The Journal of Wednesday, January 24, 1996, 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 9:08 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 24, 1996, 9:39 a.m.

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

Members Absent: Horn (excused).

Committee Business: Presentation by the state racing and gaming commission.

Adjourned: 10:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 24, 1996, 9:50 a.m.

Members Present: Black, Chair; Priebe, Vice Chair; Bennett and Gettings.

Members Absent: Banks, Ranking Member (excused).

Committee Business: Presentation by the Iowa state fair authority regarding progress of capital projects.

Adjourned: 10:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 24, 1996, 10:00 a.m.

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

Members Absent: none.

Committee Business: Discussed sesquicentennial and DED tourism budget.

Adjourned: 10:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 24, 1996, 9:50 a.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 public health.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 24, 1996, 9:50 a.m.

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

Members Absent: none.

Committee Business: Child welfare listening post presentations by fourteen child welfare providers.

Adjourned: 12:08 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 24, 1996, 9:55 a.m.

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

Members Absent: none.

Committee Business: Presentations by the board of parole and the department of public defense.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: January 24, 1996, 10:00 a.m.

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

Members Absent: McLaren, Ranking Member and Boswell (both excused).

Committee Business: Presentation by the commissioner of the labor services division of the department of employment services regarding the operation of the labor division.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 24, 1996, 9:48 a.m.

Members Present: Halvorson, Chair and Douglas, Ranking Member.

Members Absent: Palmer, Vice Chair; Jensen and Murphy (all excused).

Committee Business: Presentations by the commission of veterans affairs, department of cultural affairs and the Iowa state fair foundation regarding capital projects requests.

Adjourned: 11:28 a.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: January 24, 1996, 4:45 p.m.

Members Present: Dvorsky, Chair; Deluhery, Vice Chair; McLaren, Ranking Member; Flynn, Hansen and Redfern.

Members Absent: Jensen (excused).

Committee Business: Assigned a bill to subcommittee; presentation by Taskforce 461.

Adjourned: 6:08 p.m.

EDUCATION

Convened: January 24, 1996, 4:29 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 bills to subcommittees; approved SSBs 2064 and 2065 and Senate File 2032 as committee bills.

Adjourned: 4:45 p.m.

JUDICIARY

Convened: January 24, 1996, 3:40 p.m.

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

Members Absent: Drake (excused).

Committee Business: Approved SSB 2061 and Senate File 2055 as committee bills; amended and approved SSB 2018 as a committee bill; discussed and deferred action on SSB 2010.

Adjourned: 4:15 p.m.

NATURAL RESOURCES

Convened: January 24, 1996, 3:39 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 Senate File 2022; presentation by the director of the department of natural resources.

Adjourned: 4:35 p.m.

PRESENTATION OF VISITORS

President Boswell welcomed the following members of the Corning Ambassadors from Corning, Iowa, who were present in the Senate gallery:

Ken Rummer, Virginia Perrin, Nancy Carmichael, Dean Davis, Alec Turner, J. Douglas Sickler, Allen Heaton, Kathy Schafer, Doug Brown, Dan Field and Jim Whitmore.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2052

EDUCATION: Kibbie, Chair; Fink and Redfern

Senate File 2063

APPROPRIATIONS: Kibbie, Chair; Lind and Murphy

Senate File 2064

APPROPRIATIONS: Vilsack, Chair; Borlaug and Boswell

Senate File 2073

APPROPRIATIONS: Black, Chair; Banks and Murphy

House File 121

EDUCATION: Dvorsky, Chair; Fink and Redfern

House File 2065

APPROPRIATIONS: Husak, Chair; Fraise and Iverson

SSB 2055

EDUCATION: Fink, Chair; Kibbie and Rensink

SSB 2056

EDUCATION: Fink, Chair; Kibbie and Rensink

SSB 2064

EDUCATION: Kibbie, Chair; Kramer and Murphy

SSB 2065

EDUCATION: Connolly, Chair; Kibbie and Redfern

AFTERNOON SESSION

The Senate reconvened at 1:40 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 2084, by McKean, a bill for an act relating to the disposition of private property condemned under eminent domain.

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

Senate File 2085, by Murphy, a bill for an act relating to handicapped parking and providing a penalty.

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

Senate File 2086, by Rittmer, a bill for an act relating to nuisance suits involving animal feeding operations.

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

Senate File 2087, by committee on Judiciary, a bill for an act providing that appeal of certain sentences be by writ of certiorari.

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

Senate File 2088, by committee on Judiciary, a bill for an act prohibiting abuse of a human corpse, and providing a penalty.

Read first time and **placed on 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, 1996, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 2030, a bill for an act relating to state and county mental health and developmental disability funding provisions and including an applicability provision and an effective date (S—5010).

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 1:48 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 2:42 p.m., President Boswell presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery for the afternoon on request of Senator Horn.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Files 2082, 2081, 2063 and 2022.

Senate File 2082

On motion of Senator Connolly, Senate File 2082, 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 date, was taken up for consideration.

The Senate stood at ease at 2:47 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 3:14 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 2082

The Senate resumed consideration of Senate File 2082.

Senator Horn asked and received unanimous consent that action on **Senate File 2082** be **deferred.**

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2081

On motion of Senator Kibbie, Senate File 2081, a bill for an act relating to school finance by increasing the foundation base level for special education 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. 2081) 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	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	Kramer

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

Senate File 2022

On motion of Senator Priebe, Senate File 2022, a bill for an act relating to the collection and use of tonnage fees for the disposal

of solid waste, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Bartz offered amendment S—5013 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5013 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. 2022) 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	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	Kramer

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

COMMITTEE REPORT

Final Bill Action: SENATE FILE 2063, a bill for an act establishing a school improvement technology program to fund instructional technology for school districts, the Iowa braille and sight saving school, the state school for the deaf and the Price laboratory school, providing for properly related matters, and making appropriations.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5014.

Final Vote: Ayes, 21: Murphy, Boswell, Lind, Banks, Bartz, Bisignano, Black, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Iverson, Judge, Kibbie, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 4: Borlaug, Husak, Kramer and McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2063

On motion of Senator Kibbie, Senate File 2063, a bill for an act establishing a school improvement technology program to fund instructional technology for school districts, the Iowa braille and sight saving school, the state school for the deaf and the Price laboratory school, providing for properly related matters, and making appropriations, with report of committee on Appropriations recommending amendment and passage, was taken up for consideration.

Senator Murphy asked and received unanimous consent that amendment S—5014 filed by the committee on Appropriations from the floor to pages 1, 4 and the title page of the bill be withdrawn.

Senator Lind offered amendment S—5016 filed by him from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5016 be adopted?" (S.F. 2063) the vote was:

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

Ayes, 18:

Bartz	Bennett	Borlaug	Drake
Freeman	Hedge	Jensen	Lind
Lundby	Maddox	McKean	McLaren
Redfern	Rensink	Rife	Rittmer
Tinsman	Zieman		

Nays, 30:

Banks	Bisignano	Black	Boettger
Boswell	Connolly	Dearden	Douglas
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Iverson	Judge	Kibbie	Murphy
Neuhauser	Palmer	Priebe	Sorensen
Szymoniak	Vilsack		

Absent or not voting, 2:

Deluhery	Kramer

Amendment S—5016 lost.

Senator Connolly asked and received unanimous consent that action on amendment S—5008 filed by him on January 24, 1996, to page 1 of the bill be deferred.

Senator Murphy offered amendment S—5017 filed by Senators Murphy and Connolly from the floor to pages 1, 3 and 4 of the bill and moved its adoption.

Amendment S—5017 was adopted by a voice vote.

Senator Freeman offered amendment S—5015 filed by her from the floor to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5015 be adopted?" (S.F. 2063) 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
Borlaug	Douglas	Drake	Freeman
Gronstal	Hedge	Husak	Iverson
Jensen	Lind	Lundby	Maddox
McKean	McLaren	Redfern	Rensink
Rife	Rittmer	Tinsman	Zieman

Nays, 24:

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

Absent or not voting, 2:

Deluhery	Kramer

Amendment S—5015 lost.

Senator Vilsack offered amendment S—5018 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—5018 lost by a voice vote.

Senator Banks withdrew amendment S—5019 filed by him from the floor to pages 1-4 of the bill.

Senator Judge offered amendment S—5020 filed by her from the floor to page 4 of the bill and moved its adoption.

A non record roll call was requested.

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

A record roll call was requested.

On the question "Shall amendment S—5020 be adopted?" (S.F. 2063) the vote was:

Ayes, 23:

Banks	Bartz	Boettger	Borlaug
Douglas	Fraise	Freeman	Gettings
Hansen	Hedge	Iverson	Jensen
Judge	Lind	McKean	McLaren
Redfern	Rensink	Rife	Rittmer
Sorensen	Tinsman	Zieman	

Nays, 25:

Bennett	Bisignano	Black	Boswell
Connolly	Dearden	Drake	Dvorsky
Fink	Flynn	Giannetto	Gronstal
Halvorson	Hammond	Horn	Husak

Kibbie	Lundby	Maddox	Murphy
Neuhauser	Palmer	Priebe	Szymoniak
Vilsack			

Absent or not voting, 2:

Deluhery	Kramer

Amendment S—5020 lost.

Senator Connolly withdrew amendment S—5008 to page 1 of the bill, previously deferred.

Senator Kibbie asked and received unanimous consent that action on **Senate File 2063** be **deferred.**

The Senate stood at ease at 4:32 p.m. until the fall of the gavel.

The Senate resumed session at 4:40 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 2063

The Senate resumed consideration of Senate File 2063, previously deferred.

Senator Murphy offered amendment S—5021 filed by him from the floor to pages 1, 4 and the title page of the bill and moved its adoption.

Amendment S—5021 was adopted by a voice vote.

Senator Borlaug asked and received unanimous consent that action on **Senate File 2063** be **deferred.**

BUSINESS PENDING

Senate File 2082

The Senate resumed consideration of Senate File 2082, 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 date, previously deferred.

Senator Douglas offered amendment S—5022 filed by Senators Douglas, et al., from the floor to page 1 and the title page of the bill.

Senator Connolly raised the point of order that amendment S—5022 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5022 out of order.

The Senate stood at ease at 5:00 p.m. until the fall of the gavel.

The Senate resumed session at 5:23 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 2082

The Senate resumed consideration of Senate File 2082, previously deferred.

Senator Bennett offered amendment S—5023 filed by him from the floor to page 1 of the bill.

Senator Connolly raised the point of order that amendment S—5023 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5023 out of order.

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. 2082) 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	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	Kramer

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

BUSINESS PENDING

Senate File 2063

The Senate resumed consideration of Senate File 2063, a bill for an act establishing a school improvement technology program to fund instructional technology for school districts, the Iowa braille and sight saving school, the state school for the deaf and the Price laboratory school, providing for properly related matters, and making appropriations, previously deferred.

Senator Borlaug offered amendment S—5024 filed by Senators Borlaug, Hedge and Rensink from the floor to pages 1, 3 and the title page of the bill.

Senator Connolly raised the point of order that amendment S—5024 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5024 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. 2063) the vote was:

Ayes, 47:

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	Lind	Lundby	Maddox
McKean	McLaren	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 1:

Banks

Absent or not voting, 2:

Deluhery Kramer

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 2022, 2063, 2081 and 2082 be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 2089, by Tinsman, Zieman, Borlaug, Rensink, Banks, Boettger, and Jensen, a bill for an act relating to tort liability by changing the statute of limitations for certain medical malpractice actions and imposing a limit on noneconomic damages in tort actions.

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

Senate File 2090, by Murphy, a bill for an act requiring certification of real estate appraisers and providing for related matters.

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

Senate File 2091, by Priebe, a bill for an act relating to the taxation of railway companies and grain cars and gross weight limits for trucks hauling grain and livestock and providing an effective date.

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

APPENDIX

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 2065, a bill for an act relating to an appropriation to the judicial department for long-range and strategic planning and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 23: Murphy, Boswell, Lind, Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Gronstal and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2087 (SSB 2061), a bill for an act providing that appeal of certain sentences be by writ of certiorari.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2088 (Senate File 2055), a bill for an act prohibiting abuse of a human corpse, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 2068 Human Resources

Relating to the certificate of need program for institutional health facilities.

SSB 2069 Appropriations

Relating to services relating to children and families and making an appropriation.

SSB 2070 Appropriations

Authorizing state agencies to encumber in future fiscal year a portion of an operational appropriation from the general fund of the state for certain purposes.

SSB 2071 Appropriations

Relating to the moneys available to the workforce development fund and the duration of the fund.

SSB 2072 Human Resources

Relating to the statistical reporting of terminations of pregnancy and establishing penalties.

SSB 2073 Judiciary

Relating to Iowa law enforcement officer recertification by the Iowa law enforcement academy.

SSB 2074 Human Resources

Relating to cigarettes and tobacco products, establishing penalties and making penalties applicable.

SSB 2075 Agriculture

Eliminating the requirement to commence litigation involving shipments of plants infested with gypsy moths, and providing an effective date.

SSB 2076 Agriculture

Providing for the organization of cooperative corporations, providing for fees, and providing for penalties.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2045
(Reassignment)

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Dvorsky

Senate File 2074

STATE GOVERNMENT: Sorensen, Chair; Giannetto and Rittmer

Senate File 2075

HUMAN RESOURCES: Dvorsky, Chair; Bartz and Hammond

Senate File 2077

WAYS AND MEANS: Murphy, Chair; Deluhery, Drake, Iverson and Priebe

Senate File 2078

HUMAN RESOURCES: Hammond, Chair; Kramer and Neuhauser

SSB 2068

HUMAN RESOURCES: Vilsack, Chair; Bartz and Szymoniak

SSB 2069

APPROPRIATIONS: Hammond, Chair; Murphy and Tinsman

SSB 2070

APPROPRIATIONS: Murphy, Chair; Bartz and Gronstal

SSB 2071

APPROPRIATIONS: Vilsack, Chair; Borlaug and Judge

SSB 2072

HUMAN RESOURCES: Hammond, Chair; Kramer and Neuhauser

SSB 2074

HUMAN RESOURCES: Hammond, Chair; Dvorsky and Kramer

SSB 2075

AGRICULTURE: Black, Chair; Judge and Zieman

SSB 2076

AGRICULTURE: Priebe, Chair; Banks and Boswell

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2079	Education
S.F.	2085	Transportation
S.F.	2086	Judiciary
S.F.	2089	Judiciary

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5005 to Senate File 2066 was adopted by the Senate on January 24, 1996.

DONALD REDFERN

AMENDMENTS FILED

S—5010	S.F.	2030	House amendment
S—5011	S.F.	2066	Steven D. Hansen
S—5012	S.F.	2066	Donald Redfern
S—5013	S.F.	2022	Merlin E. Bartz
S—5014	S.F.	2063	Appropriations
S—5015	S.F.	2063	Mary Lou Freeman
S—5016	S.F.	2063	Jim Lind
S—5017	S.F.	2063	Larry Murphy Mike Connolly
S—5018	S.F.	2063	Tom Vilsack
S—5019	S.F.	2063	Brad Banks
S—5020	S.F.	2063	Patty Judge

S—5021	S.F.	2063	Larry Murphy
S—5022	S.F.	2082	JoAnn Douglas
			Maggie Tinsman
			Mary Lundby
			Andy McKean
S—5023	S.F.	2082	Wayne Bennett
S—5024	S.F.	2063	Allen Borlaug
			H. Kay Hedge
			Wilmer Rensink

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:25 p.m., until 1:30 p.m., Monday, January 29, 1996.

JOURNAL OF THE SENATE

TWENTY SECOND CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 29, 1996

The Senate met in regular session at 2:00 p.m., President Boswell presiding.

Prayer was offered by the Reverend Sushil Joseph, pastor of the Dallas Center United Methodist Church, Dallas Center, Iowa.

The Journal of Thursday, January 25, 1996, was approved.

INTRODUCTION OF BILL

Senate File 2092, by Priebe, a bill for an act providing for an exemption for employers of persons subject to the ignition interlock requirement and a prohibition against termination of the person's employment due to the ignition interlock requirement, and providing effective dates.

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

The Senate stood at ease at 2:05 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 2:58 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 2093, by Flynn, a bill for an act authorizing the issuance of lifetime fishing, hunting, and combined fishing and hunting licenses for residents who are sixty-five years of age or older.

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

Senate File 2094, by Giannetto, a bill for an act relating to the regulation of certain agricultural operations by counties.

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

APPENDIX

STUDY BILLS RECEIVED

SSB 2077 Human Resources

Relating to sex offender registry checks involving child day care, foster care, and adoptions.

SSB 2078 Ways & Means

Relating to the motor vehicle fuel tax law and providing effective and retroactive applicability dates.

SSB 2079 Natural Resources, Environment & Energy

Imposing fees on a facility owner or operator who stores or accidentally releases extremely hazardous substances.

SSB 2080 Human Resources

Relating to the authority of a medical examiner to release and permit the removal of a body part in certain instances for the purposes of making an anatomical gift.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: January 25, 1996, 1:54 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, McLaren, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: Kramer (excused).

Committee Business: Recommended passage of Senate File 2063 as amended; recommended passage of House File 2065.

Adjourned: 2:31 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 25, 1996, 10:00 a.m.

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

Members Absent: Horn (excused).

Committee Business: Presentation by the Ethics and Campaign Disclosure Board.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 25, 1996, 10:15 a.m.

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

Members Absent: Gettings (excused).

Committee Business: Budget presentation by the director of the department of natural resources; presentation by the state director/ USDA animal damage control officer on wildlife damage control.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 25, 1996, 10:10 a.m.

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

Members Absent: none.

Committee Business: Presentations by DED administration and tourism.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 24, 1996, 9:53 a.m.

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

Members Absent: Kramer, Ranking Member.

Committee Business: Budget presentations by the presidents of the university of Iowa and the university of northern Iowa.

Adjourned: 11:36 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 25, 1996, 10:20 a.m.

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

Members Absent: Kramer, Ranking Member (excused).

Committee Business: Budget presentation by the director of the Iowa department of education.

Adjourned: 11:49 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 25, 1996, 10:18 a.m.

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

Members Absent: none.

Committee Business: Budgeting for results and professional licensure board issues presentations.

Adjourned: 12:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 25, 1996, 10:20 a.m.

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

Members Absent: Deluhery.

Committee Business: Presentation by the attorney general on juvenile justice proposals and initiatives; discussed child welfare listening post.

Adjourned: 11:37 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 25, 1996, 10:23 a.m.

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

Members Absent: none.

Committee Business: Presentation by the judicial department.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: January 25, 1996, 10:25 a.m.

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

Members Absent: Boswell (excused).

Committee Business: Presentation by the chairperson for the governor's blue ribbon task force on transportation regarding recommendations, savings and cost estimates.

Adjourned: 11:28 a.m.

ANNOUNCEMENT BY THE MINORITY LEADER
(Committee Changes)

The minority leader announced the following committee changes, effective Monday, February 5:

Senator Merlin Bartz — moving from the Agriculture Committee to the Commerce Committee.

Senator Mary Lundby — moving from the Commerce Committee to the Agriculture Committee.

Senator Brad Banks — becoming ranking member of the Agriculture Committee.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2068

NATURAL RESOURCES, ENVIR. & ENERGY: Dearden, Chair; Black and Rensink

SSB 2073

JUDICIARY: Giannetto, Chair; Drake, Fraise, Redfern and Vilsack

SSB 2077

HUMAN RESOURCES: Hansen, Chair; Bartz and Dvorsky

SSB 2078

WAYS AND MEANS: Neuhauser, Chair; Connolly, Deluhery, Iverson and McLaren

SSB 2079

NATURAL RESOURCES, ENVIR. & ENERGY: Deluhery, Chair; Gronstal and Lundby

SSB 2080

HUMAN RESOURCES: Boettger, Chair; Hansen and Vilsack

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2084	Judiciary
S.F.	2090	State Government
S.F.	2091	Agriculture
S.F.	2092	Judiciary
S.F.	2093	Nat. Res., Environ. & Energy

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: *SENATE FILE 2098 (SSB 2046), a bill for an act creating a lost federal funds stabilization account in the state treasury and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 18: Murphy, Boswell, Banks, Bartz, Bisignano, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Judge, Kibbie, Neuhauser, Rensink, Tinsman and Vilsack. Nays, 5: Borlaug, Douglas, Iverson, Lind and McLaren. Absent or not voting, 2: Black 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 2098 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2012, a bill for an act relating to the conduct of raffles.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Gronstal, Kibbie, Bisignano, Dearden, Fink, Giannetto, Lundby and Sorensen. Nays, none. Pass, 1: Drake. Absent or not voting, 6: Rittmer, Bennett, Connolly, Halvorson, Lind and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2074, a bill for an act relating to the dates on which city hospital or health care facility trustees take and depart from office.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gronstal, Kibbie, Bisignano, Dearden, Drake, Fink, Giannetto, Lundby and Sorensen. Nays, none. Absent or not voting, 6: Rittmer, Bennett, Connolly, Halvorson, Lind and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2099 (SSB 2015), a bill for an act relating to permissible fees and commission to be paid to certified public accountants and accounting practitioners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gronstal, Rittmer, Bisignano, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen. Nays, none. Pass, 1: Kibbie. Absent or not voting, 3: Bennett, Connolly and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2097 (SSB 2051), a bill for an act providing a sales, services, and use tax exemption on certain packaging materials used in agricultural, livestock, or dairy production.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Palmer, Husak, Bennett, Deluhery, Freeman, Hedge, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none. Absent or not voting, 4: Connolly, Drake, Iverson and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTION

Senate Resolution 101, by Banks, a Senate Resolution calling for the removal of the deputy secretary of agriculture.

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

INTRODUCTION OF BILLS

Senate File 2095, by Tinsman, Boettger, Redfern, Lundby, Iverson, and Giannetto, a bill for an act appropriating moneys to the department of justice for aiding victims of domestic abuse through emergency shelter services.

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

Senate File 2096, by Gronstal, a bill for an act relating to housing development, including tax increment financing, and making an appropriation for housing programs.

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

Senate File 2097, by committee on Ways and Means, a bill for an act providing a sales, services, and use tax exemption on certain packaging materials used in agricultural, livestock, or dairy production.

Read first time under rule 28 and **placed on Ways and Means Calendar.**

Senate File 2098, by committee on Appropriations, a bill for an act creating a lost federal funds stabilization account in the state treasury and providing an effective date.

Read first time under rule 28 and **placed on Appropriations Calendar.**

Senate File 2099, by committee on State Government, a bill for an act relating to permissible fees and commission to be paid to certified public accountants and accounting practitioners.

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

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 3:00 p.m., until 9:00 a.m., Tuesday, January 30, 1996.

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 30, 1996

The Senate met in regular session at 9:22 a.m., President Boswell presiding.

Prayer was offered by Harriet Vande Hoef, wife of Representative Vande Hoef of Osceola County, Harris, Iowa, who sang "The Lord's Prayer".

The Journal of Monday, January 29, 1996, was approved.

INTRODUCTION OF BILLS

Senate File 2100, by Tinsman, Zieman, Boettger, and Giannetto, a bill for an act relating to possession or control of alcohol by persons aged eighteen, nineteen, and twenty, and providing a penalty.

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

Senate File 2101, by committee on Human Resources, a bill for an act relating to the disbursement of the remaining funds in a nonguaranteed irrevocable burial trust fund following satisfaction of payment in accordance with an agreement for funeral merchandise and funeral services.

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

Senate File 2102, by committee on Human Resources, a bill for an act relating to the certificate of need program for institutional health facilities.

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

RECESS

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 25, 1996, 10:25 a.m.

Members Present: Halvorson, Chair and Douglas, Ranking Member.

Members Absent: Palmer, Vice Chair; Jensen and Murphy (all excused).

Committee Business: Presentation by the chairperson for the governor's blue ribbon task force on transportation; introduction of the governor's executive director of special projects.

Adjourned: 11:28 a.m.

APPROPRIATIONS

Convened: January 29, 1996, 4:38 p.m.

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

Members Absent: Black and Kramer (both excused).

Committee Business: Amended and approved SSB 2046 as a committee bill.

Adjourned: 5:25 p.m.

HUMAN RESOURCES

Convened: January 29, 1996, 3:14 p.m.

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

Members Absent: Kramer and Tinsman (both excused).

Committee Business: Approved SSBs 2068 and 2043 as committee bills; amended and approved Senate File 2016 as a committee bill.

Adjourned: 3:34 p.m.

STATE GOVERNMENT

Convened: January 29, 1996, 3:07 p.m.

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

Members Absent: Connolly and McLaren (both excused).

Committee Business: Recommended passage of Senate Files 2012 and 2074; approved SSB 2015 as a committee bill; discussed IPERS and other public retirement systems.

Adjourned; 3:32 p.m.

WAYS AND MEANS

Convened: January 29, 1996, 3:47 p.m.

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

Members Absent: Connolly, Drake, Iverson and McLaren (all excused).

Committee Business: Assigned bills to subcommittees; approved SSB 2051 as a committee bill.

Adjourned: 3:54 p.m.

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2101 (SSB 2043), a bill for an act relating to the disbursement of the remaining funds in a nonguaranteed irrevocable burial trust fund following satisfaction of payment in accordance with an agreement for funeral merchandise and funeral services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Neuhauser and Vilsack. Nays, none. Absent or not voting, 2: Kramer and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2102 (SSB 2068) a bill for an act relating to the certificate of need program for institutional health facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Neuhauser and Vilsack. Nays, none. Absent or not voting, 2: Kramer and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2103 (formerly Senate File 2016), a bill for an act relating to the provision of outpatient services and treatment to minors with mental illness at community mental health centers without the consent of a parent or legal guardian.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Szymoniak, Hammond, Bartz, Dvorksy, Neuhauser and Vilsack. Nays, 2: Boettger and Hansen. Absent or not voting, 2: Kramer and 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 2103 and they were attached to the committee report.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2084

JUDICIARY: McKean, Chair; Giannetto, Neuhauser, Redfern and Vilsack

Senate File 2085

TRANSPORTATION: Fink, Chair; Dearden and Jensen

Senate File 2092

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

AFTERNOON SESSION

The Senate reconvened at 1:38 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 2103, by committee on Human Resources, a bill for an act relating to the provision of outpatient services and treatment to minors with mental illness at community mental health centers without the consent of a parent or legal guardian.

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

Senate File 2104, by Hammond and Drake, a bill for an act relating to state employee disclosures of information and making penalties applicable.

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

Senate File 2105, by Giannetto, a bill for an act relating to price discrimination in the purchase of livestock and providing criminal penalties and civil remedies.

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

Senate File 2106, by Sorensen, a bill for an act relating to a sales, services, and use tax exemption for admissions for access to railroad trains operated for amusement purposes and providing an effective and retroactive applicability date provision.

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

Senate File 2107, by Tinsman, Rittmer, Murphy, Neuhauser, and Lind, a bill for an act appropriating funds to establish a pilot mediation project at the Iowa correctional institution for women in Mitchellville.

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 January 30, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2044, a bill for an act relating to the authority of cities and counties to restrict public indecent exposure and providing an effective date.

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

House File 2061, a bill for an act relating to the immunity from civil liability for health care peer review committee members.

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

House File 2066, a bill for an act relating to the operation of motor vehicles in border cities and providing an effective date.

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

House File 2113, a bill for an act providing for a permanent registration plate for motor trucks and truck tractors licensed pursuant to multistate registration.

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.

UNFINISHED BUSINESS
(Deferred January 24, 1996)

Senate File 2066

The Senate resumed consideration of Senate File 2066, a bill for an act relating to assisted suicide and providing criminal penalties, deferred January 24, 1996.

Senator Giannetto called up the motion to reconsider the vote by which amendment S—5005 to Senate File 2066 was adopted by the Senate on January 24, 1996, filed by Senator Redfern on

January 25, 1996, found on page 161 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5005 by Senator Giannetto to page 1 of the bill, was taken up for reconsideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen until he arrives on request of Senator Rife.

BUSINESS PENDING

Senate File 2066

The Senate resumed consideration of Senate File 2066 and amendment S—5005.

Senator Redfern offered amendment S—5012 filed by him on January 25, 1996, to amendment S—5005 and moved its adoption.

Amendment S—5012 was adopted by a voice vote.

Senator Giannetto moved the adoption of amendment S—5005 as amended, which motion prevailed by a voice vote.

Senator Hansen offered amendment S—5011 filed by him on January 25, 1995, to page 1 of the bill and moved its adoption.

Amendment S—5011 was adopted by a voice vote.

Senator Halvorson offered amendment S—5026 filed by him from the floor to page 1 of the bill.

The Senate stood at ease at 2:20 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 2:40 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 2066

The Senate resumed consideration of Senate File 2066 and amendment S—5026 by Senator Halvorson to page 1 of the bill.

Senator Halvorson moved the adoption of amendment S—5026, which motion lost by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fraise until he arrives on request of Senator Husak.

BUSINESS PENDING

Senate File 2066

The Senate resumed consideration of Senate File 2066.

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. 2066) the vote was:

Ayes, 43:

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

Nays, 6:

Dearden	Fink	Halvorson	Hammond
Kramer	Neuhauser		

Absent or not voting, 1:

Fraise

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

HOUSE AMENDMENT CONSIDERED

Senate File 2030

Senator Szymoniak called up for consideration Senate File 2030, a bill for an act relating to state and county mental health and developmental disability funding provisions and including an applicability provision and an effective date, amended by the House in House amendment S—5010 filed January 25, 1996.

Senator Szymoniak offered amendment S—5027 filed by her from the floor to House amendment S—5010 and moved its adoption.

Amendment S—5027 lost by a voice vote.

Senator Husak offered amendment S—5025 filed by Senators Husak and Vilsack from the floor to House amendment S—5010 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5025 to House amendment S—5010 be adopted?" (S.F. 2030) the vote was:

Ayes, 40:

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

Nays, 8:

Bennett	Borlaug	Drake	Iverson
Jensen	McLaren	Neuhauser	Rensink

Absent or not voting, 2:

Fraise Rife

Amendment S—5025 was adopted.

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. 2030) the vote was:

Ayes, 49:

Banks	Bartz	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	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:

Fraise

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 2066 and **2030** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 2108, by Fink, a bill for an act requiring flashing amber lights on motor vehicles used for snow removal and making existing penalties applicable.

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

Senate File 2109, by Giannetto, a bill for an act relating to feedlots controlled by processors, increasing penalties, and including enforcement provisions.

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

APPENDIX

STUDY BILLS RECEIVED

SSB 2081 Judiciary

Relating to escape and voluntary absence from custody or a correctional facility and increasing penalties.

SSB 2082 Judiciary

Eliminating the restitution limit for the offense of operating while intoxicated.

SSB 2083 Judiciary

Increasing the penalties for certain offenses involving methamphetamine.

SSB 2084 Judiciary

Increasing the penalties for certain sex crimes against persons under the age of eighteen.

SSB 2085 Judiciary

Enhancing the penalties for a third or subsequent offense of domestic abuse assault.

SSB 2086 Judiciary

Eliminating certain fines for violating the underage drinking prohibitions, and providing a penalty.

SSB 2087 Judiciary

A Concurrent Resolution recognizing the women who have served Iowa as state legislators and celebrating 100 years of women elected to state legislatures.

SSB 2088 Judiciary

Prohibiting a person from soliciting another person to arrange a sex act with a child and making a penalty applicable.

SSB 2089 Judiciary

Relating to access to the names of juveniles involved in delinquent acts.

SSB 2090 Local Government

Establishing a regional equipment center, requiring the appointment of a board of directors, authorizing the assessment of fees, and providing a conditional effective date.

SSB 2091 Commerce

Relating to nonoccupational health care plan payments when an employer disputes workers' compensation liability.

SSB 2092 Commerce

Relating to limitations on the acquisition of banks, savings and loan associations, and savings banks by bank holding companies.

SSB 2093 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 2094 Commerce

Relating to patient access through managed care plans or indemnity plans with limited provider networks to defined physicians.

SUBCOMMITTEE ASSIGNMENTS

SSB 2081

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

SSB 2082

JUDICIARY: McKean, Chair; Giannetto, Neuhauser, Redfern and Vilsack

SSB 2083

JUDICIARY: Bisignano, Chair; Bartz, Giannetto, Redfern and Vilsack

SSB 2084

JUDICIARY: Maddox, Chair; Bisignano, Boettger, Giannetto and Vilsack

SSB 2085

JUDICIARY: Szymoniak, Chair; Boettger, Drake, Giannetto and Hammond

SSB 2086

JUDICIARY: McKean, Chair; Bisignano, Giannetto, Redfern and Vilsack

SSB 2087

JUDICIARY: Giannetto, Chair; Boettger, Drake, Hammond and Neuhauser

SSB 2088

JUDICIARY: Hammond, Chair; Boettger, Giannetto, Maddox and Vilsack

SSB 2089

JUDICIARY: Maddox, Chair; Bisignano, Boettger, Giannetto and Vilsack

SSB 2091

COMMERCE: Hansen, Chair; Bisignano, Freeman, Gronstal, Jensen, Palmer and Redfern

SSB 2092

COMMERCE: Gronstal, Chair; Deluhery and Redfern

SSB 2093

COMMERCE: Palmer, Chair; Bisignano, Freeman, Gronstal, Hansen, Jensen and Redfern

SSB 2094

COMMERCE: Gronstal, Chair; Bisignano, Freeman, Hansen, Jensen, Palmer and Redfern

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2094	Nat. Resources, Environ. & Energy
S.F.	2095	Appropriations
S.F.	2096	Appropriations
S.F.	2100	Judiciary
S.F.	2104	State Government
S.F.	2105	Agriculture
S.F.	2106	Ways and Means
S.F.	2107	Appropriations
S.F.	2108	Transportation
S.R.	101	State Government
H.F.	2044	Local Government
H.F.	2061	Judiciary
H.F.	2066	Transportation
H.F.	2113	Transportation

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

David Roepke and David Wieland, Aurora — For attaining the rank of Eagle Scout. Senator Murphy (1-31-96).

Justin Brooks, Nick Dighton and Peter Hansen, Davenport — For attaining the rank of Eagle Scout. Senator Rife (1-31-96).

Eric Ryan, Waukon — For attaining the rank of Eagle Scout. Senator Zieman (1-31-96).

COMMITTEE REPORT

TRANSPORTATION

Final Bill Action: HOUSE FILE 2001, a bill for an act extending an exemption from federal motor carrier safety regulations for medically unqualified drivers and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gettings, Drake, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, none. Absent or not voting, 1: Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5025	S.F.	2030	Emil J. Husak Tom Vilsack
S—5026	S.F.	2066	Rod Halvorson
S—5027	S.F.	2030	Elaine Szymoniak
S—5028	H.F.	555	Larry Murphy
S—5029	S.F.	2098	Larry Murphy

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 3:16 p.m., until 9:00 a.m., Wednesday, January 31, 1996.

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 31, 1996

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

Prayer was offered by the Reverend Glenn Kappelmann, pastor of the First Lutheran and Vernon Lutheran Churches, Dows, Iowa.

The Journal of Tuesday, January 30, 1996, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 30, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2114, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1995, and providing an effective date.

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

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2083

On motion of Senator Connolly, Senate File 2083, a bill for an act relating to minimum instructional time requirements for a school week, was taken up for consideration.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Kramer and Bennett until they arrive on request of Senator Bartz.

BUSINESS PENDING

Senate File 2083

The Senate resumed consideration of Senate File 2083.

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. 2083) the vote was:

Ayes, 46:

Banks	Bartz	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	Lind	Lundby	Maddox
McKean	McLaren	Murphy	Neuhauser
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Bennett	Gettings	Kramer	Palmer

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 2087

On motion of Senator Giannetto, Senate File 2087, a bill for an act providing that appeal of certain sentences be by writ of certiorari, was taken up for consideration.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Gettings and Palmer until they arrive on request of Senator Kibbie.

BUSINESS PENDING

Senate File 2087

The Senate resumed consideration of Senate File 2087.

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. 2087) the vote was:

Ayes, 46:

Banks	Bartz	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	Lind	Lundby	Maddox
McKean	McLaren	Murphy	Neuhauser
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Bennett	Gettings	Kramer	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 2083 and **2087** be **immediately messaged** to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 9:14 a.m., until 2:00 p.m.

APPENDIX

PRESENTATION OF VISITORS

The following delegation from sister city Smila, Ukraine were present in the Senate chamber on January 30, 1996, as the guests of Senator Black:

Consulate General Victor Kyryck from Ukraine in Chicago; Consul for Economic Affairs Yuri Pavlov from Ukraine in Chicago; Oleksandr Kotkolo, mayor of Smila; Yuri Malovichko; Seman Yatsenko; Oleksandr Boldirev; Aratoliy Ratai and interpreter Vladimir Basis.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 30, 1996, 9:50 a.m.

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

Members Absent: Horn (excused).

Committee Business: Presentations by the office of state-federal relations and the office of the governor.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 30, 1996, 9:53 a.m.

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

Members Absent: none.

Committee Business: Budget presentation by the soil conservation division on FY1997 requests and the soil conservation cost share programs.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 30, 1996, 9:55 a.m.

Members Present: Vilsack, Chair; Borlaug, Ranking Member; Hansen and Zieman.

Members Absent: Bisignano, Vice Chair (excused).

Committee Business: Presentations by DED/business development division and Iowa seed capital corporation.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 30, 1996, 9:56 a.m.

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

Members Absent: none.

Committee Business: Presentations by the vocational rehabilitation division of the department of education, Iowa public television, and board of educational examiners.

Adjourned: 11:38 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 30, 1996, 9:50 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 for the blind, department of elder affairs and Iowa association of area agencies on aging.

Adjourned: 11:47 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 30, 1996, 9:50 a.m.

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

Members Absent: none.

Committee Business: Presentation by the Dubuque area human services providers and comments from representatives of the DHS.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 30, 1996, 9:57 a.m.

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

Members Absent: none.

Committee Business: Presentation by the department of corrections.

Adjourned: 11:48 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: January 30, 1996, 10:05 a.m.

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

Members Absent: McLaren, Ranking Member and Boswell.

Committee Business: Presentation by Counsel of the administrative rules review committee on proposed revisions of the Iowa administrative procedures act (Iowa Code Chapter 17A).

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 30, 1996, 9:52 a.m.

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

Members Absent: Palmer, Vice Chair (excused).

Committee Business: Presentation by the board of regents on capitals projects requests.

Adjourned: 11:09 a.m.

AGRICULTURE

Convened: January 30, 1996, 8:11 a.m.

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

Members Absent: Black and Sorensen.

Committee Business: Deferred action on co-op bill.

Adjourned: 9:15 a.m.

COMMERCE

Convened: January 30, 1996, 3:56 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 state attorney general on consumer protection activities.

Adjourned: 4:37 p.m.

LOCAL GOVERNMENT

Convened: January 30, 1996, 4:01 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Black, Halvorson, Judge, McKean, Rittmer and Zieman.

Members Absent: Fraise (excused).

Committee Business: Assigned bills to subcommittees; presentations by the league of cities and ISAC.

Adjourned: 4:49 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: January 30, 1996, 3:21 p.m.

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

Members Absent: Szymoniak.

Committee Business: Presentation by representatives of the national native american war memorial complex in rural Crawford county.

Adjourned: 3:53 p.m.

TRANSPORTATION

Convened: January 30, 1996, 3:25 p.m.

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

Members Absent: Fraise, Vice Chair (excused).

Committee Business: Recomended passage of House File 2001; recommended passage of House File 419 as amended; amended and approved SSB 2041 as a committee bill.

Adjourned: 3:50 p.m.

COMMITTEE REPORTS

TRANSPORTATION

Final Bill Action: HOUSE FILE 419, a bill for an act providing for class "C" area service system roads and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5030.

Final Vote: Ayes, 11: Gettings, Drake, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, none. Absent or not voting, 1: Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2110 (SSB 2041), a bill for an act relating to the establishment of an anatomical gift awareness and transplantation fund to be administered by an anatomical gift advisory committee to be established within the Iowa department of public health.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gettings, Drake, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, none. Absent or not voting, 1: Fraise.

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 2110 and they were attached to the committee report.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2059

LOCAL GOVERNMENT: Judge, Chair; Black and Zieman

Senate File 2093

NAT. RESOURCES, ENVIR. & ENERGY: Dearden, Chair; Black and Rensink

Senate File 2094

NAT. RESOURCES, ENVIR. & ENERGY: Kibbie, Chair; Gronstal, Judge, Lundby and Rensink

SSB 2090

LOCAL GOVERNMENT: Halvorson, Chair; Judge and Zieman

AFTERNOON SESSION

The Senate reconvened at 2:42 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 2110, by committee on Transportation, a bill for an act relating to the establishment of an anatomical gift public awareness and transplantation fund to be administered by and an anatomical gift public awareness advisory committee to be established within the Iowa department of public health.

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

Senate File 2111, by Giannetto, a bill for an act establishing the position of veterans advocate under the authority of the attorney general to be housed in the office of commission of veterans affairs and making an appropriation.

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

Senate File 2112, by Husak, a bill for an act creating an Amana road fund board, providing for use of road moneys by the board, and providing an effective date.

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

Senate File 2113, by Banks, a bill for an act relating to the confinement of juveniles in jails.

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

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on January 30, 1996, when the votes were taken on amendment S—5025 to House amendment S—5010 to Senate File 2030 and final passage of Senate Files 2030 and 2066.

Had I been present, I would have voted "aye" on the above.

EUGENE FRAISE

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2109	Agriculture
S.F.	2111	State Government
S.F.	2112	Transportation
S.F.	2113	Judiciary
H.F.	2114	Appropriations

STUDY BILLS RECEIVED

SSB 2095 Education

Relating to school finance by extending budget adjustment guarantee provisions for an additional budget year and providing an effective date.

SSB 2096 Education

Relating to establishment of a school improvement technology program, and making appropriations.

SSB 2097 Education

Relating to textbooks.

SSB 2098 Education

Relating to evaluator licensing of educators.

SSB 2099 Judiciary

Regulating wild dangerous animals, providing for their seizure, impoundment, and disposition, and providing penalties.

SSB 2100 Natural Resources, Environment & Energy

Relating to the midwest interstate compact on low-level radioactive waste and establishing a penalty.

SSB 2101 State Government

Relating to the appointment of the director of the department of commerce.

SSB 2102 Commerce

Relating to the procedures for disposition of the contents of a decedent's safe deposit box.

SSB 2103 Agricultural

Providing an exemption to the corporate farming law and establishing the manner of organizing and operating a new type of agricultural cooperative.

SSB 2104 Transportation

Relating to hazardous materials transportation.

SSB 2105 Human Resources

Relating to the prohibition of the preventing or impeding of the donation of an anatomical gift and providing sanctions.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 101

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

Senate File 2090

STATE GOVERNMENT: Halvorson, Chair; Bennett and Fink

Senate File 2104

STATE GOVERNMENT: Halvorson, Chair; Dearden and Drake

Senate File 2108

TRANSPORTATION: Fink, Chair; Dearden and Jensen

House File 2066

TRANSPORTATION: Rittmer, Chair; Connolly and Gettings

House File 2113

TRANSPORTATION: Black, Chair; Halvorson and Lind

SSB 2100

NATURAL RESOURCES, ENVIRON. & ENERGY: Fink, Chair; Gronstal and Lundby

SSB 2101

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

SSB 2102

COMMERCE: Palmer, Chair; Deluhery and Jensen

SSB 2103

AGRICULTURE: Priebe, Chair; Banks and Boswell

SSB 2104

TRANSPORTATION: Douglas, Chair; Dearden and Fraise

COMMITTEE REPORTS

COMMERCE

Final Bill Action: 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.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5031.

Final Vote: Ayes, 12: Deluhery, Jensen, Bisignano, Douglas, Flynn, Freeman, Gronstal, Hedge, Husak, Lundby, Priebe and Redfern. Nays, 2: Gettings and Palmer. Pass, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5030	H.F.	419	Transportation
S—5031	H.F.	511	Commerce
S—5032	S.F.	2102	Mary Kramer Nancy Boettger

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:45 p.m., until 9:00 a.m., Thursday, February 1, 1996.

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 1, 1996

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

Prayer was offered by the Reverend John Schauer, pastor of the St. Paul Lutheran Church, Ida Grove, Iowa.

The Journal of Wednesday, January 31, 1996, was approved.

RECESS

On motion of Senator Horn, the Senate recessed at 9:10 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 31, 1996, 9:50 a.m.

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

Members Absent: Horn (excused).

Committee Business: Presentations by the treasurer of state and auditor of state.

Adjourned: 10:26 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 31, 1996, 9:55 a.m.

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

Members Absent: none.

Committee Business: Presentation by the loess hills development and conservation authority; background on hungry canyons of western Iowa project.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 31, 1996, 9:55 a.m.

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

Members Absent: none.

Committee Business: Presentations by the Iowa quality coalition, Iowa finance authority and partner state program.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 31, 1996, 9:50 a.m.

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

Members Absent: none.

Committee Business: Representatives of the independent colleges and community college, presidents and trustees were present for discussion.

Adjourned: 11:47 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 31, 1996, 9:50 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 services, veterans affairs commission and Iowa veterans home.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 31, 1996, 10:00 a.m.

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

Members Absent: none.

Committee Business: Medical assistance presentation by the department of human services.

Adjourned: 11:54 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 31, 1996, 9:50 a.m.

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

Members Absent: none.

Committee Business: Presentation by the department of corrections.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: January 31, 1996, 10:25 a.m.

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

Members Absent: Boswell (excused).

Committee Business: Questions and answers by representatives of the department of natural resources regarding hog permit and asbestos removal issues.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 31, 1996, 9:50 a.m.

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

Members Absent: Palmer, Vice Chair and Murphy (both excused).

Committee Business: Budget presentations by the department of corrections and community based corrections, department of public defense and the loess hills association.

Adjourned: 11:55 a.m.

COMMERCE

Convened: January 31, 1996, 11:55 a.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: Recommended passage of House File 511 as amended.

Recessed: 12:11 p.m.

Reconvened: January 31, 1996, 5:05 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: Approved SSB 2092 as a committee bill.

Adjourned: 5:29 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: January 31, 1996, 5:30 p.m.

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

Members Absent: none.

Committee Business: Presentations by the chairperson of the Iowa utilities board and the chief information officer of the state of Iowa.

Adjourned: 6:30 p.m.

EDUCATION

Convened: January 31, 1996, 3:55 p.m.

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

Members Absent: Iverson (excused).

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

Adjourned: 4:55 p.m.

JUDICIARY

Convened: January 31, 1996, 3:05 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 SSB 2010 as a committee bill.

Adjourned: 3:55 p.m.

NATURAL RESOURCES, ENVIRONMENT & ENERGY

Convened: January 31, 1996, 3:07 p.m.

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

Members Absent: Kibbie (excused).

Committee Business: Assigned bills to subcommittees; presentation by the department of natural resources regarding the midwest interstate low-level radioactive waste compact.

Adjourned: 4:10 p.m.

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

Tom Estrada, Cedar Rapids — For helping 80 snowbound motorists and other heroic acts during the snowstorm of January 26, 1996. Senator Horn (1-31-96).

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 2116 (SSB 2092), a bill for an act relating to limitations on the acquisition of banks, savings and loan associations, and savings banks by bank holding companies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Deluhery, Hansen, Bisignano, Douglas, Gronstal, Lundby, Palmer and Redfern. Nays, 7: Jensen, Flynn, Freeman, Gettings, Hedge, Husak and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: *SENATE FILE 2114 (SSB 2010), a bill for an act relating to the amount of 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, providing for a reduction in the amount of good and honor time that may be earned by forcible felons, providing for a legislative interim and a departmental study, providing for a pilot project, and making other related changes.

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 2114 and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., President pro tempore Bisignano presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Boswell, Fraise and Gettings for the afternoon on request of Senator Horn; Senator McLaren until he arrives on request of Senator Banks; Senator Iverson until he arrives on request of Senator Hedge and Senator Szymoniak for the afternoon on request of Senator Sorensen.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 259

On motion of Senator Sorensen, Senate File 259, a bill for an act relating to the practice of mortuary science, cremation, and licensing of funeral establishments and providing penalties, with report of committee recommending passage on January 22, 1996, was taken up for consideration.

Senator Sorensen withdrew amendment S—3114 filed by him on March 9, 1995, to page 3 of the bill.

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. 259) the vote was:

Ayes, 44:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Freeman
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
Murphy	Neuhauser	Palmer	Priebe

Redfern	Rensink	Rife	Rittmer
Sorensen	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 6:

Boswell	Fraise	Gettings	Iverson
McLaren	Szymoniak		

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

Senate File 2070

On motion of Senator Hammond, Senate File 2070, a bill for an act providing for legislative appointments to the state child day care advisory council, 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. 2070) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Freeman
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	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Boswell	Fraise	Gettings	Gronstal
Szymoniak			

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

Senate File 2080

On motion of Senator Maddox, Senate File 2080, a bill for an act relating to nonsubstantive Code corrections, and providing effective and retroactive applicability dates, was taken up for consideration.

Senator Maddox offered amendment S—5009 filed by the committee on Judiciary on January 24, 1996, to pages 10 and 14 of the bill and moved its adoption.

Amendment S—5009 was adopted by a voice vote.

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. 2080) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Freeman
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	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Boswell	Fraise	Gettings	Gronstal
Szymoniak			

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 2070 and **2080** 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, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 210, a bill for an act authorizing a court to require a criminal offender as part of a restitution order to make financial contributions to a local anticrime organization.

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

House File 2017, a bill for an act relating to immunity from assault charges for the use of force by a person to stop a fight or disturbance at a school or school function.

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

INTRODUCTION OF BILLS

Senate File 2114, by committee on Judiciary, a bill for an act relating to the amount of 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, providing for a reduction in the amount of good and honor time that may be earned by forcible felons, providing for a legislative interim and a departmental study, and making other related changes.

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

Senate File 2115, by Deluhery, a bill for an act relating to the nonconsensual termination of or serious injury to a human pregnancy, and providing penalties.

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

Senate File 2116, by committee on Commerce, a bill for an act relating to limitations on the acquisition of banks, savings and loan associations, and savings banks by bank holding companies.

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

Senate File 2117, by Bennett and Bartz, a bill for an act requiring reports relating to marketing contracts for livestock and poultry and providing for penalties.

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

APPENDIX

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 259 passed the Senate on February 1, 1996.

RODNEY HALVORSON

PRESENTATION OF VISITORS

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

Five sixth grade students from Turkey Valley School, Jackson Junction, accompanied by Mrs. Borlaug. Senator Borlaug.

STUDY BILLS RECEIVED

SSB 2106 Small Business, Economic Development and Tourism

Relating to the appropriation and distribution of proceeds from the franchise tax on financial institutions and providing a repeal date.

SSB 2107 Local Government

Relating to contracts for mutual aid between fire departments regarding emergency services.

SSB 2108 Natural Resources

Relating to the regulation of motorboats on certain artificial lakes, and providing an effective date.

SSB 2109 Judiciary

Relating to imposing a civil penalty for certain motor vehicle license revocations, imposing a surcharge on criminal fines and forfeitures, and providing for the appropriation and disposition of the proceeds from the civil penalty and from the surcharge for jails, courthouse security, and detention facilities.

SSB 2110 Judiciary

Adopting the uniform statutory rule against perpetuities.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 104

AGRICULTURE: McLaren, Chair; Banks and Husak

Senate File 2076

BUSINESS AND LABOR: Dvorsky, Chair; Giannetto and Maddox

Senate File 2079

EDUCATION: Deluhery, Chair; Kibbie and Kramer

Senate File 2086

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

Senate File 2089

JUDICIARY: Giannetto, Chair; Hansen, Maddox, Redfern and Vilsack

Senate File 2091

AGRICULTURE: Palmer, Chair; Black and Zieman

Senate File 2100

JUDICIARY: Maddox, Chair; Boettger, Giannetto, Hammond and Neuhauser

Senate File 2106

WAYS AND MEANS: Vilsack, Chair; Connolly and Drake

Senate File 2113

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

House File 2061

JUDICIARY: Hansen, Chair; Drake, Maddox, Szymoniak and Vilsack

SSB 2095

EDUCATION: Fink, Chair; Dvorsky and Rensink

SSB 2096

EDUCATION: Dvorsky, Chair; Connolly and Redfern

SSB 2097

EDUCATION: Murphy, Chair; Deluhery and Tinsman

SSB 2098

EDUCATION: Fink, Chair; Dvorsky and Kramer

SSB 2099

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

SSB 2105

HUMAN RESOURCES: Hansen, Chair; Boettger and Dvorsky

SSB 2108

NAT. RESOURCES, ENVIRON. & ENERGY: Fink, Chair; Dearden and Lundby

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2115	Judiciary
H.F.	210	Judiciary
H.F.	2017	Education

INTRODUCTION OF BILLS

Senate File 2118, by Palmer, a bill for an act appropriating moneys from the general fund of the state to construct, repair, or renovate memorials and monuments commemorating participants in wars on the state capitol complex.

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

Senate File 2119, by Black, a bill for an act providing a sales and services tax exemption for certain rural water districts.

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

Senate File 2120, by Judge, a bill for an act relating to the coverage of services provided by licensed advanced registered nurse practitioners under a policy, contract, or plan providing for health care coverage.

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

Senate File 2121, by Palmer and Douglas, a bill for an act providing for auditing practices by the Iowa state fair board.

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

Senate File 2122, by Gronstal, a bill for an act relating to unclaimed property held by the state, fraudulent practices to obtain the property, and establishing a penalty.

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

Senate File 2123, by Bartz, a bill for an act relating to the payment of claims by an administrator acting on behalf of an insurer.

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

AMENDMENTS FILED

S—5033	S.F.	2103	Nancy Boettger Mary Kramer
S—5034	S.F.	2074	Al Sorensen
S—5035	S.F.	2098	Merlin E. Bartz Larry Murphy

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:50 p.m., until 1:30 p.m., Monday, February 5, 1996.

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 5, 1996

The Senate met in regular session at 1:51 p.m., President Boswell presiding.

Prayer was offered by the Reverend Stanley Wierson, pastor of the First United Methodist Church, Marion, Iowa.

The Journal of Thursday, February 1, 1996, 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 1, 1996, **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 2030, a bill for an act relating to state and county mental health and developmental disability funding provisions and including an applicability provision and an effective date.

INTRODUCTION OF BILLS

Senate File 2124, by Fraise, a bill for an act relating to voter approval of annexation or severance proposals.

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

Senate File 2125, by Tinsman, Boettger, Borlaug, Lind, Jensen, and Hammond, a bill for an act relating to the postdelivery care requirements.

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

The Senate stood at ease at 1:55 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:16 p.m., President Boswell presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 5, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 459, a bill for an act relating to an extension of the compulsory school attendance 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 47 present, 3 absent and a quorum present.

CONSIDERATION OF BILLS
(Appropriations Calendar)

House File 2065

On motion of Senator Husak, House File 2065, a bill for an act relating to an appropriation to the judicial department for long-range and strategic planning and providing an effective date, 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. 2065) 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	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Kramer McLaren

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

Senate File 2098

On motion of Senator Husak, Senate File 2098, a bill for an act creating a lost federal funds stabilization account in the state treasury and providing an effective date, was taken up for consideration.

Senator Murphy offered amendment S—5029 filed by him on January 30, 1996, to page 1 of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kramer until she arrives on request of Senator Hedge.

BUSINESS PENDING

Senate File 2098

The Senate resumed consideration of Senate File 2098 and amendment S—5029.

Senator Murphy moved the adoption of amendment S—5029, which motion prevailed by a voice vote.

Senator Bartz offered amendment S—5035 filed by Senators Bartz and Murphy on February 1, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5035 was adopted by a voice vote.

Senator Banks offered amendment S—5038 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5038 lost by a voice vote.

Senator Banks offered amendment S—5037 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5037 was adopted by a voice vote.

Senator Lind offered amendment S—5039 filed by him from the floor to page 1 of the bill and called for a division:

Page 1:

Lines 2-12 as div. A; 13-18 as div. B; 19-24 as div. C; 25-30 as div. D; 31-35 as div. E; 36-40 as div. F; 41-45 as div. G; 46-50 as div. H.

Page 2:

Line 1 as div. H; 2-6 as div. I; 7-12 as div. J; 13-18 as div. K; 19-24 as div. L; 25-30 as div. M; 31-36 as div. N; 37-42 as div. O; 43-48 as div. P; 49-50 as div. Q.

Page 3

Lines 1-4 as div. Q; 5-10 as div. R; 11-16 as div. S; 17-22 as div. T; 23-28 as div. U; 29-34 as div. Y; 35-40 as div. W; 41-46 as div. X; 47-50 as div. Y.

Page 4:

Lines 1-2 as div. Y; 3-8 as div. Z; 9-14 as div. AA; 15-20 as div. BB; 21-26 as div. CC; 27-32 as div. DD; 33-38 as div. EE; 39-44 as div. FF; 45-50 as div. GG.

Page 5:

Lines 1-6 as div. HH; 7-12 as div. II; 13-18 as div. JJ; 19-24 as div. KK; 25-30 as div. LL; 31-36 as div. MM; 37-42 as div. NN; 43-48 as div. OO; 49-50 as div. PP.

Page 6:

Lines 1-4 as div. PP; 5-10 as div. QQ; 11-16 as div. RR; 17-22 as div. SS; 23-28 as div. TT; 29-34 as div. UU; 35-40 as div. VV; 41-46 as div. WW; 47-50 as div. XX.

Page 7:

Lines 1-2 as div. XX.

Senator Lind withdrew his division of amendment S—5039.

Senator Bartz asked and received unanimous consent that action on amendment S—5039 and **Senate File 2098** be **deferred.**

The Senate stood at ease at 4:34 p.m. until the fall of the gavel for the preparation of an amendment.

The Senate resumed session at 5:12 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 2098

The Senate resumed consideration of Senate File 2098 and amendment S—5039, previously deferred.

Senator Bartz offered amendment S—5040 filed by him from the floor to page 2 of amendment S—5039 and moved its adoption.

Amendment S—5040 was adopted by a voice vote.

Senator Lind moved the adoption of amendment S—5039 as amended, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2098) the vote was:

Ayes, 31:

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

Nays, 18:

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

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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 2098** and **House File 2065** 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 February 5, 1996, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 482, a bill for an act establishing economic and other penalties for certain criminal activity (S—5036).

INTRODUCTION OF BILLS

Senate File 2126, by Bisignano, a bill for an act providing for sex offender registry checks involving child day care, foster care, and adoption.

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

Senate File 2127, by Gronstal, a bill for an act relating to the confidentiality of social security numbers of the owners of unclaimed property.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 1, 1996, 8:06 a.m.

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

Members Absent: Boswell and Fraise (both excused).

Committee Business: Presentation by farm section of attorney general's office.

Adjourned: 8:48 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 1, 1996, 9:50 a.m.

Members Present: Judge, Chair; Sorensen, Vice Chair and Bartz, Ranking Member.

Members Absent: Horn and Lundby (both excused).

Committee Business: Presentation by the department of commerce.

Adjourned: 10:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 1, 1996, 10:00 a.m.

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

Members Absent: Gettings.

Committee Business: Presentation on odor research and other related areas by Iowa state university.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 1, 1996, 10:05 a.m.

Members Present: Vilsack, Chair; Bisignano, Vice Chair; Hansen and Zieman.

Members Absent: Borlaug, Ranking Member (excused).

Committee Business: Presentations by regents, DED - international division, department of agriculture - international marketing.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 1, 1996, 10:05 a.m.

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

Members Absent: none.

Committee Business: Presentations by representatives of osteopathic medicine university, state work force and department of education.

Adjourned: 11:36 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 1, 1996, 10:04 a.m.

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

Members Absent: none.

Committee Business: Overview of the caring program by the department of human rights and department of management.

Adjourned: 11:43 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 1, 1996, 10:07 a.m.

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

Members Absent; none.

Committee Business: Discussed listening post on medical assistance.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: February 1, 1996, 10:13 a.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 DOT regarding FTE and budget allocation costs.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 1, 1996, 10:00 a.m.

Members Present: Halvorson, Chair; Douglas, Ranking Member and Murphy.

Members Absent: Palmer, Vice Chair and Jensen (both excused).

Committee Business: Budget presentations by the departments of human services, public safety and employment services capital projects.

Adjourned: 11:35 a.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2080, the following correction was made:

1. Page 24, line 31, the word and number "Section 65" were changed to the word and number "Section 69".

JOHN F. DWYER
Secretary of the Senate

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

To the family of Edmundo F. Rivera — For Mr. Rivera's forty-five years of unselfish time and efforts to the youth community of South Des Moines, and to extend condolences of his loss to family and friends. Senator Bisignano (1/31/96).

STUDY BILLS RECEIVED

SSB 2111 State Government

Repealing the prohibition on political activity by a member, officer, or employee of the natural resource commission.

SSB 2112 Transportation

Relating to motorcycle rider education and providing an effective date.

SSB 2113 State Government

Providing that member contributions under certain public retirement systems are considered employer contributions for state income tax purposes, and providing applicability and effective date provisions.

SSB 2114 State Government

Relating to legal publications and related products prepared and distributed under the authority of the general assembly.

SSB 2115 State Government

Concerning employment rights of fire fighters under civil service who are elected as an officer in certain professional fire fighter organizations, and providing an effective date.

SSB 2116 State Government

Relating to motor vehicle records and providing an effective date.

SSB 2117 Human Resources

Relating to the establishment of income eligibility guidelines for state supplementary assistance for individuals residing in a residential care facility.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2105

AGRICULTURE: Giannetto, Chair; Judge and Lundby

Senate File 2109

AGRICULTURE: Giannetto, Chair; Judge and Lundby

Senate File 2111

STATE GOVERNMENT: Kibbie, Chair; Drake and Giannetto

Senate File 2112

TRANSPORTATION: Gettings, Chair; Fraise and Jensen

SSB 2109

JUDICIARY: Vilsack, Chair; Bisignano, Boettger, Drake and Giannetto

SSB 2110

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

SSB 2111

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

SSB 2112

TRANSPORTATION: Connolly, Chair; Gettings and Lind

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2117	Agriculture
S.F.	2118	Appropriations
S.F.	2119	Ways and Means
S.F.	2121	State Government
S.F.	2122	State Government
S.F.	2123	Commerce
S.F.	2124	Local Government
S.F.	2125	Commerce

AMENDMENTS FILED

S—5036	S.F.	482	House amendment
S—5037	S.F.	2098	Brad Banks
S—5038	S.F.	2098	Brad Banks
S—5039	S.F.	2098	Jim Lind
S—5040	S.F.	2098	Merlin E. Bartz

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:46 p.m., until 9:00 a.m., Tuesday, February 6, 1996.

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 6, 1996

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

Prayer was offered by Father Thomas Geelan, pastor of the Sacred Heart Catholic Church, Boone, Iowa.

The Journal of Monday, February 5, 1996, was approved.

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

The Senate resumed session at 9:09 a.m., President Boswell presiding.

RECESS

On motion of Senator Horn, the Senate recessed at 9:11 a.m., until 1:30 p.m.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Service Bureau:

July 5, 1995

AUDITOR OF STATE

An audit covering the fiscal year ending June 30, 1994.

January 19, 1996

THE IOWA INSURANCE COMMISSIONER

As authorized under Senate File 347, a study to determine whether expanded preventive care services, mental health and substance abuse treatment coverage is cost-effective and should be included in the basic health benefit plan.

IOWA UNDERGROUND STORAGE TANK

Pursuant to House File 508, a study of the underground storage tank polluution liability market and privatization option.

January 22, 1996

IOWA DEPARTMENT OF PUBLIC HEALTH

Pursuant to Iowa Code Ch. 8D.10 the Fiscal Year 1995 Annual Report on the use of the Iowa Communications Network.

IOWA DEPARTMENT OF PUBLIC HEALTH

Pursuant to Iowa Code ch. 125.21, the Iowa Substance Abuse Report for 1995.

IOWA DEPARTMENT OF TRANSPORTATION

A copy of the "1995 Iowa Airport Sufficiency Ratings", as required by Chapter 328.12 of the Code of Iowa.

A copy of the 1996-2000 Transportation Improvement Program, as required by 307A.2(12) of the Code of Iowa.

DEPARTMENT OF EDUCATION

A copy of the "Truancy Report for the 1994-95 School Year", as required by Senate File 266.

January 23, 1996

IOWA DEPARTMENT OF TRANSPORTATION

An Annual Report certifying the identified savings associated with the state agency's use of the ICN, as required by Iowa Code.

DEPARTMENT OF HUMAN SERVICES

A report to research the feasibility of establishing community-based residential programs or "second chance homes" for young mothers and children, as required by Senate File 462, section 1, subsection 5.

January 24, 1996

DEPARTMENT OF MANAGEMENT

In accordance with Chapter 8.6(2) of the Code of Iowa, the Statement of Standing Appropriations report for the fiscal year ending June 30, 1995.

VENTURE CAPITAL RESOURCES FUND

Financial Report, September 30, 1995.

January 25, 1996

DEPARTMENT OF EDUCATION

As required by Senate File 266, copies of the "Permanent School fund Study".

As required by Senate File 266, a Study of Use of Management Information Systems for the Department of Education.

DEPARTMENT OF JUSTICE

Senate File 432 (1995), 95 Acts, Chapter 144, amended the Sexually Violent Predator Act and provided for a departmental study of the legal issues, costs, and alternatives to civil commitment of violent sex offenders. This is the final report.

January 26, 1996

DEPARTMENT OF ELDER AFFAIRS

The interim report of the Pre-admission Screening and Assessment Pilot Project outcomes and goals Pursuant to HF 582 of the 1994 Session.

IOWA CITIZENS AIDE/OMBUDSMAN OFFICE

Quarterly Report for Period ending December 15, 1995.

January 29, 1996

IOWA CIVIL RIGHTS COMMISSION

Fiscal Year 1995 Annual Report pursuant to Chapter 17, Code of Iowa.

IOWA DEPARTMENT OF PUBLIC HEALTH

Annual Report fiscal Year 1995, on Public Health Nursing Program.

January 30, 1996

IOWA UNDERGROUND STORAGE TANK
Financial Responsibility Program

A study on the expansion of the innocent landowner benefits created by 1995 Iowa Acts, Chapter 215.

IOWA CHMIS

Report pursuant to Chapter 144C.

IOWA DEPARTMENT OF AGRICULTURE
AND LAND STEWARDSHIP

A report according to Section 201.3 of the Iowa Agricultural Limestone Act, Chapter 201, Code of Iowa 1985.

IOWA DEPARTMENT OF CORRECTIONS

As required by SF 459, Section 4, subsection 3, a report on cost-analysis comparing leasing and existing building, new construction, and renovation of a building for use as a community corrections facility and office in Ft. Dodge.

January 31, 1996

DEPARTMENT OF ECONOMIC DEVELOPMENT

FY 95 Annual Report of the Iowa Conservation Corps.

IOWA DEPARTMENT OF REVENUE AND FINANCE

Annual Report 1995.

STATE BOARD OF REGENTS

Pursuant to Section 262.9, Code of Iowa 1993, a report providing the current status on purchase and use of soybean-based inks and starch-based alternatives available.

Information on achievement of environmental mandates required by Executive Orders 36 and 37 and Chapter 455D, Code of Iowa 1993.

STATE OF IOWA
Office of Treasurer of State

As per Code chapter 12.38, the Linked Investments For Tomorrow Annual Report.

DEPARTMENT OF HUMAN RIGHTS
Iowa Commission on the Status of Women

Annual Report.

February 1, 1996

IOWA ADVISORY COMMISSION
ON INTERGOVERNMENTAL RELATIONS

Annual Report 1995.

THE COUNCIL OF STATE GOVERNMENTS

NEW reports of award-winning state programs.

DEPARTMENT OF ECONOMIC DEVELOPMENT

HF 132 - CEBA Resource Management

DEPARTMENT OF EDUCATION

The Open Enrollment Report of 1994-95 school year as required by SF 59 as amended by HF 774, section 81.

February 2, 1996

IOWA HEALTHY FAMILY PROGRAM

Report on FY 95 Activities.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 32, a resolution to urge the federal government to ensure fair and competitive market practices for the purchase of livestock from producers by packers and livestock buyers.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Priebe, Judge, Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, Lundby, McLaren, Palmer, Sorensen and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 104, a resolution requesting Iowa State University to establish an Iowa Agriculture 2000 Conference in order to provide information to independent agricultural producers regarding production and marketing structures.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Priebe, Banks, Black, Boswell, Douglas, Hedge, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 6: Judge, Fraise, Giannetto, Husak, Palmer and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2130 (SSB 2075), a bill for an act eliminating the requirement to commence litigation involving shipments of plants infested with gypsy moths, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Priebe, Banks, Black, Douglas, Hedge, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 7: Judge, Boswell, Fraise, Giannetto, Husak, Palmer and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2095

APPROPRIATIONS: Fraise, Chair; Gronstal and Iverson

Senate File 2096

APPROPRIATIONS: Gronstal, Chair; Banks, Judge, Kramer and Vilsack

Senate File 2107

APPROPRIATIONS: Fraise, Chair; Iverson and Murphy

Senate File 2118

APPROPRIATIONS: Halvorson, Chair; Douglas and Husak

Senate File 2121

STATE GOVERNMENT: Dearden, Chair; Bennett and Bisignano

Senate File 2122

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

House File 2114

APPROPRIATIONS: Murphy, Chair; Husak and Lind

SSB 2106

SMALL BUSINESS, ECON. DEVLPT. AND TOURISM: Judge, Chair; Boettger, Flynn, Kibbie and Maddox

SSB 2113

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and Rittmer

SSB 2114

STATE GOVERNMENT: Gronstal, Chair; Giannetto and Lind

SSB 2115

STATE GOVERNMENT: Fink, Chair; Connolly and Drake

SSB 2116

STATE GOVERNMENT: Halvorson, Chair; Gronstal and McLaren

SSB 2117

HUMAN RESOURCES: Hammond, Chair; Szymoniak and Tinsman

LSB 4245

APPROPRIATIONS: Gronstal, Chair; Fraise and Iverson

AMENDMENTS FILED

S—5041	S.F.	2102	Brad Banks
S—5042	S.F.	2102	Brad Banks
S—5043	S.F.	2102	Brad Banks

AFTERNOON SESSION

The Senate reconvened at 1:55 p.m., President Boswell presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 105, by Fraise, a concurrent resolution in support of maintaining the Mississippi River as a major transportation route for various products shipped into and out of the Upper Mississippi region.

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

INTRODUCTION OF BILLS

Senate File 2128, by Murphy, Gronstal, Drake, and Bennett, a bill for an act relating to the road use tax fund by allocating fines and fees for commercial vehicle violations to the road use tax fund, appropriating moneys to the road use tax fund from sales tax revenues, and appropriating moneys for funding recreational trails from the general fund of the state.

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

Senate File 2129, by Murphy, a bill for an act relating to bond issuance elections and authorizing a political subdivision to impose a local tax, in addition to property taxes, to partially fund certain bonds, providing a property tax credit, and providing for the Act's applicability.

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

Senate File 2130, by committee on Agriculture, a bill for an act eliminating the requirement to commence litigation involving shipments of plants infested with gypsy moths, and providing an effective date.

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

Senate File 2131, by Szymoniak and Sorensen, a bill for an act relating to a continuing appropriation for city capital projects and major equipment.

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

Senate File 2132, by Black, a bill for an act relating to the allocation of the state ceiling on the issuance of tax exempt private activity bonds.

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

Senate File 2133, by Black, a bill for an act relating to the statewide applicability of real estate improvement districts and providing an effective date.

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

Senate File 2134, by Kibbie, a bill for an act relating to the collection and reporting of information concerning persons who purchase individual health insurance coverage and providing for related matters.

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

The Senate stood at ease at 1:58 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 2:46 p.m., President Boswell presiding.

BILL ASSIGNED TO COMMITTEE

President Boswell announced that **Senate File 2128** was assigned to the committee on **Appropriations.**

APPENDIX

STUDY BILLS RECEIVED

SSB 2118 Human Resources

Relating to dependent adult abuse and providing penalties.

SSB 2119 Local Government

Relating to county mental health and developmental disability funding.

SSB 2120 Small Business/Economic Development

Relating to the powers, duties, and mission of the Wallace technology transfer foundation.

SSB 2121 Commerce

Relating to the percentage of the legal reserve of a life insurance company which may be invested in certain corporate obligations.

SSB 2122 Commerce

Relating to the requirement of notifying a consumer of a change in the terms of an open-end credit agreement.

SSB 2123 Commerce

Relating to the prepayment of loans sold into the agricultural mortgage secondary market by providing for interest and penalties.

SSB 2124 Commerce

Adopting the uniform transfer on death security registration Act.

SSB 2125 Commerce

Relating to entities and subject matter under the regulatory authority of the securities bureau of the division of insurance.

SSB 2126 Transportation

Making transportation-related Code changes including providing for a temporary registration permit and increasing registration fees for certain trailers.

SSB 2127 Human Resources

Relating to the continued existence of the prevention of disabilities policy council and technical assistance committee and providing an effective date.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2120	Commerce
S.F.	2126	Human Resources
S.F.	2127	State Government
S.F.	2129	Ways and Means
S.F.	2131	Local Government
S.F.	2132	Ways and Means
S.F.	2133	State Government
S.F.	2134	Human Resources
S.C.R.	105	Transportation
H.F.	459	Education

SUBCOMMITTEE ASSIGNMENTS

Senate File 2123

COMMERCE: Palmer, Chair; Bisignano, Freeman, Gronstal, Hansen, Jensen and Redfern

Senate File 2125

COMMERCE: Gronstal, Chair; Bisignano, Freeman, Hansen, Jensen, Palmer and Redfern

Senate File 2128

APPROPRIATIONS: Gronstal, Chair; Douglas and Halvorson

SSB 2118

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Dvorsky

SSB 2120

SMALL BUSINESS, ECON. DEV. & TOURISM: Flynn, Chair; Maddox and Palmer

SSB 2121

COMMERCE: Palmer, Chair; Bisignano, Freeman, Gronstal, Hansen, Jensen and Redfern

SSB 2122

COMMERCE: Deluhery, Chair; Bartz and Husak

SSB 2123

COMMERCE: Deluhery, Chair; Douglas, Husak, Jensen and Priebe

SSB 2124

COMMERCE: Redfern, Chair; Deluhery and Flynn

SSB 2125

COMMERCE: Deluhery, Chair; Flynn and Redfern

SSB 2126

TRANSPORTATION: Gettings, Chair; Drake and Fink

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: *SENATE FILE 2135 (SSB 2076), a bill for an act providing for the organization of cooperative corporations, providing for fees, and providing for penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Judge, Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, Lundby, McLaren, Palmer, Sorensen 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 Agriculture Committee on Senate File 2135 and they were attached to the committee report.

APPROPRIATIONS

Final Bill Action: SENATE FILE 2128, a bill for an act relating to the road use tax fund by allocating fines and fees for commercial vehicle violations to the road use tax fund, appropriating moneys to the road use tax fund from sales tax revenues, and appropriating moneys for funding recreational trails from the general fund of the state.

Recommendation: DO PASS.

Final Vote: Ayes, 24: Murphy, Boswell, Lind, Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, McLaren, Neuhauser, Rensink, 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 2142 (SSB 2128), a bill for an act relating to crime prevention by creating a local corrections infrastructure grant program, authorizing the use of bonding, making appropriations, imposing a civil penalty for certain motor vehicle license revocations, imposing a surcharge on criminal fines and forfeitures, providing for mandatory wage assignment for certain delinquent fines, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Murphy, Boswell, Bisignano, Black, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Judge, Kibbie, Neuhauser, Tinsman and Vilsack. Nays, 7: Lind, Banks, Bartz, Borlaug, Douglas, Iverson and Rensink. Absent or not voting, 2: Kramer and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 401, a bill for an act relating to consumer-related actions.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Deluhery, Hansen, Jensen, Bartz, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2138 (SSB 2119), a bill for an act relating to county mental health and developmental disability funding.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sorensen, Fink, Black, Fraise, Halvorson, Judge, McKean, Rittmer and Zieman. Nays, none. Absent or not voting, 1: Maddox.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 2139 (SSB 2104), a bill for an act relating to hazardous materials transportation.

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.

ALSO:

Final Bill Action: SENATE FILE 2140 (SSB 2040), a bill for an act increasing the speed limit on certain highways 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.

ALSO:

Final Bill Action: SENATE FILE 2141 (SSB 2112), a bill for an act relating to motorcycle rider education and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gettings, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, 1: Fraise. Pass, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 2135, by committee on Agriculture, a bill for an act providing for the organization of cooperative corporations, providing for fees, and providing for penalties.

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

Senate File 2136, by McLaren and Banks, a bill for an act relating to the county zoning of animal feeding operations based upon a county-wide nitrogen analysis.

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

Senate File 2137, by Fink, a bill for an act relating to school employee sick leave.

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

Senate File 2138, by committee on Local Government, a bill for an act relating to county mental health and developmental disability funding.

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

Senate File 2139, by committee on Transportation, a bill for an act relating to hazardous materials transportation.

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

Senate File 2140, by committee on Transportation, a bill for an act increasing the speed limit on certain highways and providing an effective date.

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

Senate File 2141, by committee on Transportation, a bill for an act relating to motorcycle rider education and providing an effective date.

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

Senate File 2142, by committee on Appropriations, a bill for an act relating to crime prevention by creating a local corrections infrastructure grant program, authorizing the use of bonding, making appropriations, imposing a civil penalty for certain motor vehicle license revocations, imposing a surcharge on criminal fines and forfeitures, providing for mandatory wage assignment for certain delinquent fines, and providing an effective date.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

AMENDMENTS FILED

S—5044	S.F.	2101	Elaine Szymoniak
S—5045	S.F.	2106	Merlin E. Bartz

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:46 p.m., until 9:00 a.m., Wednesday, February 7, 1996.

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 7, 1996

The Senate met in regular session at 9:04 a.m., President Boswell presiding.

Prayer was offered by Father Ralph Simington, pastor of the St. Mary's Catholic Church, Marshalltown, Iowa.

The Journal of Tuesday, February 6, 1996, was approved.

INTRODUCTION OF BILL

Senate File 2143, by Boswell, a bill for an act relating to the establishing of a truancy school in each area education agency, defining certain truants as children in need of assistance or as delinquents, making an appropriation, providing for properly related matters, and providing a conditional effective date.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Judge until she arrives on request of Senator Sorensen.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2088

On motion of Senator Giannetto, Senate File 2088, a bill for an act prohibiting abuse of a human corpse, and providing a penalty, 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. 2088) 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
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
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, 3:

Gronstal	Judge	Vilsack

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

Senator Horn asked and received unanimous consent that **Senate File 2088** be **immediately messaged** to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 9:14 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 6, 1996, 8:02 a.m.

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

Members Absent: none.

Committee Business: Approved SSBs 2075 and 2076 as committee bills; recommended passage of Senate Concurrent Resolutions 104 and 32.

Adjourned: 8:20 a.m.

APPROPRIATIONS

Convened: February 6, 1996, 4:40 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, McLaren, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: Kramer (excused).

Committee Business: Recommended passage of Senate File 2128; approved SSB 2128 as a committee bill.

Adjourned: 5:50 p.m.

COMMERCE

Convened: February 6, 1996, 3:47 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 401.

Adjourned: 3:54 p.m.

LOCAL GOVERNMENT

Convened: February 6, 1996, 3:52 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; amended and approved SSB 2107 as a committee bill; approved SSB 2119 as a committee bill.

Adjourned: 4:26 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: February 6, 1996, 2:53 p.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: Assigned bills to subcommittees; presentation by the director of the department of economic development.

Adjourned: 3:44 p.m.

TRANSPORTATION

Convened: February 6, 1996, 2:57 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: Approved SSBs 2112, 2104 and 2040 as committee bills.

Adjourned: 3:28 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 6, 1996, 10:00 a.m.

Members Present: Judge, Chair; Sorensen, Vice Chair and Bartz, Ranking Member.

Members Absent: Horn and Lundby (both excused).

Committee Business: Toured lottery headquarters.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 6, 1996, 10:00 a.m.

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

Members Absent: none.

Committee Business: Presentation by the department of economic development and department of agriculture and land stewardship regarding international trade and the transfer of the international trade section of the agriculture marketing bureau in the DALS; Also, presentation on the value-added agricultural products and processes program in DED and the renewable fuels program in DALS.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 6, 1996, 10:00 a.m.

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

Members Absent: none.

Committee Business: Presentations by DED workforce development; DED summary by the director; and Iowa seed capital corporation.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 6, 1996, 10:00 a.m.

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

Members Absent: none.

Committee Business: Presentations by AEA representative, FINE, director, belin talented and gifted center director.

Adjourned: 11:53 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 6, 1996, 10:00 a.m.

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

Members Absent: none.

Committee Business: Discussed promise jobs program and welfare reform.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 6, 1996, 10:05 a.m.

Members Present: Fraise, Chair; Dvorsky, Vice Chair; Husak and Redfern.

Members Absent: Iverson, Ranking Member (excused).

Committee Business: Presentation by the department of corrections.

Adjourned: 11:46 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: February 6, 1996, 10:05 a.m.

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

Members Absent: Boswell (excused).

Committee Business: Presentation by the state auditor's office regarding the second installment of reports analyzing long-term care issues.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 6, 1996, 10:04 a.m.

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

Members absent: none.

Committee Business: Budget presentation by the Iowa telecommunications and technology commission.

Adjourned: 11:33 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 105

TRANSPORTATION: Fraise, Chair; Dearden, Drake and Rittmer

Senate File 2117

AGRICULTURE: Husak, Chair; Douglas and Judge

House File 2044

LOCAL GOVERNMENT: Sorensen, Chair; Fraise and Maddox

SSB 2107

LOCAL GOVERNMENT: Sorensen, Chair; Judge and Rittmer

SSB 2119

LOCAL GOVERNMENT: Judge, Chair; McKean and Sorensen

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Nick Klenske and Tom Viner, Dubuque — For attaining the rank of Eagle Scout. Senator Connolly (2-6-96).

AFTERNOON SESSION

The Senate reconvened at 1:32 p.m., President pro tempore Bisignano 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 6, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2082, 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 date.

ALSO: That the House has on February 6, 1996, adopted the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution 2003, a joint resolution proposing an amendment to the Constitution of the State of Iowa to limit the number of terms for members of the Senate and the House of Representatives, and to limit the number of terms of Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of State, and Treasurer of State.

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

ALSO: That the House has on February 6, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 199, a bill for an act limiting the number of terms a person may serve as secretary of agriculture and providing applicability and effective date provisions.

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

QUORUM CALL

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

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Kramer until she arrives on request of Senator Tinsman and Senator Boswell for the afternoon on request of Senator Horn.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2046

On motion of Senator Kibbie, Senate File 2046, a bill for an act relating to water and ice vessel accident reports filed with the natural resource commission of the department of natural resources and providing for the act's applicability, was taken up for consideration.

Senator Kibbie offered amendment S—5003 filed by him on January 16, 1996, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5003 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. 2046) 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	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 1:

Rittmer

Absent or not voting, 2:

Boswell Kramer

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 2097

On motion of Senator Priebe, Senate File 2097, a bill for an act providing a sales, services, and use tax exemption on certain packaging materials used in agricultural, livestock, or dairy production, 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. 2097) 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	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Vilsack	Zieman	

Nays, 1:

Tinsman

Absent or not voting, 2:

Boswell 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)

Senator Horn asked and received unanimous consent to take up for consideration Senate Files 2130 and 2138.

Senate File 2130

On motion of Senator Black, Senate File 2130, a bill for an act eliminating the requirement to commence litigation involving shipments of plants infested with gypsy moths, 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. 2130) 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	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:

Boswell Kramer

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

Senate File 2138

On motion of Senator Judge, Senate File 2138, a bill for an act relating to county mental health and developmental disability funding, was taken up for consideration.

Senator Sorensen asked and received unanimous consent that amendment S—5048 filed by Senators Sorensen, et al., from the floor to page 1 of the bill be withdrawn.

Senator Judge offered amendment S—5049 filed by Senators Judge, et al., from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5049 be adopted?" (S.F. 2138) 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

Amendment S—5049 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. 2138) 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.

SENATE RECEDES

Senate File 2030

Senator Szymoniak called up for consideration Senate File 2030, a bill for an act relating to state and county mental health and developmental disability funding provisions and including an applicability provision and an effective date, amended by the House, further amended by the Senate and moved that the Senate recede from its amendment.

The motion prevailed by a voice vote and the Senate receded from its amendment.

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. 2030) 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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2046, 2097, 2130,** and **2138** be **immediately messaged** to the House and to send an immediate message to the House on **Senate File 2030.**

INTRODUCTION OF BILLS

Senate File 2144, by McKean, a bill for an act prohibiting the operation of satellite terminals within a gambling enclosure.

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

Senate File 2145, by Kramer, a bill for an act authorizing school districts to establish and enforce traffic and parking rules and authorizing penalties.

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

Senate File 2146, by McLaren, a bill for an act relating to inverse condemnation of private farm property by state government action and providing an applicability date.

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

Senate File 2147, by McLaren, a bill for an act increasing the membership of the Iowa telecommunications and technology commission.

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

APPENDIX

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

Mike Kolbe, Harlan — For Citizen of the Year, Harlan Chamber of Commerce. Senator Boettger (1-27-96).

David Koos, Harlan — For Citizen of the Years, Harlan Chamber of Commerce. Senator Boettger (1-27-96).

Eldo Schornhorst, Harlan — For Lifetime Achievement Award from the Iowa County Engineers Association. Senator Boettger (12-6-95).

STUDY BILLS RECEIVED

SSB 2128 Appropriations

Relating to crime prevention by creating a local corrections infrastructure grant program, authorizing the use of bonding, making appropriations, imposing a civil penalty for certain motor vehicle license revocations, imposing a surcharge on criminal fines and forfeitures, providing for mandatory wage assignment for certain delinquent fines, and providing an effective date.

SSB 2129 Transportation

Relating to transportation-related sanctions by increasing penalties for certain offenses, providing for the issuance of temporary restricted licenses for certain offenses, providing scheduled fines for various violations, prohibiting certain activities of motor vehicle dealers, and allowing the issuance of a uniform citation and complaint to a corporation for certain violations.

SSB 2130 Transportation

Expanding the issuance of motor vehicle licenses by county treasurers and providing funding and an effective date.

SSB 2131 Education

Relating to the operation of the vocational rehabilitation division of the department of education and promoting consistency with the most recently amended version of federal law.

SSB 2132 Education

Relating to the open enrollment application and implementation process.

SSB 2133 Education

Providing for full state funding of allowable growth for budget years commencing on or after July 1, 1996, and providing an effective date.

SSB 2134 Education

Relating to the registration of postsecondary schools and increasing fees.

SSB 2135 Business and Labor

Relating to unemployment insurance benefits by providing for employer contributions and liability for benefits regarding successor employers.

SSB 2136 Small Business/Economic Development

To repeal the Wallace technology transfer foundation.

SSB 2137 Small Business/Economic Development

Relating to eligibility criteria and benefits, including tax benefits to businesses under the new jobs and income program and establishing a penalty.

SSB 2138 Education

Relating to the open enrollment application and implementation process.

SSB 2139 Education

Relating to the operation of the vocational rehabilitation division of the department of education and promoting consistency with the most recently amended version of federal law.

SSB 2140 Education

Relating to the registration of postsecondary schools and increasing fees.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2119

WAYS AND MEANS: Vilsack, Chair; Connolly and Freeman

Senate File 2126

HUMAN RESOURCES: Hammond, Chair; Szymoniak and Tinsman

Senate File 2129

WAYS AND MEANS: Murphy, Chair; Connolly, Drake, Hedge and Neuhauser

Senate File 2132

WAYS AND MEANS: Vilsack, Chair; Connolly and McLaren

Senate File 2134

HUMAN RESOURCES: Vilsack, Chair; Dvorsky and Tinsman

SSB 2127

HUMAN RESOURCES: Szymoniak, Chair; Bartz and Neuhauser

SSB 2129

TRANSPORTATION: Drake, Chair; Black and Gettings

SSB 2130

TRANSPORTATION: Fraise, Chair; Black and Douglas

SSB 2136

SMALL BUS., ECON. DEVLPT, AND TOURISM: Flynn, Chair; Maddox and Palmer

SSB 2137

SMALL BUS., ECON. DEVLPT, AND TOURISM: Palmer, Chair; Hansen and McKean

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 7th day of February, 1996:

Senate File 2082.

JOHN F. DWYER
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2136	Nat. Res., Environ. & Energy
S.F.	2137	Education
S.F.	2143	Education
S.F.	2144	State Government
H.F.	199	State Government
H.J.R.	2003	State Government

COMMITTEE REPORT

LOCAL GOVERNMENT

Final Bill Action: *SENATE FILE 2149 (SSB 2107), a bill for an act relating to contracts for mutual aid between fire departments regarding emergency services.

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.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Local Government Committee on Senate File 2149 and they were attached to the committee report.

AMENDMENTS FILED

S—5046	S.F.	2077	Bill Fink
S—5047	S.F.	2140	Tony Bisignano
S—5048	S.F.	2138	Al Sorensen
			Dennis H. Black
			Bill Fink
			O. Gene Maddox
			Andy McKean
			Eugene Fraise
			Lyle E. Zieman
			Rod Halvorson
S—5049	S.F.	2138	Patty Judge
			Al Sorensen
			Dennis H. Black
			Bill Fink
			O. Gene Maddox
			Andy McKean
			Eugene Fraise
			Lyle E. Zieman
			Rod Halvorson
			John Kibbie
			Berl E. Priebe
			Emil J. Husak
			Larry Murphy
			Michael E. Gronstal
			Patrick J. Deluhery
			Elaine Szymoniak
			Randal J. Giannetto
S—5050	S.F.	2140	Don Gettings

INTRODUCTION OF BILLS

Senate File 2148, by Tinsman, a bill for an act relating to state and county funding for mental health and developmental disability services and providing an applicability provision.

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

Senate File 2149, by committee on Local Government, a bill for an act relating to contracts for mutual aid between fire departments regarding emergency services and providing an effective date.

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

Senate File 2150, by Murphy, a bill for an act relating to certain revenue sources of political subdivisions, state appropriations to the road use tax fund, funding for bonds issued by a political subdivision, and other properly related matters, authorizing a political subdivision to impose a local tax, in addition to property taxes, to partially fund certain bonds, relating to the road use tax fund by allocating fines and fees for commercial vehicle violations to the road use tax fund, appropriating moneys to the road use tax fund from the general fund of the state, and appropriating moneys for funding recreational trails from the general fund of the state, and providing an applicability date.

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

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:52 p.m., until 9:00 a.m., Thursday, February 8, 1996.

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 8, 1996

The Senate met in regular session at 9:14 a.m., President pro tempore Bisignano presiding.

Prayer was offered by the Reverend Stan Nielsen, pastor of the United Lutheran and St. John's Lutheran Churches, of Shelby and Persia, Iowa.

The Journal of Wednesday, February 7, 1996, 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 7, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2036, a bill for an act relating to certain telephone companies and permitting their reorganization as cooperative associations.

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

House File 2111, a bill for an act relating to taxation within the state by changing the computation of the inflation factors for the tax brackets and standard deduction of the state individual income tax, exemptions from the state inheritance tax, and reducing the school district uniform levy for purposes of providing tax relief and providing effective and retroactive and other applicability date provisions.

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

INTRODUCTION OF BILL

Senate File 2151, by Giannetto, a bill for an act relating to regional and statewide targets for foster care placements.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Freeman until she arrives on request of Senator Rife.

The Senate stood at ease at 9:16 a.m. until the fall of the gavel.

The Senate resumed session at 9:18 a.m., President pro tempore Bisignano presiding.

DISTINGUISHED GUEST

Senator Iverson presented General Raymond G. Davis from Stockbridge, Georgia. General Davis is retired from the United States Marine Corps after 33 years of active duty, and is a highly decorated veteran of WWII (Pacific) Korea and Vietnam, whose medals and decorations include the Congressional Medal of Honor, Navy Cross, Silver Stars and Purple Heart. General Davis addressed the Senate with brief remarks.

RECESS

On motion of Senator Husak, the Senate recessed at 9:20 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMUNICATIONS AND INFORMATION POLICY

Convened: February 7, 1996, 8:40 a.m.

Members Present: Dvorsky, Chair; Deluhery, Vice Chair; McLaren, Ranking Member; Hansen, Jensen and Redfern.

Members Absent: Flynn (excused).

Committee Business: Assigned study bill to a subcommittee; presentation by representatives of Iowa public television.

Adjourned: 8:59 a.m.

EDUCATION

Convened: February 7, 1996, 4:40 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; approved SSBs 2098, 2095, 2056 and 2097 as committee bills.

Adjourned: 5:17 p.m.

JUDICIARY

Convened: February 7, 1996, 3:35 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: Presentation by the Iowa county attorney's association; approved Senate Files 2054, 2010 and 2084 as committee bills; approved SSBs 2083, 2028, 2067 and 2031 as committee bills.

Adjourned: 4:35 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: February 7, 1996, 3:35 p.m.

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

Members Absent: Lundby, Ranking Member (excused) and Banks.

Committee Business: Assigned a bill to a subcommittee; recommended passage of Senate File 2035 as amended; presentation on Eurasion water milfoil.

Adjourned: 4:13 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 7, 1996, 10:05 a.m.

Members Present: Sorensen, Vice Chair; Bartz, Ranking Member and Lundby.

Members Absent: Judge, Chair and Horn (both excused).

Committee Business: Presentation by the department of inspection and appeals.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 7, 1996, 10:10 a.m.

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

Members Absent: none.

Committee Business: Presentation by the department of natural resources on department structure, indirect cost procedures, auditor's report (FY 1994), and administrative costs for the department by division and program.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 7, 1996, 10:07 a.m.

Members Present: Vilsack, Chair; Borlaug, Ranking Member; Hansen and Zieman.

Members Absent: Bisignano, Vice Chair (excused).

Committee Business: Discussed workforce development issues; presentations by DED-DES workforce development coordinator.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 7, 1996, 10:07 a.m.

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

Members Absent: none.

Committee Business: Presentations by the Iowa national guard, cosmetology and barber industry, Palmer school of chiropractic and the Iowa college student aid commission.

Adjourned: 11:47 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 7, 1996, 10:15 a.m.

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

Members Absent: none.

Committee Business: Discussed DHS vision documents.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 7, 1996, 10:10 a.m.

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

Members Absent: none.

Committee Business: Presentations by the department of corrections.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 7, 1996, 10:11 a.m.

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

Members Absent: Palmer, Vice Chair (excused).

Committee Business: Presentations for capitals projects by the Iowa law enforcement academy, the department of education and the department of transportation.

Adjourned: 11:22 a.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2030, the following corrections were made:

1. Page 4, line 30, the word and numbers "Sections 100, 200, 300, 4, 400, 500" were changed to the word and numbers "Sections 1, 2, 4, 6, 7, 8".

JOHN F. DWYER
Secretary of the Senate

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, 1: Iverson. Absent or not voting, 3: Freeman, Banks and Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: *SENATE FILE 2157 (SSB 2056), a bill foran act relating to the duties of the college student aid commission in administering the Iowa guaranteed loan program, creating a chiropractic loan revolving fund, and providing for matters related to the chiropractic graduate student forgivable loan program.

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.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Education Committee on Senate File 2157 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 2158 (SSB 2097), a bill for an act relating to textbooks.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Iverson, Lind, Murphy, Rensink and Szymoniak. Nays, 4: Hammond, Kramer, Neuhauser and 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 Appropriations Committee on Senate File 216 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2159 (SSB 2098), a bill for an act relating to evaluator licensing of educators.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, Kibbie, Redfern, Fink, Hammond, Iverson, Kramer, Murphy, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 4: Deluhery, Dvorsky, Lind and Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2160 (SSB 2095), a bill for an act relating to school finance by extending budget adjustment guarantee provisions for an additional budget year and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Lind, Murphy and Rensink. Nays, 4: Kramer, Neuhauser, Szymoniak and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2152 (formerly Senate File 2084), a bill for an act relating to the disposition of private property condemned under eminent domain.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2153 (SSB 2031), a bill for an act relating to Iowa law enforcement officer certification by the Iowa law enforcement academy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2154 (SSB 2083), a bill for an act increasing the penalties for certain offenses involving methamphetamine.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2155 (formerly Senate File 2054), a bill for an act to adjust the jurisdictional amount for municipal infractions tried before a judge in district court.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 2035, a bill for an act relating to the control and eradiction of ecologically harmful exotic species and Eurasian milfoil and establishing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5051.

Final Vote: Ayes, 13: Fink, Black, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, none. Absent or not voting, 2: Lundby and Banks.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 8th day of February, 1996:

Senate File 2030.

JOHN F. DWYER
Secretary of the Senate

AMENDMENTS FILED

S—5051	S.F.	2035	Nat. Res., Environ. & Energy
S—5052	S.F.	73	House amendment

AFTERNOON SESSION

The Senate reconvened at 1:30 p.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 8, 1996, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 73, a bill for an act requiring licensure of certain social workers, providing an effective date, imposing fees, and making penalties applicable (S—5052).

INTRODUCTION OF BILLS

Senate File 2152, by committee on Judiciary, a bill for an act relating to the disposition of private property condemned under eminent domain.

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

Senate File 2153, by committee on Judiciary, a bill for an act relating to Iowa law enforcement officer certification by the Iowa law enforcement academy.

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

Senate File 2154, by committee on Judiciary, a bill for an act increasing the penalties for certain offenses involving methamphetamine.

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

Senate File 2155, by committee on Judiciary, a bill for an act to adjust the jurisdictional amount for municipal infractions tried before a judge in district court.

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

Senate File 2156, by Iverson, a bill for an act relating to the definition of a supervised financial organization for purposes of the consumer credit code, providing a retroactive applicability date, and providing an effective date.

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

Senate File 2157, by committee on Education, a bill for an act relating to the duties of the college student aid commission in administering the Iowa guaranteed loan program, creating a chiropractic loan revolving fund, and providing for matters related to the chiropractic graduate student forgivable loan program.

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

Senate File 2158, by committee on Education, a bill for an act relating to textbooks.

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

Senate File 2159, by committee on Education, a bill for an act relating to evaluator licensing of educators.

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

Senate File 2160, by committee on Education, a bill for an act relating to school finance by extending budget adjustment guarantee provisions for an additional budget year and providing an effective date.

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

APPENDIX

STUDY BILLS RECEIVED

SSB 2141 State Government

Relating to the duties of the department of inspections and appeals concerning the administration of certain health care statutes and the conducting of audits.

SSB 2142 Judiciary

Amending the uniform commercial code relating to letters of credit and providing an effective date.

SSB 2143 Judiciary

Relating to traffic safety by adding an OWI offense for persons driving after taking any controlled substance, by considering a longer period of time to calculate defendant's total number of prior OWI convictions in determining penalties, and by providing an appropriation to the department of public safety for enhanced OWI enforcement.

SSB 2144 Judiciary

Relating to juvenile justice, including juveniles excluded from the jurisdiction of the juvenile court, criteria for placement in the state training school, and requesting a legislative study.

SSB 2145 Judiciary

Relating to juveniles placed in detention in jails.

SSB 2146 Judiciary

Relating to the department of corrections, including operating while intoxicated violator facilities, inmate hard labor, reimbursement by parole violators, tort claims protection for certain persons, and inmate accounts.

SSB 2147 Judiciary

Relating to the number and apportionment of district associate judges.

SSB 2148 Judiciary

Deleting the requirement to enter a civil judgment after an order of restitution has been entered.

SSB 2149 Judiciary

Relating to domestic abuse, providing for law enforcement officer training, for establishment of a statewide registry for protective orders, for seizure of certain weapons that could be used in a further incident of domestic abuse, and an increased fee for dissolution decrees to be used to support victims of domestic violence, and providing a conditional effectiveness provision.

SSB 2150 Judiciary

Relating to search warrants, including creating an exception to the exclusionary rule and allowing the issuance of a search warrant conditioned upon the occurrence of an anticipated future event.

SSB 2151 Judiciary

Relating to judgments against prisoners.

SSB 2152 Judiciary

Relating to magistrates, by providing for their assignment and qualifications.

SSB 2153 Judiciary

Relating to limited liability companies and corporations including the period within which a limited liability company subject to dissolution may be continued, use of trade names by corporations and limited liability companies, and providing an exemption from the real estate transfer tax for certain transfers involving limited liability companies.

SSB 2154 Agriculture

Providing that the examination for commercial applicators of pesticides be given at each community college.

SSB 2155 Human Resources

Relating to vital statistics and the modernization of the vital statistics process and establishing a fee.

SSB 2156 State Government

Relating to the exemption of certain individual property management accounts from certification and auditing requirements.

SSB 2157 Education

Directing the state board of education to adopt rules relating to school nurses.

SSB 2158 Judiciary

Adding certain residential security deposits and prepaid rent to the list of exempt property which a debtor may claim.

SSB 2159 Judiciary

Relating to employer practices regarding persons summoned to jury duty and providing a penalty.

SSB 2160 Local Government

Relating to filing of instruments by county recorders.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2145	Education
S.F.	2146	Judiciary
S.F.	2147	Communications & Info. Policy
S.F.	2148	Ways and Means
S.F.	2150	Ways and Means
S.F.	2151	Human Resources
S.F.	2156	Commerce
S.F.	2162	Commerce
H.F.	2036	Commerce
H.F.	2111	Ways and Means

SUBCOMMITTEE ASSIGNMENTS

Senate File 2115

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

Senate File 2124

LOCAL GOVERNMENT: Fraise, Chair; Judge and Zieman

Senate File 2127

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

Senate File 2131

LOCAL GOVERNMENT: Fraise, Chair; Maddox and Sorensen

Senate File 2133

STATE GOVERNMENT: Gronstal, Chair; Halvorson and McLaren

Senate File 2136

NAT. RESOURCES, ENVIR. & ENERGY: Kibbie, Chair; Gronstal, Judge, Lundby and Rensink

Senate File 2144

STATE GOVERNMENT: Bisignano, Chair; Fink and Lind

House Joint Resolution 2003

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

House File 199

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

House File 210

JUDICIARY: Boettger, Chair; Bisignano, Giannetto, Hammond and Maddox

House File 459

EDUCATION: Hammond, Chair; Fink and Redfern

House File 2017

EDUCATION: Neuhauser, Chair; Hammond and Rensink

SSB 2131

EDUCATION: Szymoniak, Chair; Hammond and Rensink

SSB 2132

EDUCATION: Neuhauser, Chair; Dvorsky and Iverson

SSB 2133

EDUCATION: Connolly, Chair; Murphy and Redfern

SSB 2134

EDUCATION: Deluhery, Chair; Dvorsky and Rensink

SSB 2138

EDUCATION: Fink, Chair; Iverson and Neuhauser

SSB 2139

EDUCATION: Szymoniak, Chair; Dvorsky and Kramer

SSB 2140

EDUCATION: Deluhery, Chair; Fink and Redfern

SSB 2141

STATE GOVERNMENT: Connolly, Chair; McLaren and Sorensen

SSB 2142

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

SSB 2143

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

SSB 2144

JUDICIARY: Bisignano, Chair; Bartz, Giannetto, Hammond and Maddox

SSB 2145

JUDICIARY: Bisignano, Chair; Bartz, Giannetto, Hammond and Maddox

SSB 2146

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

SSB 2147

JUDICIARY: Redfern, Chair; Drake, Giannetto, Hammond and Vilsack

SSB 2148

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

SSB 2149

JUDICIARY: Szymoniak, Chair; Bartz, Boettger, Hammond and Neuhauser

SSB 2150

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

SSB 2151

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

SSB 2152

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

SSB 2153

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

SSB 2154

AGRICULTURE: Fraise, Chair; Palmer and Zieman

SSB 2155

HUMAN RESOURCES: Dvorsky, Chair; Boettger and Szymoniak

SSB 2156

STATE GOVERNMENT: Sorensen, Chair; Fink and Lind

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

Anne E. Fairbanks, Grimes — For receiving the highest award in Girl Scouting, the Girl Scout Gold Award. Senator Szymoniak (2-8-96).

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 2161 (SSB 2067), a bill for an act providing for agency and department cooperation in employing inmates under the hard labor program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2164 (SSB 2028), a bill for an act relating to civil disorder and unlawful training activity and establishing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Giannetto, McKean, Bartz, Bisignano, Drake, Fraise, Halvorson, Hammond, Maddox, Neuhauser, Redfern and Szymoniak. Nays, 2: Vilsack and Boettger. Absent or not voting, 1: Hansen.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 2161, by committee on Judiciary, a bill for an act providing for agency and department cooperation in employing inmates under the hard labor program.

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

Senate File 2162, by Neuhauser, a bill for an act relating to the postdelivery benefits and care requirements for mothers and newborns.

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

Senate File 2163, by Judge, a bill for an act providing for the exclusive regulation by a local board of health of private sewage disposal systems and semi-public sewage disposal systems.

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

Senate File 2164, by committee on Judiciary, a bill for an act relating to unlawful military or training activity, including the possession of certain real or simulated explosive or incendiary devices, and establishing or making penalties applicable.

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

AMENDMENTS FILED

S—5053	S.F.	2149	Al Sorensen
S—5054	S.F.	2002	John P. Kibbie

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 1:35 p.m., until 9:00 a.m., Friday, February 9, 1996.

JOURNAL OF THE SENATE

THIRTY-THIRD CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, February 9, 1996

The Senate met in regular session at 9:00 a.m., Senator Fink presiding.

Prayer was offered by the Honorable Bill Fink, member of the Senate from Warren County, Carlisle, Iowa.

The Journal of Thursday, February 8, 1996, 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 8, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2137, a bill for an act relating to the time and the criteria for filing of claims for refund under the state individual income tax by retired federal employees as a result of the unconstitutional taxation of federal pensions and appropriating moneys to pay refund claims and providing an effective date.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR

Convened: February 8, 1996, 8:50 a.m.

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

Members Absent: Freeman, Ranking Member; Banks and Maddox (all excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 188.

Adjourned: 8:55 a.m.

HUMAN RESOURCES

Convened: February 8, 1996, 3:51 p.m.

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

Members Absent: Hansen (excused).

Committee Business: Approved SSBs 2080, 2074, 2034 and 2058 as committee bills; recommended passage of Senate File 2078; recommended passsage of Senate File 2005 as amended.

Adjourned: 5:09 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: February 8, 1996, 2:33 p.m.

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

Members Absent: Freeman (excused).

Committee Business: Assigned bill to subcommittee; approved SSB 2057 as a committee bill.

Adjourned: 2:42 p.m.

STATE GOVERNMENT

Convened: February 8, 1996, 3:02 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: Approved SSB 2113 as a committee bill; recommended passage of Senate File 2013 as amended; assigned bills to subcommittees; discussed IPERS legislation.

Adjourned: 3:07 p.m.

WAYS AND MEANS

Convened: February 8, 1996, 1:45 p.m.

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

Members Absent: McLaren and Szymoniak (both excused).

Committee Business: Assigned bills to subcommittees; approved SSB 2024 as a committee bill; amended and approved SSB 2078 as a committee bill.

Adjourned: 1:54 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 8, 1996, 9:55 a.m.

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

Members Absent: Horn (excused).

Committee Business: Presentation by the department of general services.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 8, 1996, 9:55 a.m.

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

Members Absent: none.

Committee Business: Presentation by the department of agriculture and land stewardship on department structure, indirect cost procedure, field staff duties, information bureau, and breakdown of administrative costs.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 8, 1996, 9:55 a.m.

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

Members Absent: none.

Committee Business: Presentation by the Wallace Technology Foundation.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 8, 1996, 9:54 a.m.

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

Members Absent: Freeman (excused).

Committee Business: Presentations by IPTV and New Iowa Schools.

Adjourned: 11:38 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 8, 1996, 9:58 a.m.

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

Members Absent: none.

Committee Business: Presentations by superintendents of state hospital schools and mental health institutes.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 8, 1996, 9:50 a.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: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: February 7, 1996, 10:15 a.m.

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

Members Absent: Boswell (excused).

Committee Business: Presentation by the chair and executive director of the board of regents regarding faculty and program issues.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: February 8, 1996, 10:00 a.m.

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

Members Absent: McLaren, Ranking Member and Boswell (both excused).

Committee Business: Presentations by: state auditor's office regarding audit reports on long-term care, and care review committee members representating not-for-profit nursing home facilities.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 8, 1996, 10:56 a.m.

Members Present: Halvorson, Chair; Douglas, Ranking Member and Murphy.

Members Absent: Palmer, Vice Chair and Jensen (both excused).

Committee Business: Budget presentation by the department of natural resources; discussed the governor's appropriations bill on transportation, capitals and infrastructure.

Adjourned: 11:32 a.m.

SUBCOMMITTEE ASSIGNMENTS

SSB 2158

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

SSB 2159

JUDICIARY: Bartz, Chair; Bisignano, Giannetto, Maddox and Vilsack

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2078, a bill for an act relating to the prohibition of the sale of cigarettes or tobacco products through vending machines in any location other than a bar and making a penalty applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Dvorksy, Kramer, Neuhauser, Tinsman and Vilsack. Nays, 1: Bartz. Absent or not voting, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2170 (SSB 2080), a bill for an act relating to the authority of a medical examiner to release and permit the removal of a body part in certain instances for the purposes of making an anatomical gift.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2171 (SSB 2058), a bill for an act relating to public health administration, including the duties of the director of public health, primary care recruitment and retention, professional licensure, and health data.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2172 (SSB 2034), a bill for an act relating to the immunity from civil liability for health care peer review committee members.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2174 (SSB 2074), a bill for an act relating to cigarettes and tobacco products, establishing penalties and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Dvorksy, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Pass, 1: Bartz. Absent or not voting, 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 2174 and they were attached to the committee report.

JUDICIARY

Final Bill Action: *SENATE FILE 2167 (formerly Senate File 2010), a bill for an act relating to prohibiting the assault of an emergency medical care provider or a health care provider providing emergency services in a hospital and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 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 Judiciary Committee on Senate File 2167 and they were attached to the committee report.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE FILE 2165 (SSB 2057), a bill for an act relating to the hunting season for ungulates on a hunting preserve and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Fink, Black, Banks, Borlaug, Dearden, Deluhery, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, 1: Lundby. Absent or not voting, 1: Freeman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2013, a bill for an act requiring the licensure of respiratory care therapists and creating a board for respiratory care practitioners.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5055.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bisignano, Connolly, Dearden, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 2: Bennett and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2166 (SSB 2113), a bill for an act providing that member contributions under certain public retirement systems are considered employer contributions for state income tax purposes, and providing applicability and effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2168 (SSB 2024), a bill for an act updating the Iowa Code references to the Internal Revenue Code and providing a retroactive applicability date and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, Murphy, Neuhauser, Priebe and Vilsack. Nays, none. Absent or not voting, 2: McLaren and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2173 (SSB 2078), a bill for an act relating to the motor vehicle fuel tax law and providing effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, Murphy, Neuhauser, Priebe and Vilsack. Nays, none. Absent or not voting, 2: McLaren 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 Ways and Means Committee on Senate File 2173 and they were attached to the committee report.

INTRODUCTION OF BILLS

Senate File 2165, by committee on Natural Resources, Environment, and Energy, a bill for an act relating to the hunting season for ungulates on a hunting preserve and providing an effective date.

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

Senate File 2166, by committee on State Government, a bill for an act providing that member contributions under certain public retirement systems are considered employer contributions for state income tax purposes, and providing applicability and effective date provisions.

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

Senate File 2167, by committee on Judiciary, a bill for an act relating to prohibiting the assault of a health care provider and providing penalties.

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

Senate File 2168, by committee on Ways and Means, a bill for an act updating the Iowa Code references to the Internal Revenue Code and providing a retroactive applicability date and an effective date.

Read first time under Rule 28 and **placed on Ways and Means Calendar.**

Senate File 2169, by Fink, a bill for an act relating to the conduct of raffles by certain fairs, nonprofit organizations, political parties, and committees of candidates for elective office, and subjecting violators to a penalty.

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

Senate File 2170, by committee on Human Resources, a bill for an act relating to the authority of a medical examiner to release and permit the removal of a body part in certain instances for the purposes of making an anatomical gift.

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

Senate File 2171, by committee on Human Resources, a bill for an act relating to public health administration, including the duties of the director of public health, primary care recruitment and retention, professional licensure, and health data.

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

Senate File 2172, by committee on Human Resources, a bill for an act relating to the immunity from civil liability for health care peer review committee members.

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

Senate File 2173, by committee on Ways and Means, a bill for an act relating to the motor vehicle fuel tax law and providing effective and retroactive applicability dates.

Read first time under Rule 28 and **placed on Ways and Means Calendar.**

Senate File 2174, by committee on Human Resources, a bill for an act relating to cigarettes and tobacco products, establishing penalties and making penalties applicable.

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

AMENDMENT FILED

S—5055	S.F.	2013	State Government

ADJOURNMENT

On motion of Senator Dearden, the Senate adjourned at 9:04 a.m., until 1:00 p.m., Tuesday, February 13, 1996.

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 13, 1996

The Senate met in regular session at 1:22 p.m., President Boswell presiding.

Prayer was offered by the Reverend Eddie K. Stubblefield, pastor of the First Christian Church, Sac City, Iowa.

The Journal of Friday, February 9, 1996, was approved.

INTRODUCTION OF BILLS

Senate File 2175, by McLaren and Banks, a bill for an act increasing motor vehicle damage disclosure statement limits.

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

Senate File 2176, by Zieman, Rife, Jensen, Lundby, Iverson, Bennett, Banks, McLaren, Douglas, Kramer, McKean, Hedge, Rittmer, Lind, Redfern, Bartz, Boettger, Borlaug, Priebe, Freeman, and Kibbie, a bill for an act relating to the deduction for payments of premiums on health insurance and long-term care coverage and providing an effective date and retroactive applicability date provision.

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

Senate File 2177, by Fink, a bill for an act relating to the willful destruction of E911 addressing signs and providing a penalty.

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

APPENDIX

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on February 8, 1996, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2030 — Relating to state and county mental health and developmental disability funding and related provisions and including an appropriation, an effective date, and an applicability provision.

SENATE FILE 2082 — Relating to the establishment of the state percent of growth for purposes of the state school foundation program and providing an effective date.

STUDY BILLS RECEIVED

SSB 2161 State Government

Relating to the eligibility for the readjustment of pensions under the statewide fire and police retirement system.

SSB 2162 State Government

Establishing the position of veterans advocate under the authority of the attorney general and making an appropriation.

SSB 2163 Human Resources

Relating to a study on the qualifications of deaf interpreters.

SSB 2164 Human Resources

Relating to lead abatement and inspection, training and certification requirements, and providing penalties.

SSB 2165 Human Resources

Relating to the community health management system by extending the date for implementation of phase I of the system.

SSB 2166 Human Resources

Relating to services relating to children and families.

SSB 2167 Human Resources

Relating to pharmacy technician designation, registration and fees, delegation of duties, and disciplinary action.

SSB 2168 Human Resources

Relating to the medical assistance program including provisions relating to personal liability of personal representatives of medical assistance recipients, nursing facility fines, and transfers of assets.

SSB 2169 Human Resources

Relating to public assistance and certain associated state tax provisions involving the family investment program, family development and self-sufficiency council, individual development accounts, and fraudulent practices involving the food stamp program, making penalties applicable, and providing applicability provisions and effective dates.

SSB 2170 Communications and Information Policy

Relating to the Iowa communications network by providing for state ownership of a Part III connection and for the connection and support of certain Part III users, making appropriations, and providing effective dates.

SSB 2171 Judiciary

Relating to purchase money mortgages and providing a retroactive applicability provision.

SSB 2172 Judiciary

Removing the requirement that a corporation which has adopted a corporate seal affix the seal to all documents affecting real estate executed by the corporation.

SSB 2173 Judiciary

Increasing the penalties for certain methamphetamine offenses.

SSB 2174 Judiciary

Relating to regulation of employee drug testing required pursuant to federal law.

SSB 2175 Judiciary

A Concurrent Resolution posthumously honoring Mr. John L. Mowry and recognizing his many contributions to city, state, and federal government.

SSB 2176 Judiciary

Relating to associate juvenile judges.

SSB 2177 Judiciary

Relating to the authority of fiduciaries under the probate code to invest in open-end of closed-end management investment companies or investment trusts.

SSB 2178 Judiciary

Relating to excuse from jury service and the reimbursement of jurors and witnesses for transportation and mileage expenses.

SSB 2179 Judiciary

Relating to underinsured or uninsured motor vehicle insurance coverage for damages to property.

SUBCOMMITTEE ASSIGNMENTS

Senate File 269
(Reassignment)

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Vilsack

SSB 2161

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and Rittmer

SSB 2162

STATE GOVERNMENT: Kibbie, Chair; Drake and Giannetto

SSB 2163

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Neuhauser

SSB 2164

HUMAN RESOURCES: Dvorsky, Chair; Boettger and Hansen

SSB 2165

HUMAN RESOURCES: Szymoniak, Chair; Bartz and Kramer

SSB 2166

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Vilsack

SSB 2167

HUMAN RESOURCES: Hammond, Chair; Dvorsky and Kramer

SSB 2168

HUMAN RESOURCES: Vilsack, Chair; Hammond and Tinsman

SSB 2169

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Hammond

SSB 2170

COMMUNICATIONS & INFORMATION POLICY: Dvorsky, Chair; Deluhery and McLaren

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2163	Nat. Resources, Environ, & Energy
S.F.	2169	State Government
S.F.	2175	Transportation
S.F.	2176	Ways and Means
S.F.	2177	Judiciary
S.F.	2179	Judiciary
H.F.	2137	Appropriations

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 2114, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1995, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5058.

Final Vote: Ayes, 24: Murphy, Boswell, Lind, Banks, Bartz, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 2178 (formerly Senate File 2005), a bill for an act relating to the auditing of contracts providing managed care services under the medical assistance program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Dvorsky.

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 2178 and they were attached to the committee report.

TRANSPORTATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 105, a resolution in support of maintaining the Mississippi River as a major transportation route for various products shipped into and out of the Upper Mississippi region.

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.

INTRODUCTION OF BILLS

Senate File 2178, by committee on Human Resources, a bill

for an act relating to the inclusion of a performance evaluation component in contracts providing managed care services under the medical assistance program.

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

Senate File 2179, by Maddox, a bill for an act relating to juvenile justice, including providing notification to schools by peace officers of the possession of alcohol or controlled substances by juveniles, authorizing the release of information regarding juveniles who escape from detention or are the subject of a felony arrest warrant, and allowing a victim's statement prior to entry of a dispositional order.

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

Senate File 2180, by Bisignano, a bill for an act expanding the factors that a court and the state department of transportation may consider in ordering the issuance of a temporary restricted license, and providing an effective date.

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

Senate File 2181, by Douglas, a bill for an act providing an income tax credit or deduction for tuition paid to accredited postsecondary institutions in Iowa under certain circumstances.

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

Senate File 2182, by Gronstal and Rittmer, a bill for an act concerning employment rights of fire fighters under civil service who are elected as officers in certain professional fire fighter organizations, and providing an effective date.

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

AMENDMENTS FILED

S—5056	S.F.	2140	Rod Halvorson
S—5057	S.F.	2135	Stewart Iverson Emil J. Husak
S—5058	H.F.	2114	Appropriations

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 1:27 p.m., until 9:00 a.m., Wednesday, February 14, 1996.

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 14, 1996

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

Prayer was offered by Father Larry Hoffman, pastor of the St. Anthony's Church, Des Moines, Iowa.

The Journal of Tuesday, February 13, 1996, 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 13, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2104, a bill for an act prohibiting the release of certain forcible felons on parole or work release, limiting the reduction of sentence for certain forcible felons, providing for a pilot project, and making other related changes.

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

INTRODUCTION OF BILLS

Senate File 2183, by Kramer, 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, and providing a conditional effective date.

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

Senate File 2184, by Judge, a bill for an act relating to livestock by establishing a council and providing for brands.

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

Senate File 2185, by Flynn, a bill for an act providing for maintenance and repair of out-of-state commercial vehicles and providing an effective date.

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

APPENDIX

STUDY BILLS RECEIVED

SSB 2180 State Government

Relating to public retirement systems, making appropriations, and providing effective and retroactive applicability dates.

SSB 2181 Natural Resources/Environment & Energy

Relating to the issuance of deer and wild turkey nonresident hunting licenses to certain official guests and dignitaries.

SSB 2182 Natural Resources/Environment & Energy

Relating to issuance of a certificate of title for a documented vessel.

SSB 2183 Education

Establishing a community college funding formula, providing for properly related matters, and an effective date.

SSB 2184 Education

Providing limited English proficiency programs in the public schools, making an appropriation for additional funding for an increase in the actual number of limited English proficient students, and providing an effective and applicability date.

SSB 2185 Education

Relating to the transportation of public and nonpublic school students and other properly related matters.

SSB 2186 Education

Providing for special motor vehicle registration plates for education, for the transfer and appropriation of revenue from the sale of the plates to the school budget review committee, for properly related matters, and for an effective date.

SSB 2187 Local Government

Relating to the confirmation of appointments of marshals and chiefs of police.

SSB 2188 Local Government

Relating to filing fees charged by county recorders and eliminating a surcharge fee.

SSB 2189 Ways & Means

Exempting from the county property tax limitation revenues deposited in the local emergency management fund and providing effective and applicability dates.

SSB 2190 Ways & Means

Relating to the awarding of costs to a prevailing taxpayer in a proceeding against the department of revenue and finance under the state tax procedures and practices Act and providing an effective date.

SSB 2191 Ways & Means

Relating to a corporate tax credit for providing dependent care assistance to certain employees and providing an effective and retroactive applicability date provision.

SUPPLEMENTAL 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 pay changes and effective dates of Senate employees:

Legislative Committee Secretary	Laura Potter	18-1 effective 1/10/96
Legislative Secretary	Juliet Bliss	17-1 to 16-1 effective 2/5/96
Legislative Secretary	Carla Banks	16-2 to 17-2 effective 2/5/96
Legislative Secretary	Jon Gaskell II	17-1 effective 1/26/96
Doorkeeper	Kermit Tannatt	11-1 effective 1/25/96

WALLY E. HORN, Chair

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: February 13, 1996, 4:59 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 2114 as amended.

Adjourned: 5:15 p.m.

COMMERCE

Convened: February 13, 1996, 4:02 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Bartz, Bisignano, Douglas, Flynn, Gettings, Hedge, Husak, Palmer and Redfern.

Members Absent: Freeman, Gronstal and Priebe.

Committee Business: Assigned bills to subcommittees.

Adjourned: 4:05 p.m.

LOCAL GOVERNMENT

Convened: February 13, 1996, 3:56 p.m.

Members Present: Sorensen, Chair; Maddox, Ranking Member; Black, Fraise, Halvorson, Judge, McKean and Zieman.

Members Absent: Fink, Vice Chair and Rittmer (both excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:58 p.m.

TRANSPORTATION

Convened: February 13, 1996, 4:15 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: Recommended passage of Senate Concurrent Resolution 105; approved SSB 2129 as a committee bill.

Adjourned: 4:35 p.m.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the governor were presented and placed on file during the 1995 legislative interim:

Mr. John F. Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Dwyer:

It is my pleasure to submit to the Senate for their consideration the following governor's appointees as members of state boards, departments and commissions pursuant to 1995 Code of Iowa sections:

Linda Hopkins, Iowa City, Johnson County, for appointment as a member of the Accountancy Examining Board pursuant to Section 542C.3, for a term beginning July 21, 1995, and ending April 30, 1998.

As members of the Board of Behavioral Science Examiners pursuant to Section 147.14(13):

Dorothy A. Anderson, Des Moines, Polk County, for a term beginning May 9, 1995, and ending April 30, 1997, and Rebecca S. Beach, Des Moines, Polk County, for a term beginning June 22, 1995, and ending April 30, 1996.

Donald R. Tietz, Algona, Kossuth County, for appointment as a member of the Board of Corrections pursuant to Section 904.104 for a term beginning August 16, 1995, and ending April 30, 1999.

As members of the Board of Physician Assistant Examiners pursuant to Section 147.14(12):

Dr. Laine D. Dvorak, Humboldt, Humboldt County, for appointment to a term beginning August 25, 1995, and ending April 30, 1996, and Joan L. Skogstrom, Council Bluffs, Pottawattamie County, for reappointment to a term beginning May 25, 1995, and ending April 30, 1997.

Susan M. Cosner, West Des Moines, Polk County, for appointment as a member of the City Development Board pursuant to Section 368.9 for a term beginning August 4, 1995, and ending April 30, 1997.

For appointment as members of the Commission of Veterans Affairs pursuant to Section 35A.2:

Jerry L. Meek, Des Moines, Polk County, for a term beginning July 28, 1995, and ending April 30, 1999, and Michael A. Scheibeler, Atlantic, Cass County, for a term beginning July 28, 1995, and ending April 30, 1996.

Cynthia P. Snell, Ames, Story County, for appointment as a member of the Commission on Judicial Qualifications pursuant to Section 602.2102 for a term beginning May 1, 1995, and ending April 30, 2001.

Paul R. Walther, Audubuon, Audubon County, for appointment as a member of the Commission on the Status of Women pursuant to Section 216A.52-53 for a term beginning September 13, 1995, and ending April 30, 1998.

For appointment as members of the Community Health Management Information System Governing Board pursuant to Section 144C.4:

Scott M. Harrison, Des Moines, Polk County, for a term beginning May 24, 1995, and ending April 30, 1996; Susan R. Ryan, Des Moines, Polk County, for a term beginning June 13, 1995, and ending April 30, 1998, and Bonnie J. Steege, Independence, Buchanan County, for a term beginning July 11, 1995, and ending April 30, 1998.

Margaret P. Guhin, Bettendorf, Scott County, for appointment as a member of the Council on Human Services pursuant to Section 217.2 for a term beginning January 3, 1996, and ending April 30, 1997.

For appointment as members of the County Finance Committee pursuant to Section 333A.2:

Lumir E. Dostal, Jr., Marion, Linn County, for a term beginning August 25, 1995, and ending April 30, 1999, and Jon P. Finney, Keosauqua, Van Buren County, for a term beginning July 11, 1995, and ending April 30, 1999.

Frederick (Ted) M. Stilwill, Des Moines, Polk County, for appointment as Director of the Department of Education pursuant to Section 256.8 for a term beginning January 23, 1996, and to serve at the pleasure of the Governor.

Earl W. Seymour, Norwalk, Warren County, for appointment as a member of the Employment Appeal Board pursuant to Section 10A.601 for a term beginning July 31, 1995, and ending April 30, 1998.

Michael A. Fesler, Danville, Des Moines County, for appointment as a member of the Environmental Protection Commission pursuant to Section 455A.6 for a term beginning May 5, 1995, and ending April 30, 1999.

For appointment as members of the First in the Nation in Education Foundation Governing Board pursuant to Section 257A.2-3:

Dr. Thomas E. Davis, Urbandale, Polk County, for a term beginning June 22, 1995, and ending April 30, 1999, and Frederick (Ted) M. Stilwill, Des Moines, Polk County, for a term beginning October 2, 1995, and ending April 30, 2000.

Iris J. Post, Des Moines, Polk County, for appointment as Industrial Commissioner pursuant to Section 86.1 for a term beginning January 2, 1996, and ending April 30, 1997.

Kay A. Hagen, Le Mars, Plymouth County, for appointment as a member of the Iowa Finance Authority pursuant to Section 16.2 for a term beginning January 3, 1996, and ending April 30, 1997.

Emil S. Pavich, Council Bluffs, Pottawattamie County, for appointment as a member of the Iowa Railway Finance Authority pursuant to Section 327 I.5 & 6, for a term beginning January 8, 1996, and ending April 30, 1996.

Liz S. Nichols, Indianola, Warren County, for appointment as a member of the Iowa State Civil Rights Commission pursuant to Section 216.3 for a term beginning May 22, 1995, and ending April 30, 1999.

Richard H. Opie, Des Moines, Polk County, for appointment as a member and Chair of the Iowa Telecommunications and Technology Commission pursuant to Section 8D.3(2) for a term beginning June 13, 1995, and ending April 30, 1996.

Mary A. Nelson, West Des Moines, Polk County, for appointment as a member of the Iowa Telecommunications and Technology Commission pursuant to Section 8D.3(2) for a term beginning June 22, 1995, and ending April 30, 1998.

Byron Orton, Altoona, Polk County, for appointment as Labor Commissioner pursuant to Section 91.2 for a term beginning September 13, 1995, and ending April 30, 2001.

Clark A. Yeager, Ottumwa, Wapello County, for appointment as a member of the School Budget Review Committee pursuant to Section 257.30 for a term beginning May 1, 1995, and ending April 30, 1998.

Gregory A. Forristall, Macedonia, Pottawattamie County, for appointment as a member of the State Board of Education pursuant to Section 256.3 for a term beginning July 11, 1995, and ending April 30, 2000.

Terri J. Gunderson, Terril, Dickinson County, for appointment as a member of the State Board of Examiners for Nursing Home Administrators pursuant to Section 155.2 for a term beginning January 8, 1996, and ending April 30, 1998.

For appointment as members of the State Board of Regents pursuant to Sections 262.1-2:

Aileen F. Mahood, Ida Grove, Ida County, for a term beginning August 30, 1995, and ending April 30, 1997, and Marvin A. Pomerantz, Des Moines, Polk County, for a term beginning May 9, 1995, and ending April 30, 2001.

For appointment as members of the State Judicial Nominating Commission pursuant to Section 46.1:

John F. Bright, Keokuk, Lee County, for a term beginning May 5, 1995, and ending April 30, 2001, and Zell L. Millard, Woodbine, Harrison County, for a term beginning August 7, 1995, and ending April 30, 1999.

Michael K. Guttau, Council Bluffs, Pottawattamie County, for appointment as Superintendent of Banking pursuant to Section 524.201 for a term beginning September 15, 1995, and ending April 30, 1997.

As members of the Title Guaranty Division Board pursuant to Section 16.2:

Amy M. Britt, Davenport, Scott County, for appointment to a term beginning June 29, 1995, and ending April 30, 2001; Berneil Preul, Denison, Crawford County, for reappointment to a term beginning June 29, 1995, and ending April 30, 2001, and James A. Sattler, Cedar Rapids, Linn County, for appointment to a term beginning May 22, 1995, and ending April 30, 1999.

Sincerely,
TERRY E. BRANSTAD
Governor

Communications were referred to the committee on Rules and Administration on 2/14/96.

EXPLANATION OF VOTES

I was necessarily absent from the Senate chamber on February 7, 1996, when the votes were taken on final passage of Senate Files 2046, 2097, 2130, 2030 and amendment S—5049 to Senate File 2138 and final passage of Senate File 2138.

Had I been present, I would have voted "aye" on the above.

LEONARD BOSWELL

SUBCOMMITTEE ASSIGNMENTS

Senate File 57

HUMAN RESOURCES: Hammond, Chair; Boettger and Dvorsky

Senate File 2120

COMMERCE: Gronstal, Chair; Bisignano, Freeman, Hansen, Jensen, Palmer and Redfern

Senate File 2147

COMMUNICATIONS & INFORMATION POLICY: Dvorsky, Chair; Flynn and McLaren

Senate File 2150

WAYS AND MEANS: Murphy, Chair; Drake, Freeman, Neuhauser and Vilsack

Senate File 2151

HUMAN RESOURCES: Hammond, Chair; Szymoniak and Tinsman

Senate File 2156

COMMERCE: Deluhery, Chair; Flynn and Redfern

Senate File 2162

COMMERCE: Gronstal, Chair; Bisignano, Freeman, Hansen, Jensen, Palmer and Redfern

Senate File 2169

STATE GOVERNMENT: Bisignano, Chair; Fink and Lind

Senate File 2176

WAYS AND MEANS: Murphy, Chair; Connolly, Freeman, Hedge and Priebe

House File 230
(Reassignment)

COMMERCE: Gronstal, Chair; Gettings and Redfern

House File 2036

COMMERCE: Husak, Chair; Jensen and Priebe

House File 2111

WAYS AND MEANS: Palmer, Chair; Bennett, Connolly, Drake, McLaren, Neuhauser and Vilsack

SSB 2160

LOCAL GOVERNMENT: Sorensen, Chair; Halvorson and Rittmer

SSB 2171

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

SSB 2172

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

SSB 2173

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

SSB 2174

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

SSB 2175

JUDICIARY: Giannetto, Chair; Bartz, Bisignano, Drake and Vilsack

SSB 2176

JUDICIARY: Hammond, Chair; Giannetto, Maddox, Redfern and Vilsack

SSB 2177

JUDICIARY: Redfern, Chair; Giannetto, McKean, Neuhauser and Vilsack

SSB 2178

JUDICIARY: Szymoniak, Chair; Boettger, Giannetto, Maddox and Vilsack

SSB 2179

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

SSB 2180

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and Rittmer

SSB 2181

NAT. RESOURCES, ENVIR. & ENERGY: Fink, Chair; Dearden and Lundby

SSB 2182

NAT. RESOURCES, ENVIR. & ENERGY: Kibbie, Chair; Judge and Lundby

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2180	Transportation
S.F.	2181	Ways and Means
S.F.	2182	Local Government
S.F.	2183	Human Resources
S.F.	2184	Agriculture
S.F.	2185	Transportation
S.F.	2187	State Government
S.F.	2189	Local Government
S.F.	2190	Ways and Means
S.F.	2191	State Government

COMMITTEE REPORTS

COMMUNICATIONS AND INFORMATION POLICY

Final Bill Action: *SENATE FILE 2195 (SSB 2170), a bill for an act relating to the Iowa communications network by providing for state ownership of a Part III connection and for the connection and support of certain Part III users, making appropriations, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Dvorsky, Deluhery, McLaren, Flynn, Hansen, Jensen and Redfern. 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 Communications and Information Policy Committee on Senate File 2195 and they were attached to the committee report.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 102 (LSB 4314), a resolution relating to gubernatorial appointments requiring senate confirmation.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 2186 (SSB 2129), a bill for an act relating to transportation-related sanctions by increasing penalties for certain offenses, providing for the issuance of temporary restricted licenses for certain offenses, providing scheduled fines for various violations, prohibiting certain activities of motor vehicle dealers, and allowing the issuance of a uniform citation and complaint to a corporation for certain violations.

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.

INTRODUCTION OF RESOLUTION

Senate Resolution 102, by committee on Rules and Administration, a resolution relating to gubernatorial appointments requiring senate confirmation.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 2003, by Murphy, a joint resolution proposing an amendment to the Constitution of the State of Iowa eliminating the office of Secretary of State.

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

Senate File 2186, by committee on Transportation, a bill for an act relating to transportation-related sanctions by increasing penalties for certain offenses, providing for the issuance of temporary restricted licenses for certain offenses, providing scheduled fines for various violations, prohibiting certain activities

of motor vehicle dealers, and allowing the issuance of a uniform citation and complaint to a corporation for certain violations.

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

Senate File 2187, by Black, a bill for an act requiring the identification of a slot machine by affixing a percentage payout stamp.

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

Senate File 2188, by Lundby, a bill for an act relating to alternate energy production and purchase, requiring the purchase of eighty-nine megawatts of alternate energy, requiring consideration of a reimbursement mechanism for good faith investment, appropriating moneys from the general fund of the state, and requiring the use of an alternate energy promotional rate.

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

Senate File 2189, by Lundby, a bill for an act relating to delinquent property taxes and the time period during which a property tax owner may redeem property sold at tax sales and providing an effective and applicability date.

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

Senate File 2190, by Lundby, a bill for an act relating to an exemption for the local emergency management fund for purposes of the property tax limitation and providing effective and applicability dates.

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

Senate File 2191, by Lundby, a bill for an act requiring executive council approval for certain state contracts.

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

Senate File 2192, by Redfern, a bill for an act providing an exemption from motor vehicle financial responsibility security filing requirements.

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

Senate File 2193, by McLaren, a bill for an act relating to child support, by limiting the use of income withholding, by requiring correction of errors in support payment records within sixty days, by requiring a federal waiver request, and by providing effective dates.

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

Senate File 2194, by McLaren, a bill for an act prohibiting a health care provider or other person from providing, selling, or otherwise making available, hospital or medical records.

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

Senate File 2195, by committee on Communications and Information Policy, a bill for an act relating to the Iowa communications network by providing for state ownership of a Part III connection and for the connection and support of certain Part III users, making appropriations, and providing effective dates.

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

AMENDMENTS FILED

S—5059	S.F.	2170	Nancy Boettger
S—5060	S.F.	2135	Berl E. Priebe
			Derryl McLaren

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 9:16 a.m., until 9:00 a.m., Thursday, February 15, 1996.

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 15, 1996

The Senate met in regular session at 9:08 a.m., President Boswell presiding.

Prayer was offered by the Reverend Barbara Tooker Todd, pastor of the First Presbyterian Church, Adair, Iowa.

The Journal of Wednesday, February 14, 1996, 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 14, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2107, a bill for an act relating to the requirements regarding human immunodeficiency virus-related tests and making existing remedies applicable.

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

House File 2152, 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.

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

House File 2165, a bill for an act relating to industrial machinery, computers and equipment for purposes of sales taxation and property taxation and providing an effective date and applicability date.

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

House File 2177, a bill for an act relating to the exclusion of century farms from economic development areas for purposes of urban renewal and providing for the Act's applicability.

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

INTRODUCTION OF BILLS

Senate File 2196, by McLaren, a bill for an act relating to length of time for the legal possession of deer meat.

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

Senate File 2197, by Husak, McLaren, Bennett, Fink, Drake, and Sorensen, a bill for an act relating to the exemption of unassisted coin-operated motor vehicle wash, wax, and vacuum services from the state sales, services, and use taxes.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Banks for the day on request of Senator Bartz and Senator Vilsack until he arrives on request of Senator Kibbie.

RECESS

On motion of Senator Horn, the Senate recessed at 9:18 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMUNICATIONS AND INFORMATION POLICY

Convened: February 14, 1996, 1:15 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 2170 as a committee bill; assigned bill to subcommittee; presentation by the director of ICN.

Adjourned: 2:15 p.m.

EDUCATION

Convened: February 14, 1996, 2:35 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 bills to subcommittees; approved SSBs 2132 and 2139 as committee bills; approved Senate File 2137 as a committee bill.

Adjourned: 2:57 p.m.

HUMAN RESOURCES

Convened: February 14, 1996, 3:44 p.m.

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

Members Absent: Dvorsky.

Committee Business: Amended and approved SSB 2002; recommended passage of House Concurrent Resolution 105 as amended; approved SSBs 2163, 2127, 2165 and 2166 as committee bills.

Adjourned: 4:41 p.m.

JUDICIARY

Convened: February 14, 1996, 4:50 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 2030, 2032, 2178, 2019 and 2021 as committee bills; approved Senate File 2004 as a committee bill; deferred action on SSBs 2171, 2151, 2159 and Senate File 2100.

Adjourned: 5:45 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: February 14, 1996, 4:52 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; approved SSBs 2100 and 2044 as committee bills.

Adjourned: 5:02 p.m.

RULES AND ADMINISTRATION

Convened: February 14, 1996, 2:10 p.m.

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

Members Absent: Rife, Ranking Member and Kramer.

Committee Business: Approved standing committee referral of governor's appointees; approved proposed committee resolution; approved majority staff personnel report.

Adjourned: 2:40 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 14, 1996, 10:20 a.m.

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

Members Absent: Horn (excused).

Committee Business: Presentations by the department of management and the secretary of state.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 14, 1996, 10:30 a.m.

Members Present: Black, Chair; Priebe, Vice Chair; Bennett and Gettings.

Members Absent: Banks, Ranking Member.

Committee Business: REAP presentation by the director of the department of natural resources; presentation by members of the agricultural development authority.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 14, 1996, 10:25 a.m.

Members Present; Bisignano, Vice Chair; Hansen and Zieman.

Members Absent: Vilsack, Chair and Borlaug, Ranking Member (both excused).

Committee Business: Discussed housing issues - DED.

Adjourned: 11:49 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 14, 1996, 10:20 a.m.

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

Members Absent: none.

Committee Business: Presentation by the executive director of the Board of Regents.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 14, 1996, 10:25 a.m.

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

Members Absent: none.

Committee Business: Presentation and discussion by chief operating officers of merit behavioral care.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 14, 1996, 10:22 a.m.

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

Members Absent: none.

Committee Business: Presentation by the judicial branch on enhanced court collections.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 14, 1996, 10:22 a.m.

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

Members Absent: Jensen and Murphy (both excused).

Committee Business: Presentation by the department of transportation on highway planning and programming policies.

Adjourned: 11:51 a.m.

CERTIFICATE OF RECOGNITION

The secretary of the senate issued a certificate of recognition as follows:

Roger Clausen, Missouri Valley — For being named southwest Iowa's secondary principal of the year. Senator Boettger (2-14-96).

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2206 (SSB 2192), a bill for an act providing for animal health and racing and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Priebe, Judge, Banks, Black, Boswell, Fraise, Hedge, Lundby, Palmer and Zieman. Nays, none. Absent or not voting, 5: Douglas, Giannetto, Husak, McLaren and Sorensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: *SENATE FILE 2200 (formerly Senate File 2137), a bill for an act relating to school employee sick leave.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Kibbie, Redfern, Dvorsky, Fink, Hammond, Iverson, Lind, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 2: Deluhery 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 Education Committee on Senate File 2200 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2201 (SSB 2132), a bill for an act relating to the open enrollment application and implementation process.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Connolly, Kibbie, Redfern, Dvorsky, Fink, Hammond, Iverson, Lind, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 3: Deluhery, Hammond and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2204 (SSB 2139), a bill for an act relating to the operation of the vocational rehabilitation division of the department of education and promoting consistency with the most recently amended version of federal law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Kibbie, Redfern, Dvorsky, Fink, Hammond, Iverson, Lind, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 2: Deluhery 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 Education Committee on Senate File 2204 and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2203 (SSB 2166), a bill for an act relating to services relating to children and families.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Dvorsky.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2207 (SSB 2178), a bill for an act relating to excuse from jury service and the reimbursement of jurors and witnesses for transportation and mileage expenses.

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.

ALSO:

Final Bill Action: SENATE FILE 2208 (SSB 2032), a bill for an act relating to persons required to register with the sex offender registry and providing a penalty.

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.

ALSO:

Final Bill Action: SENATE FILE 2209 (SSB 2030), a bill for an act establishing the offense of promoting or possessing contraband in prisons, jails, and juvenile facilities and establishing penalties.

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.

ALSO:

Final Bill Action: SENATE FILE 2210 (SSB 2019), a bill for an act relating to public access to criminal history data maintained by the department of public safety.

Recommendation: APPROVED COMMITTEE BILL.

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.

ALSO:

Final Bill Action: SENATE FILE 2211 (SSB 2021), a bill for an act relating to fingerprinting requirements for certain public offenses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Giannetto, Vilsack, McKean, Bartz, Boettger, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, 3: Bisignano, Drake and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE FILE 2212 (SSB 2044), a bill for an act relating to the regulation of timber sales and surety bonds paid by timber buyers and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Fink, Black, Lundby, Borlaug, Dearden, Deluhery, Freeman, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, 1: Banks. Absent or not voting, 1: Gronstal.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5061	S.F.	2135	Tom Vilsack
S—5062	S.F.	2181	Merlin E. Bartz
S—5063	H.F.	2114	Tom Vilsack
S—5064	H.F.	2114	Merlin E. Bartz
S—5065	S.F.	2135	JoAnn Douglas
S—5066	H.F.	2114	Larry Murphy
S—5067	S.F.	2142	Mary Neuhauser
			Robert E. Dvorsky
			Steven D. Hansen
			Berl E. Priebe
			Patrick J. Deluhery
			Randal J. Giannetto
			Dick L. Dearden
			Tony Bisignano
			John P. Kibbie
			Jim Lind

			Mary A. Lundby
			Michael E. Gronstal
			Donald B. Redfern
			Patty Judge
			Andy McKean
S—5068	S.F.	2142	Michael E. Gronstal
S—5069	H.F.	2114	Michael E. Gronstal
			Emil J. Husak
S—5070	S.F.	2160	Mary Neuhauser
			Tony Bisignano
			Johnie Hammond
S—5071	S.F.	2177	Bill Fink
S—5072	S.F.	2142	Patrick J. Deluhery
			Mary Neuhauser
			Robert E. Dvorsky
			Berl E. Priebe
			Steven D, Hansen
			Tony Bisignano
			Randal J. Giannetto
			John P. Kibbie
			Mary A. Lundby
			Sheldon Rittmer
			Michael E. Gronstal
			Patty Judge
			Maggie Tinsman
			Johnie Hammond
			Nancy Boettger
			Mary Kramer
			Mary Lou Freeman
			Andy McKean
			O. Gene Maddox
			Tom Flynn

AFTERNOON SESSION

The Senate reconvened at 2:34 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 2004, by Zieman, a joint resolution requesting the proposal of an amendment to the Constitution of the United States limiting the number of terms of service of members of the United States Congress.

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

Senate File 2198, by Husak, a bill for an act relating to pecuniary damages recoverable under an order of criminal victim restitution.

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

Senate File 2199, by Maddox, a bill for an act relating to the cost of educational programs for children in a licensed child foster care facility or a substance abuser facility for school funding purposes and providing an effective date.

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

Senate File 2200, by committee on Education, a bill for an act relating to school employee sick leave.

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

Senate File 2201, by committee on Education, a bill for an act relating to the open enrollment application and implementation process.

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

Senate File 2202, by Szymoniak, a bill for an act relating to juvenile justice including notice requirements for juvenile court actions, custody of and access to a child designated a child in need of assistance, and associate juvenile judge jurisdiction.

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

Senate File 2203, by committee on Human Resources, a bill for an act relating to services relating to children and families.

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

Senate File 2204, by committee on Education, a bill for an act relating to the operation of the vocational rehabilitation division of the department of education and promoting consistency with the most recently amended version of federal law.

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

Senate File 2205, by Husak, a bill for an act relating to reserve peace officers obtaining professional permits to carry weapons and carrying weapons.

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

Senate File 2206, by committee on Agriculture, a bill for an act providing for animal health and racing and making penalties applicable.

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

Senate File 2207, by committee on Judiciary, a bill for an act relating to excuse from jury service and the reimbursement of jurors and witnesses for transportation and mileage expenses.

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

Senate File 2208, by committee on Judiciary, a bill for an act relating to persons required to register with the sex offender registry and providing a penalty.

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

Senate File 2209, by committee on Judiciary, a bill for an act establishing the offense of promoting or possessing contraband in prisons, jails, and juvenile facilities and establishing penalties.

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

Senate File 2210, by committee on Judiciary, a bill for an act relating to public access to criminal history data maintained by the department of public safety.

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

Senate File 2211, by committee on Judiciary, a bill for an act relating to fingerprinting requirements for certain public offenses.

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

Senate File 2212, by committee on Natural Resources, Environment, and Energy, a bill for an act relating to the regulation of timber sales and surety bonds paid by timber buyers and providing an effective date.

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

Senate File 2213, by committee on Human Resources, a bill for an act relating to the continued existence of the prevention of disabilities policy council and technical assistance committee and providing an effective date.

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

Senate File 2214, by committee on Human Resources, a bill for an act relating to the testing and confidentiality of records requirements regarding human immunodeficiency virus-related tests and making existing remedies applicable.

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.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 2195** be referred from the Regular Calendar to the committee on **Appropriations.**

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2035

On motion of Senator Kibbie, Senate File 2035, a bill for an

act relating to the control and eradication of ecologically harmful exotic species and Eurasian milfoil and establishing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Fink offered amendment S—5051 filed by the committee on Natural Resources on February 8, 1996, to page 3 of the bill and moved its adoption.

Amendment S—5051 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. 2035) the vote was:

Ayes, 47:

Bartz	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
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, 3:

Banks	Fraise	Vilsack

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

Senate File 2074

On motion of Senator Sorensen, Senate File 2074, a bill for an act relating to the dates on which city hospital or health care facility trustees take and depart from office, with report of committee recommending passage, was taken up for consideration.

Senator Sorensen offered amendment S—5034 filed by him on February 1, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5034 was adopted by a voice vote.

Senator Priebe asked and received unanimous consent that action on **Senate File 2074** be **deferred.**

Senate File 2149

On motion of Senator Sorensen, Senate File 2149, a bill for an act relating to contracts for mutual aid between fire departments regarding emergency services, was taken up for consideration.

Senator Sorensen offered amendment S—5053 filed by him on February 8, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5053 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. 2149) 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	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Zieman

Nays, none.

Absent or not voting, 2:

Banks	Vilsack

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

CONSIDERATION OF BILL
(Appropriations Calendar)

Senate File 2142

On motion of Senator Gronstal, Senate File 2142, a bill for an act relating to crime prevention by creating a local corrections infrastructure grant program, authorizing the use of bonding, making appropriations, imposing a civil penalty for certain motor vehicle license revocations, imposing a surcharge on criminal fines and forfeitures, providing for mandatory wage assignment for certain delinquent fines, and providing an effective date, was taken up for consideration.

Senator Borlaug offered amendment S—5074 filed by Senators Borlaug and Gronstal from the floor to page 2 of the bill and moved its adoption.

Amendment S—5074 was adopted by a voice vote.

Senator Neuhauser offered amendment S—5067 filed by Senators Neuhauser, et al., from the floor to pages 4 and 5 of the bill and moved its adoption.

Amendment S—5067 was adopted by a voice vote.

Senator Gronstal offered amendment S—5068 filed by him from the floor to page 4 of the bill and moved its adoption.

Amendment S—5068 was adopted by a voice vote.

Senator Deluhery offered amendment S—5072 filed by Senators Deluhery, et al., from the floor to page 10 of the bill and moved its adoption.

Amendment S—5072 was adopted by a voice vote.

(Action on Senate File 2142 was deferred.)

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for immediate consideration Senate Resolution 102.

Senate Resolution 102

On motion of Senator Horn, Senate Resolution 102, a senate resolution relating to gubernatorial appointments requiring senate confirmation, was taken up for consideration.

Senator Horn moved the adoption of Senate Resolution 102, which motion prevailed by a voice vote.

BUSINESS PENDING

Senate File 2142

The Senate resumed consideration of Senate File 2142, a bill for an act relating to crime prevention by creating a local corrections infrastructure grant program, authorizing the use of bonding, making appropriations, imposing a civil penalty for certain motor vehicle license revocations, imposing a surcharge on criminal fines and forfeitures, providing for mandatory wage assignment for certain delinquent fines, and providing an effective date, previously deferred.

Senator Kramer offered amendment S—5079 filed by Senators Kramer and Bartz from the floor to pages 1-4 of the bill and moved its adoption.

Amendment S—5079 was adopted by a voice vote.

(Action on Senate File 2142 was deferred.)

The Senate stood at ease at 3:35 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 3:56 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 2142

The Senate resumed consideration of Senate File 2142, previously deferred.

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. 2142) the vote was:

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

Ayes, 36:

Bennett	Bisignano	Borlaug	Boswell
Connolly	Dearden	Deluhery	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Judge	Kibbie	Kramer	Maddox
McKean	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Sorensen	Szymoniak	Tinsman	Vilsack

Nays, 12:

Bartz	Boettger	Douglas	Freeman
Hedge	Iverson	Jensen	Lind
Lundby	McLaren	Rittmer	Zieman

Absent or not voting, 2:

Banks	Black

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 2114

On motion of Senator Murphy, House File 2114, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1995, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—5058 filed by the committee on Appropriations on February 13, 1996, to pages 1 and 2 of the bill.

Senator Gronstal offered amendment S—5069 filed by Senators Gronstal and Husak from the floor to amendment S—5058 and moved its adoption.

Amendment S—5069 was adopted by a voice vote.

Senator Murphy offered amendment S—5077 filed by Senators Murphy and Hammond from the floor to amendment S—5058 and moved its adoption.

Amendment S—5077 was adopted by a voice vote.

Senator Murphy offered amendment S—5066 filed by him from the floor to amendment S—5058 and moved its adoption.

Amendment S—5066 was adopted by a voice vote.

Senator Bartz offered amendment S—5064 filed by him from the floor to amendment S—5058 and moved its adoption.

Amendment S—5064 was adopted by a voice vote.

Senator Murphy moved the adoption of amendment S—5058 as amended, which motion prevailed by a voice vote.

Senator Vilsack offered amendment S—5063 filed by him from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5063 be adopted?" (H.F. 2114) 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:

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:

Banks

Amendment S—5063 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2114) the vote was:

Ayes, 43:

Bartz	Bennett	Bisignano	Black
Boettger	Boswell	Connolly	Dearden
Deluhery	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, 6:

Borlaug	Douglas	Iverson	Lind
McLaren	Rife		

Absent or not voting, 1:

Banks

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

BUSINESS PENDING

Senate File 2074

The Senate resumed consideration of Senate File 2074, a bill for an act relating to the dates on which city hospital or health care facility trustees take and depart from office, previously deferred.

Senator Priebe 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—5034 to Senate File 2074 was adopted by the Senate on February 15, 1996.

The motion prevailed by a voice vote and amendment S—5034 by Senator Sorensen to page 1 of the bill was taken up for reconsideration.

Senator Priebe offered amendment S—5080 filed by him from the floor to amendment S—5034 and moved its adoption.

Amendment S—5080 was adopted by a voice vote.

Senator Sorensen moved the adoption of amendment S—5034 as amended, which motion prevailed 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. 2074) the vote was:

Ayes, 49:

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.

Absent or not voting, 1:

Banks

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 2135

On motion of Senator Priebe, Senate File 2135, a bill for an act providing for the organization of cooperative corporations, providing for fees, and providing for penalties, was taken up for consideration.

Senator Priebe offered amendment S—5060 filed by Senators Priebe and McLaren on February 14, 1996, to pages 1 and 10 of the bill and moved its adoption.

Amendment S—5060 was adopted by a voice vote.

Senator Vilsack offered amendment S—5061 filed by him from the floor to pages 2 and 3 of the bill and moved its adoption.

Amendment S—5061 was adopted by a voice vote.

Senator Douglas offered amendment S—5065 filed by her from the floor to page 3 of the bill and moved its adoption.

Amendment S—5065 was adopted by a voice vote.

Senator Priebe offered amendment S—5073 filed by him from the floor to page 10 of the bill and moved its adoption.

Amendment S—5073 was adopted by a voice vote.

Senator Douglas offered amendment S—5076 filed by Senators Douglas and Priebe from the floor to page 10 of the bill and moved its adoption.

Amendment S—5076 was adopted by a voice vote.

Senator Iverson offered amendment S—5057 filed by Senators Iverson and Husak on February 13, 1996, to page 13 of the bill and moved its adoption.

Amendment S—5057 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. 2135) the vote was:

Ayes, 46:

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	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 3:

Jensen	Murphy	Sorensen

Absent or not voting, 1:

Banks

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 2035, 2149, 2142, 2074** and **2135** and **House File 2114** 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 February 15, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2181, a bill for an act relating to the statistical reporting of terminations of pregnancy and establishing penalties.

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

INTRODUCTION OF BILLS

Senate File 2215, by committee on Human Resources, a bill for an act relating to a study on the qualifications of deaf interpreters.

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

Senate File 2216, by committee on Agriculture, a bill for an act providing that the examination for commercial applicators of pesticides be given at each community college.

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

Senate File 2217, by committee on Judiciary, a bill for an act exempting the seller of a portable water system from the requirements and the penalties of the consumer fraud law.

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

Senate File 2218, by committee on Human Resources, a bill for an act relating to the community health management system by extending the date for implementation of phase I of the system.

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

Senate File 2219, by committee on Natural Resources, Environment, and Energy, a bill for an act relating to the midwest interstate compact on low-level radioactive waste and establishing a penalty.

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

BILLS ASSIGNED TO COMMITTEE

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

H.F.	2104	Judiciary
S.F.	2188	Nat. Res., Environ. & Energy

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 2166** be referred from the Regular Calendar to the committee on **Ways and Means.**

APPENDIX

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 15, 1996:

BUSINESS AND LABOR

Earl W. Seymour — Employment Appeal Board

Iris J. Post — Industrial Commissioner

Byron Orton — Labor Commissioner

COMMERCE

Michael K. Guttau — Superintendent of Banking

Amy M. Britt, Berneil Preul and James A. Sattler — Title Guaranty Division Board

COMMUNICATIONS AND INFORMATION POLICY

Mary A. Nelson and Richard H. Opie — Iowa Telecommunications and Technology Commission

EDUCATION

Frederick (Ted) M. Stilwill — Director of the Department of Education

Thomas E. Davis and Frederick (Ted) M. Stilwill — First in the Nation in Education Foundation Governing Board

Clark A. Yeager — School Budget Review Committee

Gregory A. Forristall — State Board of Education

Aileen F. Mahood and Marvin A. Pomerantz — State Board of Regents

HUMAN RESOURCES

Dorothy A. Anderson and Rebecca S. Beach — Board of Behavioral Science Examiners

Dr. Laine D. Dvorak and Joan L. Skogstrom — Board of Physician Assistant Examiners

Paul R. Walther — Commission on the Status of Women

Scott M. Harrison, Susan R. Ryan and Bonnie J. Steege — Community Health Management Information System Governing Board

Margaret P. Guhin — Council on Human Services

JUDICIARY

Donald R. Tietz — Board of Corrections

Cynthia P. Snell — Commission on Judicial Qualifications

Liz S. Nichols — Iowa State Civil Rights Commission

John F. Bright and Zell L. Millard — State Judicial Nominating Commission

LOCAL GOVERNMENT

Susan M. Cosner — City Development Board

Lumir E. Dostal, Jr. and Jon P. Finney — County Finance Committee

NATURAL RESOURCES, ENVIRONMENT & ENERGY

Michael A. Fesler — Environmental Protection Commission

STATE GOVERNMENT

Linda Hopkins — Accountancy Examining Board

Jerry L. Meek and Michael A. Scheibeler — Commission of Veterans Affairs

Terri J. Gunderson — State Board of Examiners for Nursing Home Administrators

WAYS AND MEANS

Kay A. Hagen — Iowa Finance Authority

Emil S. Pavich — Iowa Railway Finance Authority

STUDY BILLS RECEIVED

SSB 2192 Agriculture

Providing for animal health and racing and making penalties applicable.

SSB 2193 Human Resources

Relating to the designation of the drug ephedrine as a schedule IV controlled substance, and making penalties applicable.

SSB 2194 Human Resources

Relating to the nonconfidentiality of information regarding the qualifications of interpreters for the deaf services division of the department of human rights.

SSB 2195 Commerce

Relating to energy efficiency programs, electric and gas public utility energy efficiency mandates, and funding for the Iowa energy center and the center for global and regional environmental research.

SSB 2196 Judiciary

Defining an offense for possession of alcohol by persons aged eighteen, nineteen, and twenty, and providing a penalty.

SSB 2197 Judiciary

Relating to juvenile justice, including dispositional alternatives for juveniles adjudicated delinquent, registering with the sex offender registry, and associate juvenile judge jurisdiction.

SSB 2198 Judiciary

Relating to unlawful military or training activity, including the possession of certain real or simulated explosive or incendiary devices, and establishing or making penalties applicable.

SSB 2199 Human Resources

Relating to occupational hearing loss.

SSB 2200 Commerce

Relating to consumer protection by increasing the maximum dollar amount of certain transactions for purposes of the consumer credit code and establishing a cause of action for consumers.

SSB 2201 Commerce

Allowing account maintenance fees to be charged in connection with certain consumer lines of credit accounts in certain financial institutions.

SSB 2202 Commerce

Relating to voting, the distribution of earnings, nd the bylaws of a cooperative association.

SSB 2203 Commerce

Relating to the regulation of insurance companies for purposes of solvency and establishing a measure for the risk-based capital of an insurer, and providing penalties.

SSB 2204 Commerce

Relating to entities and subject matter under the regulatory authority of the division of insurance, including prearranged funeral contracts, cemeteries, and business opportunities, and establishing fees.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2137

EDUCATION: Fink, Chair; Dvorsky and Tinsman

Senate File 2143

EDUCATION: Connolly, Chair; Neuhauser and Rensink

Senate File 2145

EDUCATION: Kramer, Chair; Connolly and Kibbie

Senate File 2146

JUDICIARY: Vilsack, Chair; Giannetto, McKean, Neuhauser and Redfern

Senate File 2148

WAYS AND MEANS: Husak, Chair; Iverson and Szymoniak

Senate File 2175

TRANSPORTATION: Gettings, Chair; Dearden and Drake

Senate File 2177

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

Senate File 2179

JUDICIARY: Maddox, Chair; Boettger, Giannetto, Hammond and Vilsack

Senate File 2180

TRANSPORTATION: Fink, Chair; Drake and Fraise

Senate File 2184

AGRICULTURE: Judge, Chair; Boswell and Hedge

Senate File 2185

TRANSPORTATION: Connolly, Chair; Gettings and Rittmer

SSB 2157

EDUCATION: Hammond, Chair; Connolly and Tinsman

SSB 2183

EDUCATION: Kibbie, Chair; Dvorsky and Tinsman

SSB 2184

EDUCATION: Neuhauser, Chair; Deluhery and Kramer

SSB 2185

EDUCATION: Kibbie, Chair; Connolly and Redfern

SSB 2186

EDUCATION: Connolly, Chair; Murphy and Redfern

SSB 2189

WAYS AND MEANS: Neuhauser, Chair; Hedge and Szymoniak

SSB 2191

WAYS AND MEANS: Szymoniak, Chair; Deluhery and Freeman

SSB 2192

AGRICULTURE: Priebe, Chair; Lundby and Palmer

SSB 2193

HUMAN RESOURCES: Bartz, Chair; Dvorsky and Neuhauser

SSB 2194

HUMAN RESOURCES: Szymoniak, Chair; Hansen and Kramer

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2192	Transportation
S.F.	2193	Human Resources
S.F.	2194	Human Resources
S.F.	2196	Nat. Resources, Environ. & Energy
S.F.	2197	Ways and Means
S.F.	2198	Judiciary
S.F.	2199	Education
S.F.	2202	Judiciary
S.F.	2205	Judiciary
S.J.R.	2003	State Government
H.F.	2107	Human Resources
H.F.	2152	Commerce
H.F.	2165	Ways and Means
H.F.	2177	Local Government

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2216 (SSB 2154), a bill for an act providing that the examination for commercial applicators of pesticides be given at each community college.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Priebe, Judge, Banks, Black, Boswell, Fraise, Hedge, Lundby, Palmer and Zieman. Nays, none. Absent or not voting, 5: Douglas, Giannetto, Husak, McLaren and Sorensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2213 (SSB 2127), a bill for an act relating to the continued existence of the prevention of disabilities policy council and technical assistance committee and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2214 (SSB 2002), a bill for an act relating to the testing and confidentiality of records requirements regarding human immunodeficiency virus-related tests and making existing remedies applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Dvorsky.

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 2214 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2215 (SSB 2163), a bill for an act relating to a study on the qualifications of deaf interpreters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2218 (SSB 2165), a bill for an act relating to the community health management system by extending the date for implementation of phase I of the system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 105, a concurrent resolution recognizing the women who have served Iowa as state legislators and celebrating 100 years of women elected to state legislatures.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5078.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: *SENATE FILE 2217 (formerly Senate File 2004), a bill for an act exempting the seller of a portable water system from the requirements and the penalties of the consumer fraud law.

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.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2217 and they were attached to the committee report.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE FILE 2219 (SSB 2100), a bill for an act relating to the midwest interstate compact on low-level radioactive waste and establishing a penalty.

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.

EXPLANATION OF VOTE

MR. PRESIDENT: I was unavoidably outside the Senate chamber and arrived too late to be recorded when the final vote was taken on Senate File 2142.

Had I been present, I would have voted "aye".

DENNIS L. BLACK

AMENDMENTS FILED

S—5073	S.F.	2135	Berl E. Priebe
S—5074	S.F.	2142	Allen Borlaug Michael E. Gronstal
S—5075	S.F.	2178	Mary Neuhauser
S—5076	S.F.	2135	JoAnn Douglas Berl E. Priebe
S—5077	H.F.	2114	Larry Murphy Johnie Hammond
S—5078	H.C.R.	105	Human Resources
S—5079	S.F.	2142	Mary E. Kramer Merlin E. Bartz
S—5080	S.F.	2074	Berl E. Priebe

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:40 p.m., until 1:00 p.m., Monday, February 19, 1996.

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 19, 1996

The Senate met in regular session at 1:29 p.m., President Boswell presiding.

Prayer was offered by the Reverend Renee Mackey, pastor of the First Presbyterian Church, Missouri Valley, Iowa.

The Journal of Thursday, February 15, 1996, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator McLaren for the week and Senator Jensen until he arrives on request of Senator Rife, and Senator Black for the week on request of Senator Horn.

SPECIAL GUESTS

Senator Horn presented Iowa State University football coach Dan McCarney and Iowa State's all-American tailback Troy Davis.

Troy is a sophomore from Miami and finished fifth in voting for the Heisman Trophy and was a consensus all-American. He led the nation in rushing with 2,010 yards and was recently named to the Walter Camp all-America team.

Coach McCarney and Troy both briefly addressed the Senate.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 106, by Freeman, a senate concurrent resolution commemorating the veterans of the United States armed forces who fought and won the Battle of the Bulge during World War II.

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

INTRODUCTION OF BILLS

Senate File 2220, by Judge, a bill for an act relating to environmental protection and public health, by providing for the regulation of animal feeding operations, including confinement swine feeding operations, and the application of manure, including regulation by the department of natural resources and other entities, providing for the applicability of certain provisions, providing for the applicability of penalties, and providing for an effective date.

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

Senate File 2221, by Fink, a bill for an act relating to alternate energy production and purchasing requirements, and providing an applicability provision and an effective date.

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

Senate File 2222, by Lundby, a bill for an act relating to tinted windows, providing for issuance of a light-sensitive disorder permit, and increasing penalties.

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

Senate File 2223, by Iverson, a bill for an act providing for agricultural drainage regulation, and providing penalties.

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

Senate File 2224, by Iverson and Judge, a bill for an act relating to veterans of the United States armed forces, by changing eligibility for veteran benefits, preferences, and tax exemptions, by providing for the administration of veteran benefits, providing a penalty, and by providing for other properly related matters.

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

Senate File 2225, by Flynn, a bill for an act requiring that videotapes produced by state government be closed-captioned.

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

Senate File 2226, by Flynn, a bill for an act providing that a school of postsecondary instruction shall not grant a degree to a student without the successful completion by the student of a program of study and establishing a penalty.

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 February 15, 1996, adopted the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 109, a concurrent resolution designating June 15, 1996, 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.**

House Concurrent Resolution 111, a house concurrent resolution supporting Iowa military personnel in the Bosnian peacekeeping mission.

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

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2154

On motion of Senator Bisignano, Senate File 2154, a bill for an act increasing the penalties for certain offenses involving methamphetamine, was taken up for consideration.

The Senate stood at ease at 1:50 p.m. until the fall of the gavel.

The Senate resumed session at 2:00 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 2154

The Senate resumed consideration of Senate File 2154.

Senator Bisignano withdrew amendment S—5082 filed by him from the floor to page 1 of the bill.

Senator Bisignano offered amendment S—5083 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5083 was adopted by a voice vote.

Senator Maddox asked and received unanimous consent that action on **Senate File 2154** be **deferred.**

MOTION TO RECONSIDER WITHDRAWN

Senate File 259

Senator Halvorson withdrew the motion to reconsider Senate File 259, a bill for an act relating to the practice of mortuary science, cremation, and licensing of funeral establishments and providing penalties, filed by him on February 1, 1996, and found on page 215 of the Senate Journal.

Senator Horn asked and received unanimous consent that **Senate File 259** be **immediately messaged** to the House.

INTRODUCTION OF BILL

Senate File 2227, by Banks, a bill for an act making an appropriation to the department of agriculture and land stewardship for agricultural promotion.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 15, 1996, 8:35 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Banks, Ranking Member; Black, Boswell, Fraise, Giannetto, Hedge, Lundby, Palmer and Zieman.

Members Absent: Douglas, Husak, McLaren and Sorensen (all excused).

Committee Business: Approved SSBs 2192 and 2154 as committee bills.

Adjourned: 8:44 a.m.

STATE GOVERNMENT

Convened: February 14, 1996, 3:38 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; discussed and deferred action on SSB 2180.

Adjourned: 4:33 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 15, 1996, 10:15 a.m.

Members Present: Judge, Chair; Bartz, Ranking Member and Lundby.

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

Committee Business: Health care facility report from the department of inspection and appeals.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 15, 1996, 10:20 a.m.

Members Present: Black, Chair; Priebe, Vice Chair; Bennett and Gettings.

Members Absent: Banks, Ranking Member (excused).

Committee Business: Presentation by the parks division administrator of the department of natural resources.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 15, 1996, 10:14 a.m..

Members Present: Kibbie, Chair; Fink and Freeman.

Members Absent: Connolly, Vice Chair and Kramer, Ranking Member (both excused).

Committee Business: Budget presentation by the governor's office; presentations from representatives of Iowa state university, university of northern Iowa and the university of Iowa.

Adjourned: 11:48 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 15, 1996, 10:22 a.m.

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

Members Absent: none.

Committee Business: Presentation and discussion of spreadsheet and bill.

Adjourned: 11:42 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 15, 1996, 10:15 a.m.

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

Members Absent: Rittmer.

Committee Business: Presentations by I.S.U. extension, Lucas County and Rock Valley RCF/FMRs, and Toledo and Eldora training schools.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: February 15, 1996, 10:15 a.m.

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

Members Absent: McLaren, Ranking Member and Boswell (both excused).

Committee Business: Presentation by representatives of the Iowa area education agencies.

Adjourned: 11:30 a.m.

STUDY BILLS RECEIVED

SSB 2205 Local Government

Relating to eligibility of persons for county general assistance.

SSB 2006 Local Government

Providing requirements for implementation of new or revised federal block grant provisions which affect local governments and providing an effective date and applicability provision.

SSB 2207 Local Government

Relating to the financial procedures of counties, cities, and drainage districts, by amending the powers and duties of county treasurers, by eliminating the filing of late claims for property credits, by striking personal property tax credits of military veterans, by striking outdated property tax limitations, by providing for properly related matters, and by providing an applicability date.

SSB 2208 Local Government

Relating to the joint financing of public works and facilities.

SSB 2209 State Government

Relating to foreign and domestic business corporations by amending certain reporting and filing requirements and procedures and establishing fees.

SSB 2210 State Government

Relating to the department of general services, by providing for the sale of disposal of unwanted state personal property for the terms and conditions of state lease-purchase agreements, and by establishing a monument maintenance account.

SSB 2211 State Government

Concerning determinations of job-related disease for purposes of disability and death benefit determinations under the statewide fire and police retirement system.

SSB 2212 Transportation

Making transportation-related Code changes including providing for a temporary registration permit, increasing registration fees for certain trailers, and providing and effective date.

SSB 2213 Agriculture

Relating to soil and water conservation, by providing for the powers and duties of commissions of soil and water conservation districts, and soil and water conservation practices.

SSB 2214 Agriculture

Providing for the selection and tenure of the executive director of the agricultural development authority.

SSB 2215 Education

Relating to a cash reserve levy for merged areas and providing for properly related matters.

SSB 2216 Education

Relating to immunity from assault charges for the use of force by a person to stop a fight or disturbance at a school or school function, 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 civil penalties for truancy an the loss of a driver's license for truancy.

SSB 2217 Business & Labor

Relating to the components of the unemployment insurance system concerning the job service advisory council, voluntary income tax withholding from unemployment benefit, relieving certain employers from certain unemployment insurance charges, collection of unemployment compensation benefits through misrepresentation, definitions of employment and wages for members of limited liability companies, and unemployment insurance tax liability for corporate officers, and providing an effective and applicability date.

SSB 2218 Local Government

Relating to payments by counties and certain defendants of the fees and expenses received by a county medical examiner in investigating a person's death.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2003

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

Senate File 2181

WAYS AND MEANS: Murphy, Chair; Connolly and Hedge

Senate File 2187

STATE GOVERNMENT: Bisignano, Chair; Fink and Lind

Senate File 2190

WAYS AND MEANS: Neuhauser, Chair; Deluhery and Freeman

Senate File 2191

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

Senate File 2192

TRANSPORTATION: Connolly, Chair; Douglas and Halvorson

SSB 2187

LOCAL GOVERNMENT: Fink, Chair; Judge and McKean

SSB 2188

LOCAL GOVERNMENT: Sorensen, Chair; Halvorson and Rittmer

SSB 2190

WAYS AND MEANS: Vilsack, Chair; Connolly and Drake

SSB 2196

JUDICIARY: Maddox, Chair; Bisignano, Boettger, Giannetto and Vilsack

SSB 2197

JUDICIARY: Hammond, Chair; Boettger, Giannetto, Maddox and Vilsack

SSB 2198

JUDICIARY: Bisignano, Chair; Bartz, Giannetto, Maddox and Vilsack

SSB 2199

HUMAN RESOURCES: Szymoniak, Chair; Bartz and Dvorsky

SSB 2205

LOCAL GOVERNMENT: Judge, Chair; McKean and Sorensen

SSB 2206

LOCAL GOVERNMENT: Judge, Chair; McKean and Sorensen

SSB 2207

LOCAL GOVERNMENT: Fraise, Chair; Maddox and Sorensen

SSB 2208

LOCAL GOVERNMENT: Fink, Chair; Sorensen and Zieman

SSB 2209

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

SSB 2210

STATE GOVERNMENT: Fink, Chair; Dearden and McLaren

SSB 2211

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and Rittmer

SSB 2212

TRANSPORTATION: Gettings, Chair; Drake and Fink

SSB 2213

AGRICULTURE: Fraise, Chair; Douglas and Judge

SSB 2214

AGRICULTURE: Black, Chair; Banks and Priebe

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2220	Natural Res., Environ. & Energy
S.F.	2221	Natural Res., Environ. & Energy
S.F.	2222	Transportation
S.F.	2223	Natural Res., Environ. & Energy
S.F.	2224	State Government
S.F.	2225	State Government
S.F.	2226	Education
S.F.	2227	Appropriations
S.C.R.	106	Rules & Administration
S.J.R.	2004	State Government
H.F.	2181	Human Resources
H.C.R.	109	Human Resources

H.C.R. 111 Rules & Administration

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 19, 1996, to investigate the appointment and reappointment of the following governor's appointees:

BUSINESS AND LABOR

As a member of the Employment Appeal Board:

EARL W. SEYMOUR: Dearden, Chair; Maddox and Iverson

As Industrial Commissioner:

IRIS J. POST: Giannetto, Chair; Freeman and Banks

As Labor Commissioner:

BYRON ORTON: Gettings, Chair; Iverson and Freeman

COMMERCE

As members of the Title Guaranty Division Board:

AMY M. BRITT: Deluhery, Chair; Douglas and Redfern
BERNEIL PREUL: Hansen, Chair; Bartz and Priebe
JAMES A. SATTLER: Freeman, Chair; Gettings and Husak

As Superintendent of Banking:

MICHAEL K. GUTTAU: Gronstal, Chair; Deluhery and Jensen

COMMUNICATIONS AND INFORMATION POLICY

As a member of the Iowa Telecommunications and Technology Commission:

MARY A. NELSON: Flynn, Chair; Hansen and Redfern

As a member and Chair of the Iowa Telecommunications and Technology Commission:

Richard H. Opie: Dvorsky, Chair; Deluhery and McLaren

EDUCATION

As Director of the Department of Education:

FREDERICK (TED) M. STILWILL: Connolly, Chair; Kibbie and Redfern

As members of the First in the Nation in Education Foundation Governing Board:

THOMAS E. DAVIS: Szymoniak, Chair; Hammond and Kramer
FREDERICK (TED) M. STILWILL: Connolly, Chair; Kibbie and Redfern

As a member of the State Board of Education:

GREGORY A. FORRISTALL: Kibbie, Chair; Neuhauser and Rensink

As members of the State Board of Regents:

AILEEN F. MAHOOD: Neuhauser, Chair; Hammond and Redfern
MARVIN A. POMERANTZ: Connolly, Chair; Deluhery and Kramer

As a member of the School Budget Review Committee:

CLARK A. YEAGER: Dvorsky, Chair; Fink and Tinsman

HUMAN RESOURCES

As members of the Board of Behavioral Science Examiners:

DOROTHY A. ANDERSON: Boettger, Chair; Hansen and Dvorsky
REBECCA S. BEACH: Hammond, Chair; Tinsman and Vilsack

As members of the Board of Physician Assistant Examiners:

DR. LAINE D. DVORAK: Bartz, Chair; Hansen and Hammond
JOAN L. SKOGSTROM: Boettger, Chair; Szymoniak and Vilsack

As a member of the Commission on the Status of Women:

PAUL R. WALTHER: Tinsman, Chair; Vilsack and Hansen

As members of the Community Health Management Information System Governing Board:

SCOTT M. HARRISON: Tinsman, Chair; Szymoniak and Hammond
SUSAN R. RYAN: Bartz, Chair; Neuhauser and Hammond
BONNIE J. STEEGE: Boettger, Chair; Neuhauser and Dvorsky

As a member of the Council on Human Services:

MARGARET P. GUHIN: Tinsman, Chair; Vilsack and Neuhauser

JUDICIARY

As a member of the Board of Corrections:

DONALD R. TIETZ: Giannetto, Chair; Drake and Bisignano

As a member of the Commission on Judicial Qualifications:

CYNTHIA P. SNELL: Hammond, Chair; McKean and Giannetto

As a member of the Iowa State Civil Rights Commission:

LIZ S. NICHOLS: Redfern, Chair; Giannetto and Bisignano

As members of the State Judicial Nominating Commission:

JOHN F. BRIGHT: Vilsack, Chair; Fraise and Redfern
ZELL L. MILLARD: Boettger, Chair; Giannetto and Fraise

LOCAL GOVERNMENT

As a member of the City Development Board:

SUSAN M. COSNER: Maddox, Chair; Halvorson and Fraise

As members of the County Finance Committee:

JON P. FINNEY: Fraise, Chair; Sorensen and Zieman
LUMIR E. DOSTAL, JR.: McKean, Chair; Judge and Fink

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

As a member of the Environmental Protection Commission:

MICHAEL A. FESLER: Black, Chair; Dearden and Rensink

STATE GOVERNMENT

As a member of the Accountancy Examining Board:

LINDA HOPKINS: Lundby, Chair; Gronstal and Fink

As members of the Commission of Veterans Affairs:

JERRY L. MEEK: Rittmer, Chair; Halvorson and Sorensen
MICHAEL A. SCHEIBELER: McLaren, Chair; Gronstal and Kibbie

As a member of the State Board of Examiners for Nursing Home Administrators:

TERRI J. GUNDERSON: Kibbie, Chair; Gronstal and Drake

WAYS AND MEANS

As a member of the Iowa Finance Authority:

KAY A. HAGEN: Freeman, Chair; Priebe and Iverson

As a member of the Iowa Railway Finance Authority:

EMIL S. PAVICH: Husak, Chair; Deluhery and Hedge

INTRODUCTION OF BILLS

Senate File 2228, by Banks, a bill for an act relating to the distance between axles for special mobile equipment.

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

Senate File 2229, by Hammond, a bill for an act relating to juvenile emergency shelter care.

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

Senate File 2230, by Deluhery, a bill for an act relating to definitions, reporting, and remittance guidelines concerning the disposition of unclaimed property.

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

AMENDMENTS FILED

S—5081	S.F.	482	Berl E. Priebe John P. Kibbie
S—5082	S.F.	2154	Tony Bisignano
S—5083	S.F.	2154	Tony Bisignano
S—5084	S.F.	2173	Mary Neuhauser

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:15 p.m., until 9:00 a.m., Tuesday, February 20, 1996.

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 20, 1996

The Senate met in regular session at 9:21 a.m., President Boswell presiding.

Prayer was offered by the Reverend Thomas Bower, pastor of the First Presbyterian Church, Marshalltown, Iowa.

The Journal of Monday, February 19, 1996, 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 19, 1996, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the House was 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 (S—5085 to H—4229).

ALSO: That the House has on February 19, 1996 passed the following bills in which the concurrence of the Senate is asked:

House File 2109, a bill for an act relating to nonconsensual termination of or serious injury to a pregnancy and providing penalties.

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

House File 2144, a bill for an act relating to the payment by third parties of physician assistants and advanced registered nurse practitioners.

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

INTRODUCTION OF BILL

Senate File 2231, by Priebe, a bill for an act relating to an individual income tax deduction for certain contract sales of agricultural property made to beginning farmers and providing effective and applicability date provisions.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMUNICATIONS AND INFORMATION POLICY

Convened: February 19, 1996, 4:45 p.m.

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

Members Absent: none.

Committee Business: Recommended passage of Senate File 2147.

Adjourned: 5:30 p.m.

EDUCATION

Convened: February 19, 1996, 2:44 p.m.

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

Members Absent: Hammond and Murphy (both excused).

Committee Business: Assigned bills to subcommittees; presentations by the Waterloo superintendent of schools and the department of education.

Adjourned: 3:36 p.m.

HUMAN RESOURCES

Convened: February 19, 1996, 3:51 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 SSB 2004 as a committee bill; amended and approved Senate File 2151 as a committee bill.

Adjourned: 4:19 p.m.

STATE GOVERNMENT

Convened: February 19, 1996, 3:45 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 (excused).

Committee Business: Amended and approved SSB 2180 as a committee bill; assigned bills to subcommittees.

Adjourned: 4:50 p.m.

STUDY BILLS RECEIVED

SSB 2219 State Government

Relating to housing development including extending access to real estate improvement districts statewide, making changes to the urban renewal law, authorizing the use of tax increment financing for public improvements related to housing, and providing that a portion of project costs be dedicated to low and moderate income housing where tax increment financing is used to finance public improvements related to housing.

SSB 2220 Agriculture

Relating to agricultural limestone, and providing penalties, fees, and an effective date.

SSB 2221 Natural Resources, Environment, and Energy

Making an appropriation to the department of natural resources for the establishment of a wildlife diversity initiative.

SSB 2222 Natural Resources, Environment, and Energy

Relating to appropriations to the department of justice for the investigation and prosecution of environmental crimes.

SSB 2223 Commerce

Relating to the regulation of activities of state banks and state bank affiliates, interstate branching or banking, and personnel

of the banking division, state banks, and state bank affiliates, and the regulation of financial transactions involving such entities and personnel.

SSB 2224 Commerce

Authorizing a foreign mutual insurance company or a foreign health service corporation to reorganize by forming an insurance holding company, and providing that a mutual insurance holding company shall at all times own a majority of the voting shares of the capital stock of a reorganized domestic or foreign insurance company.

SSB 2225 Commerce

Relating to disclosure requirements under the federal Community Reinvestment Act with respect to the eligibility of a financial institution to receive state public funds.

SSB 2226 Commerce

Amending the uniform commercial code relating to letters of credit and providing an effective date.

SSB 2227 Judiciary

Relating to sentences for persons convicted of sexually predatory offenses.

SSB 2228 Judiciary

Providing for the regulation of investment securities under Article 8 of the Uniform Commercial Code, and providing conforming changes, and an effective date.

SSB 2229 Judiciary

Relating to investment guidelines for trustees and providing an applicability date.

SSB 2230 State Government

Relating to matters within the jurisdiction of the Iowa ethics and campaign disclosure board, by providing for certain changes in reporting requirements relating to campaign contributions and expenditures; liability for the activities of committees; certain

restrictions on fundraising and use of funds by political committees; certain changes in the handling of investigations and complaints before the board; and permitting a fee for access to computerized campaign finance disclosure records.

SSB 2231 State Government

Establishing a workforce development department by eliminating the department of employment services and including workforce development programs in the new department.

SSB 2232 Human Resources

Relating to prenatal testing for group B streptococcus, and providing an effective date.

SSB 2233 Human Resources

Relating to changes for provision of services by the child support recovery unit.

SSB 2234 Human Resources

Relating to child support enforcement.

SSB 2235 Education

Relating to a fraudulent representation or claim of academic achievement or performance.

SSB 2236 Education

Relating to funding for a talented and gifted education center at the university of Iowa and naming of that center as an international center.

SSB 2237 Ways and Means

Relating to single-family residential construction and by requiring a bond and a cash set aside, providing consumer remedies, providing for related matters, and providing for the applicability of the Act.

SSB 2238 Ways and Means

Relating to the abatement of corporate income taxes for increasing production jobs in the state and providing an applicability date provision.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2163

NAT. RESOURCES, ENVIR. & ENERGY: Judge, Chair; Banks and Sorensen

Senate File 2166

WAYS AND MEANS: Palmer, Chair; Drake and Murphy

Senate File 2182

LOCAL GOVERNMENT: Sorensen, Chair; Judge and Rittmer

Senate File 2188

NAT. RESOURCES, ENVIR. & ENERGY: Fink, Chair; Gronstal and Lundby

Senate File 2189

LOCAL GOVERNMENT: Sorensen, Chair; Fraise and Maddox

Senate File 2196

NAT. RESOURCES, ENVIR. & ENERGY: Dearden, Chair; Banks and Sorensen

Senate File 2220

NAT. RESOURCES, ENVIR. & ENERGY: Kibbie, Chair; Gronstal, Judge, Lundby and Rensink

Senate File 2221

NAT. RESOURCES, ENVIR. & ENERGY: Fink, Chair; Gronstal and Lundby

Senate File 2222

TRANSPORTATION: Halvorson, Chair; Black and Lind

Senate File 2223

NAT. RESOURCES, ENVIR. & ENERGY: Kibbie, Chair; Gronstal, Judge, Lundby and Rensink

House File 2104

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

House File 2152

COMMERCE: Palmer, Chair; Bisignano, Freeman, Gronstal, Hansen, Jensen and Redfern

House File 2177

LOCAL GOVERNMENT: Sorensen, Chair; Fraise and McKean

SSB 2195

COMMERCE: Gronstal, Chair; Deluhery and Jensen

SSB 2200

COMMERCE: Hansen, Chair; Deluhery and Douglas

SSB 2201

COMMERCE: Bisignano, Chair; Deluhery and Freeman

SSB 2202

COMMERCE: Priebe, Chair; Hedge and Husak

SSB 2203

COMMERCE: Palmer, Chair; Bisignano, Freeman, Gronstal, Hansen, Jensen and Redfern

SSB 2204

COMMERCE: Hansen, Chair; Bartz and Gettings

SSB 2215

EDUCATION: Dvorsky, Chair; Murphy and Redfern

SSB 2216

EDUCATION: Connolly, Chair; Hammond and Iverson

SSB 2217

BUSINESS AND LABOR: Dvorsky, Chair; Dearden and Iverson

SSB 2218

LOCAL GOVERNMENT: Sorensen, Chair; Judge and Rittmer

SSB 2220

AGRICULTURE: Boswell, Chair; Fraise and Zieman

SSB 2221

NAT. RESOURCES, ENVIR. & ENERGY: Black, Chair; Fink and Lundby

SSB 2222

NAT. RESOURCES, ENVIR. & ENERGY: Gronstal, Chair; Freeman and Sorensen

SSB 2223

COMMERCE: Deluhery, Chair; Jensen and Priebe

SSB 2224

COMMERCE: Palmer, Chair; Bisignano, Freeman, Gronstal, Hansen, Jensen and Redfern

SSB 2225

COMMERCE: Deluhery, Chair; Bartz and Husak

SSB 2226

COMMERCE: Flynn, Chair; Deluhery and Redfern

SSB 2227

JUDICIARY: Hammond, Chair; Bisignano, Boettger, Giannetto and Maddox

SSB 2228

JUDICIARY: Neuhauser, Chair; Giannetto, McKean, Redfern and Vilsack

SSB 2229

JUDICIARY: Redfern, Chair; Giannetto, McKean, Neuhauser and Vilsack

SSB 2232

HUMAN RESOURCES: Kramer, Chair; Dvorsky and Szymoniak

SSB 2233

HUMAN RESOURCES: Neuhauser, Chair; Bartz and Hammond

SSB 2234

HUMAN RESOURCES: Neuhauser, Chair; Bartz and Hammond

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2228	Transportation
S.F.	2229	Human Resources
S.F.	2230	Commerce
S.F.	2231	Ways and Means
S.F.	2232	Appropriations
S.F.	2233	Nat. Resources, Env. & Energy
S.F.	2234	Transportation
H.F.	2109	Judiciary
H.F.	2144	Human Resources

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2184, a bill for an act relating to livestock by establishing a council and providing for brands.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Priebe, Judge, Banks, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, Lundby, Sorensen and Zieman. Nays, none. Absent or not voting, 3: Black, McLaren and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 2123, a bill for an act relating to the payment of claims by an administrator acting on behalf of an insurer.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Deluhery, Hansen, Jensen, Bartz, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS AND INFORMATION POLICY

Final Bill Action: SENATE FILE 2147, a bill for an act increasing the membership of the Iowa telecommunications and technology commission.

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.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 2235 (SSB 2004), a bill for an act relating to the use of alternative licensing for nursing facilities.

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 2235 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 2236 (formerly Senate File 2151), a bill for an act relating to regional and statewide targets for foster care placements.

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 2236 and they were attached to the committee report.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE FILE 2041, a bill for an act relating to the definition of resident for the purpose of obtaining licenses to hunt, fish, or take protected species of animals.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Fink, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, none. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 2232, by Deluhery, a bill for an act relating to and making a state child care assistance supplemental appropriation to the department of human services for the fiscal year beginning July 1, 1995, and providing an effective date.

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

Senate File 2233, by Borlaug, a bill for an act relating to underground storage tank community remediation subcontractor payments.

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

Senate File 2234, by Kramer, a bill for an act relating to transportation of ground limestone.

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

Senate File 2235, by committee on Human Resources, a bill for an act relating to the use of alternative licensing for nursing facilities and providing for a contingent effective date.

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

Senate File 2236, by committee on Human Resources, a bill for an act relating to regional and statewide targets for foster care placements.

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

Senate File 2237, by Connolly, a bill for an act relating to drug testing by school corporations.

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

Senate File 2238, by Banks, Halvorson, Lind, Iverson, Bennett, Freeman, Hansen, Jensen, Redfern, Connolly, and Murphy, a bill for an act relating to highway 20 and providing an effective date.

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

Senate File 2239, by Priebe, a bill for an act to reduce the imposition of state mandates on political subdivisions of the state and the private sector, to curtail the imposition of state mandates without adequate funding, making an appropriation, and providing for other related matters.

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

Senate File 2240, by Iverson, a bill for an act relating to the regulation of rental fees for private residences and commercial property.

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

AMENDMENTS FILED

S—5085	H.F.	258	House amendment
S—5086	S.F.	2108	Bill Fink
S—5087	H.F.	511	William D. Palmer
S—5088	S.F.	2114	Tony Bisignano Tom Vilsack
S—5089	S.F.	2102	Mary Lou Freeman Wayne D. Bennett Berl E. Priebe Wilmer Rensink H. Kay Hedge Brad Banks

			Don Gettings John W. Jensen
S—5090	H.C.R.	105	Elaine Szymoniak

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 9:27 a.m., until 9:00 a.m., Wednesday, February 21, 1996.

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 21, 1996

The Senate met in regular session at 9:44 a.m., Senator Connolly presiding.

Prayer was offered by the Reverend Steve Aronowitz, pastor of the Mount Vernon Community Bible Church, Mount Vernon, Iowa.

The Journal of Tuesday, February 20, 1996, 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 20, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2018, a bill for an act relating to the statewide applicability of real estate improvement districts and providing an effective date.

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

House File 2183, a bill for an act relating to the validity of certain marriages.

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

House File 2196, a bill for an act transferring gambling moneys to the rebuild Iowa infrastructure fund and providing retroactive and effective dates.

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

ALSO: That the House has on February 21, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2209, a bill for an act requiring sex offender registry checks involving persons associated with the care of children.

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

House File 2225, a bill for an act relating to motorcycle rider education and providing an effective date.

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

INTRODUCTION OF BILLS

Senate File 2241, by Murphy, a bill for an act relating to establishing, for purposes of establishing disability and providing death benefits under the statewide fire and police retirement system, a presumption that infectious diseases are work-related.

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

Senate File 2242, by Iverson, a bill for an act relating to claims for nuisance arising out of an animal feeding operation.

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

Senate File 2243, by Iverson, a bill for an act relating to the employment of a school bus driver following suspension of the school bus driver's permit.

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

Senate File 2244, by Giannetto, a bill for an act relating to cooperative associations, by providing for the relationship between shareholders and members and their associations.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the remainder of the week on request of Senator Rensink.

The Senate stood at ease at 9:53 a.m. until the fall of the gavel.

The Senate resumed session at 10:15 a.m., President Boswell presiding.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 20, 1996, 8:20 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Banks, Ranking Member; Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, Lundby, Sorensen and Zieman.

Members Absent: Black, McLaren and Palmer (all excused).

Committee Business: Recommended passage of Senate File 2184 and approved SSB 2213 as a committee bill.

Adjourned: 8:34 a.m.

BUSINESS AND LABOR

Convened: February 20, 1996, 4:42 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: Assigned study bill and governor's appointees to subcommittees; approved SSB 2135 as a committee bill; recommended passage of Senate File 2027 as amended.

Adjourned: 5:00 p.m.

COMMERCE

Convened: February 20, 1996, 2:49 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 2121 and 2101 as committee bills; recommended passage of Senate File 2123.

Adjourned: 3:11 p.m.

JUDICIARY

Convened: February 20, 1996, 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 confirmation of governor's appointees; approved SSBs 2142, 2085, 2177, 2147 and Senate Files 2100 and 71 as committee bills; deferred action on Senate File 2053.

Adjourned: 2:40 p.m.

LOCAL GOVERNMENT

Convened: February 20, 1996, 2:50 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Fraise, Halvorson, Judge, McKean, Rittmer and Zieman.

Members Absent: Black (excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointee; recommended passage of Senate Files 2124 and 2131; approved SSBs 2207, 2205 and 2160 as committee bills; deferred action on SSB 2188.

Adjourned: 3:31 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: February 20, 1996, 1:35 p.m.

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

Members Absent: Black, Vice Chair (excused).

Committee Business: Assigned bills and governor's appointee to subcommittees; recommended passage of Senate Files 2060 and 2037 as amended; amended and approved SSB 2108 as a committee bill; recommended passage of Senate File 2041; approved SSB 2182 as a committee bill.

Adjourned: 2:17 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: February 20, 1996, 3:37 p.m.

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

Members Absent: Maddox, McKean, Szymoniak and Vilsack (all excused).

Committee Business: Assigned bills to subcommittees; presentations by the Iowa film office and the executive director of the Iowa sesquicentennial commission.

Adjourned: 4:29 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 20, 1996, 11:20 a.m.

Members Present: Banks, Ranking Member; Bennett and Gettings.

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

Committee Business: Budget presentation by the director of the department of natural resources on waste tires and "teaming with wildlife".

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 20, 1996, 11:11 a.m.

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

Members Absent: none.

Committee Business: Presentation by the division of deaf services; discussed and amended proposed appropriations bill.

Adjourned: 11:42 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 20, 1996, 10:22 a.m.

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

Members Absent: Deluhery.

Committee Business: Presentations and discussion by juvenile court officials, clients and advocates.

Adjourned: 11:55 a.m.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following governor's appointments, completed its investigations on February 20, 1996, and recommended the appointees be confirmed:

Donald R. Tietz as a member of the Board of Corrections.

John F. Bright and Zell L. Millard as members of the State Judicial Nominating Commission.

LOCAL GOVERNMENT

Pursuant to Senate Rule 59, the committee on Local Government assigned to investigate the following governor's appointment, completed its investigation on February 20, 1996, and recommended the appointee be confirmed:

Jon P. Finney as a member of the County Finance Committee.

STUDY BILLS RECEIVED

SSB 2239 Small Business, Economic Development & Tourism

Relating to department of economic development programs, including the workforce development fund program and the Iowa small business new jobs training Act, establishing a rural microbusiness assistance program, and increasing the funds

available for the value-added agricultural products and processes program.

SSB 2240 Education

Relating to the administration and accreditation of area education agency programs and providing for properly related matters.

SSB 2241 Human Resources

Relating to the establishment of a problem gambling treatment program, creating an advisory committee, providing for other properly related matters, and applying a penalty.

SSB 2242 Human Resources

Relating to health care provider identification tags and authorizing a penalty.

SSB 2243 State Government

Providing for access by the division of criminal and juvenile justice planning of the department of human rights to confidential records held by other state agencies.

SSB 2244 State Government

Relating to the continued existence of the department of human rights and the appointment of the department director.

SSB 2245 Judiciary

Relating to consumer protection by requiring the registration of certain persons seeking to engage in regulated businesses in this state, and providing for civil and criminal penalties.

SSB 2246 Judiciary

Relating to judicial administration, including the definition of a judicial officer, the administrative authority of certain judges within a district, and the retirement age of an associate juvenile judge and associate probate judge.

SSB 2247 Judiciary

Relating to marriage and divorce.

SSB 2248 Judiciary

Relating to the representation of indigents and other court appointments in criminal and juvenile proceedings and providing effective and retroactive applicability dates.

SSB 2249 Judiciary

Relating to the right to appointed counsel or a public defender, by relating to the eligibility for certain indigents, the recovery of defense costs, and by restricting the right to counsel for certain parents in child in need of assistance cases.

SSB 2250 Judiciary

Relating to penalties for the possession, manufacture, and delivery of lysergic acid diethylamide.

SSB 2251 Judiciary

Relating to victim compensation for health care for persons other than the victim.

SSB 2252 Judiciary

Relating to the duties of the clerk of court concerning court records.

SSB 2253 Judiciary

Relating to the mediation process in truancy matters.

SSB 2254 Judiciary

Establishng a mechanic's lien for a lessor of material used in the course of alteration, construction, or repair of a building, improvement, or land.

SSB 2255 Judiciary

Relating to the establishment of a mandatory course for parties to a proceeding in which child custody, visitation, or physical care is involved.

SSB 2256 Appropriations

Relating to energy conservation including making appropriations of petroleum overcharge funds.

SSB 2257 Appropriations

Relating to and making a supplemental appropriation to the department of economic development for the fiscal year beginning July 1, 1995, and providing an effective date.

SSB 2258 Appropriations

Relating to and making supplemental appropriations for the fiscal year beginning July 1, 1995, and providing an effective date.

SSB 2259 Appropriations

Revising requirements for the general assembly's approval of an appropriation from the cash reserve fund.

SSB 2260 Appropriations

Relating to the compensation and benefits for public officials and employees and making appropriations.

SSB 2261 Appropriations

Appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

SSB 2262 Appropriations

Relating to payments made on the approval of the adjutant general of the Iowa national guard.

SSB 2263 Appropriations

Relating to agriculture and natural resources, by providing for appropriations and revenue.

SSB 2264 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 from the rebuild Iowa infrastructure fund, and depositing gambling revenues to various funds.

SSB 2265 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, transferring lottery revenues to the general fund of the state, and authorizing the assessment of a surcharge on workers' compensation benefits paid.

SSB 2266 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 an effective date provision.

SSB 2267 Appropriations

Relating to and making appropriations to the department for the blind, the Iowa state civil rights commisssion, 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.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2004

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

Senate File 2183

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Neuhauser

Senate File 2193

HUMAN RESOURCES: Neuhauser, Chair; Bartz and Hammond

Senate File 2194

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Hansen

Senate File 2197

WAYS AND MEANS: Connolly, Chair; Drake and Neuhauser

Senate File 2198

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

Senate File 2202

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

Senate File 2205

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

Senate File 2224

STATE GOVERNMENT: Giannetto, Chair; Drake and Kibbie

Senate File 2225

STATE GOVERNMENT: Connolly, Chair; Fink and McLaren

House Concurrent Resolution 109

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Hansen

House File 2107

HUMAN RESOURCES: Vilsack, Chair; Hansen and Tinsman

House File 2165

WAYS AND MEANS: Vilsack, Chair; Bennett and Neuhauser

House File 2181

HUMAN RESOURCES: Neuhauser, Chair; Hammond and Kramer

SSB 2219

STATE GOVERNMENT: Gronstal, Chair; Halvorson and Lundby

SSB 2230

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

SSB 2231

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

SSB 2237

WAYS AND MEANS: Palmer, Chair; Connolly, Hedge, Iverson and Vilsack

SSB 2238

WAYS AND MEANS: Vilsack, Chair; Drake, Hedge, Murphy and Palmer

SSB 2239

SMALL BUSINESS, ECON. DEVLPT AND TOURISM: Vilsack, Chair; Maddox and Szymoniak

SSB 2241

HUMAN RESOURCES: Hansen, Chair; Tinsman and Vilsack

SSB 2242

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Dvorsky

SSB 2243

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

SSB 2244

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

SSB 2245

JUDICIARY: McKean, Chair; Giannetto, Neuhauser, Redfern and Vilsack

SSB 2246

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

SSB 2247

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

SSB 2248

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

SSB 2249

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

SSB 2250

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

SSB 2251

JUDICIARY: Hammond, Chair; Bartz, Bisignano, Drake and Giannetto

SSB 2252

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

SSB 2253

JUDICIARY: Bisignano, Chair; Boettger, Giannetto, Maddox and Vilsack

SSB 2254

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

SSB 2255

JUDICIARY: Hammond, Chair; Boettger, Giannetto, Maddox and Vilsack

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: *SENATE FILE 2260 (SSB 2213), a bill for an act relating to soil and water conservation, by providing for the powers and duties of commissions of soil and water conservation districts, and soil and water conservation practices.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Judge, Banks, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, Lundby, Sorensen and Zieman. Nays, none. Absent or not voting, 3: Black, McLaren and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 2260 and they were attached to the committee report.

BUSINESS AND LABOR

Final Bill Action: SENATE FILE 2027, a bill for an act relating to increasing the hourly minimum wage requirement in Iowa.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5091.

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.

ALSO:

Final Bill Action: SENATE FILE 2247 (SSB 2135), a bill for an act relating to unemployment insurance benefits by providing for employer contributions and liability for benefits regarding successor employers.

Recommendation: APPROVED COMMITTEE BILL.

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.

JUDICIARY

Final Bill Action: SENATE FILE 2252 (SSB 2147), a bill for an act relating to the number and apportionment of district associate judges.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Halvorson, Hammond, 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 2255 (SSB 2177), a bill for an act relating to the authority of fiduciaries under the probate code to invest in open-end or closed-end management investment companies or investment trusts.

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.

ALSO:

Final Bill Action: SENATE FILE 2256 (formerly Senate File 2100), a bill for an act relating to possession or control of alcohol by persons aged eighteen, nineteen, and twenty, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Giannetto, Vilsack, McKean, Boettger, Drake, Fraise, Hammond, Maddox, Neuhauser, Redfern and Szymoniak. Nays, 4: Bartz, Bisignano, Halvorson and Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2124, a bill for an act relating to voter approval of annexation or severance proposals.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Sorensen, Fink, Fraise, Judge, McKean and Zieman. Nays, 3: Maddox, Halvorson and Rittmer. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2131, a bill for an act relating to a continuing appropriation for city capital projects and major equipment.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Sorensen, Fink, Maddox, Fraise, Halvorson, Judge, McKean, Rittmer and Zieman. Nays, none. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2253 (SSB 2205), a bill for an act relating to eligibility of persons for county general assistance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sorensen, Fink, Maddox, Fraise, Halvorson, Judge, McKean, Rittmer and Zieman. Nays, none. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2254 (SSB 2160), a bill for an act relating to filing of instruments by county recorders.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sorensen, Fink, Maddox, Fraise, Halvorson, Judge, McKean, Rittmer and Zieman. Nays, none. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: *SENATE FILE 2258 (SSB 2108), a bill for an act relating to the regulation of motorboats on certain artificial lakes, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fink, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, none. Absent or not voting, 1: Black.

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 2258 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2259 (SSB 2182), a bill for an act relating to issuance of a certificate of title for a documented vessel.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fink, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, none. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill action: *SENATE FILE 2245 (SSB 2180), a bill for an act relating to public retirement systems, making appropriations, and providing effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

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: 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 2245 and they were attached to the committee report.

TRANSPORTATION

Final Bill Action: SENATE FILE 2108, a bill for an act requiring flashing amber lights on motor vehicles used for snow removal and making existing penalties applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5093.

Final Vote: Ayes, 11: Gettings, Fraise, Drake, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, none. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2112, a bill for an act creating an Amana road fund board, providing for use of road moneys by the board, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Gettings, Fraise, Drake, Connolly, Dearden, Douglas, Fink and Jensen. Nays, 3: Halvorson, Lind and Rittmer. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2185, a bill for an act providing for maintenance and repair of out-of-state commercial vehicles and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gettings, Fraise, Drake, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, none. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2066, a bill for an act relating to the operation of motor vehicles in border cities and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gettings, Fraise, Drake, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, none. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5091	S.F.	2027	Business and Labor
S—5092	S.F.	2203	Mary Neuhauser
S—5093	S.F.	2108	Transportation
S—5094	S.F.	73	Tom Vilsack
S—5095	S.F.	2108	Jo Ann Douglas Richard F. Drake Bill Fink
S—5096	S.F.	2100	Tony Bisignano

INTRODUCTION OF BILLS

Senate File 2245, by committee on State Government, a bill for an act relating to public retirement systems, making appropriations, and providing effective and retroactive applicability dates.

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

Senate File 2246, by Bartz, a bill for an act relating to animal feeding operations by providing for zoning and providing for liability of members holding an interest in certain entities.

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

Senate File 2247, by committee on Business and Labor Relations, a bill for an act relating to unemployment insurance benefits by providing for employer contributions and liability for benefits regarding successor employers.

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

Senate File 2248, by Lind, a bill for an act relating to child abuse provisions involving drugs.

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

Senate File 2249, by Lind, a bill for an act relating to the disconnection of a customer by an electric or gas utility.

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

Senate File 2250, by Lind, a bill for an act defining oversale of bus tickets as a fraudulent practice and making existing penalties applicable.

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

Senate File 2251, by Lind, a bill for an act directing the department of human services to apply for a federal waiver relating to recovery of medical assistance from a recipient's estate.

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

Senate File 2252, by committee on Judiciary, a bill for an act relating to the number and apportionment of district associate judges.

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

Senate File 2253, by committee on Local Government, a bill for an act relating to eligibility of persons for county general assistance.

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

Senate File 2254, by committee on Local Government, a bill for an act relating to filing of instruments by county recorders.

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

Senate File 2255, by committee on Judiciary, a bill for an act relating to the authority of fiduciaries under the probate code to invest in open-end or closed-end management investment companies or investment trusts.

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

Senate File 2256, by committee on Judiciary, a bill for an act relating to possession or control of alcohol by persons aged eighteen, nineteen, and twenty, and providing a penalty.

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

Senate File 2257, by Bisignano, a bill for an act requiring a child day care provider who has been found to have committed child abuse to register with the state and related provisions, making an appropriation, and providing penalties.

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

Senate File 2258, by committee on Natural Resources, Environment, and Energy, 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 **placed on calendar.**

Senate File 2259, by committee on Natural Resources, Environment, and Energy, a bill for an act relating to issuance of a certificate of title for a documented vessel.

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

Senate File 2260, by committee on Agriculture, a bill for an act relating to soil and water conservation, by providing for the powers and duties of commissioners of soil and water conservation districts, and soil and water conservation practices.

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

Senate File 2261, by committee on Commerce, a bill for an act relating to the procedures for disposition of the contents of a decedent's safe deposit box.

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

Senate File 2262, by committee on Commerce, a bill for an act relating to the percentage of the legal reserve of a life insurance company which may be invested in certain corporate obligations.

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

Senate File 2263, by Maddox, a bill for an act relating to the establishment of a procedure for the release of medical records and information regarding plaintiffs involved in certain civil actions.

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

STUDY BILLS RECEIVED

SSB 2268 Appropriation

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 increasing the minimum annual salary for full-time teachers and providing an effective date.

SSB 2269 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, 1996, and providing effective dates.

SSB 2270 Commerce

Relating to the regulation of insurance and amending provisions providing for setoff of premium, fraudulent submissions to insurers, availability of certain information to insurers, length of term of th board of directors of an insurer, notice of cancellation, delivery of certain policies in this state, and making a penalty applicable.

SSB 2271 Commerce

Relating to satellite terminals and establishing certain requirements for such terminals of a financial institution with a principal place of business in another state and a business location in Iowa.

SSB 2272 Commerce

Relating to the consumer credit code and permissible finance charges and other fees which may be charged to a consumer by a lender.

SSB 2124.1 Commerce

Adopting the uniform transfer on death security registration Act.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2195

APPROPRIATIONS: Dvorsky, Chair; Douglas and Halvorson

Senate File 2199

EDUCATION: Dvorsky, Chair; Redfern and Szymoniak

Senate File 2226

EDUCATION: Deluhery, Chair; Kramer and Murphy

Senate File 2227

APPROPRIATIONS: Black, Chair; Banks and Husak

Senate File 2232

APPROPRIATIONS: Hammond, Chair; Flynn and Tinsman

House File 2137

APPROPRIATIONS: Murphy, Chair; Boswell and Lind

SSB 2235

EDUCATION: Redfern, Chair; Dvorsky and Kibbie

SSB 2236

EDUCATION: Dvorsky, Chair; Connolly and Iverson

SSB 2240

EDUCATION: Dvorsky, Chair; Fink and Tinsman

SSB 2256

APPROPRIATIONS: Neuhauser, Chair; Bartz and Dvorsky

SSB 2257

APPROPRIATIONS: Murphy, Chair; Boswell and Lind

SSB 2258

APPROPRIATIONS: Murphy, Chair; Boswell and Lind

SSB 2259

APPROPRIATIONS: Murphy, Chair; Husak and Lind

SSB 2260

APPROPRIATIONS: Murphy, Chair; Bartz and Husak

SSB 2261

APPROPRIATIONS: Flynn, Chair; Hammond and Rensink

SSB 2262

APPROPRIATIONS: Neuhauser, Chair; Boswell and McLaren

SSB 2263

APPROPRIATIONS: Black, Chair; Banks and Husak

SSB 2264

APPROPRIATIONS: Halvorson, Chair; Douglas and Murphy

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2237	Education
S.F.	2239	Rules and Administration
S.F.	2240	Local Government
S.F.	2241	State Government
S.F.	2242	Judiciary
S.F.	2248	Judiciary
S.F.	2249	Commerce
S.F.	2250	Judiciary
S.F.	2251	Human Resources
H.F.	2018	State Government
H.F.	2196	Appropriations
H.F.	2209	Human Resources

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 2261 (SSB 2102), a bill for an act relating to the procedures for disposition of the contents of a decedent's safe deposit box.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Hansen, Jensen, Bartz, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2262 (SSB 2121), a bill for an act relating to the percentage of the legal reserve of a life insurance company which may be invested in certain corporate obligations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Deluhery, Hansen, Jensen, Bartz, Douglas, Flynn, Freeman, Gettings, Gronstal, Husak, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 2: Bisignano and Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2265 (formerly Senate File 71), 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, 1: Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 2037, a bill for an act relating to animal feeding operations by providing for county zoing of certain operations, and imposing requirements relating to construction permits.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5097.

Final Vote: Ayes, 8: Fink, Lundby, Dearden, Deluhery, Gronstal, Judge, Kibbie and Sorensen. Nays, 5: Banks, Borlaug, Freeman, Hedge and Rensink. Pass, 1: Priebe. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2104, a bill for an act relating to state employee disclosures of information and making penalties applicable.

Recommendation: DO PASS.

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 2121, a bill for an act providing for auditing practices by the Iowa state fair board.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Rittmer, Bennett, Connolly, Dearden, Drake, Fink, Halvorson, Lundby and Sorensen. Nays, none. Absent or not voting, 4: Bisignano, Giannetto, Lind and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2122, a bill for an act relating to unclaimed property held by the state, fraudulent practices to obtain the property, and establishing a penalty.

Recommendation: DO PASS.

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 2127, a bill for an act relating to the confidentiality of social security numbers of the owners of unclaimed property.

Recommendation: DO PASS.

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 2169, a bill for an act relating to the conduct of raffles by certain fairs, nonprofit organizations, political parties, and committees of candidates for elective office, and subjecting violators to a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gronstal, Kibbie, Rittmer, Bisignano, Connolly, Dearden, Fink, Lundby and Sorensen. Nays, 5: Bennett, Drake, Giannetto, Halvorson and Lind. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 2264, by Husak, a bill for an act relating to the general assembly's intent regarding the primary purpose of the Iowa communications network and limitations on the addition of authorized users.

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

Senate File 2265, by committee on Judiciary, 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 and certain contested modification of custody orders.

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

AMENDMENT FILED

S—5097	S.F.	2037	Nat. Resources, Env. & Energy

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 10:16 a.m., until 9:00 a.m., Thursday, February 22, 1996.

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 22, 1996

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

Prayer was offered by the Reverend Harold Stone, pastor of the Berean Assembly of God Church, Pleasant Hill, Iowa.

The Journal of Wednesday, February 21, 1996, 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 21, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2066, a bill for an act relating to assisted suicide and providing criminal penalties.

INTRODUCTION OF BILL

Senate File 2266, by committee on Transportation, a bill for an act making transportation-related Code changes including providing for a temporary registration permit, increasing registration fees for certain trailers, and providing an effective date.

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

President pro tempore Bisignano took the chair at 9:53 a.m.

Senator Connolly took the chair at 10:12 a.m.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2110

On motion of Senator Gettings, Senate File 2110, a bill for an act relating to the establishment of an anatomical gift public awareness and transplantation fund to be administered by and an anatomical gift public awareness advisory committee to be established within the Iowa department of public health, 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. 2110) the vote was:

Ayes, 45:

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

Nays, none.

Absent or not voting, 5:

Black	Jensen	Kramer	McLaren
Szymoniak			

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

UNFINISHED BUSINESS
(Deferred February 19, 1996)

Senate File 2154

The Senate resumed consideration of Senate File 2154, a bill for an act increasing the penalties for certain offenses involving methamphetamine, deferred February 19, 1996.

Senator Bisignano offered amendment S—5100 filed by him from the floor to page 1 of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Szymoniak for the remainder of the week on request of Senator Sorensen.

BUSINESS PENDING

Senate File 2154

The Senate resumed consideration of Senate File 2154 and amendment S—5100.

Senator Bisignano moved the adoption of amendment S—5100, 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. 2154) the vote was:

Ayes, 46:

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	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink

Rife	Rittmer	Sorensen	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Black	Jensen	McLaren	Szymoniak

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

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **Senate Files 2110** and **2154** 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 February 22, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2130, a bill for an act eliminating the requirement to commence litigation involving shipments of plants infested with gypsy moths, and providing an effective date.

INTRODUCTION OF BILLS

Senate Joint Resolution 2005, by Connolly, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the right of children to free education through the secondary level.

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

Senate File 2267, by Fraise, a bill for an act relating to work by inmates.

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

Senate File 2268, by committee on Local Government, a bill for an act relating to the financial procedures of counties, cities, and drainage districts, by amending the powers and duties of county treasurers, by eliminating the filing of late claims for property tax credits, by striking personal property tax credits of military veterans, by striking outdated property tax limitations, by providing for properly related matters, and by providing an applicability date.

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

Senate File 2269, by committee on Judiciary, a bill for an act enhancing the penalties for a third or subsequent offense of domestic abuse assault.

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

Senate File 2270, by committee on Judiciary, a bill for an act amending the uniform commercial code relating to letters of credit and providing an effective date.

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

Senate File 2271, by Husak, a bill for an act authorizing small quantities of wine to be shipped in and out of this state for consumption or use by persons twenty-one years of age or older.

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

Senate File 2272, by Borlaug, Iverson, and Kramer, a bill for an act relating to school meal programs.

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

Senate File 2273, by McKean, a bill for an act relating to the advertising and promotion of the state lottery or any multistate lottery.

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

RECESS

On motion of Senator Husak, the Senate recessed at 10:35 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 22, 1996, 8:04 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Banks, Ranking Member; Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, Lundby, Palmer, Sorensen and Zieman.

Members Absent: Black and McLaren (both excused).

Committee Business: Discussed LSB 4317 and SSB 2273.

Adjourned: 8:36 a.m.

COMMERCE

Convened: February 21, 1996, 3:38 p.m.

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

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

Committee Business: Assigned bills to subcommittees; approved SSBs 2202, 2122, 2124.1 as committee bills; recommended passage of Senate File 2162; recommended confirmation of governor's appointee.

Adjourned: 4:30 p.m.

EDUCATION

Convened: February 21, 1996, 2:36 p.m.

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

Members Absent: Lind and Szymoniak (both excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 2184 and 2186 as committee bills; recommended passage of Senate File 2145.

Adjourned: 2:53 p.m.

HUMAN RESOURCES

Convened: February 21, 1996, 1:51 p.m.

Members Present: Hammond, Vice Chair; Dvorsky, Hansen, Kramer, Neuhauser, Tinsman and Vilsack.

Members Absent: Szymoniak, Chair (excused); Boettger, Ranking Member; Bartz (excused).

Committee Business: Amended and approved SSBs 2155 and 2164 as committee bills; approved SSB 2168 as a committee bill; recommended passage of House File 111 as amended.

Adjourned: 2:19 p.m.

JUDICIARY

Convened: February 21, 1996, 4:45 p.m.

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

Members Absent: Bartz and Szymoniak (both excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointee; discussed and deferred action on SSB 2143; approved SSB 2146 as a committee bill.

Adjourned: 6:00 p.m.

LOCAL GOVERNMENT

Convened: February 21, 1996, 3:38 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Fraise, Halvorson, Judge, McKean, Rittmer and Zieman.

Members Absent: Black (excused).

Committee Business: Approved SSB 2188 as a committee bill; SSBs 2090 and 2187 failed committee approval.

Adjourned: 4:31 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: February 21, 1996, 4:38 p.m.

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

Members Absent: Black, Vice Chair (excused) and Freeman.

Committee Business: Approved SSBs 2222 and 2045 as a committee bill; presentation by the attorney general's office, ABI and Sierra Club on environmental audits.

Adjourned: 5:50 p.m.

TRANSPORTATION

Convened: February 21, 1996, 3:43 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: Recommended passage of House File 2066 and Senate Files 2185, 2112 and 2108; approved SSB 2212 as a committee bill.

Adjourned: 4:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 21, 1996, 11:05 a.m.

Members Present: Priebe, Vice Chair.

Members Absent: Black, Chair; Banks, Ranking Member; Bennett and Gettings (all excused).

Committee Business: Presentation by Iowa state university regarding the veterinary school and multiflora rose eradication efforts.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 20, 1996, 11:12 a.m.

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

Members Absent: none.

Committee Business: Presentation on the community-based program.

Adjourned: 11:30 a.m.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

COMMERCE

Pursuant to Senate Rule 59, the committee on Commerce assigned to investigate the following governor's appointment, completed its investigation on February 21, 1996, and recommended the appointee be confirmed:

Berneil Preul as a member of the Title Guaranty Division Board.

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following governor's appointment, completed its investigation on February 21, 1996, and recommended the appointee be confirmed:

Liz S. Nichols as a member of the Iowa State Civil Rights Commission.

COMPANION BILL RECEIVED

On February 21, 1996, **House File 2225** was received and attached to companion **Senate File 2141** on the calendar.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2228

TRANSPORTATION: Halvorson, Chair; Black and Jensen

Senate File 2234

TRANSPORTATION: Dearden, Chair; Douglas and Fraise

Senate File 2242

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

Senate File 2248

JUDICIARY: Szymoniak, Chair; Drake, Giannetto, Hammond and Maddox

Senate File 2250

JUDICIARY: Boettger, Chair; Bisignano, Drake, Giannetto and Vilsack

SSB 2265

APPROPRIATIONS: Murphy, Chair; Boswell and Lind

SSB 2266

APPROPRIATIONS: Hammond, Chair; Murphy and Tinsman

SSB 2267

APPROPRIATIONS: Flynn, Chair; Murphy and Rensink

SSB 2268

APPROPRIATIONS: Kibbie, Chair; Kramer and Murphy

SSB 2269

APPROPRIATIONS: Fraise, Chair; Dvorsky and Iverson

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 2162, a bill for an act relating to the postdelivery benefits and care requirements for mothers and newborns.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Deluhery, Hansen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 2: Jensen and Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 2276 (SSB 2184), a bill for an act providing limited English proficiency programs in the public schools, making an appropriation for additional funding for an increase in the actual number of limited English proficient students, and providing an effective and applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Connolly, Kibbie, Redfern, Dvorsky, Fink, Hammond, Kramer, Neuhauser and Rensink. Nays, none. Absent or not voting, 6: Deluhery, Iverson, Lind, Murphy, Szymoniak and Tinsman

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2269 (SSB 2085), a bill for an act enhancing the penalties for a third or subsequent offense of domestic abuse assault.

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.

ALSO:

Final Bill Action: SENATE FILE 2270 (SSB 2142), a bill for an act amending the uniform commercial code relating to letters of credit and providing an effective date.

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.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2268 (SSB 2207), a bill for an act relating to the financial procedures of counties, cities, and drainage districts, by amending the powers and duties of county treasurers, by eliminating the filing of late claims

for property tax credits, by striking personal property tax credits of military veterans, by striking outdated property tax limitations, by providing for properly related matters, and by providing an applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sorensen, Fink, Maddox, Fraise, Halvorson, Judge, McKean, Rittmer and Zieman. Nays, none. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2280 (SSB 2188), a bill for an act relating to filing fees charged by county recorders and eliminating a surcharge fee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Sorensen, Fink, Maddox, Halvorson, McKean, Rittmer and Zieman. Nays, 2: Fraise and Judge. Absent or not voting, 1: Black.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE FILE 2060, a bill for an act relating to the use of blaze orange apparel by pheasant hunters and subjecting violators to a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5106.

Final Vote: Ayes, 11: Fink, Lundby, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Rensink and Sorensen. Nays, 3: Banks and Borlaug and Priebe. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2278 (SSB 2111), a bill for an act repealing the prohibition on political activity by a member, officer, or employee of the natural resource commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gronstal, Kibbie, Rittmer, Bennett, Connolly, Dearden, Drake, Fink, Halvorson, Lundby, and Sorensen. Nays, none. Absent or not voting, 4: Bisignano, Giannetto, Lind and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2281 (SSB 2243), a bill for an act providing for access by the division of criminal and juvenile justice planning of the department of human rights to confidential records held by other state agencies.

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.

TRANSPORTATION

Final Bill Action: *SENATE FILE 2266 (SSB 2212), a bill for an act making transportation-related Code changes including providing for a temporary registration permit, increasing registration fees for certain trailers, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gettings, Fraise, Drake, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, none. Absent or not voting, 1: Black.

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 2266 and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 2:37 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 February 22, 1996, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the House was asked:

House File 2114, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1995, and providing an effective date (S—5107 to H—5079).

INTRODUCTION OF BILLS

Senate File 2274, by McKean, a bill for an act setting campaign expenditure limits and providing for grants of income tax checkoff funds to certain candidates for the general assembly, making changes in the Iowa election campaign fund, and providing an effective date.

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

Senate File 2275, by Flynn, a bill for an act permitting the school budget review committee to grant transportation assistance aid to certain school districts and providing for an appropriation.

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

Senate File 2276, by committee on Education, a bill for an act providing limited English proficiency programs in the public schools, making an appropriation for additional funding for an increase in the actual number of limited English proficient students, and providing an effective and applicability date.

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

Senate File 2277, by Maddox, a bill for an act requiring future damages in personal injury actions to be adjusted according to present value.

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

Senate File 2278, by committee on State Government, a bill for an act repealing the prohibition on political activity by a member, officer, or employee of the natural resource commission.

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

Senate File 2279, by Bennett, a bill for an act requiring court magistrates to stand for retention in judicial elections and providing transition provisions and an effective date provision.

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

Senate File 2280, by committee on Local Government, a bill for an act relating to filing fees charged by county recorders and eliminating a surcharge fee.

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

Senate File 2281, by committee on State Government, a bill for an act providing for access by the division of criminal and juvenile justice planning of the department of human rights to confidential records held by other state agencies.

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

Senate File 2282, by committee on Commerce, a bill for an act relating to the requirement of notifying a consumer of a change in the terms of an open-end credit agreement.

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

Senate File 2283, by committee on Commerce, a bill for an act relating to voting, the distribution of earnings, and the bylaws of a cooperative association.

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

Senate File 2284, by committee on Education, a bill for an act providing for special motor vehicle registration plates for education, for the transfer and appropriation of revenue from the

sale of the plates to the school budget review committee, for properly related matters, and for an effective date.

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

Senate File 2285, by committee on Education, a bill for an act authorizing school districts to establish and enforce traffic and parking rules and authorizing penalties.

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

Senate File 2286, by committee on Natural Resources, Environment and Energy, a bill for an act relating to appropriations to the department of justice for the investigation and prosecution of environmental crimes.

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2157

On motion of Senator Fink, Senate File 2157, a bill for an act relating to the duties of the college student aid commission in administering the Iowa guaranteed loan program, creating a chiropractic loan revolving fund, and providing for matters related to the chiropractic graduate student forgivable loan program, was taken up for consideration.

Senator Bartz asked and received unanimous consent that action on **Senate File 2157** be **deferred.**

Senate File 2161

On motion of Senator Bisignano, Senate File 2161, a bill for an act providing for agency and department cooperation in employing inmates under the hard labor program, 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. 2161) the vote was:

Ayes, 44:

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

Nays, none.

Absent or not voting, 6:

Black	Connolly	Jensen	Kramer
McLaren	Szymoniak		

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kramer until she returns on request of Senator Borlaug.

CONSIDERATION OF BILL
(Ways and Means)

Senate File 2168

On motion of Senator Deluhery, Senate File 2168, a bill for an act updating the Iowa Code references to the Internal Revenue Code and providing a retroactive applicability date and an effective date, was taken up for consideration.

Senator Lind offered amendment S—5103 filed by him from the floor to pages 1 and 2 of the bill.

Senator Deluhery asked and received unanimous consent that action on amendment S—5103 and **Senate File 2168** be **deferred.**

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2219

On motion of Senator Fink, Senate File 2219, a bill for an act relating to the midwest interstate compact on low-level radioactive waste and establishing a penalty, 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. 2219) the vote was:

Ayes, 45:

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

Nays, none.

Absent or not voting, 5:

Black	Jensen	Kramer	McLaren
Szymoniak			

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

BUSINESS PENDING

Senate File 2168

The Senate resumed consideration of Senate File 2168, a bill for an act updating the Iowa Code references to the Internal Revenue Code and providing a retroactive applicability date and

an effective date, and amendment S—5103 by Senator Lind to pages 1 and 2 of the bill, previously deferred.

Senator Lind moved the adoption of amendment S—5103, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2168) the vote was:

Ayes, 45:

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

Nays, none.

Absent or not voting, 5:

Black	Jensen	Kramer	McLaren
Szymoniak			

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 2140

On motion of Senator Gettings, Senate File 2140, a bill for an act increasing the speed limit on certain highways and providing an effective date, was taken up for consideration.

Senator Halvorson withdrew amendment S—5056 filed by him on February 13, 1996, to page 1 of the bill.

Senator Bisignano offered amendment S—5047 filed by him on February 7, 1996, to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5047 be adopted?" (S.F. 2140) the vote was:

Ayes, 16:

Banks	Bartz	Bisignano	Flynn
Giannetto	Gronstal	Halvorson	Hansen
Horn	Kibbie	Lind	Murphy
Palmer	Rensink	Rife	Rittmer

Nays, 28:

Bennett	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Fraise
Gettings	Hammond	Hedge	Husak
Iverson	Judge	Lundby	Maddox
McKean	Neuhauser	Priebe	Redfern
Sorensen	Tinsman	Vilsack	Zieman

Absent or not voting, 6:

Black	Freeman	Jensen	Kramer
McLaren	Szymoniak		

Amendment S—5047 lost.

Senator Halvorson asked and received unanimous consent that action on amendment S—5102 filed by him from the floor to page 1 of the bill be deferred.

Senator Halvorson offered amendment S—5104 filed by him from the floor to page 1 of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tinsman for the remainder of the day on request of Senator Borlaug.

BUSINESS PENDING

Senate File 2140

The Senate resumed consideration of Senate File 2140 and amendment S—5104.

Senator Halvorson moved the adoption of amendment S—5104 and requested a non record roll call.

The ayes were 10, nays 34.

Amendment S—5104 lost.

Senator Gettings offered amendment S—5050 filed by him on February 7, 1996, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5050 was adopted by a voice vote.

Senator Hansen asked and received unanimous consent that action on **Senate File 2140** be **deferred (amendment S—5102 pending).**

CONSIDERATION OF BILL
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 2066.

House File 2066

On motion of Senator Rittmer, House File 2066, a bill for an act relating to the operation of motor vehicles in border cities and providing an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2066) the vote was:

Ayes, 44:

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	Judge
Kibbie	Lind	Lundby	Maddox
McKean	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Vilsack	Zieman

Nays, none.

Absent or not voting, 6:

Black	Jensen	Kramer	McLaren
Szymoniak	Tinsman		

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 February 22, 1996, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 2063, a bill for an act establishing a school improvement technology program to fund instructional technology for school districts, the Iowa braille and sight saving school, the state school for the deaf and the Price laboratory school, providing for properly related matters, and making appropriations, and providing an effective date (S—5109).

INTRODUCTION OF BILLS

Senate File 2287, by committee on Natural Resources, Environment and Energy, a bill for an act relating to the limitations on the use of toxic materials in packaging and providing additional exemptions.

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

Senate File 2288, by Redfern, a bill for an act relating to professional education program requirements for preparation that contributes to the education of children with disabilities.

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

BUSINESS PENDING

Senate File 2140

The Senate resumed consideration of Senate File 2140, a bill for an act increasing the speed limit on certain highways and providing an effective date and amendment S—5102, previously deferred.

Senator Bisignano offered amendment S—5113 filed by Senators Bisignano, et al., from the floor to page 1 of the bill and moved its adoption.

Amendment S—5113 lost by a voice vote.

Senator Halvorson moved the adoption of amendment S—5102 to page 1 of the bill, previously deferred.

A non record roll call was requested.

A record roll call was requested.

On the question "Shall amendment S—5102 be adopted?" (S.F. 2140) the vote was:

Ayes, 17:

Banks	Bartz	Bisignano	Boettger
Flynn	Freeman	Giannetto	Gronstal
Halvorson	Hansen	Horn	Iverson
Kibbie	Lind	Palmer	Rife
Rittmer			

Nays, 27:

Bennett	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Fraise	Gettings
Hammond	Hedge	Husak	Judge
Lundby	Maddox	McKean	Murphy
Neuhauser	Priebe	Redfern	Rensink
Sorensen	Vilsack	Zieman	

Absent or not voting, 6:

Black	Jensen	Kramer	McLaren
Szymoniak	Tinsman		

Amendment S—5102 lost.

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

On the question "Shall the bill pass?" (S.F. 2140) the vote was:

Ayes, 41:

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

Nays, 3:

Banks	Hedge	Zieman

Absent or not voting, 6:

Black	Jensen	Kramer	McLaren
Szymoniak	Tinsman		

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

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2206

On motion of Senator Priebe, Senate File 2206, a bill for an act providing for animal health and racing and making penalties applicable, 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. 2206) the vote was:

Ayes, 39:

Banks	Bartz	Bennett	Bisignano
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Hansen	Hedge
Horn	Husak	Iverson	Judge
Kibbie	Lind	Lundby	Maddox
McKean	Murphy	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Vilsack	Zieman	

Nays, 5:

Dvorsky	Gronstal	Halvorson	Hammond
Neuhauser			

Absent or not voting, 6:

Black	Jensen	Kramer	McLaren
Szymoniak	Tinsman		

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

Senator Horn asked and received unanimous consent that **Senate Files 2161, 2219, 2168, 2140** and **2206** and **House File 2066** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 2289, by committee on Judiciary, a bill for an act relating to the department of corrections, including operating while intoxicated violator facilities, inmate hard labor, reimbursement by parole violators, tort claims protection for certain persons, and inmate accounts.

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

Senate File 2290, by committee on Commerce, a bill for an act adopting the uniform transfer on death security registration act.

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

APPENDIX

STUDY BILLS RECEIVED

SSB 2273 Agriculture

Relating to receiverships regarding the administration of the assets of grain dealers.

SSB 2274 Education

Providing that a school of postsecondary instruction shall not grant a degree to a student without the successful completion by the student of a program of study and establishing a penalty.

SSB 2275 Judiciary

Relating to public access to criminal history data maintained by the department of public safety.

SSB 2276 Judiciary

Relating to permits to carry and acquire weapons.

SSB 2277 Judiciary

Relating to compensation for certain miscarriages of justice.

SSB 2278 Judiciary

Relating to guardianships and conservatorships and providing penalties.

SSB 2279 Judiciary

Relating to establishing community-based corrections programs.

SSB 2280 Judiciary

Relating to the Iowa administrative procedure Act.

SSB 2281 Small Business, Economic Development and Tourism

Relating to requiring employers who received economic

development assistance to provide certain benefits if the employer moves out of state.

SSB 2282 Small Business, Economic Development and Tourism

Relating to prohibiting certain businesses from receiving economic development assistance.

SSB 2283 Local Government

Relating to termination of rental agreements and notice provisions for actions to recover property.

SSB 2284 Education

Relating to the charging of school fees, school fee waiver and reimbursement, making an appropriation, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

SSB 2273

AGRICULTURE: Husak, Chair; Douglas and Giannetto

SSB 2275

JUDICIARY: McKean, Chair; Giannetto, Hammond, Redfern and Vilsack

SSB 2276

JUDICIARY: McKean, Chair; Bisignano, Giannetto, Redfern and Vilsack

SSB 2277

JUDICIARY: Vilsack, Chair; Giannetto, Hammond, Maddox and Redfern

SSB 2278

JUDICIARY: Hammond, Chair; Giannetto, McKean, Redfern and Vilsack

SSB 2279

JUDICIARY: Bisignano, Chair; Boettger, Drake, Giannetto and Vilsack

SSB 2280

JUDICIARY: Vilsack, Chair; Giannetto, McKean, Neuhauser and Redfern

SSB 2281

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM: Palmer, Chair; Bennett and Flynn

SSB 2282

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM: Palmer, Chair; Bennett and Flynn

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 2282 (SSB 2122), a bill for an act relating to the requirement of notifying a consumer of a change in the terms of an open-end credit agreement.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Deluhery, Hansen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 2: Jensen and Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2283 (SSB 2202), a bill for an act relating to voting, the distribution of earnings, and the bylaws of a cooperative association.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Deluhery, Hansen, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 3: Jensen, Bartz and 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 Commerce Committee on Senate File 2283 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2290 (SSB 2124.1), a bill for an act adopting the uniform transfer on death security registration Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Deluhery, Hansen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 2: Jensen and Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 2284 (SSB 2186), a bill for an act providing for special motor vehicle registration plates for education, for the transfer and appropriation of revenue from the sale of the plates to the school budget rerview committee, for properly related matters, and for an effective date.

Recommendation: APPROVED COMMITTEE BILL.

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.

ALSO:

Final Bill Action: SENATE FILE 2285 (formerly Senate File 2145), a bill for an act authorizing school districts to establish and enforce traffic and parking rules and authorizing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, Kibbie, Redfern, Dvorsky, Fink, Hammond, Iverson, Kramer, Neuhauser, Rensink and Tinsman. Nays, none. Absent or not voting, 4: Deluhery, Lind, Murphy and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: *SENATE FILE 2289 (SSB 2146), a bill for an act relating to the department of corrections, including operating while intoxicated violator facilities, inmate hard labor, reimbursement by parole violators, tort claims protection for certain persons, and inmate accounts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser and Redfern. Nays, none. Absent or not voting, 2: Bartz 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 2289 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2291 (SSB 2082), a bill for an act eliminating the restitution limit for the offense of operating while intoxicated.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser and Redfern. Nays, 1: Bisignano. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 2286 (SSB 2222), a bill for an act relating to appropriations to the department of justice for the investigation and prosecution of environmental crimes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Fink, Lundby, Dearden, Deluhery, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, 2: Banks and Borlaug. Absent or not voting, 2: Black and Freeman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2287 (SSB 2045), a bill for an act relating to the limitations on the use of toxic materials in packaging and providing additional exemptions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Fink, Lundby, Banks, Borlaug, Dearden, Deluhery, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, none. Absent or not voting, 2: Black and Freeman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2036, a bill for an act relating to dates of active duty for purposes of the military service property tax exemption and providing an applicability date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5112.

Final Vote: Ayes, 13: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, Murphy, Neuhauser, Priebe and Vilsack. Nays, none. Absent or not voting, 2: McLaren and Szymoniak.

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.	2238	Transportation
S.F.	2243	Transportation
S.F.	2244	Agriculture
S.F.	2246	Nat. Resources, Envir. & Energy
S.F.	2257	Judiciary
S.F.	2263	Judiciary
S.F.	2264	Communications & Info. Policy
S.F.	2267	Judiciary
S.F.	2271	State Government
S.F.	2272	Education
S.F.	2273	State Government
S.F.	2274	State Government
S.F.	2275	Appropriations
S.F.	2277	Judiciary
S.F.	2279	State Government
S.J.R.	2005	State Government
H.F.	2183	Judiciary

INTRODUCTION OF BILL

Senate File 2291, by committee on Judiciary, a bill for an act

eliminating the restitution limit for the offense of operating while intoxicated.

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

AMENDMENT FILED

S—5098	S.F.	2173	Merlin E. Bartz
S—5099	S.F.	2201	Merlin E. Bartz
S—5100	S.F.	2154	Tony Bisignano
S—5101	S.F.	2131	Eugene Fraise
S—5102	S.F.	2140	Rod Halvorson
S—5103	S.F.	2168	Jim Lind
S—5104	S.F.	2140	Rod Halvorson
S—5105	S.F.	2169	Wayne Bennett
S—5106	S.F.	2060	Nat. Resources, Envir. & Energy
S—5107	H.F.	2114	House amendment
S—5108	S.F.	2157	Merlin E. Bartz
S—5109	S.F.	2063	House amendment
S—5110	H.F.	514	Eugene Fraise
			Don Gettings
S—5111	S.F.	2157	JoAnn Douglas
S—5112	S.F.	2036	Ways and Means
S—5113	S.F.	2140	Tony Bisignano
			Jim Lind
			Brad Banks
			Steven D. Hansen
S—5114	S.F.	2114	Tony Bisignano

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:48 p.m., until 1:00 p.m., Monday, February 26, 1996.

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 26, 1996

The Senate met in regular session at 1:15 p.m., President Boswell presiding.

Prayer was offered by the Reverend Michael Stadie, pastor of the St. John Lutheran Church, Pomeroy, Iowa.

The Journal of Thursday, February 22, 1996, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Freeman until she arrives on request of Senator Boettger.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 107, by Kibbie and Rensink, a concurrent resolution urging the United States Congress to authorize construction of the Lewis and Clark rural water system.

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

Senate Concurrent Resolution 108, by committee on Judiciary, a concurrent resolution posthumously honoring Mr. John L. Mowry and recognizing his many contributions to city, state, and federal government.

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

INTRODUCTION OF BILLS

Senate File 2292, by Bartz, a bill for an act relating to the civil actions against individuals including the time period for commencing an action and recovery of court costs.

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

Senate File 2293, by Bartz, a bill for an act requiring the operator of a motor truck transporting solid waste to obtain a permit and pay an annual fee, and establishing a penalty.

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

Senate File 2294, by Halvorson, a bill for an act creating multidisciplinary community services teams and providing a penalty.

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

Senate File 2295, by committee on Judiciary, a bill for an act relating to employer practices regarding persons summoned to jury duty.

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

Senate File 2296, by committee on Ways and Means, a bill for an act relating to the abatement of corporate income taxes for increasing production jobs in the state and providing an applicability date provision.

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

Senate File 2297, by committee on Judiciary, a bill for an act relating to victim compensation for health care for persons other than the victim.

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

Senate File 2298, by committee on Ways and Means, a bill for an act relating to the awarding of costs to a prevailing taxpayer in a proceeding against the department of revenue and finance under the state tax procedures and practices Act and providing an effective date.

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

Senate File 2299, by committee on Judiciary, a bill for an act relating to reserve peace officers obtaining professional permits to carry weapons and carrying weapons.

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

Senate File 2300, by committee on Judiciary, a bill for an act relating to the willful destruction of E911 addressing signs and providing a penalty.

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

Senate File 2301, by committee on Human Resources, a bill for an act relating to lead abatement and inspection, training and certification requirements, and providing penalties.

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

Senate File 2302, by committee on Judiciary, 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 and **placed on calendar.**

Senate File 2303, by committee on Human Resources, a bill for an act relating to the medical assistance program including provisions relating to personal liability of personal representatives of medical assistance recipients, nursing facility fines, and transfers of assets.

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

Senate File 2304, by committee on Human Resources, a bill for an act relating to the modernization of the vital statistics process and establishing a fee.

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

Senate File 2305, by committee on Judiciary, a bill for an act relating to purchase money mortgages and providing a retroactive applicability provision.

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

Senate File 2306, by Hammond, a bill for an act establishing a resources invested for success trust fund and providing a standing appropriation.

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

QUORUM CALL

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

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

CONSIDERATION OF BILL
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 2245.

Senate File 2245

On motion of Senator Kibbie, Senate File 2245, a bill for an act relating to public retirement systems, making appropriations, and providing effective and retroactive applicability dates, was taken up for consideration.

Senator Gronstal offered amendment S—5119 filed by him from the floor to pages 1 and 8 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5119 be adopted?" (S.F. 2245) 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	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Judge	Kibbie	Lundby	Murphy
Neuhauser	Palmer	Rittmer	Sorensen
Szymoniak	Vilsack		

Nays, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Husak	Iverson	Jensen

Kramer	Lind	Maddox	McKean
McLaren	Priebe	Redfern	Rensink
Rife	Tinsman	Zieman	

Absent or not voting, 1:

Connolly

Amendment S—5119 was adopted.

Senator Vilsack offered amendment S—5118 filed by him from the floor to page 16 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5118 be adopted?" (S.F. 2245) the vote was:

Ayes, 13:

Banks	Bartz	Bennett	Bisignano
Hammond	Horn	Kramer	Lind
McKean	Murphy	Szymoniak	Vilsack
Zieman			

Nays, 36:

Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hansen	Hedge	Husak
Iverson	Jensen	Judge	Kibbie
Lundby	Maddox	McLaren	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Tinsman

Absent or not voting, 1:

Connolly

Amendment S—5118 lost.

Senator Rittmer offered amendment S—5121 filed by him from the floor to pages 19 and 24 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5121 be adopted?" (S.F. 2245) 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
Borlaug	Drake	Freeman	Giannetto
Hedge	Iverson	Jensen	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Priebe	Redfern	Rensink
Rife	Rittmer	Tinsman	Zieman

Nays, 24:

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

Absent or not voting, 2:

Connolly	Douglas

Amendment S—5121 lost.

Senator Rittmer offered amendment S—5120 filed by him from the floor to pages 28-32 of the bill.

Senator Rittmer asked and received unanimous consent that action on amendment S—5120 be deferred.

Senator Horn asked and received unanimous consent that action on **Senate File 2245** be **deferred** (amendment S—5120 pending).

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 109, by Szymoniak, a concurrent resolution urging the United States Congress to amend relevant law to facilitate the development and approval of new drugs and biologics.

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

INTRODUCTION OF BILLS

Senate File 2307, by Szymoniak, a bill for an act relating to programs available to persons with disabilities which are administered by the department of human services.

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

Senate File 2308, by Lind, a bill for an act relating to psychological and substance abuse testing of drug abuse resistance education officers.

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

Senate File 2309, by Lind, a bill for an act providing a lottery ticket credit for state income taxes paid, and providing an applicability date.

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

Senate File 2310, by Lind, a bill for an act relating to the releasing of a lien on the real property of a child support obligor following closure of a case for which the child support recovery unit is providing services.

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

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2114

Senator Murphy called up for consideration House File 2114, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1995, and providing an effective date, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5107 to Senate amendment H—5079 filed February 22, 1996.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment to the Senate amendment.

Senator Horn asked and received unanimous consent that **House File 2114** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 2311, by Maddox, Borlaug, Lundby, Freeman, Lind, Zieman, Banks, Rittmer, Boettger, McKean, Bennett, Iverson, Rife, Hedge, Tinsman, Rensink, Bartz, Drake, Douglas, Redfern, Jensen, McLaren, and Kramer, a bill for an act relating to tax incentives and funding for housing development and providing applicability date provisions.

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

Senate File 2312, by Rife, a bill for an act prohibiting contributions to political campaigns by political committees and lobbyists, and providing an effective date.

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

APPENDIX

PETITIONS

The following petitions were presented and placed on file by:

Senator Drake from 700 plus residents of Sioux County favoring the continuance of the Iowa Department of Transportation providing driver license services.

Senator Drake from 164 residents of Johnson County favoring legislation to re-evaluate current codes ensuring bicyclists' safety and well-being on Iowa roadways.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: February 22, 1996, 11:15 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 SSBs 2159 2175, 2082, 2251, 2171 and Senate Files 108, 2205 and 2177 as committee bills; indefinitely postponed SSB 2151.

Adjourned: 12:35 p.m.

STATE GOVERNMENT

Convened: February 21, 1996, 1:40 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 (excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 2111 and 2243 as committee bills; recommended passage of Senate Files 2122, 2121, 2127, 2104 and 2169; deferred action on SSB 2017.

Adjourned: 2:20 p.m.

WAYS AND MEANS

Convened: February 22, 1996, 1:35 p.m.

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

Members Absent: McLaren and Szymoniak (both excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 2036 as amended; approved SSBs 2190 and 2238 as committee bills.

Adjourned: 2:05 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2168, the following correction was made:

1. Page 3, line 1, the word and number "Section 100" were changed to the word and number "Section 3".

JOHN F. DWYER
Secretary of the Senate

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5118 to Senate File 2245 failed to be adopted by the Senate on February 26, 1996.

JACK RIFE

STUDY BILLS RECEIVED

SSB 2285 Small Business, Economic Development, and Tourism

Relating to wages and benefits provided for privatized state services.

SSB 2286 Small Business, Economic Development, and Tourism

Relating to department of economic development programs, including the workforce development fund program and the Iowa

small business new jobs training Act, providing a supplemental new jobs credit from withholding, establishing a rural microbusiness assistance program, increasing the funds available for the value-added agricultural products and processes program, and making an annual allocation from an appropriation.

SSB 2287 Judiciary

Prohibiting vehicle registration in certain circumstances, imposing additional criminal fees, and relating to delinquent payments, installment payments,and collections of unpaid fines, penalties, court costs, fees, surcharges, and restitution.

SSB 2288 Judiciary

Relating to domestic abuse, including law enforcement training requirements, seizure of weapons, prosecution of misdemeanors by county attorneys, and jurisdiction of district associate judges.

SSB 2289 Judiciary

Relating to invasion of privacy of a minor and establishing a penalty.

SSB 2290 State Government

Relating to housing development including extending access to real estate improvement districts statewide, making changes to the urban renewal law, authorizing the use of tax increment financing for both low and moderate income housing and upper income housing, providing conditions for the use of tax increment financing for upper income housing, providing for the disposition of certain tax delinquent housing, and providing an effective date.

SSB 2291 State Government

Relating to establishing a presumption that infectious diseases are work-related for purposes of disability and death benefits under the statewide fire and police retirement system.

SSB 2292 Human Resources

Relating to medically relevant tests for the presence of illegal drugs in a child or parent, voiding related administrative rules, and providing an effective date.

SSB 2293 Human Resources

Relating to dependent adult abuse and providing penalties.

SSB 2294 Business & Labor

Relating to workers' compensation.

SSB 2295 Business & Labor

Relating to workers' compensation concerning medical services fee disputes, providing a stay of debt collection against an employer in workers' compensation contested cases, and relating to disputes subject to settlement under workers' compensation.

SSB 2296 Human Resources

Creating an Iowa healthy kids corporation for preventive health services and health coverage of children, providing a penalty, and making an appropriation.

SSB 2297 Agriculture

Providing the location and frequency of the certification class and examination relating to authorization under federal law for a person to purchase the chlorofluorocarbon freon.

SSB 2298 Judiciary

Relating to shared jurisdiction by the juvenile and adult courts over juveniles who commit certain public offenses and making penalties applicable.

SSB 2299 Judiciary

Relating to child custody and providing sanctions.

SSB 2300 Judiciary

Relating to harboring a runaway and establishing penalties.

SSB 2301 Judiciary

Relating to the establishment of a mandatory course for parents who are parties to a proceeding in which child custody, visitation, or physical care is involved.

SSB 2302 Judiciary

Relating to the payment of correctional fees by prisoners and inmates.

SSB 2303 Judiciary

Providing for the inclusion of a substance abuse evaluation as a condition of pretrial release.

SSB 2304 Judiciary

Relating to the definition of congressional district for the purpose of appointment and election of state judicial nominating commissioners.

SSB 2305 Judiciary

Relating to procedures applicable to civil commitment, and including an implementation provision.

SSB 2306 Judiciary

Relating to underground storage tank cost recovery proceedings and providing an applicability provision and an effective date.

SSB 2307 Education

Relating to the activities of the department of education, vocational education, community colleges, to special area education programs, dual enrollment, payment of claims for nonpublic school pupil transportation, the school budget review committee, the enrollment of certain students, annual audits of school districts, and providing effective and retroactive applicability dates.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 106

RULES AND ADMINISTRATION: Husak, Chair; Boswell and Kramer

Senate File 2229

HUMAN RESOURCES: Hammond, Chair; Dvorsky and Tinsman

Senate File 2233

NATURAL RESOURCES, ENVIR. & ENERGY: Gronstal, Chair; Banks and Fink

Senate File 2239

RULES AND ADMINISTRATION: Gronstal, Chair; Horn and Kramer

Senate File 2240

LOCAL GOVERNMENT: Halvorson, Chair; Black and Zieman

Senate File 2241

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and Rittmer

Senate File 2244

AGRICULTURE: Fraise, Chair; Banks and Judge

Senate File 2246

NATURAL RESOURCES, ENVIRON & ENERGY: Kibbie, Chair; Gronstal, Judge, Lundby and Rensink

House Concurrent Resolution 111

RULES AND ADMINISTRATION: Boswell, Chair; Husak and Kramer

House File 2018

STATE GOVERNMENT: Gronstal, Chair; Halvorson and McLaren

House File 2109

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

House File 2144

HUMAN RESOURCES: Vilsack, Chair; Boettger and Dvorsky

SSB 2283

LOCAL GOVERNMENT: Fink, Chair; Judge and Zieman

SSB 2285

SMALL BUSINESS, ECON. DEVLP, & TOURISM: Vilsack, Chair; Boettger and Hansen

SSB 2286

SMALL BUSINESS, ECON. DEVLP, & TOURISM: Vilsack, Chair; Boettger and Hansen

SSB 2287

JUDICIARY: McKean, Chair; Bisignano, Giannetto, Redfern and Vilsack

SSB 2288

JUDICIARY: Szymoniak, Chair; Boettger, Hammond, Maddox and Neuhauser

SSB 2289

JUDICIARY: Bisignano, Chair; Boettger, Giannetto, Maddox and Vilsack

SSB 2290

STATE GOVERNMENT: Gronstal, Chair; Halvorson and McLaren

SSB 2291

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and Rittmer

SSB 2292

HUMAN RESOURCES: Szymoniak, Chair; Dvorsky and Kramer

SSB 2293

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Dvorsky

SSB 2294

BUSINESS AND LABOR: Gettings, Chair; Dearden and Freeman

SSB 2295

BUSINESS AND LABOR: Dearden, Chair; Gettings and Iverson

SSB 2297

AGRICULTURE: Priebe, Chair; Banks and Husak

COMMITTEE REPORTS

HUMAN RESEOURCES

Final Bill Action: *SENATE FILE 2301 (SSB 2164), a bill for an act relating to lead abatement and inspection, training and certification requirements, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Hammond, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 3: Szymoniak, 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 2301 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2303 (SSB 2168), a bill for an act relating to the medical assistance program including provisions relating to personal liability of personal representatives of medical assistance recipients, nursing facility fines, and transfers of assets.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Hammond, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 3: Szymoniak, Boettger and Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2304 (SSB 2155), a bill for an act relating to vital statistics and the modernization of the vital statistics process and establishing a fee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Hammond, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 3: Szymoniak, 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 2304 and they were attached to the committee report.

ALSO:

Final Bill Action: HOUSE FILE 111, a bill for an act exempting from regulation certain homeowners' association swimming pools.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5117.

Final Vote: Ayes, 5: Hammond, Hansen, Kramer, Tinsman and Vilsack. Nays, 2: Dvorsky and Neuhauser. Absent or not voting, 3: Szymoniak, Boettger and Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE CONCURRENT RESOLUTION 108 (SSB 2175), a concurrent resolution posthumously honoring Mr. John L. Mowry and recognizing his many contributions to city, state, and federal government.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 13: Giannetto, Vilsack McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox and Redfern. Nays, none. Absent or not voting, 2: Neuhauser and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2295 (SSB 2159), a bill for an act relating to employer practices regarding persons summoned to jury duty and providing apenalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox and Redfern. Nays, none. Absent or not voting, 3: Vilsack, Neuhauser 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 2295 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2297 (SSB 2251), a bill for an act relating to victim compensation for health care for persons other than the victim.

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.

ALSO:

Final Bill Action: SENATE FILE 2299 (formerly Senate File 2205), a bill for an act relating to reserve peace officers obtaining professional permits to carry weapons and carrying weapons.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hansen, Maddox, Neuhauser and Redfern. Nays, 1: Hammond. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2300 (formerly Senate File 2177), a bill for an act relating to the willful destruction of E911 addressing signs and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Giannetto, Bartz, Boettger, Drake, Halvorson, Hammond, Maddox, Neuhauser and Redfern. Nays, 3: McKean, Bisignano and Hansen. Absent or not voting, 3: Vilsack, Fraise and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2302 (formerly 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: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox and Redfern. Nays, none. Absent or not voting, 2: Neuhauser and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2305 (SSB 2171), a bill for an act relating to purchase money mortgages and providing a retroactive applicability provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser and Redfern. Nays, none. Absent or not voting, 2: Vilsack and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2296 (SSB 2238), a bill for an act relating to the abatement of corporate income taxes for increasing production jobs in the state and providing an applicability date provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Palmer, Husak, Bennett, Connolly, Deluhery, Freeman, Hedge, Murphy, Neuhauser, Priebe and Vilsack. Nays, 1: Iverson. Pass, 1: Drake. Absent or not voting, 2: McLaren and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2298 (SSB 2190), a bill for an act relating to the awarding of costs to a prevailing taxpayer in a proceeding against the department of revenue and finance under the state tax procedures and practices Act and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, Murphy, Neuhauser, Priebe and Vilsack. Nays, none. Absent or not voting, 2: McLaren and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2288	Education
S.F.	2292	Judiciary
S.F.	2293	Transportation
S.F.	2294	Human Resources
S.F.	2306	Appropriations
S.F.	2307	Human Resources
S.F.	2308	Judiciary
S.F.	2309	Ways and Means
S.F.	2310	Judiciary
S.F.	2311	Small Bus., Econ. Develp. & Tourism
S.F.	2312	State Government
S.F.	2314	Human Resources
S.C.R.	107	Nat. Res., Environ & Energy
S.C.R.	109	Human Resources

INTRODUCTION OF BILLS

Senate File 2313, by Iverson, a bill for an act relating to motor vehicle fuel tax refunds and providing an effective date.

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

Senate File 2314, by Iverson, a bill for an act relating to eligibility of persons for certain forms of public assistance.

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

Senate File 2315, by Black, a bill for an act requiring the posting of notice of par sheet theoretical payout averages for slot machines in racetrack enclosures and excursion gambling boats.

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

Senate File 2316, by Banks, a bill for an act relating to requirements for presence of an immigrant in the state, and providing penalties.

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

Senate File 2317, by Freeman, a bill for an act relating to notices of valuation of real property for purposes of property taxation.

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

Senate File 2318, by McKean, a bill for an act relating to domestic abuse by requiring the plaintiff to file a financial affidavit and list all prior domestic abuse actions against the same plaintiff, and prohibiting a temporary order of relief under certain circumstances.

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

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2003, a bill for an act relating to the maximum value of a prize for jackpot bingo conducted by certain qualified organizations.

Recommendation: DO PASS.

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.

AMENDMENTS FILED

S—5115	S.F.	2266	Don Gettings
S—5116	S.F.	2266	Eugene Fraise Don Gettings
S—5117	H.F.	111	Human Resources
S—5118	S.F.	2245	Tom Vilsack
S—5119	S.F.	2245	Michael E. Gronstal
S—5120	S.F.	2245	Sheldon Rittmer
S—5121	S.F.	2245	Sheldon Rittmer
S—5122	S.F.	2245	Andy McKean
S—5123	S.F.	2184	Patty Judge
S—5124	S.F.	2128	Michael E. Gronstal

S—5125	S.F.	2245	H. Kay Hedge
S—5126	S.F.	2289	Randal Giannetto
S—5127	S.F.	2266	Eugene Fraise
			Don Gettings

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:43 p.m., until 9:00 a.m., Tuesday, February 27, 1996.

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 27, 1996

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

Prayer was offered by the Reverend Paul Evans, pastor of the United Methodist Churches, of Gravity and Bedford, Iowa.

The Journal of Monday, February 26, 1996, 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 26, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2072, a bill for an act relating to implements of husbandry by providing for machinery towed by a motor vehicle or farm tractor, and providing an effective date.

ALSO: That the House has on February 26, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2202, a bill for an act relating to permissible acts related to real estate sales, exchanges, purchases, rentals, leases, or advertising by licensees and nonlicensees.

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

INTRODUCTION OF BILLS

Senate File 2319, by Iverson, a bill for an act relating to the private distribution and wholesale sale of alcoholic liquor to licensed retailers, providing for a liquor markup tax, providing

for the licensing of liquor wholesalers, providing for other properly related matters, and subjecting violators to a penalty.

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

Senate File 2320, by Iverson, a bill for an act relating to the development of a statewide emergency medical care system.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Iverson and Banks until they arrive on request of Senator Hedge.

ADOPTION OF RESOLUTIONS
(Regular Calendar)

Senate Concurrent Resolution 105

On motion of Senator Fraise, Senate Concurrent Resolution 105, a concurrent resolution in support of maintaining the Mississippi River as a major transportation route for various products shipped into and out of the Upper Mississippi region, with report of committee recommending passage, was taken up for consideration.

Senator Fraise moved the adoption of Senate Concurrent Resolution 105, which motion prevailed by a voice vote.

House Concurrent Resolution 105

On motion of Senator Hammond, House Concurrent Resolution 105, a concurrent resolution recognizing the women who have served Iowa as state legislators and celebrating 100 years of women elected to state legislatures, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hammond offered amendment S—5078 filed by the committee on Human Resources on February 15, 1996, to page 5 of the resolution and moved its adoption.

Amendment S—5078 was adopted by a voice vote.

Senator Szymoniak offered amendment S—5090 filed by her on February 20, 1996, to page 4 of the resolution and moved its adoption.

Amendment S—5090 was adopted by a voice vote.

Senator Hammond moved the adoption of House Concurrent Resolution 105 as amended, which motion prevailed by a voice vote.

The Senate stood at ease at 9:48 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 10:26 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 February 27, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2009, a bill for an act to legalize certain city and county deeds and conveyances.

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

House File 2211, a bill for an act relating to the percentage of the legal reserve of a life insurance company which may be invested in certain corporate obligations.

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

House File 2230, a bill for an act relating to the duties of the department of inspections and appeals concerning liens on improper provider payments from the department of human services, the administration of certain health care statutes, and the conducting of audits.

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

INTRODUCTION OF BILLS

Senate File 2321, by committee on Human Resources, a bill for an act relating to the nonconfidentiality of information regarding the qualifications of interpreters for the deaf services division of the department of human rights.

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

Senate File 2322, by committee on Education, a bill for an act relating to a cash reserve levy for merged areas and providing for properly related matters.

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

UNFINISHED BUSINESS
(Deferred February 26, 1996)

Senate File 2245

The Senate resumed consideration of Senate File 2245, a bill for an act relating to public retirement systems, making appropriations, and providing effective and retroactive applicability dates and amendment S—5120, deferred February 26, 1996.

Senator Hansen offered amendment S—5130 filed by him from the floor to pages 67 and 69 of the bill and moved its adoption.

Amendment S—5130 was adopted by a voice vote.

Senator McKean offered amendment S—5122 filed by him on February 26, 1996, to page 70 of the bill and moved its adoption.

Amendment S—5122 was adopted by a voice vote.

Senator Hedge offered amendment S—5125 filed by him on February 26, 1996, to pages 2 and 25 of the bill and requested a division: lines 2-9 as division S—5125A and lines 10-13 as division S—5125B.

Senator Hedge moved the adoption of division S—5125A, which motion lost by a voice vote.

Senator Hedge withdrew division S—5125B.

Senator Lundby offered amendment S—5132 filed by her from the floor to pages 62 and 65 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5132 be adopted?" (S.F. 2245) the vote was:

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

Ayes, 21:

Bartz	Bennett	Boettger	Borlaug
Douglas	Drake	Freeman	Hedge
Jensen	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Priebe
Redfern	Rensink	Rife	Rittmer
Tinsman			

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, 3:

Banks	Iverson	Zieman

Amendment S—5132 lost.

Senator Rife called up the motion to reconsider the vote by which amendment S—5118 to Senate File 2245 failed to be adopted by the Senate on February 26, 1996, filed by him on February 26, 1996, found on page 458 of the Senate Journal, moved its adoption and requested a record roll call.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2245) the vote was:

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

Ayes, 24:

Bartz	Bennett	Bisignano	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Jensen	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Priebe	Redfern	Rensink	Rife
Rittmer	Tinsman	Vilsack	Zieman

Nays, 22:

Black	Boswell	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Judge	Kibbie	Neuhauser
Palmer	Sorensen		

Absent or not voting, 4:

Banks	Iverson	Murphy	Szymoniak

The motion prevailed and amendment S—5118 by Senator Vilsack to page 16 of the bill, was taken up for reconsideration.

Senator Gronstal asked and received unanimous consent that action on amendment S—5118 be deferred.

Senator Lind asked and received unanimous consent that action on **Senate File 2245** be **deferred** (amendments S—5120 and S—5118 pending).

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Concurrent Resolution 105** and **House Concurrent Resolution 105** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 2323, by committee on Human Resources, a bill for an act relating to pharmacy technician designation, registration and fees, delegation of duties, and disciplinary action.

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

Senate File 2324, by committee on Human Resources, a bill for an act relating to public assistance and certain associated state tax provisions involving the family investment program, family development and self-sufficiency council, individual development accounts, and fraudulent practices involving the food stamp program, making penalties applicable, and providing applicability provisions and effective dates.

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

Senate File 2325, by committee on Natural Resources, Environment, and Energy, a bill for an act making an appropriation to the department of natural resources for the establishment of a wildlife diversity initiative.

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

RECESS

On motion of Senator Horn, the Senate recessed at 11:11 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: February 26, 1996, 3:42 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 bills to subcommittees; recommended confirmation of governor's appointee; approved SSBs 2157, 2236, 2215, 2240 and 2235 as committee bills.

Adjourned: 4:26 p.m.

HUMAN RESOURCES

Convened: February 26, 1996, 3:04 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 2169, 2194, 2167, 2234, 2199 and Senate File 2075 as committee bills.

Adjourned: 3:50 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: February 26, 1996, 4:40 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; approved SSB 2221 as a committee bill; recommended passage of Senate File 2220 as amended.

Adjourned: 5:35 p.m.

STATE GOVERNMENT

Convened: February 26, 1996, 2:55 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 passage of Senate File 2090 as amended; recommended passage of Senate File 2003; approved SSBs 2162, 2116 and 2014 as committee bills.

Adjourned: 3:31 p.m.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber when the votes were taken on the following bills.

Had I been present, I would have voted "aye" on House File 2066, Senate File 2206, amendment S—5102 to Senate File 2140 and final passage of Senate File 2140.

MAGGIE TINSMAN

MR. PRESIDENT: I was necessarily absent from the Senate on February 26, 1996. Had I been present, I would have voted "aye" on amendment S—5119 to Senate File 2245 and "nay" on amendments S—5118 and S—5121 to Senate File 2245.

MIKE CONNOLLY

PRESENTATION OF VISITOR

Senator Jensen presented his granddaughter, PFC Jessica Jensen, who graduated last week from the Marine Corps Boot Camp in Parris Island, South Carolina. Senator Jensen was proud to have attended the graduation.

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 February, 1996:

Senate Files 2066 and 2130.

JOHN F. DWYER
Secretary of the Senate

REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar)

EDUCATION

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the following governor's appointment, completed its investigation on February 26, 1996, and recommended the appointee be confirmed:

Aileen F. Mahood as a member of the State Board of Regents.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 2322 (SSB 2215), a bill for an act relating to a cash reserve levy for merged areas and providing for properly related matters.

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.

ALSO:

Final Bill Action: *SENATE FILE 2328 (SSB 2240), a bill for an act relating to the administration and accreditation of area education agency programs and providing for properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Connolly, Kibbie, Deluhery, Dvorsky, Fink, Hammond, Neuhauser and Tinsman. Nays, 5: Redfern, Lind, Murphy, Rensink and Szymoniak. Absent or not voting, 2: Iverson 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 Education Committee on Senate File 2328 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 2329 (SSB 2157), a bill for an act directing the state board of education to adopt rules relating to school nurses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Lind, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 2: Kramer and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Education Committee on Senate File 2329 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 2331 (SSB 2235), a bill for an act relating to a fraudulent representation or claim of academic achievement or performance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Lind, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 2: Kramer and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Education Committee on Senate File 2331 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 2334 (SSB 2236), a bill for an act relating to funding for a talented and gifted education center at the university of Iowa and naming of that center as an international center.

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 2334 and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2321 (SSB 2194), a bill for an act relating to the nonconfidentiality of information regarding the qualifications of interpreters for the deaf services division of the department of human rights.

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 2323 (SSB 2167), a bill for an act relating to pharmacy technician designation, registration and fees, delegation of duties, and disciplinary action.

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 2324 (SSB 2169), a bill for an act relating to public assistance and certain associated state tax provisions involving the family investment program, family development and self-sufficiency council, individual development accounts, and fraudulent practices involving the food stamp program, making penalties applicable, and providing applicability provisions and effective dates.

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 2327 (formerly Senate File 2075), a bill for an act concerning assistive devices by providing for a warranty, replacement of devices, and providing consumer remedies.

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 2327 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 2330 (SSB 2199), a bill for an act relating to occupational hearing loss.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Neuhauser and Tinsman. Nays, 1: Vilsack. 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 2330 and they were attached to the committee report.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE FILE 2220, a bill for an act relating to environmental protection and public health, by providing for the regulation of animal feeding operations, including confinement swine feeding operations, and the application of manure, including regulation by the department of natural resources and other entities, providing for the applicability of certain provisions, providing for the applicability of penalties, and providing for an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5129.

Final Vote: Ayes, 11: Fink, Black, Lundby, Dearden, Deluhery, Gronstal, Hedge, Judge, Kibbie, Priebe and Sorensen. Nays, 4: Banks, Borlaug, Freeman and Rensink.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2325 (SSB 2221), a bill for an act making an appropriation to the department of natural resources for the establishment of a wildlife diversity initiative.

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.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2090, a bill for an act requiring certification of real estate appraisers and providing for related matters.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5128.

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 2326 (SSB 2162), a bill for an act establishing the position of veterans advocate under the authority of the attorney general and making an appropriation.

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.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the State Government Committee on Senate File 2326 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2333 (SSB 2116), a bill for an act relating to motor vehicle records 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.

STUDY BILLS RECEIVED

SSB 2308 Agriculture

Relating to Iowa-foaled horses and brood mare eligibility requirements.

SSB 2309 Agriculture

Relating to Iowa-foaled horses by providing eligibility requirements for brood mares.

SSB 2310 Transportation

Requiring disclosure of drop-off charges for motor vehicle rentals.

SSB 2311 Commerce

Relating to the organization and regulation of trust companies by the superintendent of banking and providing penalties.

SSB 2312 Judiciary

Relating to a limitation on qualifications for rebuttable presumptions for nuisance defenses for certain persons classified as chronic violators involved in confinement feeding operations.

SSB 2313 Ways and Means

Relating to the administration of taxes; electronic filing of tax returns and payments; imposition of the penalty for willfully filing a false claim for refund; low income, elderly, and disabled property tax credit filing and certification dates; computation of the real estate transfer tax; repeal of obsolete property tax provision; and providing effective and retroactive applicability dates.

SSB 2314 State Government

Relating to lease-purchase agreements.

SSB 2315 State Government

Relating to state government personnel procedures including deferred compensation, the phased retirement program, and compensation for certain election officials.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 109

HUMAN RESOURCES: Szymoniak, Chair; Dvorsky and Kramer

Senate Joint Resolution 2005

STATE GOVERNMENT: Fink, Chair; Connolly and Lind

Senate File 2237

EDUCATION: Fink, Chair; Szymoniak and Tinsman

Senate File 2238

TRANSPORTATION: Gettings, Chair; Drake and Fraise

Senate File 2243

TRANSPORTATION: Gettings, Chair; Connolly and Drake

Senate File 2251

HUMAN RESOURCES: Szymoniak, Chair; Tinsman and Vilsack

Senate File 2257

JUDICIARY: Bisignano, Chair; Boettger, Giannetto, Maddox and Vilsack

Senate File 2263

JUDICIARY: Vilsack, Chair; Giannetto, Hansen, Maddox and Redfern

Senate File 2267

JUDICIARY: Fraise, Chair; Bisignano, Boettger, Giannetto and McKean

Senate File 2271

STATE GOVERNMENT: Connolly, Chair; Gronstal and Lind

Senate File 2272

EDUCATION: Fink, Chair; Dvorsky and Tinsman

Senate File 2273

STATE GOVERNMENT: Bisignano, Chair; Fink and Lind

Senate File 2274

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

Senate File 2277

JUDICIARY: Vilsack, Chair; Giannetto, Hansen, Maddox and Redfern

Senate File 2279

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

Senate File 2292

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

Senate File 2293

TRANSPORTATION: Drake, Chair; Fraise and Gettings

Senate File 2294

HUMAN RESOURCES: Hammond Chair; Boettger and Szymoniak

Senate File 2307

HUMAN RESOURCES: Szymoniak, Chair; Bartz and Dvorsky

Senate File 2308

JUDICIARY: Fraise, Chair; Boettger, Drake, Giannetto and Vilsack

Senate File 2310

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

Senate File 2311

SMALL BUS., ECON. DEVELOP. AND TOURISM: Maddox, Chair; Boettger, Hansen, Judge and Palmer

Senate File 2312

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

Senate File 2314

HUMAN RESOURCES: Szymoniak, Chair; Hammond and Kramer

House File 2209

HUMAN RESOURCES: Hammond, Chair; Tinsman and Vilsack

SSB 2246
(Reassignment)

JUDICIARY: Redfern, Chair; Giannetto, McKean, Neuhauser and Vilsack

SSB 2274

EDUCATION: Deluhery, Chair; Kramer and Murphy

SSB 2284

EDUCATION: Connolly, Chair; Kibbie and Redfern

SSB 2296

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Vilsack

SSB 2298

JUDICIARY: Redfern, Chair; Giannetto, Hammond, Maddox and Neuhauser

SSB 2299

JUDICIARY: Szymoniak, Chair; Boettger, Maddox, Neuhauser and Vilsack

SSB 2300

JUDICIARY: Maddox, Chair; Boettger, Giannetto, Hammond and Vilsack

SSB 2301

JUDICIARY: Hammond, Chair; Boettger, Maddox, Neuhauser and Szymoniak

SSB 2302

JUDICIARY: Bisignano, Chair; Giannetto, McKean, Redfern and Vilsack

SSB 2303

JUDICIARY: Giannetto, Chair; Bartz, Bisignano, Drake and Vilsack

SSB 2304

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

SSB 2305

JUDICIARY: Hammond, Chair; Boettger, Giannetto, Maddox and Vilsack

SSB 2306

JUDICIARY: Giannetto, Chair; Bisignano, Drake, Fraise and Redfern

SSB 2307

EDUCATION: Neuhauser, Chair; Kibbie and Redfern

SSB 2308

AGRICULTURE: Priebe, Chair; Black and McLaren

SSB 2309

AGRICULTURE: Priebe, Chair; Black and McLaren

SSB 2310

TRANSPORTATION: Fraise, Chair; Gettings and Jensen

SSB 2311

COMMERCE: Flynn, Chair; Deluhery and Redfern

SSB 2312

JUDICIARY: Bisignano, Chair; Bartz, Giannetto, McKean and Vilsack

SSB 2314

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

SSB 2315

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Jessica D. Jensen, Bondurant — For graduating from marine corps basic training, Parris Island, S.C., as a P.F.C., February 23, 1996. Senator Jensen (2-27-96).

Thomas Crimmins, Farragut — For placing third in the Iowa Junior High 1996 MATHCOUNTS. Senator McLaren (2-27-96).

Jennifer Spurlock, Sidney — For placing first in the Iowa Junior High 1996 MATHCOUNTS. Senator McLaren (2-27-96).

The Urbandale Wrestlers, Urbandale High School — For winning the Class 3-A Championship. Senator Maddox (2-24-96).

AFTERNOON SESSION

The Senate reconvened at 4:40 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 2326, by committee on State Government, a bill for an act establishing the position of veterans advocate under the authority of the attorney general.

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

Senate File 2327, by committee on Human Resources, a bill for an act concerning assistive devices by providing for a warranty, replacement of devices, and providing consumer remedies.

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

Senate File 2328, by committee on Education, a bill for an act relating to the administration and accreditation of area education agency programs and providing for properly related matters.

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

Senate File 2329, by committee on Education, a bill for an act directing the state board of education to adopt rules relating to school nurses.

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

Senate File 2330, by committee on Human Resources, a bill for an act relating to occupational hearing loss concerning the definitions, apportionment of hearing loss, and measurement of hearing loss.

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

Senate File 2331, by committee on Education, a bill for an act prohibiting false representations in writing to employers or potential employers relating to academic degrees or performance and providing a penalty.

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

Senate File 2332, by Bennett, a bill for an act establishing a home electronic monitoring pilot project for repeat operating-while-intoxicated offenders, and providing an effective date.

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

Senate File 2333, by committee on State Government, a bill for an act relating to motor vehicle records and providing an effective date.

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

Senate File 2334, by committee on Education, a bill for an act relating to funding for a talented and gifted education center at the university of Iowa and naming of that center as an international center.

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

Senate File 2335, by committee on State Government, a bill for an act relating to the minimum age for gambling at racetrack enclosures, and subjecting violators to a penalty.

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

Senate File 2336, by committee on Agriculture, a bill for an act providing for the selection and tenure of the executive director of the agricultural development authority.

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

Senate File 2337, by committee on Agriculture, a bill for an act relating to receiverships regarding the administration of the assets of grain dealers.

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

Senate File 2338, by committee on Agriculture, a bill for an act relating to Iowa-foaled horses by providing eligibility requirements for brood mares.

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

Senate File 2339, by committee on Agriculture, a bill for an act relating to animal feeding operations, providing for certain county regulation, and providing for the assessment of property taxes.

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

Senate File 2340, by committee on Agriculture, a bill for an act relating to Iowa-foaled horses and brood mare eligibility requirements.

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

Senate File 2341, by committee on Business and Labor Relations, a bill for an act relating to the components of the unemployment insurance system concerning the job service advisory council, voluntary income tax withholding from unemployment benefits, relieving certain employers from certain unemployment insurance charges, collection of unemployment compensation benefits through misrepresentation, definitions of employment and wages for members of limited liability companies, and unemployment insurance tax liability for corporate officers, and providing an effective and applicability date.

Read first time and **placed on 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 February 27, 1996, **insisted on** its amendment to **House File 2114,** a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1995, and providing an effective date, and that the members of the **Conference Committee** on part of the House are: The Representative from Scott, Mr. Millage, Chair; the Representative from Polk, Mr. Churchill; the Representative from Pottawattamie, Mr. Houser; the Representative from Dubuque, Mr. Murphy; the Representative from Boone, Mr. O'Brien.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the assignment of the following conference committee on **House File 2114** on the part of the Senate: Senators Husak, Chair; Hammond, Vilsack, Lind and Banks.

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.

The Senate stood at ease at 4:48 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 5:35 p.m., President Boswell presiding.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 2034** be referred from the Regular Calendar to the committee on **Agriculture**.

APPENDIX

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

COMMERCE

Pursuant to Senate Rule 59, the committee on Commerce assigned to investigate the following governor's appointments, completed its investigations on February 27, 1996, and recommended the appointees be confirmed:

Michael K. Guttau as Superintendent of Banking.

Amy M. Britt and James A. Sattler as members of the Title Guaranty Division Board.

COMPANION BILL RECEIVED

On February 27, 1996, **House File 2211** was received and attached to companion **Senate File 2262** on the Senate calendar.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2319	State Government
S.F.	2320	Human Resources
S.F.	2332	Judiciary
H.F.	2009	Local Government
H.F.	2202	State Government

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2336 (SSB 2214), a bill for an act providing for the selection and tenure of the executive director of the agricultural development authority.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2337 (SSB 2273), a bill for an act relating to receiverships regarding the administration of the assets of grain dealers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Priebe, Judge, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren, Sorensen and Zieman. Nays, none. Absent or not voting, 4: Banks, Black, Lundby and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2338 (SSB 2309), a bill for an act relating to Iowa-foaled horses by providing eligibility requirements for brood mares.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2339 (LSB 4317), a bill for an act relating to animal feeding operations, providing for certain county regulation, and providing for the assessment of property taxes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Priebe, Judge, Black, Boswell, Fraise, Giannetto, Hedge, Husak, Lundby, Sorensen and Zieman. Nays, 2: Douglas and McLaren. Absent or not voting, 2: Banks and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2340 (SSB 2308), a bill for an act relating to Iowa-foaled horses and brood mare eligibility requirements.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR

Final Bill Action: SENATE FILE 2341 (SSB 2217), a bill for an act relating to the components of the unemployment insurance system concerning the job service advisory council, voluntary income tax withholding from unemployment benefits, relieving certain employers from certain unemployment insurance charges, collection of unemployment compensation benefits through misrepresentation, definitions of employment and wages for members of limited liability companies, and unemployment insurance tax liability for corporate officers, and providing an effective and applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Dearden, Gettings, Freeman, Connolly, Dvorsky, Giannetto, Hammond and Maddox. Nays, none. Absent or not voting, 2: Banks and Iverson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 2230, a bill for an act relating to definitions, reporting, and remittance guidelines concerning the disposition of unclaimed property.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Deluhery, Hansen, Jensen, Bartz, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: *SENATE FILE 2335 (SSB 2014), a bill for an act relating to the powers and duties of the racing and gaming commission and minimum age for gambling at racetrack enclosures, and subjecting violators to a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Gronstal, Kibbie, Rittmer, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Lind, Lundby and McLaren. Nays, 3: Bennett, Halvorson 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 Business and Labor Committee on Senate File 2335 and they were attached to the committee report.

TRANSPORTATION

Final Bill Action: SENATE FILE 2017, a bill for an act increasing the fine for moving traffic violations in school zones.

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 2085, a bill for an act relating to handicapped parking and providing a penalty.

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 2180, a bill for an act expanding the factors that a court and the state department of transportation may consider in ordering the issuance of a temporary restricted license, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Gettings, Fraise, Black, Dearden, Fink, Lind and Rittmer. Nays, 5: Drake, Connolly, Douglas, Halvorson and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5128	S.F.	2090	State Government
S—5129	S.F.	2220	Natural Resources
S—5130	S.F.	2245	Steven D. Hansen
S—5131	S.F.	2289	Steven D. Hansen
S—5132	S.F.	2245	Mary Lundby
S—5133	S.F.	2325	Bill Fink
S—5134	S.F.	2300	Bill Fink
S—5135	S.F.	2245	Jim Lind
			Michael E. Gronstal

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:37 p.m., until 9:00 a.m., Wednesday, February 28, 1996.

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 28, 1996

The Senate met in regular session at 9:07 a.m., President Boswell presiding.

Prayer was offered by the Reverend Suzanne Peterson, of the Episcopal Diocese, of Des Moines, Iowa.

The Journal of Tuesday, February 27, 1996, was approved.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2313	Ways and Means
S.F.	2315	State Government
S.F.	2316	Business and Labor
S.F.	2317	Local Government
S.F.	2318	Judiciary
H.F.	2230	Commerce

INTRODUCTION OF BILL

Senate File 2342, by Borlaug, a bill for an act providing compensation in the event of a victim's death, for reasonable charges incurred for health-related care needed as a direct result of the death.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Dvorsky for the remainder of the week on request of Senator Vilsack and Senator Connolly for the day on request of Senator Horn.

President pro tempore Bisignano took the chair at 9:15 a.m.

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.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2062

On motion of Senator Bartz, Senate File 2062, 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, and providing effective and retroactive applicability dates, was taken up for consideration.

Senator Bartz offered amendment S—5004 filed by the committee on Judiciary on January 18, 1996, to pages 1, 3 and 4 of the bill and moved its adoption.

Amendment S—5004 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. 2062) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
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, 2:

Connolly	Dvorsky

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 108.

Senate Concurrent Resolution 108

On motion of Senator Giannetto, Senate Concurrent Resolution 108, a concurrent resolution posthumously honoring Mr. John L. Mowry and recognizing his many contributions to city, state and federal government, was taken up for consideration.

Senator Giannetto moved the adoption of Senate Concurrent Resolution 108, which motion prevailed by a voice vote.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2162

On motion of Senator Gronstal, Senate File 2162, a bill for an act relating to the postdelivery benefits and care requirements for mothers and newborns, with report of committee recommending passage, was taken up for consideration.

President Boswell took the chair at 9:48 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. 2162) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
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, 2:

Connolly Dvorsky

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

UNFINISHED BUSINESS
(Deferred Feburary 22, 1996)

Senate File 2157

The Senate resumed consideration of Senate File 2157, a bill for an act relating to the duties of the college student aid commission in administering the Iowa guaranteed loan program, creating a chiropractic loan revolving fund, and providing for matters related to the chiropractic graduate student forgivable loan program, deferred February 22, 1996.

Senator Bartz withdrew amendment S—5108 filed by him on February 22, 1996, to page 1 and the title page of the bill.

Senator Douglas offered amendment S—5111 filed by her on February 22, 1996, to page 2 and the title page of the bill.

Senator Fink raised the point of order that amendment S—5111 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5111 out of order.

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. 2157) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
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
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Connolly	Dvorsky	Neuhauser

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 16

On motion of Senator Banks, Senate Resolution 16, 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, with report of committee recommending passage, was taken up for consideration.

Senator Banks moved the adoption of Senate Resolution 16, which motion prevailed by a voice vote.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2012

On motion of Senator Bisignano, Senate File 2012, a bill for an act relating to the conduct of raffles, with report of committee recommending passage, was taken up for consideration.

Senator Halvorson offered amendment S—5138 filed by him from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 24.

Amendment S—5138 lost by a voice vote.

Senator Neuhauser asked and received unanimous consent that action on **Senate File 2012** be **deferred.**

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **Senate Files 2062, 2157, 2162** and **Senate Concurrent Resolution 108** 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 28, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2310, a bill for an act relating to the regulation of insurance and amending provisions providing for setoff of premium, fraudulent submissions to insurers, availability of certain information to insurers, length of term of the board of directors of an insurer, notice of cancellation, delivery of certain policies in this state, and making a penalty applicable.

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

House File 2234, a bill for an act relating to exempting certain nonresident aliens from land ownership restrictions.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 110, by Szymoniak and Redfern, a concurrent resolution designating March 1996 as Iowa Women's History Month.

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

INTRODUCTION OF BILLS

Senate File 2343, by committee on Agriculture, a bill for an act relating to price discrimination in the purchase of livestock and providing criminal penalties and civil remedies.

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

Senate File 2344, by committee on Human Resources, a bill for an act relating to child support enforcement.

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

Senate File 2345, by Kramer, a bill for an act relating to driver education instruction.

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

Senate File 2346, by McLaren, a bill for an act creating a sinking fund for the purpose of payment of costs associated with the early redemption of certificates of participation issued to pay costs associated with the construction of the Iowa communications network.

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

APPENDIX

STUDY BILLS RECEIVED

SSB 2316 State Government

Providing for the payment of outdated invoices by the agency to which the goods or services were provided, and by the department of revenue and finance, and providing an effective date.

SSB 2317 Commerce

Relating to partnerships and amending the uniform commercial code by replacing th existing article relating to partnerships and providing an effective date.

SSB 2318 Commerce

Providing for the regulation of investment securities under Article 8 of the Uniform Commercial Code, and providing conforming changes, and an effective date.

SSB 2319 Commerce

Relating to the regulation of industrial loan companies by establishing certain requirements applicable to a change of control, providing for the appointment of the superintendent as receiver, and requiring an industrial loan company to obtain federal deposit insurance for certain debt instruments, and making a penalty applicable.

SSB 2320 Judiciary

Relating to estate issues by modifying certain exemptions and tax rates for inheritance taxes, the jurisdiction of the probate court on certain testamentary trusts, fees payable on certain trusts, and the limitation on claims based on medical assistance payments.

SSB 2321 Judiciary

Establishing certain registration and title plant requirements for persons preparing abstracts of title to real property, establishing a title plant board of examiners, providing for fees and the use of those fees, and providing an effective date.

SSB 2322 Natural Resources, Environment & Energy

Prohibiting the harvesting of trees located in a state forest or on state public land for monetary revenue or commercial profit.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 27, 1996, 8:05 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, Lundby, McLaren, Sorensen and Zieman.

Members Absent: Banks, Ranking Member and Palmer (both excused).

Committee Business: Approved SSBs 2220, 2273, 2214, 2308, 2309 and LSB 4317 as committee bills; recommended passage of Senate File 2105.

Adjourned: 8:30 a.m.

BUSINESS AND LABOR

Convened: February 27, 1996, 11:20 a.m.

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

Members Absent: Banks and Iverson (both excused).

Committee Business: Assigned bills to subcommittees; approved Senate File 196 and SSB 2217 as committee bills; accepted confirmation report for governor's appointees.

Adjourned: 11:40 a.m.

COMMERCE

Convened: February 27, 1996, 3:49 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointees; approved SSBs 2125, 2271, 2223 and 2195 as committee bills; recommended passage of Senate File 2230.

Adjourned: 4:35 p.m.

JUDICIARY

Convened: February 27, 1996, 1:40 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: Approved Senate Files 254 and 240 and SSBs 2289 and 2288 as committee bills; deferred action on SSB 2047.

Adjourned: 2:45 p.m.

LOCAL GOVERNMENT

Convened: February 27, 1996, 3:58 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 456 and SSB 2206 (amended) as committee bills; recommended passage of Senate File 2182 as amended.

Adjourned: 4:30 p.m.

TRANSPORTATION

Convened: February 27, 1996, 2:47 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: Approved SSBs 2038 and 2310 as committee bills; recommended passage of Senate Files 2180, 2017 and 2085.

Adjourned: 3:46 p.m.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

District 17 Little Cloud Girl Scout Council, Troops 261 and 174, Dubuque, accompanied by Karen Ratterman and Judy Selchert. Senator Flynn.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2062, the following correction was made:

1. Page 9, line 10, the word and number "Section 16" were changed to the word and number "Section 17".

JOHN F. DWYER
Secretary of the Senate

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on Business and Labor assigned to investigate the following governor's appointments, completed its investigations on February 27, 1996, and recommended the apppointees be confirmed:

Earl W. Seymour as a member of the Employment Appeal Board.

Iris J. Post as Industrial Commissioner.

Byron Orton as Labor Commissioner.

WAYS AND MEANS

Pursuant to Senate Rule 59, the committee on Ways and Means assigned to investigate the following governor's appointments, completed its investigations on February 28, 1996, and recommended the apppointees be confirmed:

Kay A. Hagen as a member of the Iowa Finance Authority.

Emil S. Pavich as a member of the Iowa Railway Finance Authority.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 107

NAT. RESOURCES, ENVIR. & ENERGY: Kibbie, Chair; Priebe and Rensink

Senate File 2309

WAYS AND MEANS: Murphy, Chair; Hedge and Priebe

Senate File 2315

STATE GOVERNMENT: Bisignano, Chair; Fink and Lind

Senate File 2319

STATE GOVERNMENT: Connolly, Chair; Gronstal and Lind

Senate File 2320

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Vilsack

Senate File 2332

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

House File 2202

STATE GOVERNMENT: Halvorson, Chair; Bennett and Fink

SSB 2313

WAYS AND MEANS: Neuhauser, Chair; Connolly and Freeman

SSB 2316

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

SSB 2317

COMMERCE: Redfern, Chair; Deluhery and Flynn

SSB 2318

COMMERCE: Flynn, Chair; Deluhery and Redfern

SSB 2319

COMMERCE: Deluhery, Chair; Flynn and Redfern

SSB 2320

JUDICIARY: Vilsack, Chair; Giannetto, McKean, Neuhauser and Redfern

SSB 2321

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

SSB 2322

NAT. RESOURCES, ENVIR. & ENERGY: Black, Chair; Banks and Fink

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

Zack Armstrong, Central City — For achieving the rank of Eagle Scout. Senator McKean (2-28-96).

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: *SENATE FILE 2343 (formerly Senate File 2105), a bill for an act relating to price discrimination in the purchase of livestock and providing criminal penalties and civil remedies.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 2343 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2348 (SSB 2220), a bill for an act relating to agricultural limestone, and providing penalties, fees, and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Priebe, Judge, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, Sorensen and Zieman. Nays, none. Absent or not voting, 5: Banks, Black, Lundby, McLaren and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR

Final Bill Action: *SENATE FILE 2350 (formerly Senate File 196), a bill for an act establishing a self-employment assistance program and providing an effective date and a termination date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Dearden, Gettings, Freeman, Connolly, Dvorsky, Giannetto, Hammond and Maddox. Nays, none. Absent or not voting, 2: 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 2350 and they were attached to the committee report.

COMMERCE

Final Bill Action: SENATE FILE 2353 (SSB 2271), a bill for an act relating to satellite terminals and establishing certain requirements for such terminals of a financial institution with a principal place of business in another state and a business location in Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Hansen, Jensen, Bartz, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 2344 (SSB 2234), a bill for an act relating to child support enforcement.

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 2344 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 2352 (formerly 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: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, 1: Hammond.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2354 (SSB 2289), a bill for an act relating to invasion of privacy of a minor and establishing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox and Redfern. Nays, 2: Neuhauser and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2355 (SSB 2288), a bill for an act relating to domestic abuse, including law enforcement training requirements, seizure of weapons, prosecution of misdemeanors by county attorneys, and jurisdiction of district associate judges.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack McKean, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, 1: Bartz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2182, a bill for an act concerning employment rights of fire fighters under civil service who are elected as officers in certain professional fire fighter organizations, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5141.

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 2356 (SSB 2206), a bill for an act providing requirements for implementation of new or revised federal block grant provisions which affect local governments and providing an effective date and applicability provision.

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 2356 and they were attached to the committee report.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE CONCURRENT RESOLUTION 107, a resolution urging the United States Congress to authorize construction of the Lewis and Clark rural water system.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 13: Fink, Black, Lundby, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Kibbie, Priebe, Rensink and Sorensen. Nays, none. Absent or not voting, 2: Banks and Judge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Final Bill Action: SENATE FILE 2351 (SSB 2286), a bill for an act relating to department of economic development programs, including the workforce development fund program and the Iowa small business new jobs training Act, providing a supplemental new jobs credit from withholding, establishing a rural microbusiness assistance program, increasing the funds available for the value-added agricultural products and processes program, and making an annual allocation from an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Hansen, Judge, Zieman, Bennett, Boettger, Borlaug, Flynn, Giannetto, Kibbie, Maddox, Palmer, Sorensen, Szymoniak and Vilsack. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 2347 (SSB 2310), a bill for an act requiring disclosure of drop-off charges for motor vehicle rentals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gettings, Fraise, Drake, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen and Rittmer. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2349 (SSB 2038), a bill for an act relating to transportation by granting the state department of transportation condemnation rights for utility facility replacement, providing for entry onto private property for sounding and drilling, and providing for release of retained funds for public improvements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gettings, Fraise, Drake, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen and Rittmer. 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 Transportation Committee on Senate File 2349 and they were attached to the committee report.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 2165, a bill for an act relating to industrial machinery, computers and equipment for purposes of sales taxation and property taxation and providing an effective date and applicability date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5142.

Final Vote: Ayes, 13: Palmer, Husak, Bennett, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none. Absent or not voting, 2: Connolly and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2342	Judiciary
S.F.	2345	Education
S.F.	2346	Communications & Info. Policy
S.C.R.	110	Human Resources
S.C.R.	111	Human Resources
H.F.	2234	Small Bus., Econ. Dev. & Tourism
H.F.	2310	Commerce

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 111, by Boettger, a concurrent resolution establishing a "Childhood Recognition Day".

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

Senate Resolution 103, by Priebe, Hedge, Kibbie, Palmer, and Rittmer, a senate resolution honoring Mrs. Phyllis Barry upon her retirement as Iowa Administrative Code Editor.

Read first time under Rule 28 and assigned to the committee on **Agriculture.**

INTRODUCTION OF BILLS

Senate File 2347, by committee on Transportation, a bill for an act requiring disclosure of drop-off charges for motor vehicle rentals.

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

Senate File 2348, by committee on Agriculture, a bill for an act relating to agricultural limestone, and providing penalties, fees, and an effective date.

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

Senate File 2349, by committee on Transportation, a bill for an act relating to transportation by granting the state department of transportation condemnation rights for utility facility replacement, providing for entry onto private property for sounding and drilling, and providing for release of retained funds for public improvements.

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

Senate File 2350, by committee on Business and Labor Relations, a bill for an act concerning eligibility for unemployment compensation benefits by providing that an individual is not disqualified for benefits for participating in a self-employment assistance program.

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

Senate File 2351, by committee on Small Business, Economic Development and Tourism, a bill for an act relating to department of economic development programs, including the workforce development fund program and the Iowa small business new jobs training Act, providing a supplemental new jobs credit from withholding, establishing a rural microbusiness assistance program, increasing the funds available for the value-added agricultural products and processes program, and making an annual allocation from an appropriation.

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

Senate File 2352, by committee on Judiciary, 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 under Rule 28 and **placed on calendar.**

Senate File 2353, by committee on Commerce, a bill for an act relating to satellite terminals and establishing certain requirements for such terminals of a financial institution with a principal place of business in another state and a business location in Iowa.

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

Senate File 2354, by committee on Judiciary, a bill for an act relating to invasion of privacy of a minor and establishing a penalty.

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

Senate File 2355, by committee on Judiciary, a bill for an act relating to domestic abuse, including law enforcement training requirements, seizure of weapons, prosecution of misdemeanors by county attorneys, and jurisdiction of district associate judges.

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

Senate File 2356, by committee on Local Government, a bill for an act providing requirements for implementation of new or revised federal block grant provisions which affect local governments and providing an effective date and applicability provision.

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

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 109, a concurrent resolution urging the United States Congress to amend relevant law to facilitate the development and approval of new drugs and biologics.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2134, a bill for an act relating to the collection and reporting of information concerning persons who purchase individual health insurance coverage and providing for related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2307, a bill for an act relating to programs available to persons with disabilities which are administered by the department of human services.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5136	S.F.	244	Merlin E. Bartz
S—5137	S.F.	2245	Jim Lind
S—5138	S.F.	2012	Rod Halvorson
S—5139	S.F.	2260	Eugene Fraise
S—5140	S.F.	2003	Rod Halvorson
S—5141	S.F.	2182	Local Government
S—5142	H.F.	2165	Ways and Means
S—5143	S.F.	2268	Eugene Fraise
S—5144	S.F.	2266	Eugene Fraise
S—5145	S.F.	2299	Eugene Fraise
S—5146	S.F.	2170	Nancy Boettger
S—5147	S.F.	2210	Tom Vilsack

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 10:43 a.m., until 9:00 a.m., Thursday, February 29, 1996.

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 29, 1996

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

Prayer was offered by the Reverend Robert Riggert, pastor of the Zion Lutheran Church, Manning, Iowa.

The Journal of Wednesday, February 28, 1996, 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 28, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2088, a bill for an act prohibiting abuse of a human corpse, and providing a penalty.

ALSO: That the House has on February 28, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2259, a bill for an act relating to city sewer or water utility connections.

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

The Senate stood at ease at 9:14 a.m. until the fall of the gavel.

The Senate resumed session at 11:55 a.m., Senator Gronstal presiding.

RECESS

On motion of Senator Judge, the Senate recessed at 11:55 a.m., until 3:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 28, 1996, 11:00 a.m.

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

Members Absent: Horn (excused).

Committee Business: Budget review.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 28, 1996, 8:30 a.m.

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

Members Absent: none.

Committee Business: Decision making on general funds appropriations.

Adjourned: 9:15 a.m.

COMMERCE

Convened: February 28, 1996, 3:37 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 2225, 2272, 2319, 2318, 2311, 2224, 2203 and 2094 as committee bills.

Adjourned: 4:36 p.m.

HUMAN RESOURCES

Convened: February 28, 1996, 2:41 p.m.

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

Members Absent: Dvorsky (excused).

Committee Business: Approved SSBs 2296, 2233 and 2293 as committee bills; recommended passage of Senate Files 2134, 2307 and Senate Concurrent Resolution 109.

Adjourned: 3:45 p.m.

JUDICIARY

Convened: February 28, 1996, 12:10 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 confirmation of governor's appointee; deferred action on SSB 2321; approved SSBs 2022, 2150, 2013, 2278, 2279, 2312, 2158 and Senate Files 2332, 379, 2026, 2310, 2202, 2257 and 2043 as committee bills.

Adjourned: 2:12 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: February 28, 1996, 1:42 p.m.

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

Members Absent: Judge (excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointee; recommended passage of Senate Concurrent Resolution 107 and Senate File 2221 (amended).

Adjourned: 2:35 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: February 27, 1996, 2:47 p.m.

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

Members Absent: McKean.

Committee Business: Assigned bills to subcommittees; approved SSBs 2286 and 2106 as committee bills; amended and approved Senate File 2065 as a committee bill.

Adjourned: 3:40 p.m.

STATE GOVERNMENT

Convened: February 28, 1996, 2:45 p.m.

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

Members Absent: Connolly (excused).

Committee Business: Recommended confirmation of governor's appointees; recommended passage of Senate Files 2315 and 2224; approved SSBs 2316, 2315, 2230, 2314 and 2210 as committee bills.

Adjourned: 3:18 p.m.

WAYS AND MEANS

Convened: February 28, 1996, 11:05 a.m.

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

Members Absent: Connolly and Murphy (both excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House File 2165 as amended; recommended passage of governor's appointees.

Adjourned: 11:12 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 29th day of February, 1996:

Senate File 2072.

JOHN F. DWYER
Secretary of the Senate

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following governor's appointment, completed its investigation on February 28, 1996, and recommended the appointee be confirmed:

Cynthia P. Snell as a member of the Commission on Judicial Qualifications.

LOCAL GOVERNMENT

Pursuant to Senate Rule 59, the committee on Local Government assigned to investigate the following governor's appointments, completed its investigations on February 28, 1996, and recommended the appointees be confirmed:

Susan M. Cosner as a member of the City Development Board.

Lumir E. Dostal, Jr. as a member of the County Finance Committee.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Pursuant to Senate Rule 59, the committee on Local Government assigned to investigate the following governor's appointment, completed its investigation on February 28, 1996, and **made no recommendation:**

Michael A. Fesler as a member of the Environmental Protection Commission.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate on February 28, 1996. Had I been present, I would have voted "aye" on Senate Files 2062, 2162 and 2157.

MIKE CONNOLLY

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 103

AGRICULTURE: Priebe, Chair; Hedge and Palmer

Senate Concurrent Resolution 110

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Neuhauser

Senate Concurrent Resolution 111

HUMAN RESOURCES: Boettger, Chair; Hammond and Vilsack

Senate File 2249

COMMERCE: Husak, Chair; Deluhery and Jensen

Senate File 2288

EDUCATION: Connolly, Chair; Kibbie and Redfern

Senate File 2318

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

Senate File 2342

JUDICIARY: Giannetto, Chair; Bisignano, Drake, Redfern and Vilsack

House File 2230

COMMERCE: Husak, Chair; Deluhery and Jensen

SSB 2280
(Reassignment)

JUDICIARY: Neuhauser, Chair; Giannetto, McKean, Redfern and Vilsack

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE RESOLUTION 103, a senate resolution honoring Mrs. Phyllis Barry upon her retirement as Iowa Administrative Code Editor.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Priebe, Judge, Banks, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, Sorensen and Zieman. Nays, none. Absent or not voting, 4: Black, Lundby, McLaren and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: 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.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: *SENATE FILE 2362 (SSB 2223), a bill for an act relating to the regulation of activities of state banks and state bank affiliates, interstate branching or banking, and personnel of the banking division, state banks, and state bank affiliates, and the regulation of financial transactions involving such entities and personnel.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Hansen, Jensen, Bartz, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. 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 Commerce Committee on Senate File 2362 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 2363 (SSB 2125), a bill for an act relating to entitites and subject matter under the regulatory authority of the securities bureau of the division of insurance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Hansen, Jensen, Bartz, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. 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 Commerce Committee on Senate File 2363 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 2360 (formerly Senate File 2310), a bill for an act relating to the releasing of a lien on the real property of a child support obligor following closure of a case for which the child support recovery unit is providing services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hammond, Hansen, Maddox, Redfern and Szymoniak. Nays, none. Absent or not voting, 3: Bisignano, Halvorson and Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2364 (formerly Senate File 2257), a bill for an act requiring a child day care provider who has been found to have committed child abuse to register with the state and related provisions, making an appropriation, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Hansen, Maddox and Redfern. Nays, none. Absent or not voting, 3: Halvorson, Neuhauser and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

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: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5150.

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 2359 (formerly Senate File 456), 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, 10: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge, McKean, Rittmer and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE FILE 2221, a bill for an act relating to alternate energy production and purchasing requirements, and providing an applicability provision and an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5151.

Final Vote: Ayes, 13: Fink, Black, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Kibbie, Rensink and Sorensen. Nays, 1: Priebe. Absent or not voting, 1: Judge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Final Bill Action: SENATE FILE 2358 (SSB 2106), a bill for an act relating to the appropriation and distribution of proceeds from the franchise tax on financial institutions and providing a repeal date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Hansen, Judge, Zieman, Bennett, Boettger, Borlaug, Flynn, Giannetto, Kibbie, Maddox, Palmer, Sorensen, Szymoniak and Vilsack. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2224, a bill for an act relating to veterans of the United States armed forces, by changing eligibility for veteran benefits, preferences, and tax exemptions, by providing for the administration of veteran benefits, providing a penalty, and by providing for other properly related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2315, a bill for an act requiring the posting of notice of par sheet theoretical payout averages for slot machines in racetrack enclosures and excursion gambling boats.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Dearden, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 2: Connolly and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2365 (SSB 2315), a bill for an act relating to state government personnel procedures including deferred compensation, the phased retirement program, and compensation for certain election officials.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2366 (SSB 2314), a bill for an act relating to lease-purchase agreements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:05 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 29, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2178, a bill for an act authorizing school districts to establish and enforce traffic and parking rules and authorizing penalties.

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

House File 2256, a bill for an act providing requirements for implementation of new or revised federal block grant provisions which affect local governments and providing an effective date and applicability provision.

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

House File 2299, a bill for an act relating to filing of instruments by county recorders.

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

INTRODUCTION OF BILLS

Senate File 2357, by Rittmer, a bill for an act relating to school finance providing for an increase in the amount certified for levy in excess of that previously authorized for bonded indebtedness repayment.

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

Senate File 2358, by committee on Small Business, Economic Development and Tourism, a bill for an act relating to the appropriation and distribution of proceeds from the franchise tax on financial institutions and providing a repeal date.

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

Senate File 2359, 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 2360, by committee on Judiciary, a bill for an act relating to the releasing of a lien on the real property of a child support obligor following closure of a case for which the child support recovery unit is providing services.

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

Senate File 2361, by Deluhery, a bill for an act establishing a board of trustees to administer the Iowa public employees' retirement system and providing an effective date.

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

Senate File 2362, by committee on Commerce, a bill for an act relating to the regulation of activities of state banks and state bank affiliates, interstate branching or banking, and personnel of the banking division, state banks, and state bank affiliates, and the regulation of financial transactions involving such entities and personnel.

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

Senate File 2363, 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 2364, by committee on Judiciary, a bill for an act requiring a child day care provider who has been found to have committed child abuse to register with the state and related provisions, making an appropriation, and providing penalties.

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

Senate File 2365, by committee on State Government, a bill for an act relating to state government personnel procedures including deferred compensation, the phased retirement program, and compensation for certain election officials.

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

Senate File 2366, by committee on State Government, a bill for an act relating to lease-purchase agreements.

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

Senate File 2367, by committee on State Government, a bill for an act providing for the payment of outdated invoices by the agency to which the goods or services were provided, and by the department of revenue and finance, and providing an effective date.

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

Senate File 2368, by committee on Commerce, a bill for an act providing for the regulation of investment securities under Article 8 of the Uniform Commercial Code, and providing conforming changes, and an effective date.

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

Senate File 2369, by committee on Agriculture, a bill for an act providing the location and frequency of the certification class and examination relating to authorization under federal law for a person to purchase the chlorofluorocarbon freon.

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

Senate File 2370, by committee on Commerce, a bill for an act relating to energy efficiency programs, electric and gas public utility energy efficiency mandates, and the Iowa energy center and the center for global and regional environmental research.

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

Senate File 2371, by committee on Commerce, a bill for an act authorizing a foreign mutual insurance company or a foreign health service corporation to reorganize by forming an insurance holding company, and providing that a mutual insurance holding company shall at all times own a majority of the voting shares

of the capital stock of a reorganized domestic or foreign insurance company.

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

Senate File 2372, by committee on Local Government, a bill for an act relating to termination of rental agreements and notice provisions for actions to recover property.

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

Senate File 2373, by committee on Agriculture, a bill for an act relating to trespassing by hunters, and providing penalties.

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

Senate File 2374, by committee on Judiciary, a bill for an act relating to the timing of parole reviews for class "A" felons.

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

Senate File 2375, by committee on Judiciary, a bill for an act relating to a limitation on qualifications for rebuttable presumptions for nuisance defenses for certain persons classified as chronic violators involved in confinement feeding operations.

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

Senate File 2376, by committee on Judiciary, a bill for an act relating to peace officer status for state department of transportation employees.

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

Senate File 2377, by committee on Judiciary, a bill for an act relating to the arresting authority of peace officers outside the officers' jurisdiction.

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

Senate File 2378, by committee on Judiciary, a bill for an act establishing a home electronic monitoring pilot project for repeat operating-while-intoxicated offenders, and providing an effective date.

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

Senate File 2379, by committee on Judiciary, a bill for an act relating to the HIV-related testing of an alleged offender following an alleged sexual assault and making penalties applicable.

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

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 103.

Senate Resolution 103

On motion of Senator Priebe, Senate Resolution 103, a senate resolution honoring Mrs. Phyllis Barry upon her retirement as Iowa Administrative Code Editor, with report of committee recommending passage, was taken up for consideration.

Senator Priebe moved the adoption of Senate Resolution 103, which motion prevailed by a voice vote.

The Senate rose and expressed its appreciation to Mrs. Barry.

UNFINISHED BUSINESS
(Deferred February 27, 1996)

Senate File 2245

The Senate resumed consideration of Senate File 2245, a bill for an act relating to public retirement systems, making appropriations, and providing effective and retroactive applicability dates, deferred February 27, 1996, and amendment S—5118 deferred on February 27, 1996, and amendment S—5120 deferred February 26, 1996.

Senator Vilsack withdrew amendment S—5118 by him to page 16 of the bill.

Senator Rittmer withdrew amendment S—5120 by him to pages 28-32 of the bill.

Senator Rittmer offered amendment S—5153 filed by him from the floor to pages 28-30 and 50 of the bill and moved its adoption.

Amendment S—5153 was adopted by a voice vote.

Senator Kramer offered amendment S—5156 filed by her from the floor to page 50 of the bill and moved its adoption.

Amendment S—5156 was adopted by a voice vote.

Senator Gronstal withdrew amendment S—5155 filed by him from the floor to page 67 of the bill.

Senator Lind asked and received unanimous consent to withdraw amendment S—5135 filed by Senators Lind and Gronstal on February 27, 1996, to pages 1, 2 and 50 of the bill.

With the withdrawal of amendment S—5135, the Chair ruled amendment S—5137 filed by Senator Lind on February 28, 1996, to amendment S—5135, out of order.

Senator Lind offered amendment S—5154 filed by Senators Lind and Gronstal from the floor to pages 1, 50 and 70 of the bill and moved its adoption.

Amendment S—5154 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Connolly for the remainder of the day on request of Senator Horn.

BUSINESS PENDING

Senate File 2245

The Senate resumed consideration of Senate File 2245.

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. 2245) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell

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, 2:

Connolly Dvorsky

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 2245** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 2380, by committee on Judiciary, a bill for an act relating to child abuse and child sexual abuse reporting and increasing a penalty.

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

Senate File 2381, by committee on Human Resources, a bill for an act relating to dependent adult abuse and providing penalties.

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

APPENDIX

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Joseph Nyquist and Aaron Seier, Dubuque — For attaining the rank of Eagle Scout. Senator Flynn (2-29-96).

Al Caniglia, Shenandoah — For placing second in the Iowa Junior High 1996 MATHCOUNTS. (Senator Boswell 2-28-96).

Phyllis Barry, Urbandale — For faithful, loyal, and dedicated service from October 1, 1964, to March 1, 1996. Senator Priebe (2-29-96).

STUDY BILLS RECEIVED

SSB 2323 State Government

Providing the state auditor with the right to examine documents of state officers and departments.

SSB 2324 Judiciary

Relating to the collection and disposition of criminal court fines, penalties, surcharges, costs, and fees.

SSB 2325 Judiciary

Requiring the juvenile court to provide certain information to a victim of a delinquent act committed by a juvenile.

SSB 2326 Human Resources

Relating to the reporting and substantiation of harm to a child and the related duties of the department of human services and the child abuse information registry.

SSB 2327 Human Resources

Relating to the terminology used to describe persons with certain mental and physical conditions.

SSB 2328 Small Business, Economic Development, and Tourism

Relating to workforce development by establishing a workforce development department, by eliminating the department of employment services, and including workforce development programs in the new department, by providing for state privatization contracts, and by establishing a workforce development board and regional advisory boards.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2231

WAYS AND MEANS: Husak, Chair; Bennett and Priebe

SSB 2323

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

SSB 2324

JUDICIARY: Giannetto, Chair; Bisignano, Boettger, Maddox and Vilsack

SSB 2325

JUDICIARY: Bisignano, Chair; Boettger, Giannetto, Maddox and Vilsack

SSB 2326

HUMAN RESOURCES: Szymoniak, Chair; Neuhauser and Tinsman

SSB 2327

HUMAN RESOURCES: Szymoniak, Chair; Bartz and Vilsack

SSB 2328

SMALL BUS., ECON. DEVLPT. AND TOURISM: Vilsack, Chair; Hansen and Maddox

LSB 4400

AGRICULTURE: Douglas, Chair; Boswell and Husak

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2357	Ways and Means
S.F.	2361	State Government
H.F.	2259	Local Government

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Twenty-five seventh grade students from Winterset Junior High School, Winterset, accompanied by Steve Corkrean. Senator Douglas.

COMPANION AND SIMILAR BILLS

House files were attached to companion or similar Senate files on the senate calendar as follows:

H.F. 2299	companion	S.F. 2254	2-29-96
H.F. 2178	companion	S.F. 2285	2-29-96
H.F. 2256	similar	S.F. 2356	2-29-96

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2369 (SSB 2297), a bill for an act providing the location and frequency of the certification class and examination relating to authorization under federal law for a person to purchase the chlorofluorocarbon freon.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2373 (LSB 4400), a bill for an act relating to trespassing by hunters and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Priebe, Judge, Banks, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, Sorensen and Zieman. Nays, none. Absent or not voting, 4: Black, Lundby, McLaren and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 2368 (SSB 2318), a bill for an act providing for the regulation of investment securities under Article 8 of the Uniform Commercial Code, and providing conforming changes, and an effective date.

Recommendation: APPROVED COMMITTEE BILL WITHOUT RECOMMENDATION.

Final Vote: Ayes, 15: Deluhery, Hansen, Jensen, Bartz, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2370 (SSB 2195), a bill for an act relating to energy efficiency programs, electric and gas public utility energy efficiency mandates, and funding for the Iowa energy center and the center for global and regional environmental research.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Hansen, Jensen, Bartz, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. 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 Commerce Committee on Senate File 2370 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2371 (SSB 2224), a bill for an act authorizing a foreign mutual insurance company or a foreign health service corporation to reorganize by forming an insurance holding company, and providing that a mutual insurance holding company shall at all times own a majority of the voting shares of the capital stock of a reorganized domestic or foreign insurance company.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Deluhery, Hansen, Jensen, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 2: Bartz and Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 110, a concurrent resolution designating March 1996 as Iowa Women's History Month.

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 Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 111, a concurrent resolution establishing a "Childhood Recognition Day".

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 Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2126, a bill for an act providing for sex offender registry checks involving child day care, foster care, and adoptions.

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 Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2294, a bill for an act creating multidisciplinary community services teams and providing a penalty.

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 Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2381 (SSB 2293), a bill for an act relating to dependent adult abuse and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Dvorsky.

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 2381 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 2374 (formerly Senate File 240), a bill for an act relating to the timing of parole reviews for class "A" felons.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Halvorson, Hammond, 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 2375 (SSB 2312), a bill for an act relating to a limitation on qualifications for rebuttable presumptions for nuisance defenses for certain persons classified as chronic violators involved in confinement feeding operations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Hansen, Maddox, Neuhauser and Redfern. Nays, none. Absent or not voting, 2: Halvorson and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2376 (SSB 2013), a bill for an act relating to peace officer status for state department of transportation employees.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2377 (SSB 2022), a bill for an act relating to the arresting authority of peace officers outside the officers' jurisdiction.

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 2378 (formerly Senate File 2332), a bill for an act establishing a home electronic monitoring pilot project for repeat operating-while-intoxicated offenders, and providing an effective date.

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: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2379 (formerly Senate File 2043), a bill for an act relating to the HIV-related testing of an alleged offender following an alleged sexual assault and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Hansen, Maddox, Neuhauser and Szymoniak. Nays, none. Absent or not voting, 2: Halvorson and Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2380 (formerly Senate File 2026), a bill for an act relating to child abuse and child sexual abuse reporting and increasing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Hansen, Maddox, Redfern and Szymoniak. Nays, none. Absent or not voting, 2: Halvorson and Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2372 (SSB 2283), a bill for an act relating to termination of rental agreements and notice provisions for actions to recover property.

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.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE FILE 415, 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: DO PASS.

Final Vote: Ayes, 8: Fink, Black, Lundby, Banks, Borlaug, Dearden, Freeman and Rensink. Nays, 7: Deluhery, Gronstal, Hedge, Judge, Kibbie, Priebe and Sorensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2223, a bill for an act providing for agricultural drainage regulation, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Fink, Black, Lundby, Banks, Borlaug, Dearden, Deluhery, Gronstal, Hedge, Judge, Kibbie and Rensink. Nays, 3: Freeman, Priebe and Sorensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2246, a bill for an act relating to animal feeding operations by providing for zoning and providing for liability of members holding an interest in certain entities.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Fink, Lundby, Borlaug, Dearden, Deluhery, Gronstal, Judge and Kibbie. Nays, 5: Black, Banks, Freeman, Rensink and Sorensen. Absent or not voting, 2: Hedge and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2367 (SSB 2316), a bill for an act providing for the payment of outdated invoices by the agency to which the good or services were provided, and by the department of revenue and finance, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 2040, a bill for an act increasing maximum gross weight for special trucks.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gettings, Fraise, Drake, Black, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5148	S.F.	2128	Michael E. Gronstal
S—5149	S.F.	2104	Jim Lind
S—5150	S.F.	198	Local Government
S—5151	S.F.	2221	Nat. Resources, Env. & Energy
S—5152	S.F.	2012	Rod Halvorson
S—5153	S.F.	2245	Sheldon Rittmer
S—5154	S.F.	2245	Jim Lind Michael E. Gronstal
S—5155	S.F.	2245	Michael E. Gronstal
S—5156	S.F.	2245	Mary E. Kramer
S—5157	S.F.	2253	Stewart Iverson, Jr.
S—5158	S.F.	2266	Eugene Fraise

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:05 p.m., until 1:30 p.m., Monday, March 4, 1996.

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 4, 1996

The Senate met in regular session at 1:42 p.m., President Boswell presiding.

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

The Journal of Thursday, February 29, 1996, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Boettger and Maddox until they arrive on request of Senator Rife; Senator Vilsack until he arrives on request of Senator Bisignano and Senator Kramer until she arrives on request of Senator Borlaug.

INTRODUCTION OF BILLS

Senate File 2382, by committee on Human Resources, a bill for an act creating an Iowa healthy kids corporation for health services and health coverage of children, providing a penalty, and making an appropriation.

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

Senate File 2383, by committee on Judiciary, a bill for an act relating to search warrants, including creating an exception to the exclusionary rule and allowing the issuance of a search warrant conditioned upon the occurrence of an anticipated future event.

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

Senate File 2384, by committee on State Government, a bill for an act relating to matters within the jurisdiction of the Iowa ethics and campaign disclosure board, by providing for certain

changes in reporting requirements relating to campaign contributions and expenditures; liability for the activities of committees; certain restrictions on fundraising and use of funds by political committees; certain changes in the handling of investigations and complaints before the board; and permitting a fee for access to computerized campaign finance disclosure records.

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

Senate File 2385, by committee on Judiciary, a bill for an act relating to the definition of congressional district for the purpose of appointment and election of state judicial nominating commissioners.

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

Senate File 2386, by committee on Judiciary, a bill for an act establishing a mechanic's lien for a lessor of material used in the course of alteration, construction, or repair of a building, improvement, or land.

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

Senate File 2387, by committee on State Government, a bill for an act relating to the department of general services, by providing for the sale or disposal of unwanted state personal property, for the terms and conditions of state lease-purchase agreements, and by establishing a monument maintenance account.

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

Senate File 2388, by committee on Human Resources, a bill for an act relating to charges for provision of services by the child support recovery unit.

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

Senate File 2389, 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 2390, by committee on Judiciary, a bill for an act relating to establishing community-based corrections programs.

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

Senate File 2391, by committee on Education, a bill for an act providing that a school of postsecondary instruction shall not grant a degree to a student without the successful completion by the student of a program of study and establishing a penalty.

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

Senate File 2392, by committee on Judiciary, a bill for an act providing for the inclusion of a substance abuse evaluation as a condition of pretrial release.

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

Senate File 2393, by committee on Judiciary, a bill for an act relating to regulation of employee drug testing required pursuant to federal law.

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

Senate File 2394, by committee on Judiciary, a bill for an act relating to investment guidelines for trustees and providing an applicability date.

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

Senate File 2395, by committee on Commerce, a bill for an act relating to the regulation of insurance companies for purposes of solvency and establishing a measure for the risk- based capital of an insurer, and providing penalties.

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

Senate File 2396, by committee on Judiciary, a bill for an act adding certain residential security deposits and prepaid rent to the list of exempt property which a debtor may claim.

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

Senate File 2397, by committee on Agriculture, a bill for an act relating to feedlots controlled by processors, increasing penalties, and including enforcement provisions.

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

Senate File 2398, by committee on Commerce, a bill for an act relating to the organization and regulation of trust companies by the superintendent of banking and providing penalties.

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

Senate File 2399, by committee on Human Resources, a bill for an act relating to the reporting and substantiation of harm to a child and the related duties of the department of human services and the child abuse information registry.

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

Senate File 2400, by committee on Judiciary, a bill for an act relating to consumer protection by requiring the registration of certain persons seeking to engage in regulated businesses in this state, and providing for civil and criminal penalties.

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

Senate File 2401, by committee on Judiciary, a bill for an act defining oversale of bus tickets as a fraudulent practice and making existing penalties applicable.

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

Senate File 2402, by committee on Judiciary, a bill for an act adopting the uniform statutory rule against perpetuities.

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

Senate File 2403, by committee on Education, a bill for an act establishing a community college funding formula, providing for properly related matters, and an effective date.

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

Senate File 2404, by committee on Judiciary, a bill for an act relating to the Iowa administrative procedure Act.

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

Senate File 2405, by committee on Judiciary, a bill for an act relating to the duties of the clerk of court concerning court records.

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

Senate File 2406, by committee on Education, a bill for an act relating to immunity from assault charges for the use of force by a person to stop a fight or disturbance at a school or school function, 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 civil penalties for truancy and the loss of a driver's license for truancy.

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

Senate File 2407, by committee on Commerce, a bill for an act relating to the regulation of industrial loan companies by establishing certain requirements applicable to a change of control, providing for the appointment of the superintendent as receiver, and requiring an industrial loan company to obtain federal deposit insurance for certain debt instruments, and making a penalty applicable.

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

Senate File 2408, by committee on Commerce, a bill for an act relating to disclosure requirements under the federal Community Reinvestment Act with respect to the eligibility of a financial institution to receive state public funds.

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 the committee on **Ways and Means.**

Senate Files 2221, 2266, 2268, 2280, 2284, 2285, 2304, 2324, 2348 and 2351.

Senator Horn asked and received unanimous consent that the following bills be referred from the Regular Calendar to the committee on **Appropriations.**

Senate Files 2276, 2286, 2325, 2358 and 2378.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: *SENATE FILE 2397 (formerly Senate File 2109), a bill for an act relating to feedlots controlled by processors, increasing penalties, and including enforcement provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, Judge, Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, Palmer, Sorensen and Zieman. Nays, none. Absent or not voting, 2: Lundby 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 Agriculture Committee on Senate File 2397 and they were attached to the committee report.

COMMERCE

Final Bill Action: *SENATE FILE 2389 (SSB 2094), 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, 15: Deluhery, Hansen, Jensen, Bartz, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. 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 Commerce Committee on Senate File 2389 and they were attached to the committee report.

ALSO:

Final Bill Action: SENTE FILE 2395 (SSB 2203), a bill for an act relating to the regulation of insurance companies for purposes of solvency and establishing a measure for the risk-based capital of an insurer, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Deluhery, Hansen, Jensen, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 2: Bartz and Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2398 (SSB 2311), a bill for an act relating to the organization and regulation of trust companies by the superintendent of banking and providing penalties.

Recommendation: APPROVED COMMITTEE BILL WITHOUT RECOMMENDATION.

Final Vote: Ayes, 14: Deluhery, Hansen, Jensen, Bartz, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, 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 2407 (SSB 2319), a bill for an act relating to the regulation of industrial loan companies by establishing certain requirements applicable to a change of control, providing for the appointment of the superintendent as receiver, and requiring an industrial loan company to obtain federal deposit insurance for certain debt instruments, and making a penalty applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Hansen, Jensen, Bartz, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. 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 Commerce Committee on Senate File 2407 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 2408 (SSB 2225), a bill for an act relating to disclosure requirements under the federal Community Reinvestment Act with respect to the eligibility of a financial institution to receive state public funds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Deluhery, Jensen, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 4: Hansen, Bartz, Bisignano 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 2408 and they were attached to the committee report.

EDUCATION

Final Bill Action: SENATE FILE 2391 (formerly Senate File 2226), a bill for an act providing that a school of postsecondary instruction shall not grant a degree to a student without the successful completion by the student of a program of study and establishing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Kibbie, Redfern, Deluhery, Fink, Hammond, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink, and Tinsman. Nays, none. Absent or not voting, 2: Dvorsky and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2403 (SSB 2183), a bill for an act establishing a community college funding formula, provding for properly related matters, and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Kibbie, Redfern, Deluhery, Fink, Hammond, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink, and Tinsman. Nays, none. Absent or not voting, 2: Dvorsky 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 Education Committee on Senate File 2403 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 2406 (SSB 2216), a bill for an act relating to immunity from assault charges for the use of force by a person to stop a fight or disturbance at a school or school function, 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 civil penalties for truancy and the loss of a driver's license for truancy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Connolly, Kibbie, Redfern, Deluhery, Fink, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink, and Tinsman. Nays, 1: Hammond. Absent or not voting, 2: Dvorsky and Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Education Committee on Senate File 2406 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 2412 (SSB 2140), a bill for an act relating to the registration of postsecondary schools and increasing fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, Kibbie, Redfern, Deluhery, Fink, Hammond, Iverson, Lind, Murphy, Rensink, and Tinsman. Nays, none. Absent or not voting, 4: Dvorsky, Kramer, Neuhauser 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 Education Committee on Senate File 2412 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 2415 (SSB 2023), a bill for an act establishing an environmental education program in the state of Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Connolly, Kibbie, Redfern, Deluhery, Fink, Hammond, Iverson, Kramer, Murphy, Neuhauser, Rensink, and Tinsman. Nays, none. Absent or not voting, 3: Dvorsky, Lind 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 Education Committee on Senate File 2415 and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 2388 (SSB 2233), a bill for an act relating to charges for provision of services by the child support recovery unit.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Dvorsky.

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 2388 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2399 (SSB 2326), a bill for an act relating to the reporting and substantiation of harm to a child and the related duties of the department of human services and the child abuse information registry.

Recommendation: APPROVED COMMITTEE BILL.

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.

ALSO:

Final Bill Action: *SENATE FILE 2382 (SSB 2296), a bill for an act creating an Iowa healthy kids corporation for preventive health services and health coverage of children, providing a penalty, and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Szymoniak, Hammond, Boettger, Hansen, Kramer, Neuhauser and Vilsack. Nays, 2: Bartz and Tinsman. Absent or not voting, 1: Dvorsky.

Fiscal Note: 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 2382 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 2410 (SSB 2292), a bill for an act relating to medically relevant tests for the presence of illegal drugs in a child or parent, voiding related administrative rules, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

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.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 2410 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 2383 (SSB 2150), a bill for an act relating to search warrants, including creating an exception to the exclusionary rule and allowing the issuance of a search warrant conditioned upon the occurrence of an anticipated future event.

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 2385 (SSB 2304), a bill for an act relating to the definition of congressional district for the purpose of appointment and election of state judicial nominating commissioners.

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.

ALSO:

Final Bill Action: SENATE FILE 2386 (SSB 2254), a bill for an act establishing a mechanic's lien for a lessor of material used in the course of alteration, construction, or repair of a building, improvement, or land.

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.

ALSO:

Final Bill Action: SENATE FILE 2390 (SSB 2279), a bill for an act relating to establishing community-based corrections programs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Hansen and Redfern. Nays, none. Absent or not voting, 4: Halvorson, Maddox, Neuhauser and Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2392 (SSB 2303), a bill for an act providing for the inclusion of a substance abuse evaluation as a condition of pretrial release.

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.

ALSO:

Final Bill Action: SENATE FILE 2393 (SSB 2174), a bill for an act relating to regulation of employee drug testing required pursuant to federal law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, 1: Hammond.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2394 (SSB 2229), a bill for an act relating to investment guidelines for trustees and providing an applicability date.

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.

ALSO:

Final Bill Action: *SENATE FILE 2396 (SSB 2158), a bill for an act adding certain residential security deposits and prepaid rent to the list of exempt property which a debtor may claim.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Hansen, Maddox, Neuhauser and Szymoniak. Nays, none. Absent or not voting, 2: Halvorson and Redfern.

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 2396 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2400 (SSB 2245), a bill for an act relating to consumer protection by requiring the registration of certain persons seeking to engage in regulated businesses in this state, and providing for civil and criminal penalties.

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.

ALSO:

Final Bill Action: SENATE FILE 2401 (formerly Senate File 2250), a bill for an act defining oversale of bus tickets as a fraudulent practice and making existing penalties applicable.

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.

ALSO:

Final Bill Action: SENATE FILE 2402 (SSB 2110), a bill for an act adopting the uniform statutory rules against perpetuities.

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.

ALSO:

Final Bill Action: SENATE FILE 2404 (SSB 2280), a bill for an act relating to the Iowa administrative procedure Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, 1: McKean. Absent or not voting, 1: Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2405 (SSB 2252), a bill for an act relating to the duties of the clerk of court concerning court records.

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.

ALSO:

Final Bill Action: SENATE FILE 2413 (SSB 2246), a bill for an act relating to judicial administration including the definition of a judical officer, the administrative authority of certain judges within a district, and the retirement age of an associate juvenile judge and associate probate judge.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, 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 2414 (SSB 2278), a bill for an act relating to guardianship and conservatorships and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Hansen, Maddox, Redfern and Szymoniak. Nays, none. Absent or not voting, 2: Halvorson and Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2416 (SSB 2048), a bill for an act relating to the harassment of public officials and establishing a penalty.

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.

ALSO:

Final Bill Action: *SENATE FILE 2417 (formerly Senate File 2202), a bill for an act relating to juvenile justice including notice requirements for juvenile court actions, custody of and access to a child designated a child in need of assistance, and associate juvenile judge jurisdiction.

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.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2417 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2418 (SSB 2062), a bill for an act relating to sexual exploitation by law enforcement officers and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Giannetto, Vilsack, Bisignano, Drake, Fraise, Halvorson, Hansen, Maddox, Neuhauser, Redfern. Nays, 4: McKean, Boettger, Hammond and Szymoniak. Absent or not voting, 1: Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Final Bill Action: *SENATE FILE 2409 (SSB 2328), a bill for an act relating to workforce development by establishing a workforce development department, by eliminating the department of employment services, and including workforce development programs in the new department, by providing for state privatization contracts, and by establishing a workforce development board and regional advisory boards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Hansen, Judge, Zieman, Bennett, Boettger, Borlaug, Flynn, Giannetto, Kibbie, Maddox, Palmer, Sorensen, Szymoniak and Vilsack. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Small Business, Economic Development and Tourism Committee on Senate File 2409 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2384 (SSB 2230), a bill for an act relating to matters within the jurisdiction of the Iowa ethics and campaign disclosure board, by providing for certain changes in reporting requirements relating to campaign contributions and expenditures; liability for the activities of committees; certain restrictions on fundraising and use of funds by political committees; certain changes in the handling of investigations and complaints before the board; and permitting a fee for access to computerized campaign finance disclosure records.

Recommendation: APPROVED COMMITTEE BILL WITHOUT RECOMMENDATION.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2387 (SSB 2210), a bill for an act relating to the department of general services, by providing for the sale or disposal of unwanted state personal property, for the terms and conditions of state lease-purchase agreements, and by establishing a monument maintenance account.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2411 (SSB 2323), a bill for an act providing the state auditor with the right to examine documents of state officers and depaortments.

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.

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.

The Senate stood at ease at 2:04 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:46 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 2409, by committee on Small Business, Economic Development, and Tourism, a bill for an act relating to workforce development by establishing a workforce development department, by eliminating the department of employment services, and including workforce development programs in the new department, by providing for state privatization contracts, and by establishing a workforce development board and regional advisory boards.

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

Senate File 2410, by committee on Human Resources, a bill for an act relating to juvenile justice chapter provisions involving medically relevant tests for the presence of illegal drugs in a child or parent, parent visitations with a child who has been removed from the child's home, voiding related administrative rules, and providing an effective date.

Read first time and **placed on calendar.**

Senate File 2411, by committee on State Government, a bill for an act providing the state auditor with the right to examine documents of state officers and departments.

Read first time and **placed on calendar.**

Senate File 2412, by committee on Education, a bill for an act relating to the registration of postsecondary schools and increasing fees.

Read first time and **placed on calendar.**

Senate File 2413, by committee on Judiciary, a bill for an act relating to judicial administration, including the definition of a judicial officer, the administrative authority of certain judges within a district, and the retirement age of an associate juvenile judge and associate probate judge.

Read first time and **placed on calendar.**

Senate File 2414, by committee on Judiciary, a bill for an act relating to guardianships and conservatorships and providing penalties.

Read first time and **placed on calendar.**

Senate File 2415, by committee on Education, a bill for an act establishing an environmental education program in the state of Iowa and making appropriations.

Read first time and **placed on calendar.**

Senate File 2416, by committee on Judiciary, a bill for an act relating to the harassment of public officials and establishing a penalty.

Read first time and **placed on calendar.**

Senate File 2417, by committee on Judiciary, a bill for an act relating to juvenile justice including notice requirements for juvenile court actions, custody of and access to a child designated a child in need of assistance, and associate juvenile judge jurisdiction.

Read first time and **placed on calendar.**

Senate File 2418, by committee on Judiciary, a bill for an act relating to sexual exploitation by law enforcement officers and providing a penalty.

Read first time and **placed on calendar.**

Senate File 2419, by committee on Education, a bill for an act relating to the activities of the department of education, vocational education, community colleges, to special area education programs, dual enrollment, payment of claims for nonpublic school

pupil transportation, the school budget review committee, the enrollment of certain students, annual audits of school districts, and providing effective and retroactive applicability dates.

Read first time and **placed on calendar.**

Senate File 2420, by committee on Judiciary, a bill for an act relating to juvenile justice, including dispositional alternatives for juveniles adjudicated delinquent, registering with the sex offender registry, and associate juvenile judge jurisdiction.

Read first time and **placed on calendar.**

Senate File 2421, by committee on Local Government, a bill for an act relating to the joint financing of public works and facilities.

Read first time and **placed on calendar.**

Senate File 2422, by committee on Judiciary, a bill for an act removing the requirement that a corporation which has adopted a corporate seal affix the seal to all documents affecting real estate executed by the corporation.

Read first time and **placed on calendar.**

Senate File 2423, by committee on Judiciary, a bill for an act prohibiting a person from soliciting another person to arrange a sex act with a child and making a penalty applicable.

Read first time and **placed on calendar.**

Senate File 2424, by committee on Judiciary, a bill for an act relating to estate issues by modifying certain exemptions and tax rates for inheritance taxes, the jurisdiction of the probate court on certain testamentary trusts, and fees payable on certain trusts.

Read first time and **placed on calendar.**

Senate File 2425, by committee on Judiciary, a bill for an act establishing certain registration and title plant requirements for persons preparing abstracts of title to real property, establishing a title plant board of examiners, providing for fees and the use of those fees, and providing an effective date.

Read first time and **placed on calendar.**

Senate File 2426, by committee on Judiciary, a bill for an act prohibiting vehicle registration in certain circumstances, imposing additional criminal fees, and relating to delinquent payments, installment payments, and collections of unpaid fines, penalties, court costs, fees, surcharges, and restitution.

Read first time and **placed on calendar.**

Senate File 2427, by committee on Judiciary, a bill for an act relating to the collection and disposition of criminal court fines, penalties, surcharges, costs, and fees.

Read first time and **placed on calendar.**

Senate File 2428, by committee on Judiciary, a bill for an act relating to associate juvenile judges.

Read first time and **placed on calendar.**

Senate File 2429, by committee on Judiciary, a bill for an act relating to limited liability companies and corporations, including the period within which a limited liability company subject to dissolution may be continued, use of trade names by corporations and limited liability companies, and providing an exemption from the real estate transfer tax for certain transfers involving limited liability companies.

Read first time and **placed on calendar.**

Senate File 2430, by committee on Judiciary, a bill for an act requiring the juvenile court to provide certain information to a victim of a delinquent act committed by a juvenile.

Read first time and **placed on calendar.**

Senate File 2431, by committee on Judiciary, a bill for an act deleting the requirement to enter a civil judgment after an order of restitution has been entered.

Read first time and **placed on calendar.**

Senate File 2432, by committee on Commerce, a bill for an act relating to the consumer credit code and permissible finance charges and other fees which may be charged to a consumer by a lender.

Read first time and **placed on calendar.**

Senate File 2433, by committee on Business and Labor Relations, a bill for an act relating to workers' compensation concerning medical services fee disputes, providing a stay of debt collection against an employer in workers' compensation contested cases, and relating to disputes subject to settlement under workers' compensation.

Read first time and **placed on calendar.**

Senate File 2434, by committee on Small Business, Economic Development and Tourism, a bill for an act authorizing the establishment of enterprise zones, providing for assistance to eligible businesses in economic development zones and the levy of a standby tax, and establishing a penalty.

Read first time and **placed on calendar.**

CONSIDERATION OF BILL
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 2375.

Senate File 2375

On motion of Senator Bisigiano, Senate File 2375, a bill for an act relating to a limitation on qualifications for rebuttable presumptions for nuisance defenses for certain persons classified as chronic violators involved in confinement feeding operations, was taken up for consideration.

The Senate stood at ease at 3:00 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 3:40 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 2375

The Senate resumed consideration of Senate File 2375, a bill for an act relating to a limitation on qualifications for rebuttable

presumptions for nuisance defenses for certain persons classified as chronic violators involved in confinement feeding operations, previously deferred.

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. 2375) 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	Rensink	Rife	Sorensen
Szymoniak	Tinsman	Zieman	

Nays, 1:

Banks

Absent or not voting, 2:

Rittmer Vilsack

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 2343

On motion of Senator Giannetto, Senate File 2343, a bill for an act relating to price discrimination in the purchase of livestock and providing criminal penalties and civil remedies, was taken up for consideration.

Senator Giannetto asked and received unanimous consent that action on **Senate File 2343** be **deferred.**

Senate File 2037

On motion of Senator Kibbie, Senate File 2037, a bill for an act relating to animal feeding operations by providing for county zoning of certain operations, and imposing requirements relating to construction permits, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kibbie offered amendment S—5097 filed by the committee on Natural Resources on February 21, 1996, to page 1 of the bill.

Senator McLaren asked and received unanimous consent that action on amendment S—5097 and **Senate File 2037** be **deferred.**

Senate File 2220

On motion of Senator Judge, Senate File 2220, a bill for an act relating to environmental protection and public health, by providing for the regulation of animal feeding operations, including confinement swine feeding operations, and the application of manure, including regulation by the department of natural resources and other entities, providing for the applicability of certain provisions, providing for the applicability of penalties, and providing for an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Judge asked and received unanimous consent that action on **Senate File 2220** be **deferred.**

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 2375** be **immediately messaged** to the House.

ADOPTION OF RESOLUTION
(Regular Calendar)

Senate Concurrent Resolution 104

On motion of Senator McLaren, Senate Concurrent Resolution 104, a concurrent resolution requesting Iowa State University to establish an Iowa Agriculture 2000 Conference in order to provide information to independent agricultural producers regarding production and marketing structures, with report of committee recommending passage, was taken up for consideration.

Senator McLaren moved the adoption of Senate Concurrent Resolution 104, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2155

On motion of Senator Maddox, Senate File 2155, a bill for an act to adjust the jurisdictional amount for municipal infractions tried before a judge in district court, 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?" (S.F. 2155) 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
Zieman			

Nays, none.

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.

Senate File 2159

On motion of Senator Fink, Senate File 2159, a bill for an act relating to evaluator licensing of educators, 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. 2159) 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
Zieman			

Nays, none.

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.

Senate File 2165

On motion of Senator Dearden, Senate File 2165, a bill for an act relating to the hunting season for ungulates on a hunting preserve and providing an effective date, 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. 2165) 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
Zieman			

Nays, none.

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.

Senate File 2200

On motion of Senator Fink, Senate File 2200, a bill for an act relating to school employee sick leave, 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. 2200) 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
Zieman			

Nays, none.

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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2155, 2159, 2165, 2200** and **Senate Concurrent Resolution 104** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2204

On motion of Senator Szymoniak, Senate File 2204, a bill for an act relating to the operation of the vocational rehabilitation division of the department of education and promoting consistency with the most recently amended version of federal law, 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. 2204) 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
Zieman			

Nays, none.

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.

Senate File 2207

On motion of Senator Szymoniak, Senate File 2207, a bill for an act relating to excuse from jury service and the reimbursement of jurors and witnesses for transportation and mileage expenses, 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. 2207) 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
Zieman			

Nays, none.

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.

Senate File 2212

On motion of Senator Black, Senate File 2212, a bill for an act relating to the regulation of timber sales and surety bonds paid by timber buyers 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. 2212) 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	Tinsman	Zieman

Nays, 1:

Borlaug

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.

Senate File 2213

On motion of Senator Szymoniak, Senate File 2213, a bill for an act relating to the continued existence of the prevention of disabilities policy council and technical assistance committee 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. 2213) 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
Zieman			

Nays, none.

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.

Senate File 2216

On motion of Senator Fraise, Senate File 2216, a bill for an act providing that the examination for commercial applicators of pesticides be given at each community college, 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. 2216) 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
Zieman			

Nays, none.

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.

Senate File 2215

On motion of Senator Szymoniak, Senate File 2215, a bill for an act relating to a study on the qualifications of deaf interpreters, 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. 2215) 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
Zieman			

Nays, none.

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.

Senate File 2104

On motion of Senator Halvorson, Senate File 2104, a bill for an act relating to state employee disclosures of information and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Lind offered amendment S—5149 filed by him on February 29, 1996, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5149 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. 2104) 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
Zieman			

Nays, none.

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.

Senate File 2121

On motion of Senator Dearden, Senate File 2121, a bill for an act providing for auditing practices by the Iowa state fair board, with report of committee recommending passage, 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. 2121) 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
Zieman			

Nays, none.

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.

Senate File 2122

On motion of Senator Gronstal, Senate File 2122, a bill for an act relating to unclaimed property held by the state, fraudulent practices to obtain the property, and establishing a penalty, 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. 2122) 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
Zieman			

Nays, none.

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.

Senate File 2127

On motion of Senator Gronstal, Senate File 2127, a bill for an act relating to the confidentiality of social security numbers of the owners of unclaimed property, 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. 2127) 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
Zieman			

Nays, none.

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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2204, 2207, 2212, 2213, 2215, 2121, 2122** and **2127** 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 4, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2140, a bill for an act relating to the motor vehicle fuel tax law and providing effective and retroactive applicability dates.

This bill was read first time and **passed on file.**

House File 2303, a bill for an act relating to hazardous materials transportation.

This bill was read first time and **passed on file.**

House File 2351, a bill for an act relating to repair of out-of-state commercial vehicles and providing an immediate effective date.

This bill was read first time and **passed on file.**

House File 2366, a bill for an act relating to entities and subject matter under the regulatory authority of the division of insurance, including prearranged funeral contracts, cemeteries, residential service contracts, and business opportunities, and establishing fees.

This bill was read first time and **passed on file.**

House File 2400, a bill for an act relating to anatomical gifts including the use of confidential information and the authority of a medical examiner to release and permit the removal of a body part in certain instances for the purposes of making an anatomical gift.

This bill was read first time and **passed on file.**

INTRODUCTION OF BILLS

Senate File 2435, by committee on Judiciary, a bill for an act

relating to shared jurisdiction by the juvenile and adult courts over juveniles who commit certain public offenses and making penalties applicable.

Read first time and **placed on calendar.**

Senate File 2436, by committee on Judiciary, a bill for an act increasing the penalties for certain sex crimes against persons under the age of eighteen.

Read first time and **placed on calendar.**

Senate File 2437, by Kibbie, a bill for an act exempting from the state sales tax recycling equipment attachments and parts.

Read first time and **passed on file.**

APPENDIX

COMMITTEE REPORTS

BUSINESS AND LABOR

Final Bill Action: SENATE FILE 2433 (SSB 2295), a bill for an act relating to workers' compensation concerning medical services fee disputes, providing a stay of debt collection against an employer in workers' compensation contested cases, and relating to disputes subject to settlement under workers' compensation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Dearden, Freeman, Connolly, Giannetto, Hammond, Iverson and Maddox. Nays, none. Absent or not voting, 3: Gettings, Banks and Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: *SENATE FILE 2432 (SSB 2272), a bill for an act relating to the consumer credit code and permissible finance charges and other fees which may be charged to a consumer by a lender.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Deluhery, Hansen, Jensen, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 2: Bartz and 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 Commerce Committee on Senate File 2432 and they were attached to the committee report.

EDUCATION

Final Bill Action: *SENATE FILE 2419 (SSB 2307), a bill for an act relating to the activities of the department of education, vocational education, community colleges, to special area education programs, dual enrollment, payment of claims for nonpublic school pupil transportation, the school budget review committee, the enrollment of certain students, annual audits of school districts, and providing effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Kibbie, Redfern, Deluhery, Fink, Hammond, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink, and Tinsman. Nays, none. Absent or not voting, 2: Dvorsky 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 Education Committee on Senate File 2419 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 2418 (SSB 2062), a bill for an act relating to sexual exploitation by law enforcement officers and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Giannetto, Vilsack, Bisignano, Drake, Fraise, Halvorson, Hansen, Maddox, Neuhauser and Redfern. Nays, 4: McKean, Boettger, Hammond and Szymoniak. Absent or not voting, 1: Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2420 (SSB 2197), a bill for an act relating to juvenile justice, including dispositional alternatives for juveniles adjudicated delinquent, registering with the sex offender registry, and associate juvenile judge jurisdiction.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, 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 2422 (SSB 2172), a bill for an act removing the requirement that a corporation which has adopted a corporate seal affix the seal to all documents affecting real estate executed by the corporation.

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.

ALSO:

Final Bill Action: SENATE FILE 2423 (SSB 2088), a bill for an act prohibiting a person from soliciting another person to arrange a sex act with a child and making a penalty applicable.

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.

ALSO:

Final Bill Action: *SENATE FILE 2424 (SSB 2320), a bill for an act relating to estate issues by modifying certain exemptions and tax rates for inheritance taxes, the jurisdiction of the probate court on certain testamentary trusts, and fees payable on certain trusts.

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.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2424 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2425 (SSB 2321), a bill for an act establishing certain registration and title plant requirements for persons preparing abstracts of title to real property, establishing a title plant board of examiners, providing for fees and the use of those fees, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hammond, Hansen, Neuhauser, Redfern and Szymoniak. Nays, none. Pass, 3: Bisignano, Halvorson and Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2426 (SSB 2287), a bill for an act prohibiting vehicle registration in certain circumstances, imposing additional criminal fees, and relating to delinquent payments, installment payments, and collections of unpaid fines, penalties, court costs, fees, surcharges, and restitution.

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.

ALSO:

Final Bill Action: SENATE FILE 2427 (SSB 2324), a bill for an act relating to the collection and disposition of criminal court fines, penalties, surcharges, costs, and fees.

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.

ALSO:

Final Bill Action: SENATE FILE 2428 (SSB 2176), a bill for an act relating to associate juvenile judges.

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.

ALSO:

Final Bill Action: SENATE FILE 2429 (SSB 2153), a bill for an act relating to limited liability companies and corporations, including the period within which a limited liability company subject to dissolution may be continued, use of trade names by corporations and limited liability companies, and providing an exemption from the real estate transfer tax for certain transfers involving limited liability companies.

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.

ALSO:

Final Bill Action: *SENATE FILE 2430 (SSB 2325), a bill for an act requiring the juvenile court to provide certain information to a victim of a delinquent act committed by a juvenile.

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.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2430 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2431 (SSB 2148), a bill for an act deleting the requirement to enter a civil judgment after an order of restitution has been entered.

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.

ALSO:

Final Bill Action: SENATE FILE 2435 (SSB 2298), a bill for an act relating to shared jurisdiction by the juvenile and adult courts over juveniles who commit certain public offenses and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, 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 2436 (SSB 2084), a bill for an act increasing the penalties for certain sex crimes against persons under the age of eighteen.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: *SENATE FILE 2421 (SSB 2208), a bill for an act relating to the joint financing of public works and facilities.

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 2421 and they were attached to the committee report.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Final Bill Action: *SENATE FILE 2434 (formerly Senate File 2065), a bill for an act authorizing the establishment of enterprise zones.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Hansen, Judge, Zieman, Bennett, Borlaug, Flynn, Giannetto, Kibbie, Maddox, Palmer, Sorensen, Szymoniak and Vilsack. Nays, none. Pass, 1: Boettger. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Small Business, Economic Developemnt and Tourism Committee on Senate File 2434 and they were attached to the committee report.

CORRECTED COMMITTEE REPORTS

AGRICULTURE (filed in correction to previous report filed 2-29-96)

Final Bill Action: 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.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Priebe, Judge, Banks, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, Palmer, Sorensen and Zieman. Nays, none. Absent or not voting, 3: Black, Lundby and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY (filed in correction to previous report filed 2-29-96).

Final Bill Action: SENATE FILE 2374 (formerly Senate File 240), a bill for an act relating to the timing of parole reviews for class "A" felons.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bisignano, Boettger, Drake, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 2: Bartz and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 29, 1996, 8:07 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Banks, Ranking Member; Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, Palmer, Sorensen and Zieman.

Members Absent: Lundby and McLaren (both excused).

Committee Business: Recommended passage of Senate Resolution 103, House File 166 and Senate File 2109; approved SSB 2297 and LSB 4400 as committee bills.

Adjourned: 8:27 a.m.

BUSINESS AND LABOR

Convened: February 29, 1996, 9:55 a.m.

Members Present: Dearden, Chair; Freeman, Ranking Member; Connolly, Giannetto, Hammond, Iverson and Maddox.

Members Absent: Gettings, Vice Chair; Banks and Dvorsky (all excused).

Committee Business: Approved SSB 2295 as a committee bill.

Adjourned: 9:58 a.m.

EDUCATION

Convened: February 29, 1996, 8:08 a.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Fink, Hammond, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink and Tinsman.

Members Absent: Dvorsky and Szymoniak (both excused).

Committee Business: Assigned bill to subcommittee; approved SSBs 2140, 2023, 2183, 2307 and 2216 as committee bills; recommended passage of Senate File 2226.

Adjourned: 9:40 a.m.

HUMAN RESOURCES

Convened: February 29, 1996, 10:43 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: Recommended passage of Senate Files 2294 and 2126 and Senate Concurrent Resolutions 111 and 110; approved SSBs 2292, 2327 and 2326 as committee bills; SSB 2242 failed committee approval.

Adjourned: 12:00 noon.

JUDICIARY

Convened: February 29, 1996, 1:10 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 the following bills as committee bills: Senate File 2250 and SSBs 2048, 2088. 2110. 2148, 2153, 2172, 2176, 2229, 2245, 2252, 2254, 2303, 2287, 2304, 2280, 2197, 2062, 2084, 2298, 2246, 2325, 2321, 2320, 2174 and 2324.

Adjourned: 2:45 p.m.

LOCAL GOVERNMENT

Convened: February 28, 1996, 3:56 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: Recommended confirmation of governor's appointees; SSB 2208 failed committee approval as amended; approved SSB 2283 and Senate File 456 as committee bills; recommended passage of Senate File 198 as amended.

Recessed: 4:29 p.m.

Reconvened: February 29, 1996, 3:37 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: Reconsidered SSB 2208 and the amendment to SSB 2208, withdrew the amendment, adopted new amendment and approved SSB 2208 as amended as a committee bill.

Adjourned: 3:59 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: February 29, 1996, 1:25 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: Recommended passage of Senate Files 2223, 2246 and 415; deferred action on Senate File 2094.

Adjourned: 2:12 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND ENERGY

Convened: February 29, 1996, 2:53 p.m.

Members Present: Hansen, Chair; Judge, Vice Chair; Zieman, Ranking Member; Bennett, Boettger, Borlaug, Flynn, Giannetto, Kibbie, Maddox, Palmer, Sorensen, Szymoniak and Vilsack.

Members Absent: McKean.

Committee Business: Assigned bill to subcommittee; amended and approved SSB 2328 as a committee bill.

Adjourned: 3:21 p.m.

STATE GOVERNMENT

Convened: February 29, 1996, 10:47 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 SSB 2323 as a committee bill.

Adjourned: 10:52 a.m.

TRANSPORTATION

Convened: February 29, 1996, 2:55 p.m.

Members Present: Gettings, Chair; Fraise, Vice Chair; Drake, Ranking Member; Black, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer.

Members Absent: Connolly (excused).

Committee Business: Recommended passage of Senate File 2040.

Adjourned: 3:05 p.m.

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

S.F.	2437	Ways and Means
H.F.	2351	Transportation
H.F.	2366	Commerce

STUDY BILLS RECEIVED

SSB 2329 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, making appropriations to various state agencies for capital projects from the rebuild Iowa infrastructure fund and providing for school technology improvements.

SSB 2330 Appropriations

Relating to the Iowa communications network by providing for state ownership of a Part III connection and for the connection and support of certain Part III users, making appropriations, and providing effective dates.

SSB 2331 Appropriations

Relating to the collection and disposition of criminal court fines, penalties, surcharge, costs, and fees.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2275

APPROPRIATIONS: Flynn, Chair; Douglas and Murphy

Senate File 2306

APPROPRIATIONS: Hammond, Chair; Flynn and Tinsman

Senate File 2313

WAYS AND MEANS: Deluhery, Chair; Iverson and Priebe

Senate File 2361

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and Rittmer

House File 2196

APPROPRIATIONS: Halvorson, Chair; Douglas and Murphy

House File 2310

COMMERCE: Freeman, Chair; Bisignano, Gronstal, Hansen, Jensen, Palmer and Redfern

SSB 2329

APPROPRIATIONS: Halvorson, Chair; Douglas, Dvorsky, Lind and Murphy

SSB 2330

APPROPRIATIONS: Dvorsky, Chair; Douglas and Halvorson

SSB 2331

APPROPRIATIONS: Gronstal, Chair; Fraise and Iverson

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following governor's appointments, completed its investigations on February 28, 1996, and recommended the appointees be confirmed:

Linda Hopkins as a member of the Accountancy Examining Board.

Jerry L. Meek and Michael A. Scheibeler as members of the Commission of Veterans Affairs.

Terri J. Gunderson as a member of the State Board of Examiners for Nursing Home Administrators.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2216 passed the Senate on March 4, 1996.

MERLIN E. BARTZ

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2216 passed the Senate on March 4, 1996.

MIKE CONNOLLY

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2104 passed the Senate on March 4, 1996.

ROD HALVORSON

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2104 passed the Senate on March 4, 1996.

JIM LIND

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5149 to Senate File 2104 was adopted by the Senate on March 4, 1996.

JIM LIND

PRESENTATION OF VISITORS

Senator Szymoniak presented Ms. Nelia Beishenalieva from Kyrgyzstan, Russia. She was accompanied by her interpreter, Jayne Williams.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on March 1, 1996, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2066 — Relating to assisted suicide and providing criminal penalties.

SENATE FILE 2130— Eliminating the requirement to commence litigation involving shipments of plants infested with gypsy moths, and providing an effective date.

ALSO: That on March 4, 1996, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 2072 — Relating to implements of husbandry by providing for machinery towed by a motor vehicle or farm tractor, and providing an effective date.

EXPLANATION OF VOTE

MR. PRESIDENT; I was necessarily absent from the Senate chamber on March 4, 1996, when the vote was taken on Senate File 2375.

Had I been present, I would have voted "aye".

SHELDON RITTMER

AMENDMENTS FILED

S—5159	S.F.	2353	Andy McKean Mary A. Lundby Rodney Halvorson
S—5160	S.F.	2265	Johnie Hammond Rod Halvorson
S—5161	S.F.	2419	Wilmer Rensink
S—5162	S.F.	2037	Merlin E. Bartz
S—5163	S.F.	2353	Tom Flynn Patrick J. Deluhery John W. Jensen
S—5164	S.F.	2201	Wilmer Rensink Berl E. Priebe John P. Kibbie
S—5165	S.F.	2295	Brad Banks
S—5166	S.F.	2304	Rod Halvorson
S—5167	S.F.	2037	Derryl McLaren Brad Banks
S—5168	S.F.	2037	Stewart Iverson, Jr.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:15 p.m., until 9:00 a.m., Tuesday, March 5, 1996.

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 5, 1996

The Senate met in regular session at 9:10 a.m., President Boswell presiding.

Prayer was offered by the Reverend Kathleen Kinney, pastor of the St. John's Lutheran Church, Craig, Iowa.

The Journal of Monday, March 4, 1996, was approved.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 47 present, 3 absent and a quorum present.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2101

On motion of Senator Vilsack, Senate File 2101, a bill for an act relating to the disbursement of the remaining funds in a nonguaranteed irrevocable burial trust fund following satisfaction of payment in accordance with an agreement for funeral merchandise and funeral services, was taken up for consideration.

Senator Szymoniak offered amendment S—5044 filed by her on February 6, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5044 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kramer until she arrives on request of Senator Borlaug.

BUSINESS PENDING

Senate File 2101

The Senate resumed consideration of Senate File 2101.

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. 2101) the vote was:

Ayes, 48:

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	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:

Dvorsky 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 2259

On motion of Senator Kibbie, Senate File 2259, a bill for an act relating to issuance of a certificate of title for a documented vessel, 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. 2259) 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 2260

On motion of Senator Fraise, Senate File 2260, a bill for an act relating to soil and water conservation, by providing for the powers and duties of commissioners of soil and water conservation districts, and soil and water conservation practices, was taken up for consideration.

Senator Fraise offered amendment S—5172 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5172 was adopted by a voice vote.

Senator Fraise offered amendment S—5139 filed by him on February 28, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5139 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. 2260) 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	Palmer	Priebe
Redfern	Rensink	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Kramer	Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2270

On motion of Senator Maddox, Senate File 2270, a bill for an act amending the uniform commercial code relating to letters of credit and providing an effective date, 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?" (S.F. 2270) 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 2282

On motion of Senator Deluhery, Senate File 2282, a bill for an act relating to the requirement of notifying a consumer of a change in the terms of an open-end credit agreement, 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. 2282) 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	Palmer	Priebe
Redfern	Rensink	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Kramer Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2283

On motion of Senator Priebe, Senate File 2283, a bill for an act relating to voting, the distribution of earnings, and the bylaws of a cooperative association, 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. 2283) 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 2295

On motion of Senator Bartz, Senate File 2295, a bill for an act relating to employer practices regarding persons summoned to jury duty, was taken up for consideration.

Senator Bartz asked and received unanimous consent that action on **Senate File 2295** be **deferred.**

Senate File 2300

On motion of Senator Neuhauser, Senate File 2300, a bill for an act relating to the willful destruction of E911 addressing signs and providing a penalty, was taken up for consideration.

Senator Fink offered amendment S—5134 filed by him on February 27, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5134 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. 2300) 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, 1:

Bartz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2287

On motion of Senator Fink, Senate File 2287, a bill for an act relating to the limitations on the use of toxic materials in packaging and providing additional exemptions, was taken up for consideration.

Senator Fink offered amendment S—5182 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5182 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. 2287) 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 2101, 2259, 2260, 2270, 2282, 2283, 2287** and **2300** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2303

On motion of Senator Vilsack, Senate File 2303, a bill for an act relating to the medical assistance program including provisions relating to personal liability of personal representatives of medical assistance recipients, nursing facility fines, and transfers of assets, 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. 2303) 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 2305

On motion of Senator Neuhauser, Senate File 2305, a bill for an act relating to purchase money mortgages and providing a retroactive applicability provision, 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. 2305) the vote was:

Ayes, 49:

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, 1:

Banks

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2230

On motion of Senator Flynn, Senate File 2230, a bill for an act relating to definitions, reporting, and remittance guidelines concerning the disposition of unclaimed property, with report of committee recommending passage, 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. 2230) the vote was:

Ayes, 49:

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, 1:

Banks

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2321

On motion of Senator Szymoniak, Senate File 2321, a bill for an act relating to the nonconfidentiality of information regarding the qualifications of interpreters for the deaf services division of the department of human rights, 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. 2321) 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 2329

On motion of Senator Hammond, Senate File 2329, a bill for an act directing the state board of education to adopt rules relating to school nurses, was taken up for consideration.

President pro tempore Bisignano took the chair at 10:30 a.m.

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. 2329) the vote was:

Ayes, 42:

Bartz	Bennett	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	Maddox
McKean	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 8:

Banks	Boettger	Borlaug	Douglas
Freeman	Hedge	Iverson	McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2341

On motion of Senator Dvorsky, Senate File 2341, a bill for an act relating to the components of the unemployment insurance system concerning the job service advisory council, voluntary income tax withholding from unemployment benefits, relieving certain employers from certain unemployment insurance charges,

collection of unemployment compensation benefits through misrepresentation, definitions of employment and wages for members of limited liability companies, and unemployment insurance tax liability for corporate officers, and providing an effective and applicability date, was taken up for consideration.

Senator Dearden asked and received unanimous consent that action on **Senate File 2341** be **deferred.**

Senate File 2182

On motion of Senator Sorensen, Senate File 2182, a bill for an act concerning employment rights of fire fighters under civil service who are elected as officers in certain professional fire fighter organizations, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rittmer offered amendment S—5141 filed by the committee on Local Government on February 28, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5141 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. 2182) the vote was:

Ayes, 49:

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, 1:

Banks

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2307

On motion of Senator Szymoniak, Senate File 2307, a bill for an act relating to programs available to persons with disabilities which are administered by the department of human services, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2307) 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, none.

Absent or not voting, 1:

Maddox

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that

Senate Files 2182, 2230, 2303, 2305, 2307, 2321 and **2329** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2350

On motion of Senator Dvorsky, Senate File 2350, a bill for an act concerning eligibility for unemployment compensation benefits by providing that an individual is not disqualified for benefits for participating in a self-employment assistance program, was taken up for consideration.

Senator Dvorsky asked and received unanimous consent that action on **Senate File 2350** be **deferred.**

ADOPTION OF RESOLUTIONS
(Regular Calendar)

Senate Concurrent Resolution 107

On motion of Senator Kibbie, Senate Concurrent Resolution 107, a concurrent resolution urging the United States Congress to authorize construction of the Lewis and Clark rural water system, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie moved the adoption of Senate Concurrent Resolution 107, which motion prevailed by a voice vote.

Senate Concurrent Resolution 109

On motion of Senator Szymoniak, Senate Concurrent Resolution 109, a concurrent resolution urging the United States Congress to amend relevant law to facilitate the development and approval of new drugs and biologics, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved the adoption of Senate Concurrent Resolution 109, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Files 2363 and 2367.

Senate File 2363

On motion of Senator Flynn, Senate File 2363, a bill for an act relating to entities and subject matter under the regulatory authority of the securities bureau of the division of insurance, 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. 2363) 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 2367

On motion of Senator Gronstal, Senate File 2367, a bill for an act providing for the payment of outdated invoices by the agency to which the goods or services were provided, and by the department of revenue and finance, 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. 2367) 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 2331

On motion of Senator Redfern, Senate File 2331, a bill for an act prohibiting false representations in writing to employers or potential employers relating to academic degrees or performance and providing a penalty, was taken up for consideration.

Senator Redfern offered amendment S—5187 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—5187 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. 2331) 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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Concurrent Resolutions 107** and **109** and **Senate Files 2331, 2363** and **2367** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2114

On motion of Senator Fraise, Senate File 2114, a bill for an act relating to the amount of 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, providing for a reduction in the amount of good and honor time that may be earned by forcible felons, providing for a legislative interim and a departmental study, and making other related changes, was taken up for consideration.

Senator Vilsack offered amendment S—5088 filed by Senators Bisignano and Vilsack on February 20, 1996, to pages 3, 4 and the title page of the bill and moved its adoption.

Amendment S—5088 was adopted by a voice vote.

Senator Vilsack offered amendment S—5114 filed by Senator Bisignano on February 22, 1996, to page 4 of the bill and moved its adoption.

Amendment S—5114 was adopted by a voice vote.

Senator McKean asked and received unanimous consent that action on **Senate File 2114** be **deferred.**

Senate File 2211

On motion of Senator Halvorson, Senate File 2211, a bill for an act relating to fingerprinting requirements for certain public offenses, 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. 2211) 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, 1:

Drake

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2252

On motion of Senator Redfern, Senate File 2252, a bill for an act relating to the number and apportionment of district associate judges, was taken up for consideration.

Senator Redfern offered amendment S—5189 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—5189 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. 2252) 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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2211** and **2252** be **immediately messaged** to the House.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate Files 2382, 2415** and **2427** be referred from the Regular Calendar to the committee on **Appropriations.**

Senator Horn asked and received unanimous consent that **Senate Files 2412, 2424, 2425, 2426, 2429, 2432** and **2434** be referred from the Regular Calendar to the committee on **Ways and Means.**

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 5, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2229, a bill for an act relating to unemployment insurance benefits by providing for employer contributions and liability for benefits regarding successor employers.

This bill was read first time and **passed on file.**

House File 2247, a bill for an act relating to permissible fees and commission to be paid to certified public accountants and accounting practitioners.

This bill was read first time and **passed on file.**

House File 2363, a bill for an act authorizing a foreign mutual insurance company or a foreign health service corporation to reorganize by forming an insurance holding company, and providing that a mutual insurance holding company shall at all times own a majority of the voting shares of the capital stock of a reorganized domestic or foreign insurance company.

This bill was read first time and **passed on file.**

RECESS

On motion of Senator Horn, the Senate recessed at 11:37 a.m., until 1:30 p.m.

APPENDIX

PRESENTATION OF VISITORS

Senator Bisignano introduced Oleg L. Shchecka and Michael M. Yukachev from Nakhodka, Russia, who were present in the Senate chamber. Both guests are officers in the Administrative Committee of the Nakhodka Free Economic Zone.

The Chair welcomed the Honorable Robert D. Fulton of Waterloo, former lieutenant governor and governor of Iowa, who was present in the Senate chamber.

The Chair welcomed the following visitors were present in the Senate gallery:

Forty-five eighth grade students from Dallas Center-Grimes Community School District, Grimes, accompanied by Mr. Bill Wineland. Senator Maddox.

COMPANION AND SIMILAR BILLS

House files were attached to companion or similar Senate files on the senate calendar as follows:

H.F. 2140	companion	S.F. 2173	3-4-96
H.F. 2229	companion	S.F. 2247	3-5-96
H.F. 2247	companion	S.F. 2099	3-5-96
H.F. 2303	companion	S.F. 2139	3-4-96
H.F. 2363	companion	S.F. 2371	3-5-96
H.F. 2400	similar	S.F. 2170	3-4-96

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Jillian Anderson, Newton — For receiving first place in the Women in Science and Engineering Award in the 12th Annual "Write Women Back Into History" essay contest. Senator Black (3-5-96).

Rachael Revell, Newton — For receiving second place in the Women in Science and Engineering Award in the 12th Annual "Write Women Back Into History" essay contest. Senator Black (3-5-96).

AMENDMENTS FILED

S—5169	S.F.	2220	Stewart Iverson, Jr.
S—5170	S.F.	2268	Eugene Fraise
S—5171	S.F.	2036	Mike Connolly
S—5172	S.F.	2260	Eugene Fraise
S—5173	S.F.	2406	Mike Connolly
S—5174	S.F.	2403	John P. Kibbie
S—5175	S.F.	2298	Tom Vilsack
S—5176	S.F.	2220	Patty Judge
S—5177	S.F.	2343	Derryl McLaren
			Randal J. Giannetto
S—5178	S.F.	2343	Berl E. Priebe
S—5179	S.F.	2286	Berl E. Priebe
S—5180	S.F.	2220	Bill Fink
S—5181	S.F.	2017	Bill Fink
			JoAnn Douglas
			Richard F. Drake
S—5182	S.F.	2287	Bill Fink
S—5183	S.F.	2370	Patrick J. Deluhery
			Mary Lundby
			Michael E. Gronstal
S—5184	S.F.	2343	Merlin E. Bartz
			Randal J. Giannetto
			Wayne Bennett
S—5185	S.F.	2347	Dennis Black
S—5186	S.F.	2108	Bill Fink
S—5187	S.F.	2331	Donald B. Redfern
S—5188	S.F.	2037	Derryl McLaren
			Brad Banks
S—5189	S.F.	2252	Donald B. Redfern
S—5190	S.F.	2380	Merlin E. Bartz
S—5191	S.F.	2410	Elaine Szymoniak
S—5192	S.F.	2114	Maggie Tinsman

			Andy McKean Randal J. Giannetto Eugerne S. Fraise Tom Vilsack
S—5193	S.F.	2265	Merlin E. Bartz

AFTERNOON SESSION

The Senate reconvened at 1:34 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.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2256

On motion of Senator Maddox, Senate File 2256, a bill for an act relating to possession or control of alcohol by persons aged eighteen, nineteen, and twenty, and providing a penalty, 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?" (S.F. 2256) the vote was:

Ayes, 47:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
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, 2:

Dvorsky Fink

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 2164

On motion of Senator Bisignano, Senate File 2164, a bill for an act relating to unlawful military or training activity, including the possession of certain real or simulated explosive or incendiary devices, and establishing or making penalties applicable, was taken up for consideration.

Senator Giannetto asked and received unanimous consent that action on **Senate File 2164** be **deferred.**

Senate File 2208

On motion of Senator Bisignano, Senate File 2208, a bill for an act relating to persons required to register with the sex offender registry and providing a penalty, 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. 2208) 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	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Tinsman	Vilsack	Zieman

Nays, 1:

Szymoniak

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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2208** and **2256** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2269

On motion of Senator Szymoniak, Senate File 2269, a bill for an act enhancing the penalties for a third or subsequent offense of domestic abuse assault, 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. 2269) 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 2289

On motion of Senator Halvorson, Senate File 2289, a bill for an act relating to the department of corrections, including operating while intoxicated violator facilities, inmate hard labor, reimbursement by parole violators, tort claims protection for certain persons, and inmate accounts, was taken up for consideration.

Senator Giannetto offered amendment S—5126 filed by him on February 26, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5126 was adopted by a voice vote.

Senator Hansen offered amendment S—5131 filed by him on February 27, 1996, to page 3 and the title page of the bill.

Senator Hansen asked and received unanimous consent that action on amendment S—5131 and **Senate File 2289** be **deferred.**

Senate File 2291

On motion of Senator McKean, Senate File 2291, a bill for an act eliminating the restitution limit for the offense of operating while intoxicated, 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. 2291) 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 2299

On motion of Senator Fraise, Senate File 2299, a bill for an act relating to reserve peace officers obtaining professional permits to carry weapons and carrying weapons, was taken up for consideration.

Senator Fraise offered amendment S—5145 filed by him on February 28, 1996, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5145 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. 2299) 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
(Deferred March 4, 1996)

Senate File 2037

The Senate resumed consideration of Senate File 2037, a bill for an act relating to animal feeding operations by providing for county zoning of certain operations, and imposing requirements relating to construction permits, and amendment S—5097, deferred March 4, 1996.

Senator McLaren asked and received unanimous consent to withdraw amendment S—5167 filed by Senators McLaren and Banks on March 4, 1996, to strike everything after the enacting clause of the bill.

Senator Iverson asked and received unanimous consent that action on amendment S—5168 filed by him on March 4, 1996, to strike everything after the enacting clause and to the title page of the bill be deferred.

Senator McLaren offered amendment S—5188 filed by Senators McLaren and Banks from the floor to strike everything after the enacting clause of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5188 be adopted?" (S.F. 2037) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Banks	Bennett	Black	Boettger
Borlaug	Douglas	Freeman	Hedge
Iverson	Jensen	Kramer	Lind
Lundby	Maddox	McLaren	Redfern
Rensink	Rife	Rittmer	Tinsman
Zieman			

Nays, 27:

Bartz	Boswell	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
McKean	Neuhauser	Palmer	Priebe
Sorensen	Szymoniak	Vilsack	

Absent or not voting, 2:

Bisignano	Murphy

Amendment S—5188 lost.

Senator Kibbie asked and received unanimous consent that action on amendment S—5097 by the committee on Natural Resources, continue to be deferred.

The Senate resumed consideration of amendment S—5168 by Senator Iverson to strike everything after the enacting clause and to the title page of the bill, previously deferred.

Senator Freeman offered amendment S—5196 filed by her from the floor to amendment S—5168 and moved its adoption.

Amendment S—5196 was adopted by a voice vote.

Senator Kibbie raised the point of order that amendment S—5168 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—5168 as amended out of order.

Senator Lundby offered amendment S—5204 filed by her from the floor to strike everything after the enacting clause of the bill.

Senator Kibbie raised the point of order that amendment S—5204 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5204 out of order.

Senator Lind offered amendment S—5207 filed by him from the floor to strike everything after the enacting clause of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5207 be adopted?" (S.F. 2037) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 6:

Bennett	Freeman	Hedge	Kramer
Lind	Priebe		

Nays, 44:

Banks	Bartz	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Iverson	Jensen	Judge	Kibbie
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Amendment S—5207 lost.

Senator Bartz offered amendment S—5162 filed by him on March 4, 1996, to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5162 be adopted?" (S.F. 2037) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Douglas	Drake
Freeman	Giannetto	Hedge	Iverson
Jensen	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Priebe

Redfern	Rensink	Rife	Rittmer
Tinsman	Zieman		

Nays, 24:

Bisignano	Boswell	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Judge	Kibbie	Murphy	Neuhauser
Palmer	Sorensen	Szymoniak	Vilsack

Amendment S—5162 was adopted.

With the adoption of amendment S—5162, the Chair ruled the following amendments out of order:

S—5097 by the committee on Natural Resources to page 1 of the bill, previously deferred.

S—5201 filed by Senators Fraise, et al., from the floor to page 1 and the title page of the bill.

S—5206 filed by Senator Banks from the floor to amendment S—5201.

S—5208 filed by Senator Halvorson from the floor to amendment S—5201.

Senator Banks offered amendment S—5195 filed by him from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5195 be adopted?" (S.F. 2037) the vote was:

Ayes, 22:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Halvorson	Hedge	Husak	Iverson
Jensen	Kramer	Lind	McLaren
Murphy	Neuhauser	Redfern	Rensink
Rife	Tinsman		

Nays, 28:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Hammond	Hansen	Horn
Judge	Kibbie	Lundby	Maddox
McKean	Palmer	Priebe	Rittmer
Sorensen	Szymoniak	Vilsack	Zieman

Amendment S—5195 lost.

Senator Kibbie withdrew amendment S—5197 filed by him from the floor to page 2 of the bill.

Senator Kibbie offered amendment S—5203 filed by him from the floor to page 2 of the bill.

Senator Kibbie asked and received unanimous consent that action on amendment S—5203 and **Senate File 2037** be **deferred.**

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2302

On motion of Senator Giannetto, Senate File 2302, 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, 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. 2302) the vote was:

Ayes, 45:

Bartz	Bennett	Bisignano	Black
Boettger	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Jensen	Judge	Kibbie	Kramer

Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 1:

Banks

Absent or not voting, 4:

Borlaug	Husak	Iverson	Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2352

On motion of Senator Fraise, Senate File 2352, 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, 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. 2352) the vote was:

Ayes, 43:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Deluhery	Douglas	Fink
Flynn	Fraise	Freeman	Gettings
Giannetto	Gronstal	Halvorson	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 7:

Dearden	Drake	Dvorsky	Hammond
Murphy	Neuhauser	Palmer	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2354

On motion of Senator Bisignano, Senate File 2354, a bill for an act relating to invasion of privacy of a minor and establishing a penalty, 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. 2354) 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 2269, 2291, 2299, 2302, 2352** and **2354** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2114

The Senate resumed consideration of Senate File 2114, a bill for an act relating to the amount of 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, providing for a reduction in the amount of good and honor time that may be earned by forcible felons, providing for a legislative interim and a departmental study, and making other related changes, previously deferred.

Senator Tinsman offered amendment S—5192 filed by Senators Tinsman, et al., from the floor to pages 2 and 3 of the bill and moved its adoption.

Amendment S—5192 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. 2114) 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
(Appropriations Calendar)

Senate File 2128

On motion of Senator Gronstal, Senate File 2128, a bill for an act relating to the road use tax fund by allocating fines and fees for commercial vehicle violations to the road use tax fund, appropriating moneys to the road use tax fund from sales tax revenues, and appropriating moneys for funding recreational trails from the general fund of the state, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal offered amendment S—5124 filed by him on February 26, 1996, to pages 1, 2 and the title page of the bill and moved its adoption.

Amendment S—5124 was adopted by a voice vote.

Senator Gronstal offered amendment S—5148 filed by him on February 29, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5148 was adopted by a voice vote.

Senator McLaren offered amendment S—5212 filed by Senators McLaren, Murphy and Gronstal from the floor to page 2 of the bill and moved its adoption.

Amendment S—5212 was adopted by a voice vote.

Senator Lind raised the point of order that with the adoption of amendment S—5124, Senate File 2128 should be referred to the committee on Ways and Means under Senate Rule 38.

President Boswell ruled the point well taken and Senate File 2128 was referred to the committee on **Ways and Means**.

The Senate stood at ease at 5:30 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 5:35 p.m., President Boswell presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Priebe for the remainder of the day on request of Senator Horn.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 2128, a bill for an act relating to the road use tax fund by allocating fines and fees for commercial vehicle violations to the road use tax fund, appropriating moneys to the road use tax fund from sales tax revenues, and appropriating moneys for funding recreational trails from the general fund of the state.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Palmer, Husak, Bennett, Connolly, Drake, Hedge, Iverson, Murphy, Neuhauser, Szymoniak and Vilsack. Nays, none. Absent or not voting, 4: Deluhery, Freeman, McLaren and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS PENDING

Senate File 2128

The Senate resumed consideration of Senate File 2128, a bill for an act relating to the road use tax fund by allocating fines and fees for commercial vehicle violations to the road use tax fund, appropriating moneys to the road use tax fund from sales tax revenues, and appropriating moneys for funding recreational trails from the general fund of the state, with report of committee on Ways and Means recommending passage.

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. 2128) 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	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, 2:

Banks Hammond

Absent or not voting, 1:

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 2114** and **2128** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

On motion of Senator Gettings, Senate File 2247, a bill for an act relating to unemployment insurance benefits by providing for employer contributions and liability for benefits regarding successor employers, was taken up for consideration.

Senator Gettings asked and received unanimous consent that action on **Senate File 2247** 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 March 5, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2187, a bill for an act relating to the attachment of property to a rural water district.

This bill was read first time and **passed on file.**

House File 2397, a bill for an act relating to linked investments and establishing an effective date.

This bill was read first time and **passed on file.**

House File 2416, 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.

This bill was read first time and **passed on file.**

INTRODUCTION OF BILLS

Senate File 2438, by committee on Human Resources, a bill for an act relating to the terminology used to describe persons with certain mental and physical conditions.

Read first time and **placed on calendar.**

Senate File 2439, by committee on Judiciary, 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, authorizing county runaway treatment plans, making a penalty applicable, and making an appropriation.

Read first time and **placed on calendar.**

APPENDIX

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-six fifth grade students from Westridge Elementary School, West Des Moines, accompanied by Mrs. Jaros, Miss Allensworth, Mrs. Zaugg and Mrs. Harris. Senator Kramer.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Jason Anderson, Independence — For: State Tournament Wrestling Championship qualifier, 189 lbs. Senator Murphy (3-4-96).

Michael Pentecost, Independence — For: State Champion Wrestler First Place, 119 lbs. Senator Murphy (3-4-96).

Justin Weber, Independence — For: State Tournament Wrestling Championship qualifier, 103 lbs. Senator Murphy (3-4-96).

Independence Mustang Wrestlers, Independence — For: Winning the State Wrestling Championship, Class 2A. Senator Murphy (3-4-96).

James W. Boswell, Lamoni — For being awarded Reserve Champion of Iowa on your horse "Doc's Hokie" at the 1996 Iowa Cutting Horse Association Awards Banquet. Senator Boswell (3-4-96).

SUBCOMMITTEE ASSIGNMENTS

Senate File 2221

WAYS AND MEANS: Deluhery, Chair; Iverson and Neuhauser

Senate File 2264

COMMUNICATIONS AND INFORMATION POLICY: Dvorsky, Chair; Flynn and Redfern

Senate File 2268

WAYS AND MEANS: Priebe, Chair; Bennett and Connolly

Senate File 2280

WAYS AND MEANS: Deluhery, Chair; Drake and Priebe

Senate File 2284

WAYS AND MEANS: Palmer, Chair; Connolly and Freeman

Senate File 2285

WAYS AND MEANS: Deluhery, Chair; Drake and Murphy

Senate File 2346

COMMUNICATIONS AND INFORMATION POLICY: Dvorsky, Chair; Deluhery and McLaren

Senate File 2348

WAYS AND MEANS: Priebe, Chair; McLaren and Vilsack

Senate File 2357

WAYS AND MEANS: Murphy, Chair; Deluhery and Hedge

House File 2351

TRANSPORTATION: Connolly, Chair; Gettings and Rittmer

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 2438 (SSB 2327), a bill for an act relating to the terminology used to describe persons with certain mental and physical conditions.

Recommendation: APPROVED COMMITTEE BILL.

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.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 2438 and they were attached to the committee report.

JUDICIARY

Final Bill Action: *SENATE FILE 2439 (formerly Senate File 379), 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Hammond, Hansen, Maddox and Redfern. Nays, 3: Vilsack, Fraise and Szymoniak. Absent or not voting, 2: Halvorson and Neuhauser.

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 2439 and they were attached to the committee report.

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

H.F.	2187	Local Government
H.F.	2416	Appropriations

AMENDMENTS FILED

S—5194	S.F.	2104	Rod Halvorson Jim Lind Johnie Hammond
S—5195	S.F.	2037	Brad Banks
S—5196	S.F.	2037	Mary Lou Freeman
S—5197	S.F.	2037	John P. Kibbie
S—5198	S.F.	2343	Berl E. Priebe
S—5199	S.F.	2186	Richard F. Drake Don Gettings
S—5200	S.F.	2220	Bill Fink
S—5201	S.F.	2037	Eugene Fraise Bill Fink Emil J. Husak Patty Judge

			John P. Kibbie
			Mary A. Lundby
			Andy McKean
			John W. Jensen
			Tom Flynn
			Albert G. Sorensen
S—5202	S.F.	2343	Merlin E. Bartz
			Wayne Bennett
S—5203	S.F.	2037	John P. Kibbie
S—5204	S.F.	2037	Mary A. Lundby
S—5205	S.F.	2343	Berl E. Priebe
			Randal J. Giannetto
S—5206	S.F.	2037	Brad Banks
S—5207	S.F.	2037	Jim Lind
S—5208	S.F.	2037	Rod Halvorson
S—5209	S.F.	2333	Jim Lind
S—5210	S.F.	2344	Jim Lind
S—5211	S.F.	2341	Dick L. Dearden
S—5212	S.F.	2128	Derryl McLaren
			Larry Murphy
			Michael E. Gronstal

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:48 p.m., until 9:00 a.m., Wednesday, March 6, 1996.

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 6, 1996

The Senate met in regular session at 9:03 a.m., President pro tempore Bisignano presiding.

Prayer was offered by the Reverend Richard Graves, pastor of the St. Paul's Episcopal Church, Grinnell, Iowa.

The Journal of Tuesday, March 5, 1996, was approved.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that the following bills be referred from the Regular Calendar to the committee:

S.F.	2404	State Government
S.F.	2439	Appropriations

UNFINISHED BUSINESS
(Deferred March 4, 1996)

Senate File 2343

The Senate resumed consideration of Senate File 2343, a bill for an act relating to price discrimination in the purchase of livestock and providing criminal penalties and civil remedies, deferred March 4, 1996.

Senator McLaren offered amendment S—5177 filed by Senators McLaren and Giannetto on March 5, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5177 was adopted by a voice vote.

Senator Priebe withdrew amendment S—5178 filed by him on March 5, 1996, to page 1 of the bill.

Senator Priebe offered amendment S—5198 filed by him on March 5, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5198 was adopted by a voice vote.

Senator Priebe offered amendment S—5205 filed by Senators Priebe and Giannetto on March 5, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5205 was adopted by a voice vote.

Senator Bartz offered amendment S—5184 filed by Senators Bartz, Giannetto and Bennett on March 5, 1996, to page 2 of the bill.

Senator Bartz offered amendment S—5202 filed by Senators Bartz and Bennett on March 5, 1996, to amendment S—5184 and moved its adoption.

Amendment S—5202 was adopted by a voice vote.

Senator Bartz moved the adoption of amendment S—5184 as amended, which motion prevailed by a voice vote.

Senator Priebe asked and received unanimous consent that action on **Senate File 2343** be **deferred.**

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2353

On motion of Senator Deluhery, Senate File 2353, a bill for an act relating to satellite terminals and establishing certain requirements for such terminals of a financial institution with a principal place of business in another state and a business location in Iowa, was taken up for consideration.

Senator Flynn offered amendment S—5163 filed by Senators Flynn, Deluhery and Jensen on March 4, 1996, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5163 was adopted by a voice vote.

Senator McKean offered amendment S—5159 filed by Senators McKean, Lundby and Halvorson on March 4, 1996, to page 1 of the bill.

Senator Gronstal raised the point of order that amendment S—5159 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5159 out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kramer until she arrives on request of Senator Borlaug.

BUSINESS PENDING

Senate File 2353

The Senate resumed consideration of Senate File 2353.

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. 2353) 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 as amended was agreed to.

President Boswell took the chair at 9:51 a.m.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2153

On motion of Senator Bisignano, Senate File 2153, a bill for an act relating to Iowa law enforcement officer certification by the Iowa law enforcement academy, 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. 2153) 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	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 1:

Gettings

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 2265

On motion of Senator Hammond, Senate File 2265, 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 and certain contested modification of custody orders, was taken up for consideration.

Senator Hammond offered amendment S—5160 filed by Senators Hammond and Halvorson on March 4, 1996, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5160 was adopted by a voice vote.

With the adpotion of amendment S—5160, the Chair ruled amendment S—5193 filed by Senator Bartz on March 5, 1996, to page 1 of the bill, out of order.

Senator Bartz asked and received unanimous consent that action on **Senate File 2265** be **deferred.**

BUSINESS PENDING

Senate File 2343

The Senate resumed consideration of Senate File 2343, a bill for an act relating to price discrimination in the purchase of livestock and providing criminal penalties and civil remedies, previously deferred.

Senator Priebe offered amendment S—5214 filed by Senators Priebe, Kibbie and Giannetto from the floor to page 1 of the bill.

Senator Rife asked and received unanimous consent that action on amendment S—5214 and **Senate File 2343** be **deferred.**

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2126

On motion of Senator Hammond, Senate File 2126, a bill for an act providing for sex offender registry checks involving child day care, foster care, and adoptions, with report of committee recommending passage, 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. 2126) 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 2353** and **2126** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2178

On motion of Senator Vilsack, Senate File 2178, a bill for an act relating to the inclusion of a performance evaluation component in contracts providing managed care services under the medical assistance program, was taken up for consideration.

Senator Neuhauser offered amendment S—5075 filed by her on February 15, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5075 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. 2178) 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 2218

On motion of Senator Szymoniak, Senate File 2218, a bill for an act relating to the community health management system by extending the date for implementation of phase I of the system, 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. 2218) 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 2147

On motion of Senator Dvorsky, Senate File 2147, a bill for an act increasing the membership of the Iowa telecommunications and technology commission, 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. 2147) the vote was:

Ayes, 45:

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
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 5:

Banks	Bartz	Borlaug	McKean
Rife			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2235

On motion of Senator Dvorsky, Senate File 2235, a bill for an act relating to the use of alternative licensing for nursing facilities and providing for a contingent effective 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. 2235) 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 Judge asked and received unanimous consent that **Senate Files 2178, 2218, 2147** and **2235** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2334

On motion of Senator Dvorsky, Senate File 2334, a bill for an act relating to funding for a talented and gifted education center at the University of Iowa and naming of that center as an international center, 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. 2334) 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 2336

On motion of Senator Black, Senate File 2336, a bill for an act providing for the selection and tenure of the executive director of the agricultural development authority, 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. 2336) 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, 1:

Halvorson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2337

On motion of Senator Husak, Senate File 2337, a bill for an act relating to receiverships regarding the administration of the assets of grain dealers, was taken up for consideration.

Senator Husak offered amendment S—5217 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5217 was adopted by a voice vote.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2337) the vote was:

Ayes, 48:

Banks	Bartz	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	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:

Fraise	Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2338

On motion of Senator Priebe, Senate File 2338, a bill for an act relating to Iowa-foaled horses by providing eligibility requirements for brood mares, was taken up for consideration.

Senator Priebe offered amendment S—5218 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5218 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. 2338) the vote was:

Ayes, 43:

Banks	Bartz	Bisignano	Black
Boettger	Boswell	Connolly	Dearden
Deluhery	Douglas	Dvorsky	Fink
Flynn	Fraise	Freeman	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Judge	Kibbie
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 6:

Bennett	Borlaug	Drake	Kramer
Lind	Rife		

Absent or not voting, 1:

Lundby

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 2334, 2336, 2337** and **2338** 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 6, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 523, a bill for an act relating to the establishment of minimum standards for the training of telecommunicators.

This bill was read first time and **passed on file.**

House File 2306, a bill for an act relating to the regulation of motorboats on certain artificial lakes, and providing an effective date.

This bill was read first time and **passed on file.**

House File 2390, a bill for an act providing for the branding of livestock.

This bill was read first time and **passed on file.**

RECESS

On motion of Senator Horn, the Senate recessed at 11:20 a.m., until 1:30 p.m.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Service Bureau:

February 5, 1996

DEPARTMENT OF ECONOMIC DEVELOPMENT

FY 95 Annual Report of the State Labor-Management Cooperation Program.

INSURANCE DIVISION
Iowa Department of Commerce

1996 Annual Report to the General Assembly, pursuant to Iowa Administrative Rule 191-73.6, concerning health purchasing cooperatives in the state of Iowa.

IOWA DEPARTMENT OF TRANSPORTATION

1995 Annual Report of the Iowa Railway Finance Authority.

February 7, 1996

GOVERNORS ALLIANCE ON SUBSTANCE ABUSE

Iowa's Drug and Violent Crime Control Strategy 1996.

February 12, 1996

IOWA DEPARTMENT OF PUBLIC HEALTH

Annual Report Submitted in Accordance with 1994 Iowa Acts, Chapter 1168.

IOWA DEPARTMENT OF PUBLIC HEALTH

Certificate of Need (CON) Program Annual Report July 1, 1994 - June 30, 1995, pursuant to Section 135.77 Code of Iowa.

Iowa Health Date Commission 1995 Annual Report pursuant to Iowa Code Chapter 145.6 and HF 530.

Iowa Child Death Review Team 1995 Report pursuant to 76th G.A., Chapter 147.

February 13, 1996

DEPARTMENT OF ELDER AFFAIRS

The Fiscal Year 1995 Annual Report, pursuant with Chapter 7A.1 of The Iowa Code (1995).

DEPARTMENT OF ECONOMIC DEVELOPMENT

House File 512, Section 1, subsection 6c, directed the Department and the community colleges to jointly review the Iowa small business new jobs training Act, chapter 260F.

DEPARTMENT OF HUMAN SERVICES

In accordance with Senate File 462, The Department of Human Service submits a report from the Division of Medical Services providing background and recommendations regarding the implementation of a program to administratively pursue pharmacy and chase services.

DEPARTMENT OF JUSTICE

A study of Multidisciplinary Child Abuse Intervention and Prosecution Teams, pursuant with Senate File 208 (1995), 95 Acts, Chapter 148.

February 14, 1996

LEGISLATIVE FISCAL BUREAU and
DEPARTMENT OF MANAGEMENT

Salary Adjustment Funding For The Board of Regents, as required by Section 12 of HF 579.

DEPARTMENT OF ELDER AFFAIRS

Pursuant to Iowa Code, chapter 17 (1991), copies of the Medicare Partners Annual Report for FY 1995.

February 19, 1996

DEPARTMENT OF ECONOMIC DEVELOPMENT

FY 95 Annual Report of the Business Interpreters Services Program.

February 20, 1996

IOWA DEPARTMENT OF PUBLIC SAFETY

1994 Rate Comparisons. Iowa, Regional, and National crime rate comparisons.

February 28, 1996

IOWA DEPARTMENT OF TRANSPORTATION

The second annual recalculation of county needs as required by Code Chapter 307A.2(14A).

February 26, 1996

UNITED WAY of Central Iowa

A copy of the proposed SSA 11 Substate Plan.

February 27, 1996

LEGISLATIVE SERVICE BUREAU

Final Report - Blueprint For Iowa's Young Children Study Committee.

Final Report - One-Call Statewide Underground Facility Notification Study Committee.

Final Report - Public Retirement Systems Committee.

1995 Annual Report - Iowa Advisory Commission on Intergovernmental Relations.

Final Report - Alternative Energy Production Study Committee.

Final Report - Housing Development Study Committee.

Final Report - Business Taxation Study Committee.

Final Report - Nonbusiness Taxation Study Committee.

CAPITOL PLANNING COMMISSION

Annual Report.

March 1, 1996

DEPARTMENT OF HUMAN SERVICES

Pursuant to Chapter 147, Section 5, subsection 8, copies of the Child Abuse Assessment Pilot Projects.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: March 5, 1996, 8:00 a.m.

Members Present: Black, Chair; Priebe, Vice Chair; Banks, Ranking Member; Bennett and Gettings.

Members Absent: none.

Committee Business: Decision making on general fund appropriations.

Adjourned: 9:15 a.m.

WAYS AND MEANS

Convened: March 5, 1996, 11:45 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 Busines: Substituted Senate File 2129 for Senate File 209, and amended and approved Senate File 2129 as a committee bill.

Adjourned: 11:54 a.m.

WAYS AND MEANS

Convened: March 5, 1996, 5:33 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Drake, Hedge, Iverson, Murphy, Neuhauser, Szymoniak and Vilsack.

Members Absent: Deluhery, Freeman, McLaren and Priebe (all excused).

Committee Business: Recommended passage of Senate File 2128.

Adjourned: 5:34 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-four sixth grade students from Guthrie Center Elementary School, Guthrie Center, accompanied by Karen Benton, Nancy Beck and Randy Mohning. Senator Douglas.

Forty-five eighth grade students from Dallas Center-Grimes Community School District, Grimes, accompanied by Bill Wineland. Senator Maddox.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 5, 1996, when the vote was taken on Senate File 2303. Had I been present, I would have voted "aye".

STEVEN D. HANSEN

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2153 passed the Senate on March 6, 1996.

RANDAL J. GIANNETTO

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

Amanda Jo Miller, Red Oak — For receiving first place (6th and 7th grades) in the statewide 12th annual "Write Women Back Into History" essay contest. Senator McLaren (3-6-96).

SUBCOMMITTEE ASSIGNMENTS

Senate File 2276

APPROPRIATIONS: Murphy, Chair; Kibbie and Kramer

Senate File 2286

APPROPRIATIONS: Murphy, Chair; Banks and Black

Senate File 2317

LOCAL GOVERNMENT: Sorensen, Chair; Fraise and Rittmer

Senate File 2325

APPROPRIATIONS: Black, Chair; Banks and Murphy

Senate File 2358

APPROPRIATIONS: Murphy, Chair; Gronstal and Iverson

Senate File 2378

APPROPRIATIONS: Murphy, Chair; Fraise and Iverson

House File 2009

LOCAL GOVERNMENT: Halvorson, Chair; Fink and McKean

House File 2259

LOCAL GOVERNMENT: Sorensen, Chair; Judge and Maddox

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 2440 (formerly Senate File 2129), a bill for an act relating to bond issuance elections and authorizing a political subdivision to impose a local tax, in addition to property taxes, to partially fund certain bonds, providing a property tax credit, and providing for the Act's applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Palmer, Bennett, Connolly, Deluhery, Murphy, Neuhauser, Szymoniak and Vilsack. Nays, 7: Husak, Drake, Freeman, Hedge, Iverson, McLaren and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5213 S.F. 2369 John P. Kibbie

S—5214	S.F.	2343	Berl E. Priebe John P. Kibbie Randal J. Giannetto
S—5215	S.F.	2153	Randal J. Giannetto
S—5216	S.F.	2362	Michael E. Gronstal JoAnn Douglas
S—5217	S.F.	2337	Emil J. Husak
S—5218	S.F.	2338	Berl E. Priebe
S—5219	S.F.	2324	Stewart Iverson, Jr.
S—5220	S.F.	2170	Nancy Boettger

AFTERNOON SESSION

The Senate reconvened at 1:43 p.m., President pro tempore Bisignano presiding.

INTRODUCTION OF BILL

Senate File 2440, by committee on Ways and Means, a bill for an act relating to bond issuance elections and authorizing a political subdivision to impose a local tax, in addition to property taxes, to partially fund certain bonds, providing a property tax credit, and providing for the Act's applicability.

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 41 present, 9 absent and a quorum present.

President Boswell took the chair at 1:50 p.m.

UNFINISHED BUSINESS
(Deferred March 5, 1996)

Senate File 2037

The Senate resumed consideration of Senate File 2037, a bill for an act relating to animal feeding operations by providing for county zoning of certain operations, and imposing requirements relating to construction permits and amendment S—5203, deferred March 5, 1996.

(Action on Senate File 2037 was temporarily deferred.)

The Senate stood at ease at 1:55 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 2:26 p.m., President Boswell presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

BUSINESS PENDING

Sente File 2037

The Senate resumed consideration of Senate File 2037 and amendment S—5203, previously deferred.

Senator Kibbie moved the adoption of amendment S—5203 to page 2 of the bill, which motion prevailed by a voice vote.

Senator Priebe offered amendment S—5222 filed by Senators Priebe, Iverson and Giannetto from the floor to page 1 of the bill.

Senator McLaren raised the point of order that amendment S—5222 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5222 out of order.

Senator Fraise offered amendment S—5223 filed by Senators Fraise, et al., from the floor to page 1 and the title page of the bill.

Senator Lind raised the point of order that amendment S—5223 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5223 in order.

The Senate stood at ease at 3:05 p.m. until the fall of the gavel for preparation of an amendment.

The Senate resumed session at 3:11 p.m., President Boswell presiding.

Senator McKean offered amendment S—5230 filed by Senators McKean and Bartz from the floor to amendment 5223 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5230 to amendment S—5223 be adopted?" (S.F. 2037) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Bartz	Bennett	Boettger	Borlaug
Douglas	Drake	Freeman	Gronstal
Hedge	Iverson	Jensen	Kramer
Lind	McKean	McLaren	Redfern
Rensink	Rife	Rittmer	Tinsman
Zieman			

Nays, 28:

Banks	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Halvorson	Hammond	Hansen	Horn
Husak	Judge	Kibbie	Lundby
Maddox	Murphy	Neuhauser	Palmer
Priebe	Sorensen	Szymoniak	Vilsack

Absent or not voting, 1:

Bisignano

Amendment S—5230 lost.

Senator Fraise moved the adoption of amendment S—5223.

A record roll call was requested.

On the question "Shall amendment S—5223 be adopted?" (S.F. 2037) the vote was:

Ayes, 26:

Bisignano	Boswell	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Judge	Kibbie	Lundby	McKean
Murphy	Neuhauser	Palmer	Sorensen
Szymoniak	Vilsack		

Nays, 24:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Douglas	Drake
Freeman	Giannetto	Hedge	Iverson
Jensen	Kramer	Lind	Maddox
McLaren	Priebe	Redfern	Rensink
Rife	Rittmer	Tinsman	Zieman

Amendment S—5223 was adopted.

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—5203 to Senate File 2037 was adopted by the Senate on March 6, 1996.

The motion lost by a voice vote.

The Chair ruled amendment S—5228 filed by Senators Iverson and Husak from the floor to pages 1-4 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. 2037) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Bartz	Boswell	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Judge	Kibbie	Lundby
McKean	Murphy	Neuhauser	Palmer
Priebe	Sorensen	Szymoniak	

Nays, 23:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
Kramer	Lind	Maddox	McLaren
Redfern	Rensink	Rife	Rittmer
Tinsman	Vilsack	Zieman	

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 2037** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2343

The Senate resumed consideration of Senate File 2343, a bill for an act relating to price discrimination in the purchase of livestock and providing criminal penalties and civil remedies, and amendment S—5214 by Senators Priebe, Kibbie and Giannetto to page 1 of the bill, previously deferred.

Senator Priebe moved the adoption of amendment S—5214, which motion prevailed by a voice vote.

Senator Giannetto offered amendment S—5231 filed by Senators Giannetto and Bartz from the floor to page 1 of the bill and moved its adoption.

Amendment S—5231 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. 2343) 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
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 1:

Banks

Absent or not voting, 1:

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent that **Senate File 2343** 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 6, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2387, a bill for an act 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, and providing an effective date.

This bill was read first time and **passed on file.**

House File 2408, a bill for an act concerning mining by applying the criterion for the reclamation of mine sites, by redefining operator and mining operations, by amending the hearing procedures, by providing for administrative actions and the assessments of penalties by the division of soil conservation for noncompliance, and establishing additional penalties.

This bill was read first time and **passed on file.**

INTRODUCTION OF RESOLUTION

Senate Resolution 104, by Black, Boswell, Fink, and McLaren, a resolution urging the United States government to reassess its policy relating to the dispute between the People's Republic of

China (mainland communist China) and the Republic of China (ROC) on Taiwan.

Read first time and **passed on file.**

INTRODUCTION OF BILL

Senate File 2441, by Iverson, a bill for an act exempting from state sales tax machinery and equipment directly and primarily used for the maintenance of quality or integrity of various animal biological products or animal drugs, and exempting the electricity to power such machinery and equipment.

Read first time and **passed on file.**

APPENDIX

STUDY BILLS RECEIVED

SSB 2332 Appropriations

Relating to the international marketing unit of the agricultural marketing division and providing an effective date.

SSB 2333 Human Resources

A Senate resolution requesting a review of the legislative rules comprising the legislative session timetable for requesting, considering and debating bills and resolutions.

SSB 2334 Appropriations

Relating to and making appropriations to the department of general services for the fiscal year beginning July 1, 1995, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2266

WAYS AND MEANS: Neuhauser, Chair; McLaren and Szymoniak

Senate File 2304

WAYS AND MEANS: Szymoniak, Chair; Freeman and Neuhauser

Senate File 2324

WAYS AND MEANS: Szymoniak, Chair; Freeman and Neuhauser

Senate File 2351

WAYS AND MEANS: Vilsack, Chair; Bennett and Palmer

Senate File 2382

APPROPRIATIONS: Murphy, Chair; Neuhauser and Tinsman

Senate File 2404

STATE GOVERNMENT: Gronstal, Chair; Drake, Giannetto, Kibbie and Rittmer

Senate File 2415

APPROPRIATIONS: Hammond, Chair; Kibbie and Kramer

Senate File 2427

APPROPRIATIONS: Murphy, Chair; Fraise and Iverson

House File 2187

LOCAL GOVERNMENT: Fraise, Chair; Fink and Zieman

House File 2366

COMMERCE: Hansen, Chair; Bartz and Gettings

House File 2416

APPROPRIATIONS: Judge, Chair; Bartz and Murphy

SSB 2332

APPROPRIATIONS: Murphy, Chair; Banks and Black

SSB 2333

HUMAN RESOURCES: Hammond, Chair; Bartz and Neuhauser

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

COMMUNICATIONS AND INFORMATION POLICY

Pursuant to Senate Rule 59, the committee on Communications and Information Policy assigned to investigate the following governor's appointments, completed its investigations on March 6, 1996, and recommended the appointees be confirmed:

Mary A. Nelson as a member and Richard H. Opie as a member and Chair of the Iowa Telecommunications and Technology Commission.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-three fifth grade students from Westridge Elementary School, West Des Moines, accompanied by Mrs. Lake. Senator Kramer.

SIMILAR BILL RECEIVED

On March 6, 1996, **House File 2390** was received and attached to similar **Senate File 2184** on the senate calendar.

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

S.F.	2441	Ways and Means
H.F.	523	Judiciary
H.F.	2306	Natural Res., Environ. & Energy
H.F.	2387	State Government
H.F.	2397	Commerce
H.F.	2408	Natural Res., Environ. & Energy

COMMITTEE REPORTS

COMMERCE

Final Bill Action: HOUSE FILE 2230, a bill for an act relating to the duties of the department of inspections and appeals concerning liens on improper provider payments from the department of human services, the administration of certain health care statutes, and the conducting of audits.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Deluhery, Hansen, Jensen, Bartz, Bisignano, Douglas, Freeman, Gettings, Gronstal, Hedge, Husak, Priebe and Redfern. Nays, none. Absent or not voting, 2: Flynn and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2036, a bill for an act relating to certain telephone companies and permitting their reorganization as cooperative associations.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Deluhery, Hansen, Jensen, Douglas, Freeman, Gettings, Gronstal, Hedge, Husak, Priebe and Redfern. Nays, none. Absent or not voting, 4: Bartz, Bisignano, Flynn and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5221	S.F.	2289	Johnie Hammond
S—5222	S.F.	2037	Berl E. Priebe
			Stewart Iverson, Jr.
			Randal J. Giannetto
S—5223	S.F.	2037	Eugene Fraise
			John P. Kibbie
			Patty Judge
			Andy McKean
			Mary A. Lundby
			Rod Halvorson
			Tom Flynn
			Albert Sorensen
S—5224	S.F.	2400	Andy McKean
S—5225	S.F.	2164	Randal J. Giannetto
S—5226	S.F.	2164	Randal J. Giannetto
S—5227	S.F.	2131	Eugene Fraise
S—5228	S.F.	2037	Stewart Iverson
			Emil J. Husak
S—5229	S.F.	2268	O. Gene Maddox
			Albert G. Sorensen
S—5230	S.F.	2037	Andy McKean
			Merlin E. Bartz
S—5231	S.F.	2343	Randal J. Giannetto
			Merlin E. Bartz
S—5232	S.F.	2220	Mary Lou Freeman
S—5233	S.F.	2422	Steven D. Hansen
S—5234	S.F.	2186	Eugene Fraise
S—5235	S.F.	2424	Elaine Szymoniak
S—5236	S.F.	2341	Tom Vilsack
S—5237	S.F.	2220	Randal J. Giannetto
S—5238	S.F.	2220	Stewart Iverson

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:33 p.m., until 9:00 a.m., Thursday, March 7, 1996.

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 7, 1996

The Senate met in regular session at 9:08 a.m., President Boswell presiding.

Prayer was offered by the Reverend Rod Ankrom, pastor of the First Baptist Church, Hampton, Iowa.

The Journal of Wednesday, March 6, 1996, 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 6, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2302, a bill for an act relating to the Iowa communications network by increasing the membership of the commission, providing authority to enter into lease-purchase agreements, restricting the use of the network, and requiring financial disclosure of Iowa telecommunications and technology commission members.

This bill was read first time and **passed on file.**

House File 2421, 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, making appropriations for capital projects from the rebuild Iowa infrastructure fund, and relating to the Iowa communications network, construction projects for the commission of veterans affairs, county fairs, recreational trails, and nonreversion of certain appropriations, and providing an effective date.

This bill was read first time and **passed on file.**

INTRODUCTION OF BILL

Senate File 2442, 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.**

UNFINISHED BUSINESS
(Deferred March 4, 1996)

Senate File 2220

The Senate resumed consideration of Senate File 2220, a bill for an act relating to environmental protection and public health, by providing for the regulation of animal feeding operations, including confinement swine feeding operations, and the application of manure, including regulation by the department of natural resources and other entities, providing for the applicability of certain provisions, providing for the applicability of penalties, and providing for an effective date, deferred March 4, 1996.

Senator Iverson asked and received unanimous consent that action on amendment S—5169 filed by him on March 5, 1996, to strike everything after the enacting clause and to the title page of the bill be deferred.

Senator Iverson offered amendment S—5238 filed by him on March 6, 1996, to strike everything after the enacting clause and to the title page of the bill.

Senator Judge raised the point of order that amendment S—5238 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5238 out of order.

Senator Fink offered amendment S—5129 filed by the committee on Natural Resources, Environment and Energy on February 27, 1996, to pages 4 and 15 of the bill and moved its adoption.

Amendment S—5129 was adopted by a voice vote.

Senator Judge offered amendment S—5176 filed by her on March 5, 1996, to pages 8, 13 and 15 of the bill and moved its adoption.

Amendment S—5176 was adopted by a voice vote.

Senator Fink withdrew amendment S—5180 filed by him on March 5, 1996, to pages 15 and 18 of the bill.

Senator Giannetto offered amendment S—5237 filed by him on March 6, 1996, to pages 17 and 18 of the bill and moved its adoption.

A record roll call was requested.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Halvorson until he returns on request of Senator Dearden.

BUSINESS PENDING

Senate File 2220

The Senate resumed consideration of Senate File 2220 and amendment S—5237.

On the question "Shall amendment S—5237 be adopted?" (S.F. 2220) the vote was:

Ayes, 46:

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	Jensen	Judge
Kibbie	Kramer	Lind	Maddox
McKean	McLaren	Neuhauser	Palmer

Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 2:

Iverson	Lundby

Absent or not voting, 2:

Halvorson	Murphy

Amendment S—5237 was adopted.

Senator Fink withdrew amendment S—5200 filed by him on March 5, 1996, to pages 15 and 18 of the bill.

With the adoption of amendments S—5129, S—5176 and S—5237, the Chair ruled the following amendments out of order:

S—5169 by Senator Iverson to strike everything after the enacting clause and to the title page of the bill, previously deferred; and amendment S—5232 filed by Senator Freeman on March 6, 1996, to amendment S—5169.

Senator Lind offered amendment S—5241 filed by him from the floor to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5241 be adopted?" (S.F. 2220) the vote was:

Ayes, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Giannetto	Hedge	Iverson	Jensen
Kramer	Lind	Maddox	McKean
Priebe	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Nays, 25:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Gronstal
Hammond	Hansen	Horn	Husak

Judge	Kibbie	Lundby	Murphy
Neuhauser	Palmer	Sorensen	Szymoniak
Vilsack			

Absent or not voting, 2:

Halvorson	McLaren

Amendment S—5241 lost.

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. 2220) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 16:

Connolly	Dearden	Deluhery	Dvorsky
Fink	Flynn	Gronstal	Hammond
Horn	Judge	Kibbie	Lundby
Neuhauser	Palmer	Sorensen	Szymoniak

Nays, 33:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Douglas	Drake	Fraise	Freeman
Gettings	Giannetto	Hansen	Hedge
Husak	Iverson	Jensen	Kramer
Lind	Maddox	McKean	McLaren
Murphy	Priebe	Redfern	Rensink
Rife	Rittmer	Tinsman	Vilsack
Zieman			

Absent or not voting, 1:

Halvorson

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

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.	2374	Judiciary
S.F.	2409	State Government

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 7, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2081, a bill for an act relating to legalizing official acts performed by notaries public more than ten years earlier.

This bill was read first time and **passed on file.**

House File 2201, a bill for an act relating to defining the practice of dentistry.

This bill was read first time and **passed on file.**

House File 2308, a bill for an act relating to asbestos removal and encapsulation.

This bill was read first time and **passed on file.**

House File 2399, a bill for an act relating to eligibility of persons for county general assistance.

This bill was read first time and **passed on file.**

INTRODUCTION OF BILL

Senate File 2443, by committee on Appropriations, a bill for an act appropriating funds to the department of economic development, the Iowa finance authority, certain board of regents institutions, the public employment relations board, and the

department of employment services, and making related statutory changes.

Read first time and **placed on Appropriations Calendar.**

RECESS

On motion of Senator Horn, the Senate recessed at 10:35 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 6, 1996, 4:53 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 334; amended and approved SSBs 2334 and 2337 as committee bills; approved SSB 2338 as a committee bill.

Adjourned: 6:05 p.m.

COMMERCE

Convened: March 6, 1996, 4:37 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Bartz, Bisignano, Douglas, Freeman, Gettings, Gronstal, Hedge, Husak, Priebe and Redfern.

Members Absent: Flynn and Palmer (both excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 2036 and 2230.

Adjourned: 4:41 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: March 6, 1996, 11:20 a.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; assigned bills to subcommittees.

Adjourned: 11:35 a.m.

LOCAL GOVERNMENT

Convened: March 6, 1996, 4:39 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Black, Fraise, Halvorson, Judge, and Zieman.

Members Absent: McKean and Rittmer (both excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 4:39 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventh and eighth grade students, members of the 4-H program from Benton, Iowa, Poweshiek and Tama Counties, accompanied by Nancy Allen. Senators Black and Husak.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Mr. Steve Wilson and the Regals, Iowa City — For outstanding performance in the Class 2-A Girls' State high school basketball tournament. Senator Dvorsky (3-7-96).

Taurin McGrath, Iowa City — For dedication and commitment in duties as an intern to Senator Robert E. Dvorsky. Senator Dvorsky (3-7-96).

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5160 to Senate File 2265 was adopted by the Senate on March 6, 1996.

MERLIN E. BARTZ

SUBCOMMITTEE ASSIGNMENTS

Senate File 2345

EDUCATION: Connolly, Chair; Kibbie and Kramer

Senate File 2409

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

Senate File 2434

WAYS AND MEANS: Palmer, Chair; McLaren and Vilsack

Senate File 2437

WAYS AND MEANS: Murphy, Chair; Iverson and Szymoniak

SSB 2334

APPROPRIATIONS: Husak, Chair; Douglas and Halvorson

House File 523

JUDICIARY: Boettger, Chair; Bisignano, Giannetto, Hansen and Redfern

House File 2183

JUDICIARY: Neuhauser, Chair; Bartz, Boettger, Giannetto and Hammond

House File 2306

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Fink, Chair; Dearden and Lundby

House File 2387

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

House File 2408

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Gronstal, Chair; Banks and Judge

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2442 (SSB 2338), 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, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, 1: Douglas. Absent or not voting, 1: Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2443 (SSB 2337), a bill for an act appropriating funds to the department of economic development, the Iowa finance authority, certain board of regents institutions, the public employment relations board, and the department of employment services, and making statutory changes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 23: Murphy, Lind, Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Boswell and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2445 (SSB 2334), a bill for an act relating to and making appropriations to the department of general services for the fiscal year beginning July 1, 1995, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 23: Murphy, Boswell, Lind, Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Judge, Kibbie, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Iverson and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

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: 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 Tinsman. Nays, none. Absent or not voting, 4: Bisignano, Iverson, Kramer and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: HOUSE FILE 121, a bill for an act relating to the taping and broadcasting of certain high school athletic events.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Iverson and Neuhauser. Nays, none. Absent or not voting, 7: Hammond, Kramer, Lind, Murphy, Rensink, Szymoniak and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2268, a bill for an act relating to the financial procedures of counties, cities, and drainage districts, by amending the powers and duties of county treasurers, by eliminating the filing of late claims for property tax credits, by striking personal property tax credits of military veterans, by striking outdated property tax limitations, by providing for properly related matters, and by providing an applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Priebe, Szymoniak and Vilsack. Nays, none. Absent or not voting, 1: Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Actin: SENATE FILE 2280, a bill for an act relating to filing fees charged by county recorders and eliminating a surcharge fee.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe and Vilsack. Nays, none. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2348, a bill for an act relating to agricultural limestone, and providing penalties, fees, 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.

ALSO:

Final Bill Action: SENATE FILE 2351, a bill for an act relating to department of economic development programs, including the workforce development fund program and the Iowa small business new jobs training Act, providing a supplemental new jobs credit from withholding, establishing a rural microbusiness assistance program, increasing the funds available for the value-added agricultural products and processes program, and making an annual allocation from an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Palmer, Husak, Connolly, Deluhery, Drake, Murphy, Neuhauser, Priebe and Vilsack. Nays, 5: Bennett, Freeman, Hedge, Iverson and McLaren. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 2335 Ways & Means

Relating to funding for new jobs training projects and providing for the Act's applicability.

SSB 2336 Ways & Means

Relating to the use of gambling receipts by licensees of pari-mutuel horse and dog racetracks and excursion gambling boats.

SSB 2337 Appropriations

Appropriating funds to the department of economic development, the Iowa finance authority, certain board of regents institutions, the public employment relations board, and the department of employment services, and making statutory changes.

SSB 2338 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 2339 Appropriations

Relating to agriculture and natural resources, by providing for appropriations, providing related statutory changes, and providing an effective date.

SSB 2339.1 Appropriations

Relating to agriculture and natural resources, by providing for appropriations, providing related statutory changes, and providing an effective date.

SSB 2340 Appropriations

Relating to the Iowa communications network by providing authority to enter into lease-purchase agreements, requiring financial disclosure of Iowa telecommunications and technology commission members, and making appropriations.

AMENDMENTS FILED

S—5239	S.F.	2265	Merlin E. Bartz
S—5240	S.F.	2265	Merlin E. Bartz
S—5241	S.F.	2220	Jim Lind
S—5242	H.F.	334	Tom Flynn

AFTERNOON SESSION

The Senate reconvened at 4:06 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 7, 1996, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 116, a concurrent resolution designating March 1996 as Iowa Women's History Month.

This resolution was read first time and **passed on file.**

ALSO: That the House has on March 7, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2316, a bill for an act relating to sex offenses, including enticing away a child and sentences for persons convicted of sexually predatory offenses.

This bill was read first time and **passed on file.**

House File 2409, a bill for an act relating to the regulation of activities of state banks and state bank affiliates, interstate branching or banking, and personnel of the banking division, state banks, and state bank affiliates, and the regulation of financial transactions involving such entities and personnel.

This bill was read first time and **passed on file.**

INTRODUCTION OF BILLS

Senate File 2444, by Bartz, a bill for an act relating to the exclusion from "gross receipts" of the discounted portion of a sales price for purposes of the state sales tax.

Read first time and **passed on file.**

Senate File 2445, by committee on Appropriations, a bill for an act relating to and making appropriations to the department of general services for the fiscal year beginning July 1, 1995, and providing an effective date.

Read first time and **placed on Appropriations Calendar.**

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 7th day of March, 1996:

Senate File 2088.

JOHN F. DWYER
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

S.R.	104	State Government
S.F.	2444	Ways and Means
H.F.	2081	Judiciary
H.F.	2201	State Government
H.F.	2302	Communications & Information Policy
H.F.	2308	Nat. Resources, Environ. & Energy
H.F.	2316	Judiciary
H.F.	2421	Appropriations
H.C.R.	116	Human Resources

COMPANION AND SIMILAR BILLS

House files were attached to companion or similar Senate files on the senate calendar as follows:

H.F. 2399	companion	S.F. 2253	3-7-96
H.F. 2409	similar	S.F. 2362	3-7-96

SUBCOMMITTEE ASSIGNMENTS

Senate File 2439

APPROPRIATIONS: Vilsack, Chair; Flynn and Iverson

SSB 2336

WAYS AND MEANS: Priebe, Chair; Drake and Palmer

SSB 2337

APPROPRIATIONS: Vilsack, Chair; Bisignano and Borlaug

SSB 2338

APPROPRIATIONS: Hammond, Chair; Murphy and Tinsman

SSB 2339

APPROPRIATIONS: Black, Chair; Banks and Murphy

SSB 2339.1

APPROPRIATIONS: Black, Chair; Banks and Murphy

SSB 2340

APPROPRIATIONS: Dvorsky, Chair; Halvorson and McLaren

PRESENTATION OF VISITOR

The Chair welcomed John E. Flannery from Des Moines, a Special Olympics contestant.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 7, 1996, attending a meeting of the Board of Corrections when the vote was taken on Senate File 2220. Had I been present, I would have voted "aye".

RODNEY HALVORSON

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2195, a bill for an act relating to the Iowa communications network by providing for state ownership of a Part III connection and for the connection and support of certain Part III users, making appropriations, and providing effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5248.

Final Vote: Ayes, 20: Murphy, Boswell, Lind, Bisignano, Black, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, McLaren, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 5: Banks, Bartz, Borlaug, Kramer and Rensink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2446 (SSB 2339.1), a bill for an act relating to agriculture and natural resources, by providing for appropriations, providing related statutory changes, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Murphy, Lind, Bartz, Bisignano, Black, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Hammond, Husak, Iverson, Judge, Kibbie, McLaren, Neuhauser, Tinsman and Vilsack. Nays, none. Pass, 1: Halvorson. Absent or not voting, 5: Banks, Borlaug, Boswell, Kramer and Rensink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 2107, a bill for an act relating to the requirements regarding human immunodeficiency virus-related tests and making existing remedies applicable.

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: HOUSE FILE 2144, a bill for an act relating to the payment by third parties of physician assistants and advanced registered nurse practitioners.

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: 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.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Giannetto, McKean, Bartz, Boettger, Drake, Halvorson, Maddox and Redfern. Nays, 7: Vilsack, Bisignano, Fraise, Hammond, Hansen, Neuhauser and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 345, a bill for an act relating to the rate of interest charged on judgments and decrees.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Maddox and Redfern. Nays, 4: Vilsack, Halvorson, Hansen and Szymoniak. Absent or not voting, 1: Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 2446, by committee on Appropriations, a bill for an act relating to agriculture and natural resources, by providing for appropriations, providing related statutory changes, and providing an effective date.

Read first time under rule 28 and **placed on Appropriations Calendar.**

AMENDMENTS FILED

S—5243	S.F.	2174	Steven D. Hansen
S—5244	S.F.	2174	Steven D. Hansen
S—5245	S.F.	2390	Robert Dvorsky
S—5246	S.F.	2410	Elaine Szymoniak
S—5247	S.F.	2090	Rod Halvorson

S—5248 S.F. 2195 Appropriations

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:09 p.m., until 1:30 p.m., Monday, March 11, 1996.

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 11, 1996

The Senate met in regular session at 2:08 p.m., President Boswell presiding.

Prayer was offered by Monsignor Edward Lechtenberg, of the St. Patrick Catholic Church, Waukon, Iowa.

The Journal of Thursday, March 7, 1996, 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 11, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 2355, a bill for an act relating to the establishment of personal needs trusts for persons with disabilities.

This bill was read first time and **passed on file.**

House File 2365, a bill for an act relating to the authority of fiduciaries under the probate code to invest in open-end or closed-end management investment companies or investment trusts.

This bill was read first time and **passed on file.**

INTRODUCTION OF RESOLUTION

Senate Resolution 105, by committee on Human Resources, a senate resolution requesting a review of the legislative rules comprising the legislative session timetable for requesting, considering, and debating bills and resolutions.

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 committee:

S.F.	2370	Natural Resources, Environment and Energy
S.F.	2384	State Government

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kramer until she arrives on request of Senator Rife.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2380

On motion of Senator Hammond, Senate File 2380, a bill for an act relating to child abuse and child sexual abuse reporting and increasing a penalty, was taken up for consideration.

Senator Bartz offered amendment S—5190 filed by him on March 5, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5190 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. 2380) 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 2323

On motion of Senator Hammond, Senate File 2323, a bill for an act relating to pharmacy technician designation, registration and fees, delegation of duties, and disciplinary action, 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. 2323) 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 2391

On motion of Senator Deluhery, Senate File 2391, a bill for an act providing that a school of postsecondary instruction shall not grant a degree to a student without the successful completion by the student of a program of study and establishing a penalty, 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. 2391) 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 2392

On motion of Senator Giannetto, Senate File 2392, a bill for an act providing for the inclusion of a substance abuse evaluation as a condition of pretrial release, 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. 2392) 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 2390

On motion of Senator Bisignano, Senate File 2390, a bill for an act relating to establishing community-based corrections programs, was taken up for consideration.

Senator Dvorsky asked and received unanimous consent that action on **Senate File 2390** be **deferred.**

Senate File 2394

On motion of Senator Redfern, Senate File 2394, a bill for an act relating to investment guidelines for trustees and providing an applicability date, 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. 2394) 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 2395

On motion of Senator Palmer, Senate File 2395, a bill for an act relating to the regulation of insurance companies for purposes of solvency and establishing a measure for the risk-based capital of an insurer, and providing penalties, was taken up for consideration.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2395) 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	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Zieman	

Nays, 2:

Banks Vilsack

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.

BUSINESS PENDING

Senate File 2390

The Senate resumed consideration of Senate File 2390, a bill for an act relating to establishing community-based corrections programs, previously deferred.

Senator Dvorsky offered amendment S—5261 filed by him from the floor to pages 2-5 and 7 of the bill and moved its adoption.

Amendment S—5261 was adopted by a voice vote.

With the adoption of amendment S—5261, the Chair ruled amendment S—5245 filed by Senator Dvorsky on March 7, 1996, to page 2 of the bill, out of order.

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. 2390) 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.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2402

On motion of Senator Redfern, Senate File 2402, a bill for an

act adopting the uniform statutory rule against perpetuities, 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. 2402) 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 2403

On motion of Senator Kibbie, Senate File 2403, a bill for an act establishing a community college funding formula, providing for properly related matters, and an effective date, was taken up for consideration.

Senator Kibbie offered amendment S—5174 filed by him on March 5, 1996, to page 6 of the bill and moved its adoption.

Amendment S—5174 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. 2403) 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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2323, 2380, 2390, 2391, 2392, 2394, 2395, 2402** and **2403** be **immediately messaged** to the House.

President pro tempore Bisignano took the chair at 3:28 p.m.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2405

On motion of Senator Boettger, Senate File 2405, a bill for an act relating to the duties of the clerk of court concerning court records, 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. 2405) 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	Lind	Lundby
Maddox	McLaren	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 2:

Banks McKean

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 2408

On motion of Senator Deluhery, Senate File 2408 a bill for an act relating to disclosure requirements under the federal Community Reinvestment Act with respect to the eligibility of a financial institution to receive state public funds, 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. 2408) 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 2410

On motion of Senator Szymoniak, Senate File 2410, a bill for an act relating to juvenile justice chapter provisions involving medically relevant tests for the presence of illegal drugs in a child or parent, parent visitations with a child who has been removed from the child's home, voiding related administrative rules, and providing an effective date, was taken up for consideration.

Senator Szymoniak offered amendment S—5191 filed by her on March 5, 1996, to page 2 of the bill and moved its adoption.

Amendment S—5191 was adopted by a voice vote.

Senator Szymoniak offered amendment S—5246 filed by her on March 7, 1996, to page 3 of the bill and moved its adoption.

Amendment S—5246 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. 2410) 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 2413

On motion of Senator Redfern, Senate File 2413, a bill for an act relating to judicial administration, including the definition of a judicial officer, the administrative authority of certain judges within a district, and the retirement age of an associate juvenile judge and associate probate judge, 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. 2413) 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 2416

On motion of Senator Boettger, Senate File 2416, a bill for an act relating to the harassment of public officials and establishing a penalty, was taken up for consideration.

Senator Lundby asked and received unanimous consent that action on **Senate File 2416** be **deferred.**

Senate File 2417

On motion of Senator Szymoniak, Senate File 2417, a bill for an act relating to juvenile justice including notice requirements for juvenile court actions, custody of and access to a child designated a child in need of assistance, and associate juvenile judge jurisdiction, was taken up for consideration.

Senator Douglas asked and received unanimous consent that action on **Senate File 2417** be **deferred.**

Senate File 2420

On motion of Senator Hammond, Senate File 2420, a bill for an act relating to juvenile justice, including dispositional alternatives for juveniles adjudicated delinquent, registering with the sex offender registry, and associate juvenile judge jurisdiction, 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. 2420) 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.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Judge asked and received unanimous consent to take up for consideration Senate File 2443.

Senate File 2443

On motion of Senator Vilsack, Senate File 2443, a bill for an act appropriating funds to the department of economic development, the Iowa finance authority, certain board of regents institutions, the public employment relations board, and the department of employment services, and making related statutory changes, was taken up for consideration.

Senator Borlaug offered amendment S—5249 filed by him from the floor to page 3 of the bill.

(Action on Senate File 2443 was deferred.)

The Senate stood at ease at 4:25 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 5:20 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 2443

The Senate resumed consideration of Senate File 2443 and amendment S—5249 by Senator Borlaug to page 3 of the bill.

Senator Borlaug moved the adoption of amendment S—5249, which motion lost by a voice vote.

Senator Vilsack offered amendment S—5269 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—5269 was adopted by a voice vote.

Senator Maddox offered amendment S—5273 filed by him from the floor to pages 4, 6, 8, 17 and 18 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5273 be adopted?" (S.F. 2443) 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—5273 lost.

Senator Bennett offered amendment S—5265 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—5265 be adopted?" (S.F. 2443) the vote was:

Ayes, 18:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Kramer
Maddox	McLaren	Rensink	Rife
Rittmer	Zieman		

Nays, 32:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Lind	Lundby	McKean	Murphy
Neuhauser	Palmer	Priebe	Redfern
Sorensen	Szymoniak	Tinsman	Vilsack

Amendment S—5265 lost.

Senator Vilsack offered amendment S—5253 filed by him from the floor to page 5 of the bill and moved its adoption.

Amendment S—5253 was adopted by a voice vote.

Senator McLaren offered amendment S—5259 filed by Senators McLaren and Borlaug from the floor to page 6 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5259 be adopted?" (S.F. 2443) the vote was:

Ayes, 25:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Douglas	Drake
Freeman	Halvorson	Hedge	Iverson
Jensen	Kramer	Lind	Lundby
McKean	McLaren	Neuhauser	Redfern
Rensink	Rife	Rittmer	Tinsman
Zieman			

Nays, 25:

Bisignano	Boswell	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Hammond	Hansen	Horn	Husak
Judge	Kibbie	Maddox	Murphy
Palmer	Priebe	Sorensen	Szymoniak
Vilsack			

Amendment S—5259 lost.

Senator Vilsack offered amendment S—5252 filed by him from the floor to page 8 of the bill and moved its adoption.

Amendment S—5252 was adopted by a voice vote.

With the adoption of amendment S—5252, the Chair ruled amendment S—5276 filed by Senator Zieman from the floor to page 8 of the bill, out of order.

Senator Redfern offered amendment S—5280 filed by Senators Redfern, et al., from the floor to page 13 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 33, nays 13.

Amendment S—5280 was adopted.

Senator Vilsack offered amendment S—5263 filed by him from the floor to pages 17, 19 and 20 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 20

Amendment S—5263 was adopted.

Senator Borlaug offered amendment S—5279 filed by Senators Borlaug and McLaren from the floor to pages 2 and 9 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5279 be adopted?" (S.F. 2443) the vote was:

Ayes, 20:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Redfern	Rensink	Rife	Zieman

Nays, 30:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Jensen	Judge
Kibbie	Murphy	Neuhauser	Palmer
Priebe	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack		

Amendment S—5279 lost.

Senator Vilsack offered amendment S—5270 filed by him from the floor to page 14 of the bill and moved its adoption.

Amendment S—5270 was adopted by a voice vote.

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—5259 to Senate File 2443 failed to be adopted by the Senate on March 11, 1996.

A non record roll call was requested.

The ayes were 25, nays 25.

The motion 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. 2443) the vote was:

Ayes, 33:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Horn	Husak	Jensen
Judge	Kibbie	Lundby	McKean
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rittmer	Sorensen	Szymoniak
Vilsack			

Nays, 17:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Freeman	Hedge
Iverson	Kramer	Lind	Maddox
McLaren	Rensink	Rife	Tinsman
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 March 11, 1996, amended and passed the following bill in which the concurrence of the House was asked:

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 (S—5257).

ALSO: That the House has on March 11, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 61, a bill for an act providing immunity from civil liability for an employer who in good faith discloses information about a current or former employee of the employer.

This bill was read first time and **passed on file.**

House File 2050, a bill for an act relating to selection criteria preferences in the placement of children for adoption by or through the department of human services.

This bill was read first time and **passed on file.**

House File 2150, a bill for an act relating to grandparent visitation rights.

This bill was read first time and **passed on file.**

House File 2258, a bill for an act relating to the powers of a benefited recreational lake district to promote water quality.

This bill was read first time and **passed on file.**

House File 2383, a bill for an act relating to issuance of free deer and wild turkey hunting licenses to certain landowners and tenants.

This bill was read first time and **passed on file.**

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2405, 2408, 2410, 2413, 2420** and **2443** be immediately messaged to the House.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: March 7, 1996, 11:20 a.m.

Members Present: Flynn, Chair; Giannetto, Vice Chair; Rensink, Ranking Member; Boettger and Dearden.

Members Absent: none.

Committee Business: Subcommittee approved and submitted proposed appropriations bill to the full Appropriations Committee.

Adjourned: 11:47 a.m.

APPROPRIATIONS

Convened: March 7, 1996, 5:34 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Bartz, Bisignano, Black, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, McLaren, Neuhauser, Tinsman and Vilsack.

Members Absent: Banks, Borlaug, Kramer and Rensink (all excused).

Committee Business: Approved SSB 2339.1 as a committee bill; recommended passage of Senate File 2195 as amended.

Adjourned: 6:03 p.m.

EDUCATION

Convened: March 7, 1996, 1:09 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Iverson, Murphy, Neuhauser and Tinsman.

Members Absent: Hammond, Kramer, Lind, Rensink and Szymoniak (all excused).

Committee Business: Assigned bill to subcommittee; recommended passage of House File 121.

Adjourned: 1:10 p.m.

HUMAN RESOURCES

Convened: March 7, 1996, 3:41 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 House Files 2144 and 2107; approved SSB 2333 as a committee resolution; recommended confirmation of governor's appointees.

Adjourned: 4:49 p.m.

JUDICIARY

Convened: March 7, 1996, 1:40 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: Recommended passage of House Files 345 and 135.

Adjourned: 2:40 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: March 7, 1996, 1:33 p.m.

Members Present: Fink, Chair; Black, Vice Chair; Lundby, Ranking Member; Banks, Dearden, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen.

Members Absent: Borlaug, Deluhery, Freeman and Gronstal (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:35 p.m.

STATE GOVERNMENT

Convened: March 7, 1996, 2:43 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, McLaren and Sorensen.

Members Absent: Lundby.

Committee Business: Presentations by the Iowa ethics and campaign disclosure board on Senate File 2384.

Adjourned: 3:57 p.m.

WAYS AND MEANS

Convened: March 7, 1996, 11:14 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: Recommended passage of Senate Files 2351, 2348, 2268 and 2280.

Adjourned: 11:53 a.m.

COMMITTEE REPORT

HUMAN RESOURCES

Final Bill Action: SENATE RESOLUTION 105 (SSB 2333), a senate resolution requesting a review of the legislative rules comprising the legislative session timetable for requesting, considering, and debating bills and resolutions.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Eighth grade students from Urbandale Middle School, Urbandale, accompanied by Ann Tharnish, Pauline Thieleke and Sean Smith. Senator Maddox.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 104

STATE GOVERNMENT: Fink, Chair; Gronstal and McLaren

House Concurrent Resolution 116

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Neuhauser

House File 2201

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

House File 2316

JUDICIARY: Bisignano, Chair; Boettger, Giannetto, Hammond and Maddox

House File 2081

JUDICIARY: Hansen, Chair; Drake, Giannetto, Maddox and Neuhauser

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Rachel Christensen, Sully; Denise DeZwarte, Newton; Scott Enyart, Monroe; Jennifer Jobes, Grinnell; Jennifer Urfer, Malcom and Rhonda Virkus, Gilman: For receiving the 1995-96 Iowa's Best Norwest Bank Community Scholarship. Senator Black (3-11-96).

New Hampton Wrestling Team and Coaches Larry Straw, Eric Robinson and Jason Kolln — For placing second in the State Wrestling Tournament. Senator Borlaug (3-11-96).

Cory Beckman, New Hampton — For placing 6th at the State Wrestling Tournament, 130#. Senator Borlaug (3-11-96).

Scott Duffy, New Hampton — For placing 3rd at the State Wrestling Tournament, Heavyweight Class. Senator Borlaug (3-11-96).

Jeff Freidhof, New Hampton — For placing 1st at the State Wrestling Tournament, Heavyweight Class. Senator Borlaug (3-11-96).

Tony Schuchhardt, New Hampton — For placing 3rd at the State Wrestling Tournament, 103#. Senator Borlaug (3-11-96).

Joseph Nyquist and Aaron Seier, Dubuque — For attaining the rank of Eagle Scout. Senator Connolly (3-11-96).

Clara Lemmer, Bethany Home — For celebrating your 100th birthday. Senator Connolly (5-30-96).

Amrut Ambardekar, Andrew Kilborn, Melinda McKibben and Paul Seberger, Marshalltown — For receiving the 1995-96 Iowa's Best Norwest Bank Community Scholarship. Senator Giannetto (3-11-96).

Anne E. Fairbanks, Grimes — For receiving the Girl Scout Gold Award in Moingona, Girl Scout Council. Senator Maddox 3-8-96).

Eric Olmstead and Al Wilson, Manchester — For attaining the rank of Eagle Scout. Senator Murphy (3-11-96).

Brian C. Brummel, Benjamin J. Mullorkey and Jeremiah E. Sinclair, McGregor — For attaining the rank of Eagle Scout. Senator Zieman (3-11-96).

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 11, 1996, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 2088 — Prohibiting abuse of a human corpse, and providing a penalty.

BILL ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bill to committee:

H.F.	2355	Human Resources

AMENDMENTS FILED

S—5249	S.F.	2443	Allen Borlaug
S—5250	S.F.	2171	Mary Neuhauser
S—5251	S.F.	2387	Bill Fink
S—5252	S.F.	2443	Tom Vilsack
S—5253	S.F.	2443	Tom Vilsack

S—5254	S.F.	2409	Tom Vilsack
S—5255	S.F.	2301	Robert Dvorsky
S—5256	S.F.	2442	Patrick J. Deluhery
			Maggie Tinsman
			Johnie Hammond
			O. Gene Maddox
			Albert Sorensen
			Sheldon Rittmer
			Elaine Szymoniak
S—5257	S.F.	376	House amendment
S—5258	S.F.	2446	Mary Lundby
S—5259	S.F.	2443	Derryl McLaren
			Allen Borlaug
S—5260	S.F.	2355	Merlin E. Bartz
S—5261	S.F.	2390	Robert Dvorsky
S—5262	S.F.	2446	Stewart Iverson
			John P. Kibbie
			Brad Banks
S—5263	S.F.	2443	Tom Vilsack
S—5264	S.F.	2195	Derryl McLaren
			John W. Jensen
S—5265	S.F.	2443	Wayne D. Bennett
S—5266	S.F.	2158	Larry Murphy
			Mary Neuhauser
			Mike Connolly
S—5267	S.F.	2446	Larry Murphy
S—5268	S.F.	2440	Stewart Iverson
			Emil J. Husak
			Mary Lou Freeman
			Andy McKean
			Berl E. Priebe
			JoAnn Douglas
			Tom Flynn
			Richard F. Drake
			Jack Rife
			Derryl McLaren
			Brad Banks
			John W. Jensen
			Jim Lind
			Wilmer Rensink
			Nancy Boettger
			Allen Borlaug

			Maggie Tinsman
			H. Kay Hedge
			Lyle E. Zieman
S—5269	S.F.	2443	Tom Vilsack
S—5270	S.F.	2443	Tom Vilsack
S—5271	S.F.	2442	Robert E. Dvorsky
S—5272	S.F.	2442	Johnie Hammond
S—5273	S.F.	2443	O. Gene Maddox
S—5274	S.F.	2442	Johnie Hammond
S—5275	S.F.	2442	Johnie Hammond
S—5276	S.F.	2443	Lyle E. Zieman
S—5277	S.F.	2442	Elaine Szymoniak
S—5278	S.F.	2195	Derryl McLaren
			John W. Jensen
			Donald B. Redfern
S—5279	S.F.	2443	Allen Borlaug
			Derryl McLaren
S—5280	S.F.	2443	Donald B. Redfern
			Michael E. Gronstal
			Mary Neuhauser
			Mike Connolly
			Robert E. Dvorsky
			Jim Lind
			Tom Flynn
S—5281	S.F.	2442	Johnie Hammond
S—5282	S.F.	2442	Wilmer Rensink
			John P. Kibbie
S—5283	S.F.	2446	Dennis H. Black
S—5284	S.F.	2442	Johnie Hammond
S—5285	S.F.	2442	Johnie Hammond
			Maggie Tinsman
S—5286	S.F.	2265	Johnie Hammond
S—5287	S.F.	2268	O. Gene Maddox
			Albert G. Sorensen
S—5288	S.F.	2446	Mary Lundby

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 112, by Hansen, a concurrent resolution supporting the 185th Fighter Wing of the Air National Guard of Iowa in its peacekeeping patrols in the United Nations "No-Fly Zone" over Iraq.

Read first time under rule 28 and **passed on file.**

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:59 p.m., until 9:00 a.m., Tuesday, March 12, 1996.

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 12, 1996

The Senate met in regular session at 9:16 a.m., President Boswell presiding.

Prayer was offered by the Reverend Jim Bartsch, pastor of the Bethel Baptist Church, Newell, Iowa.

The Journal of Monday, March 11, 1996, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bisignano until he arrives on request of Senator Sorensen.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate Resolution 105** be referred from the Regular Calendar to the committee on **Rules and Administration.**

UNFINISHED BUSINESS
(Deferred March 5, 1996)

Senate File 2341

The Senate resumed consideration of Senate File 2341, a bill for an act relating to the components of the unemployment insurance system concerning the job service advisory council, voluntary income tax withholding from unemployment benefits, relieving certain employers from certain unemployment insurance charges, collection of unemployment compensation benefits through misrepresentation, definitions of employment and wages for members of limited liability companies, and unemployment

insurance tax liability for corporate officers, and providing an effective and applicability date, deferred March 5, 1996.

Senator Lind asked and received unanimous consent that action on **Senate File 2341** be **deferred.**

UNFINISHED BUSINESS
(Deferred March 5, 1996)

Senate File 2247

The Senate resumed consideration of Senate File 2247, a bill for an act relating to unemployment insurance benefits by providing for employer contributions and liability for benefits regarding successor employers, deferred March 5, 1996.

Senator Gettings asked and received unanimous consent that **House File 2229** be **substituted** for **Senate File 2247.**

House File 2229

On motion of Senator Gettings, House File 2229, a bill for an act relating to unemployment insurance benefits by providing for employer contributions and liability for benefits regarding successor employers, was taken up for consideration.

Senator Kramer asked and received unanimous consent that action on **House File 2229** be **deferred.**

CONSIDERATION OF BILL
(Appropriations Calendar)

Senate File 2442

On motion of Senator Hammond, Senate File 2442, 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.

The Senate stood at ease at 9:42 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 10:20 a.m., President Boswell presiding.

Senator Hammond offered amendment S—5285 filed by Senators Hammond and Tinsman on March 11, 1996, to pages 6, 12, 16, 22, 30, 31, 33, 35-37, 42 and 43 of the bill and moved its adoption.

Amendment S—5285 was adopted by a voice vote.

Senator Hammond offered amendment S—5275 filed by her on March 11, 1996, to page 6 of the bill and moved its adoption.

Amendment S—5275 was adopted by a voice vote.

Senator Hammond offered amendment S—5272 filed by her on March 11, 1996, to pages 6-8, 21, 33, 40 and 41 of the bill and moved its adoption.

Amendment S—5272 was adopted by a voice vote.

Senator Rife offered amendment S—5298 filed by him from the floor to pages 9 and 10 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5298 be adopted?" (S.F. 2442) the vote was:

Ayes, 25:

Banks	Bartz	Bennett	Bisignano
Boettger	Borlaug	Douglas	Drake
Freeman	Giannetto	Hedge	Iverson
Jensen	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Redfern
Rensink	Rife	Rittmer	Tinsman
Zieman			

Nays, 25:

Black	Boswell	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Judge	Kibbie	Murphy	Neuhauser
Palmer	Priebe	Sorensen	Szymoniak
Vilsack			

Amendment S—5298 lost.

Senator Tinsman offered amendment S—5295 filed by her from the floor to page 10 of the bill and moved its adoption.

Amendment S—5295 was adopted by a voice vote.

Senator Hammond withdrew amendment S—5274 filed by her on March 11, 1996, to pages 11, 31, 33, 36 and 47 of the bill.

Senator Hammond offered amendment S—5284 filed by her on March 11, 1996, to pages 11, 31, 33, 36 and 47 of the bill and moved its adoption.

Amendment S—5284 was adopted by a voice vote.

Senator Deluhery offered amendment S—5256 filed by Senators Deluhery, et al., on March 11, 1996, to page 17 of the bill and moved its adoption.

Amendment S—5256 was adopted by a voice vote.

Senator Szymoniak offered amendment S—5277 filed by her on March 11, 1996, to page 22 of the bill and moved its adoption.

Amendment S—5277 was adopted by a voice vote.

Senator Dvorsky offered amendment S—5271 filed by him on March 11, 1996, to page 27 of the bill and moved its adoption.

Amendment S—5271 was adopted by a voice vote.

Senator Horn asked and received unanimous consent that action on **Senate File 2442** 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 March 12, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2135, a bill for an act providing for the organization of cooperative corporations, providing for fees, and providing for penalties.

ALSO: That the House has on March 12, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2166, a bill for an act relating to the taxation of foreign corporations and providing an effective and retroactive applicability date provision.

This bill was read first time and **passed on file.**

House File 2314, a bill for an act relating to requirements for reports submitted by certain service providers to the department of human services.

This bill was read first time and **passed on file.**

House File 2429, a bill for an act relating to the representation of indigents and other court appointments in criminal and juvenile proceedings and providing effective and retroactive applicability dates.

This bill was read first time and **passed on file.**

INTRODUCTION OF BILL

Senate File 2447, by Kibbie, Palmer, Priebe, Husak, Judge, Fink, Giannetto, Gronstal, Fraise, Gettings, Sorensen, Hansen, Murphy, and Vilsack, a bill for an act relating to Iowa family farm animal feeding operations, providing an appropriation, providing for tax exemptions, providing for penalties, and providing for the future repeal of certain provisions.

Read first time and **passed on file.**

RECESS

On motion of Senator Horn, the Senate recessed at 11:27 a.m., until 2:30 p.m.

APPENDIX

COMPANION BILL RECEIVED

On March 11, 1996, **House File 2365** was received and attached to companion **Senate File 2255** on the Senate calendar.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-six Young Leaders in Action from Black Hawk County, accompanied by Amy De Haan. Senators Lind and Redfern.

Forty-two sixth grade students from Lenox Elementary School, Lenox, accompanied by Mrs. Janet Reed and Mr. David Koets. Senator Boswell.

PLACEMENT ON INDIVIDIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 59, the following governor's appointee referred to the committee on Education on February 15, 1996, was automatically placed on the Individual Confirmation Calendar **without recommendation:**

Marvin A. Pomerantz as a member of the State Board of Regents.

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following governor's appointments, completed its investigations on March 7, 1996, and recommended the appointees be confirmed:

Dr. Laine D. Dvorak as a member of the Board of Physician Assistant Examiners.

Susan R. Ryan as a member of the Community Health Management Information System Governing Board.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2374

JUDICIARY: Giannetto, Chair; Fraise, McKean, Redfern and Vilsack.

Senate File 2384

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

House File 2355

HUMAN RESOURCES: Vilsack, Chair; Hammond and Tinsman

House File 2421

APPROPRIATIONS: Halvorson, Chair; Douglas, Gronstal, McLaren, Murphy and Neuhauser.

AMENDMENTS FILED

S—5289	S.F.	2344	Michael E. Gronstal
S—5290	S.F.	2210	Andy McKean
S—5291	S.F.	2355	Elaine Szymoniak
S—5292	S.F.	2355	Elaine Szymoniak
S—5293	S.F.	2355	Allen Borlaug
S—5294	S.F.	2446	Berl E. Priebe
S—5295	S.F.	2442	Maggie Tinsman
S—5296	S.F.	2416	Mary Lundby
S—5297	S.F.	2247	Mary E. Kramer
S—5298	S.F.	2442	Jack Rife
S—5299	S.F.	2186	Richard Drake
S—5300	H.F.	2229	Mary E. Kramer
S—5301	S.F.	2442	Merlin E. Bartz John P. Kibbie
S—5302	S.F.	2442	Jim Lind Steven D. Hansen
S—5303	S.F.	2266	Eugene Fraise
S—5304	S.F.	2366	Michael E. Gronstal
S—5305	S.F.	2366	Michael E. Gronstal
S—5306	H.F.	2399	Stewart Iverson, Jr.
S—5307	S.F.	2365	Michael E. Gronstal
S—5308	S.F.	2446	Dennis H. Black

S—5309	S.F.	2442	Brad Banks
S—5310	S.F.	2442	Elaine Szymoniak
S—5311	S.F.	2281	Michael E. Gronstal
S—5312	H.F.	2409	Michael E. Gronstal JoAnn Douglas
S—5313	S.F.	2446	Dennis H. Black
S—5314	S.F.	2446	Wayne Bennett
S—5315	S.F.	401	Michael E. Gronstal
S—5316	S.F.	401	Michael E. Gronstal

AFTERNOON SESSION

The Senate reconvened at 2:47 p.m., President pro tempore Bisignano 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 12, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2190, a bill for an act relating to the publication of certain notices, ordinances, and amendments by the superintendent of printing.

This bill was read first time and **passed on file.**

House File 2324, a bill for an act relating to state employee disclosures of information and making penalties applicable and providing an effective date.

This bill was read first time and **passed on file.**

House File 2458, a bill for an act relating to the right to appointed counsel or a public defender, by relating to the eligibility for certain indigents, the recovery of defense costs, and by restricting the right to counsel for certain parents in child in need of assistance cases.

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 34 present, 16 absent and a quorum present.

BUSINESS PENDING

Senate File 2442

The Senate resumed consideration of Senate File 2442, 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 Banks offered amendment S—5309 filed by him from the floor to pages 29 and 31 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5309 be adopted?" (S.F. 2442) the vote was:

Ayes, 24:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hansen	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	Horn
Husak	Judge	Kibbie	Murphy
Neuhauser	Palmer	Priebe	Sorensen
Szymoniak	Vilsack		

Amendment S—5309 lost.

Senator Lind offered amendment S—5302 filed by Senators Lind and Hansen from the floor to page 38 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5302 be adopted?" (S.F. 2442) the vote was:

Ayes, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Drake	Freeman	Hansen

Hedge	Iverson	Jensen	Kramer
Lind	Maddox	McKean	McLaren
Priebe	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Nays, 27:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Douglas	Dvorsky
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Horn	Husak	Judge	Kibbie
Lundby	Murphy	Neuhauser	Palmer
Sorensen	Szymoniak	Vilsack	

Amendment S—5302 lost.

Senator Rensink offered amendment S—5282 filed by Senators Rensink and Kibbie on March 11, 1996, to pages 40 and 47 of the bill and moved its adoption.

Amendment S—5282 was adopted by a voice vote.

Senator Connolly offered amendment S—5319 filed by Senators Connolly and Hammond from the floor to page 43 of the bill and moved its adoption.

Amendment S—5319 was adopted by a voice vote.

Senator Hammond withdrew amendment S—5281 filed by her on March 11, 1996, to pages 46 and 47 of the bill.

Senator Bartz offered amendment S—5301 filed by Senators Bartz and Kibbie from the floor to pages 6, 7 and 47 of the bill and moved its adoption.

President Boswell took the chair at 3:34 p.m.

Amendment S—5301 was adopted by a voice vote.

Senator Szymoniak offered amendment S—5310 filed by her from the floor to pages 22 and 23 of the bill and moved its adoption.

Amendment S—5310 was adopted by a voice vote.

Senator Szymoniak offered amendment S—5320 filed by Senators Szymoniak and Neuhauser from the floor to page 37 of the bill and moved its adoption.

Amendment S—5320 was adopted by a voice vote.

Senator Hammond 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—5285 to Senate File 2442 was adopted by the Senate on March 12, 1996.

The motion prevailed by a voice vote and amendment S—5285 by Senators Hammond and Tinsman was taken up for reconsideration.

Senator Hammond called for a division of amendment S—5285:

Page 1, lines 2-27 and 30-50 and page 2 as division S—5285A and page 1, lines 28 and 29 as division S—5285B.

Senator Hammond asked and received unanimous consent that division S—5285B be withdrawn.

Senator Hammond moved the adoption of division S—5285A, which motion prevailed by a voice vote.

President pro tempore Bisignano took the chair at 3:55 p.m.

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. 2442) the vote was:

Ayes, 36:

Bartz	Bisignano	Black	Boswell
Connolly	Dearden	Deluhery	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Judge	Kibbie	Lundby	Maddox
McKean	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack

Nays, 14:

Banks	Bennett	Boettger	Borlaug
Douglas	Drake	Hedge	Iverson
Jensen	Kramer	Lind	McLaren
Rife	Zieman		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senate File 2446

On motion of Senator Black, Senate File 2446, a bill for an act relating to agriculture and natural resources, by providing for appropriations, providing related statutory changes, and providing an effective date, was taken up for consideration.

The Senate stood at ease at 4:12 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 4:47 p.m., President Boswell presiding.

Senator Priebe offered amendment S—5294 filed by him from the floor to pages 1, 16 and 17 of the bill and moved its adoption.

Amendment S—5294 was adopted by a voice vote.

Senator Black offered amendment S—5313 filed by him from the floor to pages 3, 10 and 11 of the bill and moved its adoption.

Amendment S—5313 was adopted by a voice vote.

Senator Lundby offered amendment S—5258 filed by her on March 11, 1996, to pages 7, 12 and 17 of the bill.

Senator Lundby offered amendment S—5324 filed by her from the floor to amendment S—5258 and moved its adoption.

Amendment S—5324 was adopted by a voice vote.

Senator Murphy raised the point of order that amendment S—5258 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—5258 as amended, out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen until he returns on request of Senator Borlaug.

BUSINESS PENDING

Senate File 2446

The Senate resumed consideration of Senate File 2446.

Senator Black offered amendment S—5283 filed by him on March 11, 1996, to page 8 of the bill and moved its adoption.

Amendment S—5283 was adopted by a voice vote.

Senator Banks offered amendment S—5322 filed by Senators Banks, Black and Priebe from the floor to page 11 of the bill and moved its adoption.

Amendment S—5322 was adopted by a voice vote.

Senator Lundby withdrew amendment S—5288 filed by her on March 11, 1996, to page 13 of the bill.

Senator Connolly took the chair at 5:14 p.m.

Senator McLaren offered amendment S—5323 filed by Senators McLaren, Black and Banks from the floor to pages 13 and 14 of the bill and moved its adoption.

Amendment S—5323 was adopted by a voice vote.

Senator Bennett offered amendment S—5314 filed by him from the floor to page 15 of the bill and moved its adoption.

Amendment S—5314 was adopted by a voice vote.

Senator Murphy offered amendment S—5267 filed by him on March 11, 1996, to page 17 and the title page of the bill and moved its adoption.

Amendment S—5267 was adopted by a voice vote.

Senator Black offered amendment S—5308 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5308 was adopted by a voice vote.

Senator Iverson offered amendment S—5327 filed by Senators Iverson, et al., from the floor to page 16 of the bill and moved its adoption.

Amendment S—5327 was adopted by a voice vote.

With the adoption of amendment S—5327, the Chair ruled amendment S—5262 filed by Senators Iverson, Kibbie and Banks on March 11, 1996 to page 16 of the bill, out of order.

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. 2446) 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, 1:

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 **Senate Files 2442** and **2446** be **immediately messaged** to the House.

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE RESOLUTION 104, a senate resolution urging the United States government to reassess its policy relating to the dispute between the People's Republic of China (mainland communist China) and the Republic of China (ROC) on Taiwan.

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 2409, a bill for an act relating to workforce development by establishing a workforce development department, by eliminating the department of employment services, and including workforce development programs in the new department, by providing for state privatization contracts, and by establishing a workforce development board and regional advisory boards.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Gronstal, Kibbie, Rittmer, Bisignano, Connolly, Dearden, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen. Nays, 3: Bennett, Drake and McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 104.

Senate Resolution 104

On motion of Senator Fink, Senate Resolution 104, a senate resolution urging the United States government to reassess its policy relating to the dispute between the People's Republic of China (mainland communist China) and the Republic of China (ROC) on Taiwan, with report of committee recommending passage, was taken up for consideration.

Senator Fink moved the adoption of Senate Resolution 104, which motion prevailed by a voice vote.

APPENDIX

STUDY BILLS RECEIVED

SSB 2341 Small Business, Economic Development, & Tourism

A Concurrent Resolution requesting that Iowa's congressional delegation support guaranteed state legislative involvement in the reorganization, implementation, and funding of federal workforce development and job training programs in the states.

SSB 2342 Appropriations

Relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the governor's alliance on substance abuse, the Iowa department of public health, the department of human rights, and the commission of veterans affairs.

SUBCOMMITTEE ASSIGNMENTS

SSB 2341

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Vilsack, Chair; Hansen and Maddox.

SSB 2342

APPROPRIATIONS: Flynn, Chair; Murphy and Rensink

CONFERENCE COMMITTEE REPORT RECEIVED
(House File 2114)

A conference committee report signed by the following Senate and House members was filed March 12, 1996, on House File 2114, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1995, and providing an effective date:

On the Part of the Senate:

EMIL J. HUSAK, Chair
BRAD BANKS

On the Part of the House:

DAVID A. MILLAGE, Chair
STEVEN W. CHURCHILL

JOHNIE HAMMOND
JIM LIND

HUBERT HOUSER
PATRICK J. MURPHY
MICHAEL J. O'BRIEN

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the following governor's appointments, completed its investigations on March 12, 1996, and recommended the appointees be confirmed:

Frederick (Ted) M. Stilwill as Director of the Department of Education.

Thomas E. Davis and Frederick (Ted) M. Stilwill as members of the First in the Nation in Education Foundation Governing Board.

Clark A. Yeager as a member of the School Budget Review Committee.

Gregory A. Forristall as a member of the State Board of Education.

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the appointment of Rebecca S. Beach as a member of the Board of Behavioral Science Examiners, completed its investigation on March 7, 1996, and recommended the appointee be confirmed.

ALSO: Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following governor's appointments, completed its investigations on March 12, 1996, and recommended the appointees be confirmed:

Dorothy A. Anderson as a member of the Board of Behavioral Science Examiners.

Joan L. Skogstrom as a member of the Board of Physician Assistant Examiners.

Paul R. Walther as a member of the Commission on the Status of Women.

Scott M. Harrison and Bonnie J. Steege as members of the Community Health Management Information System.

Margaret P. Guhin as a member of the Council on Human Services.

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 2304, a bill for an act relating to the modernization of the vital statistics process and establishing a fee.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Palmer, Connolly, Freeman, Hedge, Neuhauser, Szymoniak and Vilsack. Nays, 6: Husak, Bennett, Drake, Iverson, McLaren and Priebe. Absent or not voting, 2: Deluhery and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2324, a bill for an act relating to public assistance and certain associated state tax provisions involving the family investment program, family development and self-sufficiency council, individual development accounts, and fraudulent practices involving the food stamp program, making penalties applicable, and providing applicability provisions and effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Husak, Bennett, Connolly, Drake, Freeman, Hedge, Iverson, McLaren, Neuhauser, Priebe and Szymoniak. Nays, none. Absent or not voting, 3: Deluhery, Murphy and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2412, a bill for an act relating to the registration of postsecondary schools and increasing fees.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Husak, Bennett, Connolly, Drake, Freeman, Hedge, Iverson, McLaren, Neuhauser, Priebe and Szymoniak. Nays, none. Absent or not voting, 3: Deluhery, Murphy and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATION FROM THE GOVERNOR

The following communication from the governor was received and placed on file:

March 8, 1996

Mr. John F. Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Dwyer:

Due to the resignation of Michael Fesler from the Environmental Protection Commission, I am withdrawing his name for consideration by the Senate for this appointment.

Sincerely,
TERRY E. BRANSTAD
Governor

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

S.F.	2447	Ways and Means
S.C.R.	112	Rules and Administration
H.F.	61	Judiciary
H.F.	2050	Human Resources
H.F.	2150	Human Resouces
H.F.	2166	Ways and Means
H.F.	2190	State Government
H.F.	2258	Nat. Resources, Environ. & Energy
H.F.	2314	Human Resources
H.F.	2383	Nat. Resources, Environ. & Energy
H.F.	2429	Judiciary
H.F.	2458	Judiciary

AMENDMENTS FILED

S—5317	S.F.	2396	Mary Neuhauser
S—5318	S.F.	2419	Mary Neuhauser Stewart Iverson, Jr.
S—5319	S.F.	2442	Mike Connolly Johnie Hammond
S—5320	S.F.	2442	Elaine Szymoniak Mary Neuhauser
S—5321	H.F.	2383	Berl E. Priebe Allen Borlaug
S—5322	S.F.	2446	Brad Banks Dennis H. Black Berl E. Priebe
S—5323	S.F.	2446	Derryl McLaren

			Dennis H. Black
			Brad Banks
S—5324	S.F.	2446	Mary Lundby
S—5325	S.F.	2399	Elaine Szymoniak
S—5326	S.F.	2355	Randal J. Giannetto
S—5327	S.F.	2446	Stewart Iverson
			John P. Kibbie
			Brad Banks
			Berl E. Priebe
S—5328	S.F.	2333	Larry Murphy

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:53 p.m., until 9:00 a.m., Wednesday, March 13, 1996.

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 13, 1996

The Senate met in regular session at 9:34 a.m., President Boswell presiding.

Prayer was offered by the Reverend Lewis Howard, pastor of the Reorganized Church of the Latter Day Saints, Hiawatha, Iowa.

The Journal of Tuesday, March 12, 1996, 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 12, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2472, a bill for an act relating to and making appropriations to the justice system and providing effective dates.

This bill was read first time and **passed on file.**

INTRODUCTION OF BILL

Senate File 2448, by committee on Appropriations, 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 governor's alliance on substance abuse, the Iowa department of public health, the department of human rights, and the commission of veterans affairs, and providing an immediate effective date.

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 44 present, 6 absent and a quorum present.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2423

On motion of Senator Hammond, Senate File 2423, a bill for an act prohibiting a person from soliciting another person to arrange a sex act with a child and making a penalty applicable, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vilsack until he arrives on request of Senator Bisignano.

BUSINESS PENDING

Senate File 2423

The Senate resumed consideration of Senate File 2423.

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. 2423) 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
Zieman			

Nays, none.

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.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2428

On motion of Senator Hammond, Senate File 2428, a bill for an act relating to associate juvenile judges, 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. 2428) 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
Zieman			

Nays, none.

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.

Senate File 2431

On motion of Senator Maddox, Senate File 2431, a bill for an act deleting the requirement to enter a civil judgment after an order of restitution has been entered, 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?" (S.F. 2431) 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
Zieman			

Nays, none.

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.

President pro tempore Bisignano took the chair at 10:28 a.m.

Senate File 2435

On motion of Senator Redfern, Senate File 2435, a bill for an act relating to shared jurisdiction by the juvenile and adult courts over juveniles who commit certain public offenses and making penalties applicable, 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. 2435) 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
Zieman			

Nays, none.

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.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 2304** be referred from the Regular Calendar to the committee on **Ways and Means**.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2436

On motion of Senator Maddox, Senate File 2436, a bill for an act increasing the penalties for certain sex crimes against persons under the age of eighteen, 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?" (S.F. 2436) 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
Zieman			

Nays, none.

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.

Senate File 2013

On motion of Senator Connolly, Senate File 2013, a bill for an act requiring the licensure of respiratory care therapists and creating a board for respiratory care practitioners, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Connolly offered amendment S—5055 filed by the committee on State Government on February 9, 1996, to pages 2, 3 and 10-15 of the bill and moved its adoption.

Amendment S—5055 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. 2013) 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	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Nays, none.

Absent or not voting, 3:

Sorensen	Szymoniak	Vilsack

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 10:50 a.m.

Senate File 2108

On motion of Senator Fink, Senate File 2108, a bill for an act requiring flashing amber lights on motor vehicles used for snow removal and making existing penalties applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Fink offered amendment S—5093 filed by the committee on Transportation on February 21, 1996, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5093 was adopted by a voice vote.

With the adoption of amendment S—5093, the Chair ruled amendment S—5086 filed by Senator Fink on February 20, 1996, to page 1 and the title page of the bill, out of order.

Senator Douglas offered amendment S—5095 filed by Senators Douglas, Drake and Fink on February 21, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5095 was adopted by a voice vote.

Senatoar Douglas 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—5095 to Senate File 2108 was adopted by the Senate on March 13, 1996.

The motion prevailed by a voice vote and amendment S—5095 was taken up for reconsideration.

Senator Fink offered amendment S—5186 filed by him on March 5, 1996, to amendment S—5095 and moved its adoption.

Amendment S—5186 was adopted by a voice vote.

Senator Douglas moved the adoption of amendment S—5095 as amended, which motion prevailed 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. 2108) 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	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Szymoniak	Tinsman	Zieman	

Nays, 1:

Lundby

Absent or not voting, 2:

Sorensen Vilsack

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 2423, 2428, 2431, 2435, 2436, 2013** and **2108** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2186

On motion of Senator Drake, Senate File 2186, a bill for an act relating to transportation-related sanctions by increasing penalties for certain offenses, providing for the issuance of temporary restricted licenses for certain offenses, providing scheduled fines for various violations, prohibiting certain activities of motor vehicle dealers, and allowing the issuance of a uniform citation and complaint to a corporation for certain violations, was taken up for consideration.

Senator Fraise withdrew amendment S—5234 filed by him on March 6, 1996, to page 1 and the title page of the bill.

Senator Redfern offered amendment S—5333 filed by him from the floor to page 4 of the bill and moved its adoption.

Amendment S—5333 was adopted by a voice vote.

Senator Drake offered amendment S—5199 filed by Senators Drake and Gettings on March 5, 1996, to page 6 of the bill and moved its adoption.

Amendment S—5199 was adopted by a voice vote.

Senator Drake offered amendment S—5299 filed by him on March 12, 1996, to page 12 of the bill.

Senator Drake offered amendment S—5332 filed by him from the floor to amendment S—5299 and moved its adoption.

Amendment S—5332 was adopted by a voice vote.

Senator Drake moved the adoption of amendment S—5299 as amended, which motion prevailed 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. 2186) 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	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Zieman

Nays, none.

Absent or not voting, 2:

Bisignano	Vilsack

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2185

On motion of Senator Connolly, Senate File 2185, a bill for an act providing for maintenance and repair of out-of-state commercial vehicles and providing an effective date, 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. 2185) 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	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Zieman

Nays, none.

Absent or not voting, 2:

Bisignano Vilsack

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2438

On motion of Senator Szymoniak, Senate File 2438, a bill for an act relating to the terminology used to describe persons with certain mental and physical conditions, 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. 2438) 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	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Zieman

Nays, none.

Absent or not voting, 2:

Bisignano Vilsack

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 2185, 2186** and **2438** 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 13, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2083, a bill for an act relating to minimum instructional time requirements for a school week.

ALSO: That the House has on March 13, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2255, a bill for an act relating to the extension of time during which an alternative surcharge may be imposed for E911.

This bill was read first time and **passed on file.**

House File 2464, a bill for an act relating to consumer protection by requiring the registration of certain persons seeking to engage in regulated businesses in this state, and providing for civil and criminal penalties.

This bill was read first time and **passed on file.**

ALSO: That the House has on March 13, 1996, adopted the conference committee report and passed **House File 2114**, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1995, and providing an effective date.

CONFERENCE COMMITTEE REPORT ADOPTED

House File 2114

Senator Husak called up the conference committee report on House File 2114, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1995, and providing an effective date, filed on March 12, 1996, 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 took the chair at 11:50 a.m.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2114) the vote was:

Ayes, 45:

Banks Bartz Bennett Black

Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Zieman			

Nays, 2:

Fink	Iverson

Absent or not voting, 3:

Bisignano	Jensen	Vilsack

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent that **House File 2114** be **immediately messaged** to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 11:55 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 12, 1996, 6:24 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Banks, Bartz, Bisignano, Black, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Neuhauser, Rensink and Vilsack.

Members Absent: Borlaug, Douglas, Kramer, McLaren and Tinsman (all excused).

Committee Business: Approved SSB 2342 as a committee bill; recommended passage of Senate File 2415 as amended.

Adjourned: 6:58 p.m.

EDUCATION

Convened: March 12, 1996, 2:17 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Dvorsky, Fink, Hammond, Iverson, Lind, Neuhauser, Rensink, Szymoniak and Tinsman.

Members Absent: Deluhery, Kramer and Murphy (all excused).

Committee Business: Recommended confirmation of governor's appointees.

Adjourned: 2:33 p.m.

HUMAN RESOURCES

Convened: March 12, 1996, 1:41 p.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Neuhauser, Tinsman and Vilsack.

Members Absent: Kramer (excused).

Committee Business: Recommended confirmation of governor's appointees.

Adjourned: 2:17 p.m.

STATE GOVERNMENT

Convened: March 12, 1996, 1:38 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 passage of Senate Resolution 104 and Senate File 2409; assigned bills to subcommittees.

Adjourned: 1:52 p.m.

WAYS AND MEANS

Convened: March 12, 1996, 11:33 a.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 (excused).

Committee Business: Recommended passage of Senate Files 2304, 2324 and 2412; deferred action on Senate File 2425.

Adjourned: 12:06 p.m.

COMPANION BILL RECEIVED

On March 12, 1996, **House File 2324** was received and attached to companion **Senate File 2104** on the Senate calendar.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2446, the following correction was made:

1. Page 18, line 7, the word and number "Section 100" were changed to the word and number "Section 28".

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the Honorable Arthur Gratias, former member of the Senate from Floyd County, who was present in the Senate chamber.

Senator Fink presented twenty-four students from Kofu First High School, Kofu, Japan, who were accompanied by their Japanese teachers and Dennis Compston, Dean of Students at Hoover High School in Des Moines. Senator Szymoniak.

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifth grade students from Hillis Elementary School, Des Moines, accompanied by Mrs. Fastenau, Mrs. Reaney and Mrs. Kerber. Senator Szymoniak.

Thirty-three twelfth grade students from English Valleys High School, North English, accompanied by Brian Newel. Senator Husak.

Fifth grade students from Winterset Middle School, Winterset, accompanied by Carol Liechty. Senator Douglas.

Fifty-four sixth grade students from Gladbrook-Reinbeck Middle School, Gladbrook, accompanied by Terri Luehring, April Acton and Barb Schwarck. Senators Husak and Jensen.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2415, a bill for an act establishing an environmental education program in the state of Iowa and making appropriations.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5330.

Final Vote: Ayes, 20: Murphy, Boswell, Lind, Banks, Bartz, Bisignano, Black, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Neuhauser, Rensink and Vilsack. Nays, none. Absent or not voting, 5: Borlaug, Douglas, Kramer, McLaren and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2448 (SSB 2342), 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 governor's alliance on substance abuse, the Iowa department of public health, the department of human rights, and the commission of veterans affairs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 20: Murphy, Boswell, Lind, Banks, Bartz, Bisignano, Black, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Neuhauser, Rensink and Vilsack. Nays, none. Absent or not voting, 5: Borlaug, Douglas, Kramer, McLaren and 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 Appropriations Committee on Senate File 2448 and they were attached to the committee report.

CONFERENCE COMMITTEE REPORT RECEIVED
(Senate File 13)

A conference committee report signed by the following Senate and House members was filed March 13, 1996, on 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:

On the Part of the Senate:

ELAINE SZYMONIAK, Chair
MERLIN E. BARTZ
MARY E. KRAMER
LARRY MURPHY

On the Part of the House:

DAN BODDICKER, Chair
DONNA HAMMITT BARRY
CHARLES HURLEY

AMENDMENTS FILED

S—5329	S.F.	2289	Johnie Hammond
S—5330	S.F.	2415	Appropriations
S—5331	H.F.	2390	Patty Judge
S—5332	S.F.	2186	Richard F. Drake
S—5333	S.F.	2186	Donald B. Redfern
S—5334	S.F.	2223	Mary Lou Freeman

S—5335	S.F.	2385	Mary Neuhauser
S—5336	S.F.	2445	Larry Murphy
S—5337	S.F.	2386	William D. Palmer

AFTERNOON SESSION

The Senate reconvened at 3:14 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 41 present, 9 absent and a quorum present.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2322

On motion of Senator Dvorsky, Senate File 2322, a bill for an act relating to a cash reserve levy for merged areas and providing for properly related matters, 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. 2322) the vote was:

Ayes, 49:

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.

Absent or not voting, 1:
Banks

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 Banks until he returns on request of Senator Bartz.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2328

On motion of Senator Dvorsky, Senate File 2328, a bill for an act relating to the administration and accreditation of area education agency programs and providing for properly related matters, 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. 2328) the vote was:

Ayes, 35:

Bennett	Bisignano	Black	Boettger
Boswell	Connolly	Dearden	Deluhery
Douglas	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gettings
Gronstal	Halvorson	Hammond	Horn
Husak	Iverson	Judge	Kibbie
Lundby	Murphy	Neuhauser	Palmer
Priebe	Rife	Rittmer	Sorensen
Tinsman	Vilsack	Zieman	

Nays, 15:

Banks	Bartz	Borlaug	Giannetto
Hansen	Hedge	Jensen	Kramer
Lind	Maddox	McKean	McLaren
Redfern	Rensink	Szymoniak	

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 3:40 p.m.

CONFERENCE COMMITTEE REPORT ADOPTED

Senate File 13

Senator Szymoniak called up the conference committee report on 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, filed on March 13, 1996, 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 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:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 29:

Bartz	Bennett	Bisignano	Boswell
Connolly	Deluhery	Drake	Flynn
Fraise	Gettings	Halvorson	Hedge
Horn	Husak	Judge	Kibbie
Kramer	Lind	Maddox	McKean
Murphy	Palmer	Priebe	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack			

Nays, 20:

Banks	Black	Boettger	Borlaug
Dearden	Douglas	Dvorsky	Fink
Freeman	Giannetto	Gronstal	Hammond
Iverson	Jensen	Lundby	McLaren
Neuhauser	Redfern	Rensink	Zieman

Absent or not voting, 1:

Hansen

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 13** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senate File 2445

On motion of Senator Husak, Senate File 2445, a bill for an act relating to and making appropriations to the department of general services for the fiscal year beginning July 1, 1995, and providing an effective date, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Black for the remainder of the day on request of Senator Dvorsky.

BUSINESS PENDING

Senate File 2445

The Senate resumed consideration of Senate File 2445.

Senator Murphy offered amendment S—5336 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5336 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McLaren for the remainder of the day on request of Senator Rife.

BUSINESS PENDING

Senate File 2445

The Senate resumed consideration of Senate File 2445.

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. 2445) 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	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Black	McLaren

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 2158

On motion of Senator Murphy, Senate File 2158, a bill for an act relating to textbooks, was taken up for consideration.

Senator Murphy offered amendment S—5266 filed by Senators Murphy, Neuhauser and Connolly on March 11, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5266 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. 2158) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Bisignano
Boettger	Borlaug	Boswell	Connolly
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	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack			

Nays, 3:

Dearden	Hammond	Zieman

Absent or not voting, 2:

Black	McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2160

On motion of Senator Fink, Senate File 2160, a bill for an act relating to school finance by extending budget adjustment guarantee provisions for an additional budget year and providing an effective date, was taken up for consideration.

Senator Neuhauser offered amendment S—5070 filed by Senators Neuhauser, Bisignano and Hammond on February 15, 1996, to page 1 and the title page of the bill.

Senator Fink raised the point of order that amendment S—5070 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5070 out of order.

President pro tempore Bisignano took the chair at 4:56 p.m.

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. 2160) the vote was:

Ayes, 41:

Banks	Bartz	Bennett	Boettger
Borlaug	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Fink
Flynn	Fraise	Freeman	Gettings
Giannetto	Gronstal	Halvorson	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Lind
Lundby	McKean	Murphy	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Vilsack
Zieman			

Nays, 7:

Bisignano	Dvorsky	Hammond	Kramer
Maddox	Neuhauser	Tinsman	

Absent or not voting, 2:

Black	McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2255

On motion of Senator Redfern, Senate File 2255, a bill for an act relating to the authority of fiduciaries under the probate code to invest in open-end or closed-end management investment companies or investment trusts, was taken up for consideration.

Senator Redfern asked and received unanimous consent that **House File 2365** be **substituted** for **Senate File 2255.**

House File 2365

On motion of Senator Redfern, House File 2365, a bill for an act relating to the authority of fiduciaries under the probate code to invest in open-end or closed-end management investment companies or investment trusts, 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?" (H.F. 2365) 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	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Black	McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Redfern asked and received unanimous consent that **Senate File 2255** be **withdrawn** from further consideration of the Senate.

Senate File 2085

On motion of Senator Fink, Senate File 2085, 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 Lind asked and received unanimous consent that action on **Senate File 2085** be **deferred.**

Senate File 2223

On motion of Senator Kibbie, Senate File 2223, a bill for an act providing for agricultural drainage regulation, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Freeman offered amendment S—5334 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—5334 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. 2223) the vote was:

Ayes, 47:

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	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Banks	Black	McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2362

On motion of Senator Deluhery, Senate File 2362, a bill for an act relating to the regulation of activities of state banks and state bank affiliates, interstate branching or banking, and personnel of the banking division, state banks, and state bank affiliates, and the regulation of financial transactions involving such entities and personnel, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that **House File 2409** be **substituted** for **Senate File 2362.**

House File 2409

On motion of Senator Deluhery, House File 2409, a bill for an act relating to the regulation of activities of state banks and state bank affiliates, interstate branching or banking, and personnel of the banking division, state banks, and state bank affiliates, and the regulation of financial transactions involving such entities and personnel, was taken up for consideration.

Senator Gronstal offered amendment S—5312 filed by Senators Douglas and Gronstal on March 12, 1996, to page 12 of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S—5312 and **House File 2409** be **deferred.**

Senate File 2381

On motion of Senator Szymoniak, Senate File 2381, a bill for an act relating to dependent adult abuse and providing penalties, 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. 2381) the vote was:

Ayes, 47:

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	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Banks	Black	McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2406

On motion of Senator Connolly, Senate File 2406, a bill for an act relating to immunity from assault charges for the use of force by a person to stop a fight or disturbance at a school or school function, 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 civil penalties for truancy and the loss of a driver's license for truanc, was taken up for consideration.

Senator Connolly offered amendment S—5173 filed by him on March 5, 1996, to the title page of the bill and moved its adoption.

Amendment S—5173 was adopted by a voice vote.

Senator Connolly offered amendment S—5344 filed by him from the floor to pages 2, 3 and the title page of the bill and requested a division: lines 2-17 as division S—5344A and lines 18-30 as division S—5344B.

Senator Connolly withdrew division S—5344B.

Senator Connolly moved the adoption of division S—5344A, which motion prevailed by a voice vote.

Senator Connolly asked and received unanimous consent that action on **Senate File 2406** be **deferred.**

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2322, 2328, 2445, 2158, 2160, 2223, 2381** and **House File 2365** 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 13, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2315, a bill for an act authorizing small quantities of wine to be shipped in and out of this state for consumption or use by persons twenty-one years of age or older.

This bill was read first time and **passed on file.**

House File 2456, a bill for an act relating to the rights of victims of criminal acts.

This bill was read first time and **passed on file.**

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 113, by Drake, a concurrent resolution declaring Miss Iowa an official hostess of the State of Iowa.

Read first time and **passed on file.**

APPENDIX

STUDY BILLS RECEIVED

SSB 2343 Ways & Means

Changing the computation of the inflation factors for the tax brackets and standard deduction under the individual income tax; changing the computation of taxable income of certain subchapter S corporations and their shareholders; increasing inheritance tax exemptions for certain relatives; increasing the amount of the appropriations for homestead credit, military service credit, and low-income credit and reimbursement claims; providing income tax credits for investing in a qualified venture capital company establishing incentives for family farm animal feeding operations and making an appropriation; and providing effective and, the applicability date provisions.

SSB 2344 Communications & Information Policy

A Concurrent Resolution recognizing the League of Women Voters of Iowa and Cornell College for their efforts in creating an Internet-accessible system for obtaining legislative information.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2370

NAT. RESOURCES, ENVIR. & ENERGY: Gronstal, Chair; Deluhery and Rensink

Senate File 2412

WAYS AND MEANS: Connolly, Chair; McLaren and Priebe

Senate File 2424

WAYS AND MEANS: Connolly, Chair; Freeman and Neuhauser

Senate File 2425

WAYS AND MEANS: Connolly, Chair; Hedge and Neuhauser

Senate File 2426

WAYS AND MEANS: Vilsack, Chair; Connolly and Hedge

Senate File 2429

WAYS AND MEANS: Vilsack, Chair; Freeman and Neuhauser

Senate File 2432

WAYS AND MEANS: Connolly, Chair; Hedge and Neuhauser

Senate File 2441

WAYS AND MEANS: Connolly, Chair; Iverson and Neuhauser

Senate File 2444

WAYS AND MEANS: Deluhery, Chair; Freeman and Priebe

House File 61

JUDICIARY: Vilsack, Chair; Bartz, Drake, Giannetto and Neuhauser

House File 2050

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Hammond

House File 2150

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Neuhauser

House File 2234

SMALL BUS., ECONOMIC DEVLPT, AND TOURISM: Bennett, Chair; Boettger, Flynn, Hansen and Palmer

House File 2258

NAT. RESOURCES, ENVIR. & ENERGY: Dearden, Chair; Freeman and Judge

House File 2308

NAT. RESOURCES, ENVIR. & ENERGY: Banks, Chair; Fink and Sorensen

House File 2314

HUMAN RESOURCES: Hammond, Chair; Szymoniak and Tinsman

House File 2383

NAT. RESOURCES, ENVIR. & ENERGY: Black, Chair; Dearden and Rensink

House File 2397

COMMERCE: Flynn, Chair; Douglas and Gettings

House File 2429

JUDICIARY: Maddox, Chair; Giannetto, Neuhauser, Redfern and Vilsack

House File 2458

JUDICIARY: Hansen, Chair; Giannetto, Maddox, Redfern and Vilsack

SSB 2335

WAYS AND MEANS: Vilsack, Chair; Bennett and Palmer

SSB 2343

WAYS AND MEANS: Palmer, Chair; Bennett, Connolly, Drake and Vilsack

SSB 2344

COMMUNICATIONS & INFO. POLICY: Dvorsky, Chair; Hansen and Jensen

SIMILAR BILL RECEIVED

On March 13, 1996, **House File 2464** was received and attached to similar **Senate File 2400** on the Senate calendar.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: HOUSE FILE 230, a bill for an act relating to procedural requirements for the enforcement of certain copyrights, and providing for penalties.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 10: Deluhery, Hansen, Bartz, Bisignano, Douglas, Freeman, Gronstal, Hedge, Palmer and Redfern. Nays, 3: Jensen, Husak and Priebe. Absent or not voting, 2: Flynn and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2152, 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: DO PASS.

Final Vote: Ayes, 13: Deluhery, Hansen, Jensen, Bartz, Bisignano, Douglas, Freeman, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 2: Flynn and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2310, a bill for an act relating to the regulation of insurance and amending provisions providing for setoff of premium, fraudulent submissions to insurers, availability of certain information to insurers, length of term of the board of directors of an insurer, notice of cancellation, delivery of certain policies in this state, and making a penalty applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Deluhery, Hansen, Jensen, Bartz, Douglas, Freeman, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 3: Bisignano, Flynn and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 210, a bill for an act authorizing a court to require a criminal offender as part of a restitution order to make financial contributions to a local anticrime organization.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Giannetto, McKean, Bartz, Boettger, Fraise, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 4: Vilsack, Bisignano, Drake and Hammond.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2109, a bill for an act relating to nonconsensual termination of or serious injury to a pregnancy and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Giannetto, McKean, Bartz, Boettger, Fraise, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 4: Vilsack, Bisignano, Drake and Hammond.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 2177, a bill for an act relating to the exclusion of century farms from economic development areas for purposes of urban renewal and providing for the Act's applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Sorensen, Fink, Fraise, Judge, McKean, Rittmer and Zieman. Nays, 3: Maddox, Black and Halvorson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2187, a bill for an act relating to the attachment of property to a rural water district.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge, McKean and Zieman. Nays, none. Absent or not voting, 1: Rittmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2259, a bill for an act relating to city sewer or water utility connections.

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.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: HOUSE FILE 2408, a bill for an act concerning mining by applying the criterion for the reclamation of mine sites, by redefining operator and mining operations, by amending the hearing procedures, by providing for administrative actions and the assessments of penalties by the division of soil conservation for noncompliance, and establishing additional penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Fink, Black, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, none. Absent or not voting, 1: Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 13, 1996, when the vote was taken on Senate File 13. Had I been present, I would have voted "aye".

STEVEN D. HANSEN

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

H.F.	2255	Local Government
H.F.	2315	State Government
H.F.	2456	Judiciary
H.F.	2472	Appropriations
S.C.R.	113	State Government

AMENDMENTS FILED

S—5338	S.F.	2350	Robert Dvorsky
S—5339	S.F.	2333	Michael E. Gronstal
S—5340	S.F.	2366	Michael E. Gronstal Richard F. Drake
S—5341	S.F.	2448	Tom Flynn
S—5342	H.F.	2144	Tom Vilsack Nancy Boettger

S—5343	S.F.	2003	Rod Halvorson
S—5344	S.F.	2406	Mike Connolly

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:44 p.m., until 9:00 a.m., Thursday, March 14, 1996.

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 14, 1996

The Senate met in regular session at 9:12 a.m., President Boswell presiding.

Prayer was offered by the Reverend Steve Pike, pastor of the Martelle Christian Church, Martelle, Iowa.

The Journal of Wednesday, March 13, 1996, 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 13, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2477, 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 making related statutory changes and providing effective date provisions.

Read first time and **passed on file.**

INTRODUCTION OF RESOLUTION

Senate Resolution 106, by Horn and Rife, a senate resolution of congratulations and support for the Iowa State Cyclones Men's Basketball Team and the Iowa Hawkeyes Women's and Men's Basketball Teams.

Read first time and **passed on file.**

SPECIAL GUESTS

Senator Kibbie introduced Miss Shamrock of 1996, Shauna Donovan and her parents, Patrick and Patricia Donovan, from Estherville, Iowa, and Mayor Norlyn Stowell and his wife Jean of Emmetsburg, Iowa.

Senator Kibbie welcomed the Irish Dancers who were present in the Senate gallery.

Senator Kibbie introduced John Browne T.D. and his wife, Nancy, from Carlow in Ireland, a Convener of the Fine Gael Party and group leader of legislation for justice and health.

Mr. Browne address the Senate with thanks for the wonderful reception given to generations of Irish people by the United States and Iowa.

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McLaren until he arrives on request of Senator Lind.

UNFINISHED BUSINESS
(Deferred March 6, 1996)

Senate File 2265

The Senate resumed consideration of Senate File 2265, 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 and certain contested modification of custody orders, deferred March 6, 1996.

Senator Bartz called up the motion to reconsider the vote by which amendment S—5160 to Senate File 2265 was adopted by the Senate on March 6, 1996, filed by him on March 7, 1996, found on page 687 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5160 by Senators Hammond and Halvorson to strike everything after the enacting clause and to the title page of the bill, was taken up for reconsideration.

Senator Hammond offered amendment S—5286 filed by her on March 11, 1996, to amendment S—5160 and moved its adoption.

Amendment S—5286 was adopted by a voice vote.

Senator Bartz offered amendment S—5239 filed by him on March 7, 1996, to amendment S—5160 and moved its adoption.

Amendment S—5239 was adopted by a voice vote.

Senator Bartz withdrew amendment S—5240 filed by him on March 7, 1996, to amendment S—5160.

Senator Hammond moved the adoption of amendment S—5160 as amended, 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?" (S.F. 2265) the vote was:

Ayes, 37:

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	Judge	Kibbie	Kramer
Lundby	McKean	Neuhauser	Priebe
Redfern	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 11:

Banks	Bartz	Bisignano	Jensen
Lind	Maddox	Murphy	Palmer
Rensink	Rittmer	Sorensen	

Absent or not voting, 2:

McLaren	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 BILLS
(Regular Calendar)

Sentae File 2171

On motion of Senator Neuhauser, Senate File 2171, a bill for an act relating to public health administration, including the duties of the director of public health, primary care recruitment and retention, professional licensure, and health data, was taken up for consideration.

Senator Neuhauser offered amendment S—5250 filed by her on March 11, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5250 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. 2171) 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 bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2201

On motion of Senator Neuhauser, Senate File 2201, a bill for an act relating to the open enrollment application and implementation process, was taken up for consideration.

Senator Rensink asked and received unanimous consent to withdraw amendment S—5164 filed by Senators Rensink, Priebe and Kibbie on March 4, 1996, to page 1 and the title page of the bill.

Senator Bartz withdrew amendment S—5099 filed by him on February 22, 1996, to page 2 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. 2201) 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	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	Murphy
Neuhauser	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Bisignano	McLaren	Palmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2297

On motion of Senator Hammond, Senate File 2297, a bill for an act relating to victim compensation for health care for persons other than the victim, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that action on **Senate File 2297** be **deferred.**

Senate File 2301

On motion of Senator Dvorsky, Senate File 2301, a bill for an act relating to lead abatement and inspection, training and certification requirements, and providing penalties, was taken up for consideration.

Senator Dvorsky offered amendment S—5255 filed by him on March 11, 1996, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5255 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. 2301) the vote was:

Ayes, 29:

Bisignano	Black	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Judge	Kibbie	Lundby
McKean	Murphy	Neuhauser	Priebe
Redfern	Sorensen	Szymoniak	Tinsman
Vilsack			

Nays, 19:

Banks	Bartz	Bennett	Boettger
Borlaug	Boswell	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
Kramer	Lind	Maddox	Rensink
Rife	Rittmer	Zieman	

Absent or not voting, 2:

McLaren	Palmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2324

On motion of Senator Szymoniak, Senate File 2324, a bill for an act relating to public assistance and certain associated state tax provisions involving the family investment program, family development and self-sufficiency council, individual development accounts, and fraudulent practices involving the food stamp program, making penalties applicable, and providing applicability provisions and effective dates, with report of committee on Ways and Means recommending passage on March 12, 1996, was taken up for consideration.

Senator Iverson offered amendment S—5219 filed by him on March 6, 1996, to page 10 of the bill.

Senator Szymoniak asked and received unanimous consent that action on amendment S—5219 and **Senate File 2324** be **deferred.**

Senate File 2351

On motion of Senator Connolly, Senate File 2351, a bill for an act relating to department of economic development programs, including the workforce development fund program and the Iowa small business new jobs training Act, providing a supplemental new jobs credit from withholding, establishing a rural microbusiness assistance program, increasing the funds available for the value-added agricultural products and processes program, and making an annual allocation from an appropriation, with report of committee on Ways and Means recommending passage on March 7, 1996, was taken up for consideration.

Senator Vilsack asked and received unanimous consent that action on **Senate File 2351** be **deferred.**

Senate File 2315

On motion of Senator Bisignano, Senate File 2315, a bill for an act requiring the posting of notice of par sheet theoretical payout averages for slot machines in racetrack enclosures and excursion gambling boats, 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. 2315) the vote was:

Ayes, 32:

Bartz	Bisignano	Black	Borlaug
Connolly	Dearden	Deluhery	Douglas
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Jensen	Judge	Kibbie	Kramer
Lundby	Maddox	Murphy	Neuhauser
Redfern	Rittmer	Szymoniak	Vilsack

Nays, 16:

Banks	Bennett	Boettger	Boswell
Drake	Freeman	Husak	Iverson
Lind	McKean	Priebe	Rensink
Rife	Sorensen	Tinsman	Zieman

Absent or not voting, 2:

McLaren	Palmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2387

On motion of Senator Fink, Senate File 2387, a bill for an act relating to the department of general services, by providing for the sale or disposal of unwanted state personal property, for the terms and conditions of state lease-purchase agreements, and by

establishing a monument maintenance account, was taken up for consideration.

Senator Fink offered amendment S—5251 filed by him on March 11, 1996, to pages 2-5 and the title page of the bill and moved its adoption.

Amendment S—5251 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. 2387) 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	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 1:

Borlaug

Absent or not voting, 1:

McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 2409

On motion of Senator Vilsack, Senate File 2409, a bill for an act relating to workforce development by establishing a workforce development department, by eliminating the department of employment services, and including workforce development

programs in the new department, by providing for state privatization contracts, and by establishing a workforce development board and regional advisory boards, with report of committee on State Government recommending passage on March 12, 1996, was taken up for consideration.

Senator Vilsack offered amendment S—5254 filed by him on March 11, 1996, to pages 1, 6, 7, 18 and 19 of the bill and moved its adoption.

Amendment S—5254 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. 2409) the vote was:

Ayes, 33:

Bisignano	Black	Borlaug	Boswell
Connolly	Dearden	Deluhery	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Jensen	Judge	Kibbie	Lundby
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Sorensen	Szymoniak
Vilsack			

Nays, 16:

Banks	Bartz	Bennett	Boettger
Douglas	Drake	Hedge	Iverson
Kramer	Lind	Maddox	McKean
Rife	Rittmer	Tinsman	Zieman

Absent or not voting, 1:

McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2412

On motion of Senator Deluhery, Senate File 2412, a bill for an act relating to the registration of postsecondary schools and

increasing fees, with report of committee on Ways and Means recommending passage on March 12, 1996, 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. 2412) 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	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 1:

Borlaug

Absent or not voting, 2:

Jensen McLaren

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 2265, 2171, 2201, 2301, 2315, 2387, 2409** and **2412** be **immediately messaged** to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 11:20 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 13, 1996, 2:35 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Bartz, Bisignano, Douglas, Freeman, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern.

Members Absent: Flynn and Gettings (both excused).

Committee Business: Assigned bill to subcommittee; placed House File 230 on calendar without recommendation; recommended passage of House Files 2310 and 2152.

Adjourned: 3:02 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: March 13, 1996, 1:15 p.m.

Members Present: Dvorsky, Chair; McLaren, Ranking Member; Hansen and Redfern.

Members Absent: Deluhery, Vice Chair; Flynn and Jensen (all excused).

Committee Business: Approved SSB 2344 as a committee bill; assigned bill to subcommittee.

Adjourned: 1:30 p.m.

JUDICIARY

Convened: March 13, 1996, 1:37 p.m.

Members Present: Giannetto, Chair; McKean, Ranking Member; Bartz, Boettger, Fraise, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak.

Members Absent: Vilsack, Vice Chair; Bisignano, Drake and Hammond (all excused).

Committee Business: Recommended passage of House Files 2109 and 210.

Adjourned: 2:05 p.m.

LOCAL GOVERNMENT

Convened: March 13, 1996, 2:30 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: Recommended passage of House Files 2187, 2177 and 2259.

Adjourned: 2:55 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: March 13, 1996, 1:40 p.m.

Members Present: Fink, Chair; Black, Vice Chair; Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen.

Members Absent: Lundby, Ranking Member (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House File 2408; presentation on energy efficiency.

Adjourned: 2:17 p.m.

WAYS AND MEANS

Convened: March 13, 1996, 8:35 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: SSB 2343 as amended failed committee approval.

Adjourned: 9:34 a.m.

PRESENTATION OF VISITORS

Senator Priebe welcomed the Honorable Norman G. Rodgers, former member of the House and Senate from Dallas County, who was present in the Senate chamber.

The Chair welcomed the following visitors who were present in the Senate gallery:

Six eighth grade students from Manson-Northwest Webster High School, Barnum, accompanied by Kathy Cordes. Senator Halvorson.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5173 to Senate File 2406 was adopted by the Senate on March 13, 1996.

MIKE CONNOLLY

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 105

RULES AND ADMINISTRATION: Horn, Chair; Gronstal and Kramer

Senate File 2447

WAYS AND MEANS: Priebe, Chair; Bennett and Vilsack

House File 2166

WAYS AND MEANS: Palmer, Chair; Connolly and Drake

House File 2456

JUDICIARY: Giannetto, Chair; Bisignano, McKean, Redfern and Vilsack

COMMITTEE REPORTS

COMMUNICATIONS AND INFORMATION POLICY

Final Bill Action: SENATE CONCURRENT RESOLUTION 114 (SSB 2344), a concurrent resolution recognizing the League of Women Voters of Iowa and Cornell College for their efforts in creating an Internet-accessible system for obtaining legislative information.

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.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2221, a bill for an act relating to alternate energy production and purchasing requirements, and providing an applicability provision and an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe and Vilsack. Nays, none. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2266, a bill for an act making transportion-related Code changes including providing for a temporary registration permit, increasing registration fees for certain trailers, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser and Vilsack. Nays, 1: Priebe. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5345	S.F.	2174	JoAnn Douglas
S—5346	H.F.	2140	Merlin E. Bartz
S—5347	S.F.	2406	Mike Connolly
S—5348	H.F.	2177	O. Gene Maddox Dennis H. Black
S—5349	S.F.	2406	Maggie Tinsman Mike Connolly
S—5350	S.F.	2399	Elaine Szymoniak
S—5351	S.F.	2297	Patrick J. Deluhery

			Johnie Hammond
			Maggie Tinsman
			Randal J. Giannetto
			Andy McKean
S—5352	S.F.	2195	Merlin E. Bartz
S—5353	S.F.	2448	Tom Flynn
S—5354	S.F.	2236	Johnie Hammond

AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., Senator Hansen presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 47 present, 3 absent and a quorum present.

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, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2127, a bill for an act relating to the exemption of certain individual property management accounts from certification and auditing requirements.

This bill was read first time and **passed on file.**

House File 2297, a bill for an act relating to payment of warrants drawn on levee and drainage district funds.

This bill was read first time and **passed on file.**

House File 2443, a bill for an act relating to children's provisions involving child support, the family investment program, and related human services programs by establishing additional eligibility and assistance provisions and requiring the department of human services to apply for federal waivers and providing an applicability provision and effective dates.

This bill was read first time and **passed on file.**

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 114, by committee on Communication and Information Policy, a concurrent resolution recognizing the League of Women Voters of Iowa and Cornell

College for their efforts in creating an Internet-accessible system for obtaining legislative information.

Read first time and **placed on calendar.**

The Senate stood at ease at 2:52 p.m. until the fall of the gavel for the purpose of a party caucus and committee meeting.

The Senate resumed session at 3:40 p.m., President Boswell presiding.

QUORUM CALL

Senator Hammond requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 2448.

Senate File 2448

On motion of Senator Flynn, Senate File 2448, 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 governor's alliance on substance abuse, the Iowa department of public health, the department of human rights, and the commission of veterans affairs, and providing an immediate effective date, was taken up for consideration.

Senator Flynn offered amendment S—5355 filed by Senators Flynn and Bisignano from the floor to pages 23 and 24 of the bill.

Senator Halverson asked and received unanimous consent that action on amendment S—5355 be deferred.

Senator Neuhauser offered amendment S—5357 filed by her from the floor to page 26 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5357 be adopted?" (S.F. 2448) the vote was:

Ayes, 19:

Bisignano	Boettger	Douglas	Dvorsky
Hammond	Hedge	Kramer	Lind
McLaren	Murphy	Neuhauser	Palmer
Redfern	Rife	Rittmer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 30:

Banks	Bartz	Bennett	Black
Borlaug	Boswell	Dearden	Deluhery
Drake	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hansen	Horn	Husak
Iverson	Jensen	Judge	Kibbie
Lundby	Maddox	McKean	Priebe
Rensink	Sorensen		

Absent or not voting, 1:

Connolly

Amendment S—5357 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Connolly until he returns on request of Senator Giannetto.

BUSINESS PENDING

Senate File 2448

The Senate resumed consideration of Senate File 2448.

Senator Flynn offered amendment S—5341 filed by him on March 13, 1996, to page 26 of the bill and moved its adoption.

Amendment S—5341 was adopted by a voice vote.

Senator Flynn offered amendment S—5353 filed by him from the floor to page 26 of the bill and moved its adoption.

Amendment S—5353 was adopted by a voice vote.

Senator Flynn moved the adoption of amendment S—5355 to pages 23 and 24 of the bill, previously deferred, which motion prevailed 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?" (S.F. 2448) 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.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2099

On motion of Senator Giannetto, Senate File 2099, a bill for an act relating to permissible fees and commission to be paid to certified public accountants and accounting practioners, was taken up for consideration.

Senator Giannetto asked and received unanimous consent that **House File 2247** be **substituted** for **Senate File 2099.**

President pro tempore Bisignano took the chair at 4:50 p.m.

House File 2247

On motion of Senator Giannetto, House File 2247, a bill for an act relating to permissible fees and commission to be paid to certified public accountants and accounting practioners, 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. 2247) 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.

Senator Giannetto asked and received unanimous consent that **Senate File 2099** be **withdrawn** from further consideration of the Senate.

Senate File 2419

On motion of Senator Neuhauser, Senate File 2419, a bill for an act relating to the activities of the department of education, vocational education, community colleges, to special area education programs, dual enrollment, payment of claims for nonpublic school pupil transportation, the school budget review committee, the enrollment of certain students, annual audits of school districts, and providing effective and retroactive applicability dates, was taken up for consideration.

Senator Neuhauser offered amendment S—5318 filed by Senators Neuhauser and Iverson on March 12, 1996, to pages 1, 6 and the title page of the bill and moved its adoption.

Amendment S—5318 was adopted by a voice vote.

Senator Rensink withdrew amendment S—5161 filed by him on March 4, 1996, to page 14 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. 2419) 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.

ADOPTION OF RESOLUTION

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 106.

Senate Resolution 106

On motion of Senator Horn, Senate Resolution 106, a senate resolution of congratulations and support for the Iowa State Cyclones Men's Basketball Team and the Iowa Hawkeyes Women's and Men's Basketball Teams, was taken up for consideration.

Senator Horn moved the adoption of Senate Resolution 106, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2448** and **2419** and **House File 2247** 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 14, 1996, adopted the conference committee report and passed **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.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 115, by committee on Small Business, Economic Development, and Tourism, a concurrent resolution requesting that Iowa's congressional delegation support guaranteed state legislative involvement in the reorganization, implementation, and funding of federal workforce development and job training programs in the states.

Read first time and **placed on calendar.**

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

H.F.	2127	Commerce
H.F.	2297	Local Government
H.F.	2443	Human Resources
H.F.	2477	Appropriations

COMMITTEE REPORTS

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Final Bill Action: SENATE CONCURRENT RESOLUTION 115 (SSB 2341), a concurrent resolution requesting that Iowa's congressional delegation support guaranteed state legislative involvement in the reorganization, implementation, and funding of federal workforce development and job training programs in the states.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 12: Hansen, Judge, Zieman, Bennett, Boettger, Borlaug, Flynn, Giannetto, Kibbie, Sorensen, Szymoniak and Vilsack. Nays, none. Absent or not voting, 3: Maddox, McKean and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2426, a bill for an act prohibiting vehicle registration in certain circumstances, imposing additional criminal fees, and relating to delinquent payments, installment payments, and collections of unpaid fines, penalties, court costs, fees, surcharges, and restitution.

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: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2429, a bill for an act relating to limited liability companies and corporations, including the period within which a limited liability company subject to dissolution may be continued, use of trade names by corporations and limited liability companies, and providing an exemption from the real estate transfer tax for certain transfers involving limited liability companies.

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: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2449 (SSB 2343), a bill for an act changing the computation of the inflation factors for the tax brackets and standard deduction under the individual income tax; changing the computation of taxable income of certain subchapter S corporations and their shareholders; increasing inheritance tax exemptions for certain relatives; increasing the amount of the appropriations for homestead credit, military service credit, and low-income credit and reimbursement claims; providing income tax credits for investing in a qualified venture capital company; establishing incentives for family farm animal feeding operations and making an appropriation; adjusting the funding for the family farm and agricultural land tax credits; and providing effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Palmer, Husak, Deluhery, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, 7: Bennett, Connolly, Drake, Freeman, Hedge, Iverson and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 2449, by committee on Ways and Means, a bill for an act changing the computation of the inflation factors for the tax brackets and standard deduction under the individual income tax; changing the computation of taxable income of certain subchapter S corporations and their shareholders; increasing

inheritance tax exemptions for certain relatives; increasing the amount of the appropriations for homestead credit, military service credit, and low-income credit and reimbursement claims; providing income tax credits for investing in a qualified venture capital company; establishing incentives for family farm animal feeding operations and making an appropriation; adjusting the funding for the family farm and agricultural land tax credits; and providing effective and applicability date provisions.

Read first time under Rule 28 and **placed on Ways and Means Calendar.**

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Chad Winterhof, Walnut — For attaining the rank of Eagle Scout. Senator Boettger (3-17-96).

Clara Lemmer, Bethany — For your 100th birthday on May 30, 1996. Senator Flynn (3-14-96).

AMENDMENTS FILED

S—5355	S.F.	2448	Tom Flynn Tony Bisignano
S—5356	S.F.	2368	Tom Flynn
S—5357	S.F.	2448	Mary Neuhauser
S—5358	H.F.	2383	Berl E. Priebe
S—5359	S.F.	2195	Robert Dvorsky
S—5360	S.F.	2341	Allen Borlaug
S—5361	S.F.	2351	Tom Vilsack Derryl McLaren Allen Borlaug

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:15 p.m., until 1:30 p.m., Monday, March 18, 1996.

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 18, 1996

The Senate met in regular session at 1:45 p.m., President Boswell presiding.

Prayer was offered by the Reverend Robert Sauser, pastor of the First Baptist Church, Creston, Iowa.

The Journal of Thursday, March 14, 1996, 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 14, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2449, a bill for an act setting campaign contribution limits by persons and political committees, addressing independent expenditures on behalf of candidates, employee and member contributions, making penalties applicable, and providing an effective date.

This bill was read first time and **passed on file.**

INTRODUCTION OF BILL

Senate File 2450, by committee on Ways and Means, a bill for an act establishing certain registration and title plant requirements for persons preparing abstracts of title to real property, establishing a title plant board of examiners, providing for fees and the use of those fees, and providing effective 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 48 present, 2 absent and a quorum present.

UNFINISHED BUSINESS
(Deferred February 28, 1996)

Senate File 2012

The Senate resumed consideration of Senate File 2012, a bill for an act relating to the conduct of raffles, deferred February 28, 1996.

Senator Bisignano offered amendment S—5366 filed by him from the floor to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5366 was adopted by a voice vote.

With the adoption of amendment S—5366, the Chair ruled amendment S—5152 filed by Senator Halvorson on February 29, 1996, to strike everything after the enacting clause of the bill, out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery until he arrives on request of Senator Horn.

BUSINESS PENDING

Senate File 2012

The Senate resumed consideration of Senate File 2012.

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. 2012) the vote was:

Ayes, 35:

Bisignano	Black	Boettger	Borlaug
Connolly	Dearden	Douglas	Dvorsky
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Hammond	Hansen
Horn	Husak	Iverson	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	Murphy	Neuhauser	Palmer
Priebe	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	

Nays, 14:

Banks	Bartz	Bennett	Boswell
Drake	Freeman	Halvorson	Hedge
Jensen	McKean	McLaren	Redfern
Rensink	Zieman		

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.

UNFINISHED BUSINESS
(Deferred March 5, 1996)

Senate File 2289

The Senate resumed consideration of Senate File 2289, a bill for an act relating to the department of corrections, including operating while intoxicated violator facilities, inmate hard labor, reimbursement by parole violators, tort claims protection for certain persons, and inmate accounts and amendment S—5131, deferred March 5, 1996.

Senator Hammond withdrew amendment S—5221 filed by her on March 6, 1996, to page 3 of the bill.

Senator Hammond offered amendment S—5329 filed by her on March 13, 1996, to page 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 28.

Amendment S—5329 lost.

Senator Hansen moved the adoption of amendment S—5131 to page 3 and the title page of the bill, deferred on March 5, 1996, and requested a record roll call.

On the question "Shall amendment S—5131 be adopted?" (S.F. 2289) the vote was:

Ayes, 27:

Banks	Bartz	Bisignano	Black
Borlaug	Boswell	Fraise	Freeman
Gettings	Giannetto	Gronstal	Hammond
Hansen	Horn	Husak	Iverson
Judge	Kibbie	Lind	Lundby
Murphy	Palmer	Priebe	Rittmer
Sorensen	Tinsman	Vilsack	

Nays, 22:

Bennett	Boettger	Connolly	Dearden
Douglas	Drake	Dvorsky	Fink
Flynn	Halvorson	Hedge	Jensen
Kramer	Maddox	McKean	McLaren
Neuhauser	Redfern	Rensink	Rife
Szymoniak	Zieman		

Absent or not voting, 1:

Deluhery

Amendment S—5131 was adopted.

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. 2289) the vote was:

Ayes, 48:

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, 1:

Banks

Absent or not voting, 1:

Deluhery

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS
(Deferred March 12, 1996)

Senate File 2341

The Senate resumed consideration of Senate File 2341, a bill for an act relating to the components of the unemployment insurance system concerning the job service advisory council, voluntary income tax withholding from unemployment benefits, relieving certain employers from certain unemployment insurance charges, collection of unemployment compensation benefits through misrepresentation, definitions of employment and wages for members of limited liability companies, and unemployment insurance tax liability for corporate officers, and providing an effective and applicability date, deferred March 12, 1996.

Senator Vilsack offered amendment S—5236 filed by him on March 6, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5236 was adopted by a voice vote.

Senator Borlaug offered amendment S—5360 filed by him on March 14, 1996, to page 2 and the title page of the bill.

Senator Dvorsky raised the point of order that amendment S—5360 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5360 out of order.

Senator Dearden offered amendment S—5211 filed by him on March 5, 1996, to pages 4 and 5 of the bill.

Senator Freeman raised the point of order that amendment S—5211 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5211 in order.

Senator Dearden moved the adoption of amendment S—5211, 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. 2341) the vote was:

Ayes, 29:

Bisignano	Black	Boswell	Connolly
Dearden	Dvorsky	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Judge	Kibbie	Lind
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rittmer	Sorensen	Szymoniak
Vilsack			

Nays, 20:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Kramer
Lundby	Maddox	McKean	McLaren
Rensink	Rife	Tinsman	Zieman

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.

UNFINISHED BUSINESS
(Deferred March 11, 1996)

Senate File 2417

The Senate resumed consideration of Senate File 2417, a bill for an act relating to juvenile justice including notice requirements for juvenile court actions, custody of and access to a child designated a child in need of assistance, and associate juvenile judge jurisdiction, deferred March 11, 1996.

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. 2417) 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.

UNFINISHED BUSINESS
(Deferred March 13, 1996)

Senate File 2406

The Senate resumed consideration of Senate File 2406, a bill for an act relating to immunity from assault charges for the use of force by a person to stop a fight or disturbance at a school or school function, 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 civil penalties for truancy and the loss of a driver's license for truancy, deferred March 13, 1996.

Senator Connolly called up the motion to reconsider the vote by which amendment S—5173 to Senate File 2406 was adopted by the Senate on March 13, 1996, filed by him on March 14, 1996, found on page 802 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5173 by Senator Connolly to page 1 and the title page of the bill, was taken up for reconsideration.

Senator Connolly withdrew amendment S—5173.

Senator Tinsman offered amendment S—5349 filed by Senators Tinsman and Connolly on March 14, 1996, to page 3 of the bill and moved its adoption.

Amendment S—5349 was adopted by a voice vote.

Senator Connolly offered amendment S—5347 filed by him on March 14, 1996, to the title page of the bill and moved its adoption.

Amendment S—5347 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. 2406) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	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, 2:

Bisignano Deluhery

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS
(Deferred March 14, 1996)

Senate File 2324

The Senate resumed consideration of Senate File 2324, a bill for an act relating to public assistance and certain associated state tax provisions involving the family investment program, family development and self-sufficiency council, individual development accounts, and fraudulent practices involving the food stamp program, making penalties applicable, and providing applicability provisions and effective dates, and amendment S—5219 by Senator Iverson to page 10 of the bill, deferred March 14, 1996.

Senator Szymoniak raised the point of order that amendment S—5219 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5219 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. 2324) 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	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Deluhery Maddox

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 14, 1996)

Senate File 2351

The Senate resumed consideration of Senate File 2351, a bill for an act relating to department of economic development programs, including the workforce development fund program and the Iowa small business new jobs training Act, providing a supplemental new jobs credit from withholding, establishing a rural microbusiness assistance program, increasing the funds available for the value-added agricultural products and processes program, and making an annual allocation from an appropriation, deferred March 14, 1996.

President pro tempore Bisignano took the chair at 3:42 p.m.

Senator Vilsack offered amendment S—5361 filed by Senators Vilsack, McLaren and Borlaug on March 14, 1996, to pages 1-4, 12 and the title page of the bill and moved its adoption.

Amendment S—5361 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. 2351) 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 as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2012, 2289, 2341, 2417, 2406, 2324** and **2351** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2195

On motion of Senator Dvorsky, Senate File 2195, a bill for an act relating to the Iowa communications network by providing for state ownership of a Part III connection and for the connection

and support of certain Part III users, making appropriations, and providing effective dates, with report of committee on Appropriations recommending amendment and passage on March 7, 1996, was taken up for consideration.

Senator Dvorsky offered amendment S—5248 filed by the committee on Appropriations on March 7, 1996, to page 4 of the bill.

Senator McLaren asked and received unanimous consent that action on amendment S—5248 and **Senate File 2195** be **deferred.**

President Boswell took the chair at 3:50 p.m.

Senate File 2003

On motion of Senator Bisignano, Senate File 2003, a bill for an act relating to the maximum value of a prize for jackpot bingo conducted by certain qualified organizations, with report of committee recommending passage, was taken up for consideration.

Senator Halvorson asked and received unanimous consent that action on amendment S—5343 filed by him on March 13, 1996, to page 1 and the title page of the bill be deferred.

Senator Halvorson offered amendment S—5140 filed by him on February 28, 1996, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5140 was adopted by a voice vote.

Senator Halvorson withdrew amendment S—5343, previously deferred.

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. 2003) the vote was:

Ayes, 26:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Gronstal
Halvorson	Hansen	Horn	Husak
Judge	Kibbie	Kramer	Lind

Murphy	Palmer	Priebe	Szymoniak
Tinsman	Vilsack		

Nays, 24:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Giannetto	Hammond	Hedge	Iverson
Jensen	Lundby	Maddox	McKean
McLaren	Neuhauser	Redfern	Rensink
Rife	Rittmer	Sorensen	Zieman

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

President pro tempore Bisignano took the chair at 4:20 p.m.

Senate File 2167

On motion of Senator Szymoniak, Senate File 2167, a bill for an act relating to prohibiting the assault of a health care provider and providing penalties, 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. 2167) 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	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:

Hammond

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2217

On motion of Senator Szymoniak, Senate File 2217, a bill for an act exempting the seller of a portable water system from the requirements and the penalties of the consumer fraud law, 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. 2217) 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, 2:

Halvorson Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2278

On motion of Senator Gronstal, Senate File 2278, a bill for an act repealing the prohibition on political activity by a member, officer, or employee of the natural resource commission, 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. 2278) 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 2281

On motion of Senator Gronstal, Senate File 2281, a bill for an act providing for access by the division of criminal and juvenile justice planning of the department of human rights to confidential records held by other state agencies, was taken up for consideration.

Senator Gronstal offered amendment S—5368 filed by him from the floor to page 1 of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S—5368 and **Senate File 2281** be **deferred.**

Senate File 2348

On motion of Senator Boswell, Senate File 2348, a bill for an act relating to agricultural limestone, and providing penalties, fees, and an effective date, with report of committee on Ways

and Means recommending passage on March 7, 1996, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tinsman for the remainder of the day on request of Senator Rife.

BUSINESS PENDING

Senate File 2348

The Senate resumed consideration of Senate File 2348.

Senator Boswell moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2348) 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, none.

Absent or not voting, 1:

Tinsman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President Boswell took the chair at 4:40 p.m.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2335

On motion of Senator Bisignano, Senate File 2335, a bill for an act relating to the minimum age for gambling at racetrack enclosures, and subjecting violators to a penalty, was taken up for consideration.

Senator Bisignano offered amendment S—5364 filed by him from the floor to page 1 of the bill.

Senator Lind raised the point of order that amendment S—5364 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5364 out of order.

Senator Bisignano asked and received unanimous consent that action on **Senate File 2335** be **deferred.**

Senate File 2365

On motion of Senator Bisignano, Senate File 2365, a bill for an act relating to state government personnel procedures including deferred compensation, the phased retirement program, and compensation for certain election officials, was taken up for consideration.

Senator Gronstal offered amendment S—5307 filed by him on March 12, 1996, to page 2 of the bill and moved its adoption.

Amendment S—5307 was adopted by a voice vote.

Senator Gronstal offered amendment S—5372 filed by him from the floor to pages 2-4 and the title page of the bill and moved its adoption.

Amendment S—5372 was adopted by a voice vote.

Senator Gronstal offered amendment S—5375 filed by him from the floor to pages 2-4 and the title page of the bill and moved its adoption.

Amendment S—5375 was adopted by a voice vote.

Senator Bisignano offered amendment S—5367 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5367 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2365) the vote was:

Ayes, 43:

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	Redfern	Rensink
Szymoniak	Vilsack	Zieman	

Nays, 6:

Banks	Bartz	Hedge	Rife
Rittmer	Sorensen		

Absent or not voting, 1:

Tinsman

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 2366

On motion of Senator Gronstal, Senate File 2366, a bill for an act relating to lease-purchase agreements, was taken up for consideration.

Senator Gronstal offered amendment S—5304 filed by him on March 12, 1996, to pages 5-7 of the bill and moved its adoption.

Amendment S—5304 was adopted by a voice vote.

Senator Gronstal offered amendment S—5305 filed by him on March 12, 1996, to page 6 of the bill.

Senator Gronstal offered amendment S—5340 filed by Senators Gronstal and Drake on March 13, 1996, to amendment S—5305 and moved its adoption.

Amendment S—5340 was adopted by a voice vote.

Senator Gronstal moved the adoption of amendment S—5305 as amended, which motion prevailed by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2366) the vote was:

Ayes, 26:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Drake	Dvorsky
Flynn	Fraise	Gettings	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Judge	Kibbie	Lundby
Murphy	Neuhauser	Palmer	Sorensen
Szymoniak	Vilsack		

Nays, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Fink	Freeman
Giannetto	Hedge	Iverson	Jensen
Kramer	Lind	Maddox	McKean
McLaren	Priebe	Redfern	Rensink
Rife	Rittmer	Zieman	

Absent or not voting, 1:

Tinsman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2411

On motion of Senator Gronstal, Senate File 2411, a bill for an act providing the state auditor with the right to examine

documents of state officers and departments, 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. 2411) 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	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Vilsack	Zieman

Nays, 1:

Bisignano

Absent or not voting, 1:

Tinsman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2430

On motion of Senator Bisignano, Senate File 2430, a bill for an act requiring the juvenile court to provide certain information to a victim of a delinquent act committed by a juvenile, 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. 2430) 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, none.

Absent or not voting, 1:

Tinsman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 13, 1996)

Senate File 2085

The Senate resumed consideration of Senate File 2085, a bill for an act relating to handicapped parking and providing a penalty, deferred March 13, 1996.

Senator Lind offered amendment S—5382 filed by him from the floor to pages 4, 5 and 12 of the bill and moved its adoption.

Amendment S—5382 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. 2085) 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, none.

Absent or not voting, 1:

Tinsman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 2195

The Senate resumed consideration of Senate File 2195, a bill for an act relating to the Iowa communications network by providing for state ownership of a Part III connection and for the connection and support of certain Part III users, making appropriations, and providing effective dates, and amendment S—5248 by the committee on Appropriations to page 4 of the bill, previously deferred.

Senator Lind asked and received unanimous consent that action on amendment S—5248 continue to be deferred.

Senator McLaren offered amendment S—5278 filed by Senators McLaren, Jensen and Redfern on March 11, 1996, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5278 be adopted?" (S.F. 2195) 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
Borlaug	Douglas	Drake	Freeman
Hansen	Hedge	Iverson	Jensen
Lind	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	Horn
Husak	Judge	Kibbie	Kramer
Lundby	Murphy	Neuhauser	Palmer
Priebe	Sorensen	Szymoniak	Vilsack

Absent or not voting, 1:

Tinsman

Amendment S—5278 lost.

Senator McLaren asked and received unanimous consent that action on amendment S—5264 filed by Senators McLaren and Jensen on March 11, 1996, to pages 2 and 3 of the bill, be deferred.

Senator Dvorsky offered amendment S—5359 filed by him on March 14, 1996, to pages 2-4 of the bill.

Senator McLaren offered amendment S—5379 filed by him from the floor to amendment S—5359 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5379 to amendment S—5359 be adopted?" (S.F. 2195) the vote was:

Ayes, 22:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Halvorson	Hedge	Husak	Iverson
Jensen	Lind	Maddox	McKean

McLaren	Redfern	Rensink	Rife
Rittmer	Zieman		

Nays, 27:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Hammond	Hansen	Horn
Judge	Kibbie	Kramer	Lundby
Murphy	Neuhauser	Palmer	Priebe
Sorensen	Szymoniak	Vilsack	

Absent or not voting, 1:

Tinsman

Amendment S—5379 lost.

Senator McLaren offered amendment S—5377 filed by Senators McLaren, Jensen and Redfern from the floor to amendment S—5359 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5377 to amendment S—5359 be adopted?" (S.F. 2195) the vote was:

Ayes, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Giannetto	Hedge	Husak	Iverson
Jensen	Lind	Lundby	Maddox
McKean	McLaren	Redfern	Rensink
Rife	Rittmer	Zieman	

Nays, 26:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Gronstal
Halvorson	Hammond	Hansen	Horn
Judge	Kibbie	Kramer	Murphy
Neuhauser	Palmer	Priebe	Sorensen
Szymoniak	Vilsack		

Absent or not voting, 1:

Tinsman

Amendment S—5377 lost.

Senator McLaren called for a division of amendment S—5359: page 1, lines 2-41 as division S—5359A; and page 1, lines 42-50 and page 2, lines 1-27 as division S—5359B.

Senator Dvorsky moved the adoption of division S—5359A, which motion prevailed by a voice vote.

Senator Dvorsky moved the adoption of division S—5359B.

A record roll call was requested.

On the question "Shall division S—5359B be adopted?" (S.F. 2195) the vote was:

Ayes, 20:

Bisignano	Boswell	Connolly	Dearden
Deluhery	Dvorsky	Fink	Fraise
Gettings	Gronstal	Halvorson	Hammond
Horn	Judge	Kibbie	Lundby
Murphy	Palmer	Sorensen	Szymoniak

Nays, 29:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Douglas	Drake
Flynn	Freeman	Giannetto	Hansen
Hedge	Husak	Iverson	Jensen
Kramer	Lind	Maddox	McKean
McLaren	Neuhauser	Priebe	Redfern
Rensink	Rife	Rittmer	Vilsack
Zieman			

Absent or not voting, 1:

Tinsman

Division S—5359B lost.

Senator McLaren offered amendment S—5378 filed by Senators McLaren, Jensen and Redfern from the floor to page 4 of the bill.

Senator Dvorsky raised the point of order that amendment S—5378 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5378 out of order.

The Senate resumed consideration of amendment S—5248 by the committee on Appropriations to page 4 of the bill, previously deferred.

Senator Lind offered amendment S—5385 filed by him from the floor to amendment S—5248 and moved its adoption.

Amendment S—5385 was adopted by a voice vote.

Senator Dvorsky moved the adoption of amendment S—5248 as amended.

A non record roll call was requested.

The ayes were 29, nays 16.

Amendment S—5248 as amended was adopted.

Senator McLaren asked and received unanimous consent to withdraw amendment S—5264 by Senators McLaren and Jensen to pages 2 and 3 of the bill, previously deferred.

Senator Bartz withdrew amendment S—5352 filed by him on March 14, 1996, to page 3 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?" (S.F. 2195) the vote was:

Ayes, 36:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Judge
Kibbie	Kramer	Lundby	Maddox
McKean	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rittmer
Sorensen	Szymoniak	Vilsack	Zieman

Nays, 13:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Freeman	Giannetto
Iverson	Jensen	Lind	McLaren
Rife			

Absent or not voting, 1:

Tinsman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2003, 2167, 2217, 2278, 2348, 2365, 2366, 2430, 2085** and **2195** 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 18, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2362, a bill for an act relating to occupational hearing loss, concerning the definitions, apportionment of hearing loss, and measurement of hearing loss.

This bill was read first time and **passed on file.**

House File 2370, a bill for an act relating to limited liability companies and corporations, including the period within which a limited liability company subject to dissolution may be continued, and providing an exemption from the real estate transfer tax for certain transfers involving limited liability companies.

This bill was read first time and **passed on file.**

House File 2407, a bill for an act relating to legal publications and related products prepared and distributed under the authority of the general assembly.

This bill was read first time and **passed on file.**

House File 2413, a bill for an act relating to foreign and domestic business corporations by amending certain reporting and filing requirements and procedures and establishing fees.

This bill was read first time and **passed on file.**

House File 2419, a bill for an act relating to transportation by granting the state department of transportation condemnation rights for utility facility replacement, requiring sixty day property payments, requiring certain criteria be adopted by administrative rule, modifying certain damage disclosure statement requirements, providing for entry onto private property for sounding and drilling, exempting operators of trucks hauling cement from certain regulations, and relating to the disposal of abandoned vehicles, and providing for release of retained funds for public improvements.

This bill was read first time and **passed on file.**

House File 2433, a bill for an act relating to the management of waste tires by providing for the establishment of a waste tire management fund, allocation of moneys to facilitate elimination of waste tires and the establishment of future markets for waste tires, providing for the redirection of the existing fee on certificates of title of motor vehicles, and providing a repeal.

This bill was read first time and **passed on file.**

House File 2448, a bill for an act relating to public access to criminal history data maintained by the department of public safety.

This bill was read first time and **passed on file.**

House File 2462, a bill for an act relating to public access to motor vehicle records and providing a conditional repeal and an effective date.

This bill was read first time and **passed on file.**

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

H.F.	2407	State Government
H.F.	2413	Commerce
H.F.	2433	Natural Resources, Environ. & Energy
H.F.	2449	State Government
H.F.	2462	Transportation

PETITIONS

The following petitions opposing legislation which would restrict Iowa utilities from offering nonutility services were presented and placed on file by:

Senator Bennett from 74 residents of Crawford and Monona Counties.

Senator Freeman from 160 residents of District 5.

Senator Gronstal from 248 residents of Pottawattamie County.

Senator McLaren from 40 residents of Cass, Freemont and Mills Counties.

Senator Sorensen from 68 residents of Carroll and Greene Counties.

REPORTS OF COMMITTEE MEETINGS

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: March 14, 1996, 1:36 p.m.

Members Present: Hansen, Chair; Judge, Vice Chair; Zieman, Ranking Member; Bennett, Boettger, Borlaug, Flynn, Giannetto, Kibbie, Sorensen, Szymoniak and Vilsack.

Members Absent: Maddox (excused), McKean and Palmer.

Committee Business: Assigned bills to subcommittees; approved SSB 2341 as a committee bill; deferred action on House File 2234.

Adjourned: 2:16 p.m.

WAYS AND MEANS

Convened: March 14, 1996, 11:30 a.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: Assigned bills to subcommittees; discussed, amended and approved Senate File 2425 as a committee bill; recommended passage of Senate Files 2426, 2429, 2221 and 2266.

Adjourned: 12:08 p.m.

WAYS AND MEANS

Convened: March 14, 1996, 3:18 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: Reconsidered SSB 2343, amended and approved SSB 2343 as a committee bill.

Adjourned: 3:28 p.m.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 2450 (formerly Senate File 2425), a bill for an act establishing certain registration and title plant requirements for persons preparing abstracts of title to real property, establishing a title plant board of examiners, providing for fees and the use of those fees, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Palmer, Connolly, Deluhery, Drake, Freeman, Iverson, Neuhauser, Priebe and Vilsack. Nays, 3: Husak, Bennett and Hedge. Absent or not voting, 3: McLaren, Murphy and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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 March, 1996:

Senate Files 2135 and 2083.

JOHN F. DWYER
Secretary of the Senate

STUDY BILL RECEIVED

SSB 2345 Appropriation

Relating to providing direct patient access to primary eye care providers and providing remedies.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 113

STATE GOVERNMENT: Drake, Chair; Fink and Lundby

House File 2190

STATE GOVERNMENT: Gronstal, Chair; Bennett and Kibbie

House File 2315

STATE GOVERNMENT: Connolly, Chair; Gronstal and Lind

House File 2443

HUMAN RESOURCES: Szymoniak, Chair; Hammond and Tinsman

House File 2472

APPROPRIATIONS: Fraise, Chair; Iverson and Murphy

House File 2477

APPROPRIATIONS: Kibbie, Chair; Kramer and Murphy

SSB 2345

APPROPRIATIONS: Husak, Chair; Iverson and Neuhauser

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Thursday, March 14, 1996. Had I been present, I would have voted "nay" on amendment S—5357 to Senate File 2448 and "aye" on Senate Files 2448 and 2419 and House File 2247.

MIKE CONNOLLY

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate chamber:

Fourteen students, members of the Jackson County 4-H program, Maquoketa, accompanied by Judy Connolly and Wanda Cornelius. Senator Flynn.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2411 passed the Senate on March 18, 1996.

JACK RIFE

SIMILAR AND COMPANION BILLS RECEIVED

On March 18, 1996, **House File 2362** was received and attached to similar **Senate File 2330** on the Senate calendar.

On March 18, 1996, **House File 2419** was received and attached to similar **Senate File 2349** on the Senate calendar.

On March 18, 1996, **House File 2448** was received and attached to similar **Senate File 2210** on the Senate calendar.

On March 18, 1996, **House File 2370** was received and attached to companion **Senate File 2429** on the Senate calendar.

AMENDMENTS FILED

S—5362	S.F.	2335	Merlin E. Bartz
S—5363	H.F.	2477	Eugene Fraise
S—5364	S.F.	2335	Tony Bisignano
S—5365	S.F.	2424	Tom Vilsack
S—5366	S.F.	2012	Tony Bisignano
S—5367	S.F.	2365	Tony Bisignano
S—5368	S.F.	2281	Michael E. Gronstal
S—5369	S.F.	2180	Tony Bisignano
S—5370	S.F.	2421	Eugene Fraise
S—5371	S.F.	2203	Elaine Szymoniak
S—5372	S.F.	2365	Michael E. Gronstal
S—5373	S.F.	2399	Elaine Szymoniak
S—5374	S.F.	2383	Randal J. Giannetto
S—5375	S.F.	2365	Michael E. Gronstal
S—5376	S.F.	2372	Bill Fink
S—5377	S.F.	2195	Derryl McLaren
			John W. Jensen
			Donald B. Redfern
S—5378	S.F.	2195	Derryl McLaren
			John W. Jensen
			Donald B. Redfern
S—5379	S.F.	2195	Derryl McLaren
S—5380	S.F.	2449	Merlin E. Bartz
S—5381	S.F.	2063	Mike Connolly
			John P. Kibbie
			Larry Murphy
S—5382	S.F.	2085	Jim Lind
S—5383	S.F.	2349	Brad Banks
			Derryl McLaren
S—5384	S.F.	2421	O. Gene Maddox
S—5385	S.F.	2195	Jim Lind
S—5386	S.F.	2281	Michael E. Gronstal
S—5387	H.F.	2383	Berl E. Priebe
S—5388	S.F.	2450	Merlin E. Bartz
S—5389	H.F.	2140	Merlin E. Bartz

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:27 p.m., until 9:00 a.m., Tuesday, March 19, 1996.

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 19, 1996

The Senate met in regular session at 9:10 a.m., President Boswell presiding.

Prayer was offered by Dr. Myron Albertson, pastor of the St. Timothy Lutheran Church, Hudson, Iowa.

The Journal of Monday, March 18, 1996, was approved.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 36 present, 14 absent and a quorum present.

President pro tempore Bisignano took the chair at 9:17 a.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Priebe until he arrives on request of Senator Kibbie.

UNFINISHED BUSINESS
(Deferred March 18, 1996)

Senate File 2281

The Senate resumed consideration of Senate File 2281, a bill for an act providing for access by the division of criminal and juvenile justice planning of the department of human rights to confidential records held by other state agencies and amendment S—5368, deferred March 18, 1996.

Senator Gronstal offered amendment S—5311 filed by him on March 12, 1996, to page 1 of the bill.

Senator Gronstal offered amendment S—5386 filed by him on March 18, 1996, to amendment S—5311 and moved its adoption.

Amendment S—5386 was adopted by a voice vote.

Senator Gronstal moved the adoption of amendment S—5311 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5311 as amended, the Chair ruled amendment S—5368 by Senator Gronstal to page 1 of the bill deferred on March 18, 1996, out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murphy until he arrives on request of Senator Gronstal.

BUSINESS PENDING

Senate File 2281

The Senate resumed consideration of Senate File 2281.

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. 2281) 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.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2385

On motion of Senator Neuhauser, Senate File 2385, a bill for an act relating to the definition of congressional district for the purpose of appointment and election of state judicial nominating commissioners, was taken up for consideration.

Senator Neuhauser offered amendment S—5335 filed by her on March 13, 1996, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5335 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. 2385) 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	Redfern
Rensink	Rife	Rittmer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 1:

Sorensen

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.

Senate File 2203

On motion of Senator Szymoniak, Senate File 2203, a bill for an act relating to services relating to children and families, was taken up for consideration.

Senator Neuhauser asked and received unanimous consent that action on **Senate File 2203** be **deferred.**

Senate File 2396

On motion of Senator Neuhauser, Senate File 2396, a bill for an act adding certain residential security deposits and prepaid rent to the list of exempt property which a debtor may claim, was taken up for consideration.

Senator Neuhauser offered amendment S—5317 filed by her on March 12, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5317 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. 2396) 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	McLaren
Neuhauser	Palmer	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Jensen	Murphy	Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2236

On motion of Senator Hammond, Senate File 2236, a bill for an act relating to regional and state wide targets for foster care placements, with report of committee recommending passage, was taken up for consideration.

Senator Hammond offered amendment S—5354 filed by her on March 14, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5354 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. 2236) 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.

Senate File 2327

On motion of Senator Dvorsky, Senate File 2327, a bill for an act concerning assistive devices by providing for a warranty, replacement of devices, and providing consumer remedies, was taken up for consideration.

Senator Deluhery offered amendment S—5391 filed by Senators Deluhery and Dvorsky from the floor to page 6 of the bill and moved its adoption.

Amendment S—5391 was adopted by a voice vote.

Senator Vilsack asked and received unanimous consent that action on **Senate File 2327** be **deferred.**

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.	2214	Human Resources
S.F.	2421	Commerce

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2281, 2385, 2396** and **2236** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2266

On motion of Senator Gettings, Senate File 2266, a bill for an act making transportation-related Code changes including providing for a temporary registration permit, increasing registration fees for certain trailers, and providing an effective date, with report of committee on Ways and Means recommending passage on March 14, 1996, was taken up for consideration.

Senator Gettings offered amendment S—5115 filed by him on February 26, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5115 was adopted by a voice vote.

Senator Fraise offered amendment S—5116 filed by Senators Fraise and Gettings on February 26, 1996, to page 2 of the bill.

Senator Fraise offered amendment S—5144 filed by him on February 28, 1996, to amendment S—5116 and moved its adoption.

Amendment S—5144 was adopted by a voice vote.

Senator Fraise moved the adoption of amendment S—5116 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5116 as amended, the Chair ruled the following amendments out of order:

Amendment S—5127 filed by Senators Fraise and Gettings on February 26, 1996, to page 2 of the bill.

Amendment S—5158 filed by Senator Fraise on February 29, 1996, to amendment S—5127.

Senator Fraise offered amendment S—5303 filed by him on March 12, 1996, to page 2 and the title page of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Douglas until she returns on request of Senator Borlaug.

BUSINESS PENDING

Senate File 2266

The Senate resumed consideration of Senate File 2266.

Senator Fraise moved the adoption of amendment S—5303.

A record roll call was requested.

On the question "Shall amendment S—5303 be adopted?" (S.F. 2266) the vote was:

Ayes, 22:

Bartz	Bisignano	Boswell	Deluhery
Fink	Fraise	Gettings	Giannetto
Halvorson	Horn	Husak	Jensen
Judge	Kibbie	Lundby	McKean
Palmer	Rensink	Sorensen	Szymoniak
Vilsack	Zieman		

Nays, 25:

Banks	Bennett	Black	Boettger
Borlaug	Connolly	Dearden	Drake
Dvorsky	Flynn	Freeman	Gronstal
Hammond	Hansen	Hedge	Iverson
Kramer	Lind	Maddox	McLaren
Neuhauser	Redfern	Rife	Rittmer
Tinsman			

Absent or not voting, 3:

Douglas	Murphy	Priebe

Amendment S—5303 lost.

President Boswell took the chair at 10:45 a.m.

Senator Connolly 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—5115 to Senate File 2266 was adopted by the Senate on March 19, 1996.

The motion prevailed by a voice vote and amendment S—5115 by Senator Gettings to page 1 of the bill was taken up for reconsideration.

Senator Connolly asked and received unanimous consent that action on amendment S—5115 and **Senate File 2266** be **deferred.**

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2268

On motion of Senator Fraise, Senate File 2268, a bill for an act relating to the financial procedures of counties, cities, and drainage districts, by amending the powers and duties of county treasurers, by eliminating the filing of late claims for property tax credits, by striking personal property tax credits of military veterans, by striking outdated property tax limitations, by providing for properly related matters, and by providing an applicability date, with report of committee on Ways and Means recommending passage on March 7, 1996, was taken up for consideration.

Senator Fraise offered amendment S—5170 filed by him on March 5, 1996, to pages 7 and 10 of the bill and moved its adoption.

Amendment S—5170 was adopted by a voice vote.

Senator Maddox asked and received unanimous consent to withdraw amendment S—5229 filed by Senators Maddox and Sorensen on March 6, 1996, to pages 7, 8 and the title page of the bill.

Senator Maddox offered amendment S—5287 filed by Senators Maddox and Sorensen on March 11, 1996, to pages 7, 8, 10 and the title page of the bill and moved its adoption.

Amendment S—5287 was adopted by a voice vote.

Senator Fraise offered amendment S—5143 filed by him on February 28, 1996, to page 10 of the bill and moved its adoption.

Amendment S—5143 was adopted by a voice vote.

Senator Fraise asked and received unanimous consent that action on **Senate File 2268** be **deferred.**

President pro tempore Bisignano took the chair at 11:00 a.m.

Senate File 2017

On motion of Senator Fink, Senate File 2017, a bill for an act increasing the fine for moving traffic violations in school zones,

with report of committee recommending passage, was taken up for consideration.

Senator Fink offered amendment S—5181 filed by Senators Fink, Douglas and Drake on March 5, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5181 was adopted by a voice vote.

Senator Bartz asked and received unanimous consent that action on **Senate File 2017** be **deferred.**

Senate File 2040

On motion of Senator Black, Senate File 2040, a bill for an act increasing maximum gross weight for special trucks, with report of committee recommending passage, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hammond until she returns on request of Senator Dearden.

BUSINESS PENDING

Senate File 2040

The Senate resumed consideration of Senate File 2040.

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. 2040) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	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:

Douglas	Murphy	Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 2266

The Senate resumed consideration of Senate File 2266, a bill for an act making transportation-related Code changes including providing for a temporary registration permit, increasing registration fees for certain trailers, and providing an effective date and amendment S—5115, previously deferred.

Senator Connolly withdrew amendment S—5398 filed by him from the floor to pages 1 and 2 of the bill.

Senator Connolly withdrew amendment S—5395 filed by him from the floor to pages 1 and 2 of the bill.

Senator Gettings moved the adoption of amendment S—5115 to page 1 of the bill, previously deferred, which motion prevailed by a voice vote.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2266) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	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:

Douglas	Murphy	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 2266** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2221

On motion of Senator Fink, Senate File 2221, a bill for an act relating to alternate energy production and purchasing requirements, and providing an applicability provision and an effective date, with report of committee on Natural Resources, Environment and Energy recommending amendment and passage on February 29, 1996, and report of committee on Ways and Means recommending passage on March 14, 1996, was taken up for consideration.

Senator Fink offered amendment S—5151 filed by the committee on Natural Resources, Environment and Energy on February 29, 1996, to strike everything after the enacting clause of the bill.

Senator Fink offered amendment S—5396 filed by him from the floor to amendment S—5151.

Senator Fink asked and received unanimous consent that action on amendment S—5396 to S—5151, amendment S—5151 and **Senate File 2221** be **deferred.**

ADOPTION OF RESOLUTIONS
(Regular Calendar)

Senate Concurrent Resolution 110

On motion of Senator Szymoniak, Senate Concurrent Resolution 110, a concurrent resolution designating March 1996 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 110, which motion prevailed by a voice vote.

Senate Concurrent Resolution 115

On motion of Senator Vilsack, Senate Concurrent Resolution 115, a concurrent resolution requesting that Iowa's congressional delegation support guaranteed state legislative involvement in the reorganization, implementation, and funding of federal workforce development and job training programs in the states, was taken up for consideration.

Senator Vilsack moved the adoption of Senate Concurrent Resolution 115, which motion prevailed by a voice vote.

Senate Concurrent Resolution 114

On motion of Senator Dvorsky, Senate Concurrent Resolution 114, a concurrent resolution recognizing the League of Women Voters of Iowa and Cornell College for their efforts in creating an Internet-accessible system for obtaining legislative information, was taken up for consideration.

Senator Dvorsky moved the adoption of Senate Concurrent Resolution 114, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Concurrent Resolutions 110, 114** and **115** be **immediately messaged** to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 11:45 a.m., until 3:00 p.m.

APPENDIX

COMMUNCATIONS FROM THE GOVERNOR

The following communications from the governor were presented and placed on file on March 15, 1996:

Mr. Jack W. 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 for appointment and reappointment as members of state boards, departments and commissions pursuant to 1995 Code of Iowa sections:

For reappointment as members of the Accountancy Examining Board pursuant to Section 542C.3 for terms beginning May 1, 1996, and ending April 30, 1999:

Dorothy R. Dunphy, Creston, Union County, and Paul S. Stave, Spencer, Clay County.

For reappointment as members of the Agricultural Development Authority pursuant to Section 175.3 for terms beginning May 1, 1996, and ending April 30, 2002:

Steven A. Basler, Sharpsburg, Taylor County; Sonja L. Larsen, Ottumwa, Wapello County and Diana L. Stadtmueller, Monticello, Jones County.

For appointment as members of the Alcoholic Beverages Commission pursuant to Section 123.5:

Robert L. Cramer, Boone, Boone County, for a term beginning March 14, 1996, and ending April 30, 1998, and Dick C. Stoffer, Chariton, Lucas County, for a term beginning May 1, 1996, and ending April 30, 2001.

As members of the Architectural Examining Board pursuant to Section 544A.1 for terms beginning May 1, 1996, and ending April 30, 1999:

Gwendolyn S. Ecklund, Denison, Crawford County, for reappointment; Gordon E. Mills, Dubuque, Dubuque County, for appointment and Katherine L. Schwennsen, Des Moines, Polk County, for reappointment.

For reappointment as members of the Athletic Trainer Advisory Board pursuant to Section 152D.7 for terms beginning May 1, 1996, and ending April 30, 1999:

Dr. Kenneth W. Caldwell, Cedar Falls, Black Hawk County; Dr. Mary L. Khowassah, Iowa City, Johnson County, and Dr. Rick D. Wilkerson, Spencer, Clay County.

For appointment as members of the Board for the Licensing and Regulation of Hearing Aid Dealers pursuant to Section 154A.2 for terms beginning May 1, 1996, and ending April 30, 1999:

Jill M. Robinson, Des Moines, Polk County, and Patricia K. Start, Sabula, Clinton County.

For reappointment as members of the Board of Barber Examiners pursuant to Section 147.14(1) for terms beginning May 1, 1996, and ending April 30, 1999:

Raymond D. Barker, Des Moines, Polk County, and Suzanne J. Palmer, Albia, Monroe County.

For reappointment as members of the Board of Behavioral Science Examiners pursuant to Section 147.14(3) for terms beginning May 1, 1996, and ending April 30, 1999:

Rebecca S. Beach, Des Moines, Polk County; Dr. Thomas J. Henrich, Le Mars, Plymouth County, and Dominick D. Pellegreno, Story City, Story County.

For reappointment as members of the Board of Chiropractic Examiners pursuant to Section 147.14(8) for terms beginning May 1, 1996, and ending April 30, 1999:

Dr. Mark A. Kruse, Sioux City, Woodbury County; Haleen E. Pellett, Atlantic, Cass County, and Dr. John W. Quinlan, Dubuque, Dubuque County.

As members of the Board of Cosmetology Arts and Sciences Examiners pursuant to Section 147.14(14) for terms beginning May 1, 1996, and ending April 30, 1999:

David O. Creighton, Clive, Polk County, for reappointment; Kenneth M. Lang, Emmetsburg, Palo Alto County, for reappointment; Mary Beth Myers, Adair, Adair County, for appointment and Catherine I. Ward, Mount Ayr, Ringgold County, for reappointment.

For reappointment as members of the Board of Dental Examiners pursuant to Section 147.14(4) for terms beginning May 1, 1996, and ending April 30, 1999:

Marilyn K. Corwin, Clive, Polk County, for reappointment; Dr. Bruce C. Heilman, Des Moines, Polk County, for reappointment and Anne E. Zimmerman, Des Moines, Polk County, for appointment.

Kathy E. Buffington, Des Moines, Polk County, for reappointment as a member of the Board of Dietetic Examiners pursuant to Section 147.14(11) for a term beginning May 1, 1996, and ending April 30, 1999.

As members of the Board of Medical Examiners pursuant to Section 147.14(2) for terms beginning May 1, 1996, and ending April 30, 1999:

Dr. Eddie D. DeHaan, Fort Dodge, Webster County, for reappointment and Dr. Allen J. Zagoren, Clive, Polk County, for appointment.

As members of the Board of Mortuary Science Examiners pursuant to Section 147.14(1) for terms beginning May 1, 1996, and ending April 30, 1999:

Ruth A. Ohde, Manning, Carroll County, for reappointment and Shirley A. Pennington, Rudd, Floyd County, for appointment.

As members of the Board of Nursing Examiners pursuant to Section 147.14(3) for terms beginning May 1, 1996, and ending April 30, 1999:

Sandra Bane, Oakland, Pottawattamie County, for reappointment; Rodmon C. Bell, Burlington, Des Moines County, for reappointment and Anna C. Fallon, Fort Dodge, Webster County, for appointment.

For reappointment as members of the Board of Optometry Examiners pursuant to Section 147.14(6) for terms beginning May 1, 1996, and ending April 30, 1999:

Dr. Donovan L. Crouch, Storm Lake, Buene Vista County, and Dr. Larry W. Hicks, Creston, Union County.

Elizabeth R. Walker, Davenport, Scott County, for reappointment as a member of the Board of Parole pursuant to Section 904A.3 for a term beginning May 1, 1996, and ending April 30, 2000.

As members of the Board of Pharmacy Examiners pursuant to Section 147.14(5):

Dr. Melvin L. Grundleger, Clive, Polk County, for appointment for a term beginning May 1, 1996, and ending April 30, 1998; Mary P. Mitchell, Council Bluffs, Pottawattamie County, for reappointment for a term beginning May 1, 1996, and ending April 30, 1999; Phyllis A. Olson, Des Moines, Polk County, for reappointment for a term beginning May 1, 1996, and ending April 30, 1999, and Matthew Osterhaus, Maquoketa, Jackson County, for reappointment for a term beginning May 1, 1996, and ending April 30, 1999.

For reappointment as members of the Board of Physical and Occupational Therapy Examiners pursuant to Section 147.14(10) for terms beginning May 1, 1996, and ending April 30, 1999:

Kathryn D. Eilers, West Des Moines, Polk County; Daniel L. Mack, Carroll, Carroll County, and Deborah J. Mehlhop, Ankeny, Polk County.

As members of the Board of Physician Examiners pursuant to Section 147.14(12) for terms beginning May 1, 1996, and ending April 30, 1999:

Ruth A. Daggett, Creston, Union County, for appointment and Dr. Laine D. Dvorak, Humboldt, Humboldt County, for reappointment.

For reappointment as members of the Board of Podiatry Examiners pursuant to Section 147.14(1) for terms beginning May 1, 1996, and ending April 30, 1999:

Dr. Ronald D. Lee, Burlington, Des Moines County, and Cheryl A. Semerad, Adel, Dallas County.

As members of the Board of Psychology Examiners pursuant to Section 147.14(7) for terms beginning May 1, 1996, and ending April 30, 1999:

Dr. Robert D. Jones, North Liberty, Johnson County, for reappointment; Madonna J. McGuire, West Des Moines, Polk County, for reappointment and Dr. Kurosh R. Shahriari, Newton, Jasper County, for appointment.

As members of the Board of Social Work Examiners pursuant to Section 147.14(1) for terms beginning May 1, 1996, and ending April 30, 1999:

Bruce D. Buchanan, Des Moines, Polk County, for reappointment and Linda L. Sickels, Kellerton, Ringgold County, for appointment.

As members of the Board of Speech Pathology and Audiology Examiners pursuant to Section 147.14(1) for terms beginning May 1, 1996, and ending April 30, 1999:

Patsy A. Hastings, Jefferson, Greene County, for appointment and Jill M. Miller, Atlantic, Cass County for reappointment.

As members of the City Development Board pursuant to Section 368.9:

Dennis A. Plautz, Fort Dodge, Webster County, for appointment for a term beginning February 13, 1996, and ending April 30, 1998, and Nita L. Taggart, Clarinda, Page County, for reappointment for a term beginning May 1, 1996, and ending April 30, 2002.

Marian A. Williams, Dubuque, Dubuque County, for reappointment as a member of the Commission for the Blind pursuant to Section 216B.2 for a term beginning May 1, 1996, and ending April 30, 1999.

As members of the Commission of Elder Affairs pursuant to Section 231.11 for terms beginning May 1, 1996, and ending April 30, 2000:

Craig J. Downing, Sigourney, Keokuk County, for appointment and Dr. Vennetta M. Fiedler, Spencer, Clay County, for reappointment.

As members of the Commission of Veterans Affairs pursuant to Section 35A.2:

Michael A. Scheibeler, Atlantic, Cass County, for reappointment for a term beginning May 1, 1996, and ending April 30, 2000; Robert O. Steben, Boone, Boone County, for reappointment for a term beginning May 1, 1996, and ending April 30, 2000, and Mary Ellen White, Grinnell, Poweshiek County, for appointment for a term beginning March 12, 1996, and ending April 30, 1998.

As members of the Commission on Community Action Agencies pursuant to Section 216A.92A for terms beginning May 1, 1996, and ending April 30, 1999:

Kevin J. Beauvais, Sioux City, Woodbury County, for reappointment; Bette L. Crumrine, Lineville, Decatur County, for reappointment and Nancy J. Garberson, Cedar Rapids, Linn County, for appointment.

For appointment as members of the Commission on the Deaf pursuant to Section 216.A112 for terms beginning May 1, 1996, and ending April 30, 1999:

Brenda Kruse-McConville, Council Bluffs, Pottawattamie County; Sharon Lehmann, Council Bluffs, Pottawattamie County, and Loren J. Woods, Ankeny, Polk County.

For appointment as members of the Commission on the Status of African-Americans pursuant to Section 216A.142 for terms beginning May 1, 1996, and ending April 30, 2000:

Theresa E. Clark, Fort Madison, Lee County; Tamera L. Diggs-Tate, Des Moines, Polk County; Wilfred M. Johnson, Waterloo, Black Hawk County; Darryl L. Lipscomb, Cedar Rapids, Linn County; Gwenda L. Naylor, Fort Dodge, Webster County, and Jerome Thomas, Dubuque, Dubuque County.

As members of the Commission on the Status of Women pursuant to Section 216A.52 for terms beginning May 1, 1996, and ending April 30, 2000:

Sandra J. Blodgett, Clear Lake, Cerro Gordo County, for appointment; Judge Brown, Jr., Fort Dodge, Webster County, for reappointment; Dennis J. Bullock, Sioux City, Woodbury County, for appointment; Dr. Scharron A. Clayton, Waterloo, Black Hawk County, for appointment and Shawn E. Mullen, Des Moines, Polk County, for appointment.

For reappointment as members of the Community Health Management Information System Governing Board pursuant to Section 144C.4 for terms beginning May 1, 1996, and ending April 30, 1999:

Dr. Beth K. Bruening, Sioux City, Woodbury County; Scott M. Harrison, Des Moines, Polk County; Marabeth K. Soneson, Cedar Falls, Black Hawk County, and Pamela W. Vap, Manchester, Delaware County.

Russell T. Sporer, Ottumwa, Wapello County, for appointment as a member of the Council on Human Services pursuant to Section 217.2 for a term beginning May 1, 1996, and ending April 30, 2001.

For reappointment as members of the Credit Union Review Board pursuant to Section 533.53 for terms beginning May 1, 1996, and ending April 30, 1999:

Margaret M. Chadwell, West Des Moines, Polk County, and Ernest W. Gilson, Bayard, Guthrie County.

Philip C. Smith, Bowie, Prince Georges County, Maryland, for reappointment as the Director of the Office for State-Federal Relations pursuant to Section 7F.1 for a term beginning May 1, 1996, and to serve at the pleasure of the Governor.

Gretchen H. Tegeler, West Des Moines, Polk County, for reappointment as Director of the Department of Management pursuant to Section 8.4 for a term beginning May 1, 1996, and to serve at the pleasure of the Governor.

Linda Hanson, Indianola, Warren County, for reappointment as the Director of the Department of Personnel pursuant to Section 19A.1A for a term beginning May 1, 1996, and to serve at the pleasure of the Governor.

Harrison Weber, Des Moines, Polk County, for reappointment as a member of the Employment Appeal Board pursuant to Section 10A.601 for a term beginning May 1, 1996, and ending April 30, 2002.

As members of the Engineering and Land Surveying Examining Board pursuant to Section 542B.3 for terms beginning May 1, 1996, and ending April 30, 1999:

Gwendolyn M. Boeke, Cresco, Howard County, for reappointment; Dr. Kenneth A. Brewer, Ames, Story County, for reappointment and Nicholas R. Konrady, Webster City, Hamilton County, for appointment.

As members of the Iowa Board of Veterinary Medicine pursuant to Section 169.5 for terms beginning May 1, 1996, and ending April 30, 1999:

Dr. Leroy A. Holmes, Clive, Polk County, for appointment and Norma D. Lyon, Toledo, Tama County, for reappointment.

For reappointment as members of the Iowa Council on Human Investment pursuant to Section 8A.1 for terms beginning May 1, 1996, and ending April 30, 1999:

Arlene Dayhoff, Cedar Rapids, Linn County, and Thomas M. Glenn, Des Moines, Polk County.

For reappointment as members of the Iowa Economic Development Board pursuant to Section 15.103 for terms beginning May 1, 1996, and ending April 30, 2000:

Joan Y. Phillips, Manning, Carroll County, and Charese E. Yanney, Sioux City, Woodbury County.

For reappointment as members of the Iowa Grain Indemnity Fund Board pursuant to Section 203D.4 for terms beginning May 1, 1996, and ending April 30, 1999:

Marie G. Ellingson, Walker, Linn County, and Carolyn A. Roberts, Peterson, Clay County.

Harriet B. Gottlieb, Pleasant Valley, Scott County, for reappointment as a member of the Iowa Higher Education Loan Authority pursuant to Section 261A.5 for a term beginning May 1, 1996, and ending April 30, 2002.

As members of the Iowa Law Enforcement Academy Council pursuant to Section 80B.6 for terms beginning May 1, 1996, and ending April 30, 2000:

Roxanne L. Johnson, Council Bluffs, Pottawattamie County, for appointment and Dana R. Peterson, Clive, Polk County, for reappointment.

For reappointment as members of the Iowa Railway Finance Authority pursuant to Section 327I.6 for terms beginning May 1, 1996, and ending April 30, 2002:

Fred E. McKim, Jr., Arnolds Park, Dickinson County, and Emil S. Pavich, Council Bluffs, Pottawattamie County.

For reappointment as members of the Iowa Seed Capital Corporation pursuant to Section 15E.83 to serve at the pleasure of the Governor for four-year terms beginning May 1, 1996, and ending April 30, 2000:

John B. Parks, Ames, Story County; Jeanne Partlow, Des Moines, Polk County, and Randolph B. Steig, West Des Moines, Polk County.

Richard H. Opie, Des Moines, Polk County, for reappointment as the Chair of the Iowa Telecommunications and Technology Commission pursuant to 8D.3(2) for a period beginning May 1, 1996, and ending April 30, 1998.

Richard H. Opie, Des Moines, Polk County, for reappointment as the Chair of the Iowa Telecommunications and Technology Commission pursuant to 8D.3(2) for a period beginning May 1, 1996, and ending April 30, 1997.

For reappointment as members of the Landscape Architectural Examining Board pursuant to Section 544B.3 for terms beginning May 1, 1996, and ending April 30, 1999:

Dennis A. Ausenhus, Ankeny, Polk County; Gregory C. Jones, Des Moines, Polk County, and Joan F. Vitale, Indianola, Warren County.

James B. Kersten, Fort Dodge, Webster County, for appointment as a member of the Lottery Board pursuant to Section 99E.5 for a term beginning May 1, 1996, and ending April 30, 2000.

As members of the Mental Health and Developmental Disabilities Commission pursuant to Section 225C.5 for terms beginning May 1, 1996, and ending April 30, 1999:

Lori A. Bears, Iowa City, Johnson County, for appointment; Dr. Marilee Fredericks, Des Moines, Polk County, for reappointment; Frank H. Hermsen, Carroll, Carroll County, for reappointment and Jessie "Ginger" L. Kuhl, Des Moines, Polk County, for appointment.

For reappointment as members of the Public Employment Relations Board pursuant to Section 20.5 for terms beginning May 1, 1996, and ending April 30, 2000:

David D. Knock, Des Moines, Polk County, and M. Sue Warner, Johnston, Polk County.

As members of the Real Estate Appraiser Examining Board pursuant to Section 543D.4:

L. Craig Harris, Shenandoah, Page County, for reappointment for a term beginning May 1, 1996, and ending April 30, 1999; Thomas J. Kregel, Fort Dodge, Webster County, for appointment for a term beginning February 26, 1996, and ending April 30, 1997 and Lillie M. Perry, Washington, Washington County, for reappointment for a term beginning May 1, 1996, and ending April 30, 1999.

As members of the Real Estate Commission pursuant to Section 543B.8 for terms beginning May 1, 1996, and ending April 30, 1999:

Theresa A. Loffredo, Des Moines, Polk County, for reappointment and Mark G. Odden, Manchester, Delaware County, for appointment.

For reappointment as members of the Renewable Fuels and Coproducts Advisory Committee pursuant to Section 159A.4 for terms beginning May 1, 1996, and ending April 30, 1999:

A.H. Cooper, Traer, Tama County, and Eric C. Seuren, West Des Moines, Polk County.

Marilyn J. Perkins, Mystic, Appanoose County, for reappointment as a member of the School Budget Review Committee pursuant to Section 257.30 for a term beginning May 1, 1996, and ending April 30, 1999.

As members of the Small Business Advisory Council pursuant to Section 15.108(7h):

George O. Barton, Ankeny, Polk County, for reappointment for a term beginning May 1, 1996, and ending April 30, 2000; Frances S. Fleck, West Des Moines, Polk County, for reappointment for a term beginning May 1, 1996, and ending April 30, 2000, and Karla Wright, Ames, Story County, for appointment for a term beginning May 1, 1996, and ending April 30, 1998.

As members of the State Board of Education pursuant to Section 256.3 for terms beginning May 1, 1996, and ending April 30, 2002:

Susan J. Clouser, Johnston, Polk County, for appointment; Corine A. Hadley, Newton, Jasper County, for reappointment; Mary Jean Montgomery, Spencer, Clay County, for reappointment and Gene E. Vincent, Carroll, Carroll County, for appointment.

As members of the State Board of Examiners for Nursing Home Administrators pursuant to Section 155.2 for terms beginning May 1, 1996, and ending April 30, 1999:

Karen L. Bossard, Jefferson, Greene County, for reappointment and Rosemary Schrack, Tama, Tama County, for appointment.

Roger L. Lande, Muscatine, Muscatine County, for appointment as a member of the State Board of Regents pursuant to Section 262.2 for a term beginning May 1, 1996, and ending April 30, 2001.

As members of the State Racing and Gaming Commission pursuant to Section 99D.5:

Jacquelyne I. Allen, Lamoni, Decatur County, for appointment for a term beginning May 1, 1996, and ending April 30, 1998; Willard "Bill" R. Hansen, Des Moines, Polk County, for appointment for a term beginning May 1, 1996, and ending April 30, 1999, and Rita D. Sealock, Council Bluffs, Pottawattamie County, for reappointment for a term beginning May 1, 1996, and ending April 30, 1999.

Russell L. Brandes, Hancock, Pottawattamie County, for appointment as a member of the State Soil Conservation Committee pursuant to Section 161A.4 for a term beginning February 16, 1996, and ending April 30, 1997.

For reappointment as members of the State Transportation Commission pursuant to Section 307.3 for terms beginning May 1, 1996, and ending April 30, 2000:

Janice M. Johnson, Waverly, Bremer County, and Bonnie L. Vetter, Spencer, Clay County.

As members of the Wallace Technology Transfer Foundation pursuant to Section 15E.154 for terms beginning May 1, 1996, and ending April 30, 1999:

Paul C. Johnson, Spirit Lake, Dickinson County, for appointment; Janice K. Laue, Des Moines, Polk County, for reappointment and Dr. Nancy J. Tomes, Cumming, Dallas County, for appointment.

Sincerely,
TERRY E. BRANSTAD
Governor

Communications were referred to the committee on **Rules and Administration.**

CORRECTED COMMUNICATION FROM THE GOVERNOR

The following communication was received from the Governor on March 15, 1996, correcting the term dates from a previous submitted letter on September 13, 1995, which was published in the Senate Journal on February 14, 1996, page 317:

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 name of Byron Orton, Altoona, Polk County, for appointment as the Labor Commissioner pursuant to Section 91.2 for a term beginning September 13, 1995, and ending April 30, 1999.

Sincerely,
TERRY E. BRANSTAD
Governor

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented and placed on file on March 15, 1996:

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Dwyer:

This is to inform you of the death of Dorothy "Bettie" Andrews on January 11, 1996, creating a vacancy on the Commission of Veterans Affairs.

ALSO: Pursuant to Section 2.32(4), the appointment for the Administrator of the Division of Deaf Services is being deferred because no appropriate candidate has been found for this position at this time.

ALSO: Pursuant to Section 2.32(4), the appointment for the Board of Medical Examiners to fill Edra Broich's position is being deferred because no appropriate candidate has been found for this position at this time.

ALSO: Pursuant to Section 2.32(4), the appointment for the Director of the Department of Inspections and Appeals vacancy is being deferred because no appropriate candidate has been found for this position at this time.

ALSO: We will not be submitting any appointments for the Indigent Defense Advisory Commission pursuant to the repeal of Section 13B.2A effective July 1, 1995.

ALSO: Pursuant to Section 2.32(4), the appointment for the Iowa State Civil Rights Commission vacancy is being deferred because no appropriate candidate has been found for this position at this time.

ALSO: The three appointments to the Job Service Advisory Council (Chapter 96.11(5) are deferred pending legislative action on Senate File 2341.

ALSO: The three appointments to the Prevention of Disabilities Policy Council (Chapter 225B.3) are deferred pending legislative action on Senate File 2213.

ALSO: Pursuant to Section 2.32(4), the appointment for the Renewable Fuels and Coproducts Advisory Committee is being deferred because no appropriate candidate has been found for this position at this time.

ALSO: The two appointments to the Respiratory Care Advisory Committee (Chapter 152B.13) are deferred pending legislative action on House File 0522.

Sincerely,
TERRY E. BRANSTAD
Governor

COMMUNICATION RECEIVED

The following communication from the Iowa Telecommunications and Technology Commission was received on March 13, 1996:

March 13, 1996

Mr. John F. Dwyer
Secretary of the Senate
State Capitol
L O C A L

Dear Mr. Dwyer:

Chapter 2.32.4, Code of Iowa, requires the Governor to make notice of a deferred appointment which requires confirmation by the Senate.

The Iowa Telecommunications and Technology Commission is not specifically directed to take the same action on its appointment requiring confirmation by the Senate, however, we are doing so since it is similar in nature.

The Commission is asked to defer the confirmation proceedings for the Executive Director position to the Iowa Telecommunications and Technology Commission for the 1996 legislative session, since the position is currently vacant.

Sincerely,
RICHARD H. OPIE
Chair

SUBCOMMITTEE ASSIGNMENTS

House File 2407

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

House File 2449

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 19th day of March, 1996:

Senate File 13.

JOHN F. DWYER
Secretary of the Senate

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2351, the following corrections were made:

1. Page 12, line 9, the words and numbers "Sections 101, 102, 103, and 104" were changed to the words and numbers "Sections 1, 2, 4, and 17".

JOHN F. DWYER
Secretary of the Senate

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

Tyler Barcus, Eldora — For attaining the rank of Eagle Scout. Senator Iverson (3-18-96).

Todd Lechtenberg, Fort Atkinson — For attaining the rank of Eagle Scout. Senator Zieman (3-18-96).

AMENDMENTS FILED

S—5390	S.F.	2253	Stewart Iverson, Jr.
S—5391	S.F.	2327	Patrick J. Deluhery
			Robert E. Dvorsky
S—5392	H.F.	230	Merlin E. Bartz
S—5393	S.F.	2447	John P. Kibbie
S—5394	H.F.	2477	Merlin E. Bartz
			Wilmer Rensink
			John P. Kibbie
S—5395	S.F.	2266	Mike Connolly
S—5396	S.F.	2221	Bill Fink
S—5397	S.F.	2203	Mary Neuhauser
S—5398	S.F.	2266	Mike Connolly
S—5399	S.F.	2268	Eugene Fraise
			JoAnn Douglas
			John P. Kibbie
			Derryl McLaren
			Nancy Boettger
S—5400	S.F.	2221	Allen Borlaug
			John W. Jensen
			Mary A. Lundby
			Tony Bisignano
			Tom Flynn
S—5401	S.F.	2399	Mary Neuhauser
S—5402	S.F.	2359	Sheldon Rittmer
S—5403	S.F.	2103	Nancy Boettger
			Mary Kramer
S—5404	S.F.	2418	O. Gene Maddox

AFTERNOON SESSION

The Senate reconvened at 3:47 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 41 present, 9 absent and a quorum present.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 2373** be referred from the Regular Calendar to the committee on **Agriculture**.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2359

On motion of Senator Rittmer, Senate File 2359, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rittmer offered amendment S—5402 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5402 was adopted by a voice vote.

Senator Rittmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2359) 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 2327

The Senate resumed consideration of Senate File 2327, a bill for an act concerning assistive devices by providing for a warranty, replacement of devices, and providing consumer remedies, previously deferred.

Senator Vilsack offered amendment S—5405 filed by Senators Vilsack, Deluhery and Dvorsky from the floor to page 3 of the bill and moved its adoption.

Amendment S—5405 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. 2327) the vote was:

Ayes, 46:

Bartz	Bennett	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

Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 4:

Banks	Bisignano	Borlaug	Iverson

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 2169

On motion of Senator Bisignano, Senate File 2169, a bill for an act relating to the conduct of raffles by certain fairs, nonprofit organizations, political parties, and committees of candidates for elective office, and subjecting violators to a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Bennett offered amendment S—5105 filed by him on February 22, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5105 was adopted by a voice vote.

Senator Bisignano moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2169) the vote was:

Ayes, 32:

Bisignano	Black	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Hansen
Horn	Husak	Judge	Kibbie
Kramer	Lind	Maddox	Murphy
Palmer	Priebe	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack

Nays, 18:

Banks	Bartz	Bennett	Boettger
Drake	Freeman	Halvorson	Hammond
Hedge	Iverson	Jensen	Lundby
McKean	McLaren	Neuhauser	Redfern
Rensink	Zieman		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2326

On motion of Senator Kibbie, Senate File 2326, a bill for an act establishing the position of veterans advocate under the authority of the attorney general, 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. 2326) 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 2383

On motion of Senator Giannetto, Senate File 2383, a bill for an act relating to search warrants, including creating an exception

to the exclusionary rule and allowing the issuance of a search warrant conditioned upon the occurrence of an anticipated future event, was taken up for consideration.

Senator Giannetto offered amendment S—5374 filed by him on March 18, 1996, to pages 1, 2 and the title page of the bill and moved its adoption.

Amendment S—5374 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. 2383) 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.

Senate File 2209

On motion of Senator McKean, Senate File 2209, a bill for an act establishing the offense of promoting or possessing contraband in prisons, jails, and juvenile facilities and establishing 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?" (S.F. 2209) 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 2040, 2327, 2359, 2169, 2326, 2383** and **2209** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred March 14, 1996)

Senate File 2297

The Senate resumed consideration of Senate File 2297, a bill for an act relating to victim compensation for health care for persons other than the victim, deferred March 14, 1996.

Senator Deluhery offered amendment S—5351 filed by Senators Deluhery, et al., on March 14, 1996, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5351 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. 2297) 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 BILLS
(Regular Calendar)

Senate File 2415

On motion of Senator Hammond, Senate File 2415, a bill for an act establishing an environmental education program in the state of Iowa and making appropriations, with report of committee on Appropriations recommending amendment and passage on March 13, 1996, was taken up for consideration.

Senator Hammond offered amendment S—5330 filed by the committee on Appropriations on March 13, 1996, to pages 2, 3, 5, 9 and 10 of the bill and moved its adoption.

Amendment S—5330 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. 2415) the vote was:

Ayes, 39:

Bennett	Bisignano	Black	Boswell
Connolly	Dearden	Deluhery	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Iverson	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 11:

Banks	Bartz	Boettger	Borlaug
Douglas	Freeman	Hedge	Jensen
McLaren	Rensink	Rife	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2294

On motion of Senator Hammond, Senate File 2294, a bill for an act creating multidisciplinary community services teams and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Hammond asked and received unanimous consent that action on **Senate File 2294** be **deferred.**

Senate File 2355

On motion of Senator Szymoniak, Senate File 2355, a bill for an act relating to domestic abuse, including law enforcement training requirements, seizure of weapons, prosecution of misdemeanors by county attorneys, and jurisdiction of district associate judges, was taken up for consideration.

Senator Giannetto offered amendment S—5326 filed by him on March 12, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5326 was adopted by a voice vote.

With the adoption of amendment S—5326, the Chair ruled amendment S—5292 filed by Senator Szymoniak on March 12, 1996, to page 1 of the bill, out of order.

Senator Bartz offered amendment S—5260 filed by him on March 11, 1996, to page 1 and the title page of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5260 be adopted?" (S.F. 2355) the vote was:

Ayes, 22:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Giannetto	Hedge	Iverson	Jensen
Lundby	Maddox	McKean	McLaren
Priebe	Redfern	Rensink	Rife
Rittmer	Zieman		

Nays, 28:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Judge	Kibbie	Kramer
Lind	Murphy	Neuhauser	Palmer
Sorensen	Szymoniak	Tinsman	Vilsack

Amendment S—5260 lost.

Senator Borlaug offered amendment S—5293 filed by him on March 12, 1996, to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5293 be adopted?" (S.F. 2355) the vote was:

Ayes, 25:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Flynn

Freeman	Giannetto	Hedge	Iverson
Jensen	Kibbie	Lundby	Maddox
McKean	McLaren	Priebe	Redfern
Rensink	Rife	Rittmer	Vilsack
Zieman			

Nays, 25:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Fraise	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Judge	Kramer	Lind	Murphy
Neuhauser	Palmer	Sorensen	Szymoniak
Tinsman			

Amendment S—5293 lost.

Senator Szymoniak offered amendment S—5291 filed by her on March 12, 1996, to page 2 and the title page of the bill and moved its adoption.

Amendment S—5291 was adopted by a voice vote.

Senator Vilsack asked and received unanimous consent that action on **Senate File 2355** be **deferred.**

BUSINESS PENDING

Senate File 2294

The Senate resumed consideration of Senate File 2294, a bill for an act creating multidisciplinary community services teams and providing a penalty, previously deferred.

Senator Hammond offered amendment S—5413 filed by her from the floor to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5413 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. 2294) 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
(Regular Calendar)

Senate File 401

On motion of Senator Deluhery, Senate File 401, a bill for an act relating to consumer-related actions, with report of committee on Judiciary recommending passage on April 4, 1995, and report of committee on Commerce recommending passage on February 6, 1996, was taken up for consideration.

Senator Gronstal offered amendment S—5316 filed by him on March 12, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5316 was adopted by a voice vote.

Senator Gronstal offered amendment S—5315 filed by him on March 12, 1996, to page 1 of the bill.

Senator Rife raised the point of order that amendment S—5315 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5315 in order.

Senator Gronstal moved the adoption of amendment S—5315, which motion prevailed by a voice vote.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 401) the vote was:

Ayes, 18:

Bisignano	Boswell	Connolly	Dearden
Dvorsky	Fink	Gronstal	Halvorson
Hammond	Hansen	Horn	Judge
Kibbie	Neuhauser	Palmer	Sorensen
Szymoniak	Vilsack		

Nays, 32:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Deluhery	Douglas
Drake	Flynn	Fraise	Freeman
Gettings	Giannetto	Hedge	Husak
Iverson	Jensen	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Priebe	Redfern	Rensink
Rife	Rittmer	Tinsman	Zieman

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2297, 2415** and **2294** 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 19, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2153, a bill for an act relating to the reinstatement to active service of members of the statewide fire and police retirement system and the public safety peace officers' retirement, accident, and disability system upon denial of disability benefits.

This bill was read first time and **passed on file.**

House File 2207, a bill for an act relating to the state transportation commission's planning process and federal funding.

This bill was read first time and **passed on file.**

House File 2271, a bill for an act directing the department of education to conduct a study relating to driver education and instruction.

This bill was read first time and **passed on file.**

House File 2331, a bill for an act expanding the factors that a court and the state department of transportation may consider in ordering the issuance of a temporary restricted license, and providing an effective date.

This bill was read first time and **passed on file.**

House File 2426, a bill for an act relating to certain certification requirements of a city or county urban renewal area.

This bill was read first time and **passed on file.**

House File 2436, a bill for an act providing that a court order the revocation or suspension of a driver's license at the time of conviction for certain drug-related offenses, and providing an effective date.

This bill was read first time and **passed on file.**

Senator Deluhery took the chair at 5:50 p.m.

APPENDIX

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: HOUSE CONCURRENT RESOLUTION 109, a concurrent resolution designating June 15, 1996, as the day to celebrate the ending of slavery and to recognize the worth and value of all people.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Szymoniak, Boettger, Bartz, Dvorksy, Hansen, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Hammond and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2050, a bill for an act relating to selection criteria preferences in the placement of children for adoption by or through the department of human services.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Szymoniak, Boettger, Bartz, Dvorksy, Hansen, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Hammond and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2150, a bill for an act relating to grandparent visitation rights.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Szymoniak, Boettger, Bartz, Dvorksy, Hansen, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Hammond and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 61, a bill for an act providing immunity from civil liability for an employer who in god faith discloses information about a current or former employee of the employer.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5424.

Final Vote: Ayes, 11: Giannetto, Vilsack, Bartz, Bisignano, Boettger, Fraise, Halvorson, Hammond, Hansen, Neuhauser and Szymoniak. Nays, 4: McKean, Drake, Maddox and Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 523, a bill for an act relating to the establishment of minimum standards for the training of telecommunicators.

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: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2061, a bill for an act relating to the immunity from civil liability for health care peer review committee members.

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: HOUSE FILE 2429, a bill for an act relating to the representation of indigents and other court appointments in criminal and juvenile proceedings and providing effective and retroactive applicability dates.

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: HOUSE FILE 2456, a bill for an act relating to the rights of victims of criminal acts.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5420.

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: HOUSE FILE 2458, a bill for an act relating to the right to appointed counsel or a public defender, by relating to the eligibility for certain indigents, the recovery of defense costs, and by restricting the right to counsel for certain parents in child in need of assistance cases.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5419.

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: 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.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 2: Bisignano and Halvorson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: HOUSE FILE 2258, a bill for an act relating to the powers of a benefited recreational lake district to promote water quality.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Fink, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, none. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2308, a bill for an act relating to asbestos removal and encapsulation.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Fink, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, 1: Hedge. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2370, a bill for an act relating to energy efficiency programs, electric and gas public utility energy efficiency mandates, and the Iowa energy center and the center for global and regional environmental research.
Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5417.

Final Vote: Ayes, 10: Fink, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge and Rensink. Nays, 4: Black, Lundby, Kibbie and Sorensen. Pass, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 113, a concurrent resolution declaring Miss Iowa an official hostess for the State of Iowa.

Recommendation: DO PASS.

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 2384, a bill for an act relating to matters within the jurisdiction of the Iowa ethics and campaign disclosure board, by providing for certain changes in reporting requirements relating to campaign contributions and expenditures; liability for the activities of committees; certain restrictions on fundraising and use of funds by political committees; certain changes in the handling of investigations and complaints before the board; and permitting a fee for access to computerized campaign finance disclosure records.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5411.

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 400, a bill for an act relating to the joint purchasing of equipment by political subdivisions of the state.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Rittmer, Bennett, Connolly, Dearden, Drake, Fink, Lind, McLaren and Sorensen. Nays, 4: Bisignano, Giannetto, Halvorson and Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2190, a bill for an act relating to the publication of certain notices, ordinances, and amendments by the superintendent of printing.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Gronstal, Kibbie, Rittmer, Bennett, Connolly, Dearden, Drake, Fink, Giannetto, Lundby, McLaren and Sorensen. Nays, 3: Bisignano, Halvorson and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2315, a bill for an act authorizing small quantities of wine to be shipped in and out of this state for consumption or use by persons twenty-one years of age or older.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5412.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Lind, Lundby and Sorensen. Nays, 1: Halvorson. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

House File 2127

COMMERCE: Priebe, Chair; Hedge and Palmer

House File 2413

COMMERCE: Jensen, Chair; Deluhery and Gronstal

House File 2433

NATURAL RESOURCES, ENVIRONMENT & ENERGY: Kibbie, Chair; Freeman and Sorensen

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2266, the following corrections were made:

1. Page 13, line 11, the words and numbers "3. 6. and 7" were changed to the words and numbers "4, 7, and 8".

JOHN F. DWYER
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

H.F.	2153	State Government
H.F.	2207	Transportation
H.F.	2271	Education
H.F.	2426	Local Government
H.F.	2436	Transportation

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 401 failed to pass the Senate on March 19, 1996.

PATRICK J. DELUHERY

AMENDMENTS FILED

S—5405	S.F.	2327	Tom Vilsack Patrick J. Deluhery Robert Dvorsky
S—5406	S.F.	2335	Dennis Black
S—5407	S.F.	2434	Tom Flynn Allen Borlaug
S—5408	H.F.	2419	Mike Connolly
S—5409	H.F.	2399	Mike Connolly
S—5410	S.F.	2349	Mike Connolly
S—5411	S.F.	2384	State Government
S—5412	H.F.	2315	State Government
S—5413	S.F.	2294	Johnie Hammond
S—5414	S.F.	2268	Rod Halvorson
S—5415	S.F.	2224	Randal J. Giannetto
S—5416	S.F.	2449	William D. Palmer
S—5417	S.F.	2370	Natural Res., Environ. & Energy
S—5418	H.F.	2419	Brad Banks Derryl McLaren
S—5419	H.F.	2458	Judiciary
S—5420	H.F.	2456	Judiciary
S—5421	S.F.	2364	Tony Bisignano
S—5422	S.F.	2434	Tom Flynn
S—5423	S.F.	2421	Brad Banks
S—5424	H.F.	61	Judiciary

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:10 p.m., until 9:00 a.m., Wednesday, March 20, 1996.

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 20, 1996

The Senate met in regular session at 9:07 a.m., President Boswell presiding.

Prayer was offered by the Reverend Lanny Carlson, pastor of the United Methodist Church, Odebolt, Iowa.

The Journal of Tuesday, March 19, 1996, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Dvorsky until he arrives on request of Senator Horn and Senator Zieman until he arrives on request of Senator Hedge.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 116, by Kibbie, a senate concurrent resolution to urge the federal government to restore requirements for the reporting of information regarding cattle fed in Iowa feedlots.

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.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2139

On motion of Senator Douglas, Senate File 2139, a bill for an act relating to hazardous materials transportation, was taken up for consideration.

Senator Douglas asked and received unanimous consent that **House File 2303** be **substituted** for **Senate File 2139.**

House File 2303

On motion of Senator Douglas, House File 2303, a bill for an act relating to hazardous materials transportation, 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. 2303) 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	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	

Nays, 1:

Neuhauser

Absent or not voting, 2:

Banks Zieman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Douglas asked and received unanimous consent that **Senate File 2139** be **withdrawn** from further consideration of the Senate.

Senate File 2141

On motion of Senator Connolly, Senate File 2141, a bill for an act relating to motorcycle rider education and providing an effective date, was taken up for consideration.

Senator Connolly asked and received unanimous consent that **House File 2225** be **substituted** for **Senate File 2141.**

House File 2225

On motion of Senator Connolly, House File 2225, a bill for an act relating to motorcycle rider education and providing an effective date, 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. 2225) 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	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack

Nays, 1:

Fink

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.

Senator Connolly asked and received unanimous consent that **Senate File 2141** be **withdrawn** from further consideration of the Senate.

Senate File 2254

On motion of Senator Sorensen, Senate File 2254, a bill for an act relating to filing of instruments by county recorders, was taken up for consideration.

President pro tempore Bisignano took the chair at 9:35 a.m.

Senator Sorensen asked and received unanimous consent that **House File 2299** be **substituted** for **Senate File 2254.**

House File 2299

On motion of Senator Sorensen, House File 2299, a bill for an act relating to filing of instruments by county recorders, 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. 2299) 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.

Senator Sorensen asked and received unanimous consent that **Senate File 2254** be **withdrawn** from further consideration of the Senate.

Senate File 2262

On motion of Senator Palmer, Senate File 2262, a bill for an act relating to the percentage of the legal reserve of a life insurance company which may be invested in certain corporate obligations, was taken up for consideration.

Senator Palmer asked and received unanimous consent that **House File 2211** be **substituted** for **Senate File 2262.**

House File 2211

On motion of Senator Palmer, House File 2211, a bill for an act relating to the percentage of the legal reserve of a life insurance company which may be invested in certain corporate obligations, was taken up for consideration.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2211) 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 2371

On motion of Senator Palmer, Senate File 2371, a bill for an act authorizing a foreign mutual insurance company or a foreign health service corporation to reorganize by forming an insurance holding company, and providing that a mutual insurance holding company shall at all times own a majority of the voting shares of the capital stock of a reorganized domestic or foreign insurance company, was taken up for consideration.

Senator Palmer asked and received unanimous consent that **House File 2363** be **substituted** for **Senate File 2371.**

House File 2363

On motion of Senator Palmer, House File 2363, a bill for an act authorizing a foreign mutual insurance company or a foreign health service corporation to reorganize by forming an insurance holding company, and providing that a mutual insurance holding company shall at all times own a majority of the voting shares of the capital stock of a reorganized domestic or foreign insurance company, was taken up for consideration.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2363) 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
Zieman			

Nays, none.

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.

Senator Palmer asked and received unanimous consent that **Senate Files 2371** and **2262** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 2303, 2225, 2299, 2211** and **2363** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred March 19, 1996)

Senate File 2355

The Senate resumed consideration of Senate File 2355, a bill for an act relating to domestic abuse, including law enforcement training requirements, seizure of weapons, prosecution of misdemeanors by county attorneys, and jurisdiction of district associate judges, deferred March 19, 1996.

Senator Vilsack offered amendment S—5425 filed by Senators Vilsack, et al., from the floor to page 1 of the bill.

Senator Borlaug asked and received unanimous consent that action on amendment S—5425 and **Senate File 2355** be **deferred.**

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2123

On motion of Senator Palmer, Senate File 2123, a bill for an act relating to the payment of claims by an administrator acting on behalf of an insurer, with report of committee recommending passage, was taken up for consideration.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2123) 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 10:02 a.m.

UNFINISHED BUSINESS
(Deferred March 18, 1996)

Senate File 2335

The Senate resumed consideration of Senate File 2335, a bill for an act relating to the minimum age for gambling at racetract enclosures, and subjecting violators to a penalty, deferred March 18, 1996.

Senator Black offered amendment S—5406 filed by him on March 19, 1996, to page 1 and the title page of the bill.

Senator Lind raised the point of order that amendment S—5406 was not germane to the bill.

Senator Lind withdrew his point of order.

Senator Black moved the adoption of amendment S—5406, which motion prevailed by a voice vote.

Senator Bartz offered amendment S—5362 filed by him on March 18, 1996, to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5362 be adopted?" (S.F. 2335) the vote was:

Ayes, 18:

Bartz	Bisignano	Dearden	Deluhery
Dvorsky	Fink	Gronstal	Hansen
Judge	Kibbie	Kramer	Lind
Maddox	McLaren	Murphy	Palmer
Rife	Szymoniak		

Nays, 31:

Banks	Bennett	Black	Boettger
Borlaug	Boswell	Connolly	Douglas
Drake	Flynn	Fraise	Freeman
Gettings	Giannetto	Halvorson	Hammond
Hedge	Horn	Husak	Iverson
Jensen	McKean	Neuhauser	Priebe
Redfern	Rensink	Rittmer	Sorensen
Tinsman	Vilsack	Zieman	

Absent or not voting, 1:

Lundby

Amendment S—5362 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. 2335) the vote was:

Ayes, 43:

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	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Neuhauser	Palmer	Priebe
Redfern	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 7:

Bartz	Bisignano	Iverson	Jensen
Murphy	Rensink	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 BILLS
(Regular Calendar)

Senate File 2103

On motion of Senator Hammond, Senate File 2103, a bill for an act relating to the provision of outpatient services and treatment to minors with mental illness at community mental health centers without the consent of a parent or legal guardian, was taken up for consideration.

President pro tempore Bisignano took the chair at 10:27 a.m.

Senator Boettger offered amendment S—5033 filed by Senators Boettger and Kramer on February 1, 1996, to page 1 of the bill, moved its adoption and requested a non record roll call.

The ayes were 26, nays 24.

Amendment S—5033 was adopted.

Senator Boettger offered amendment S—5403 filed by Senators Boettger and Kramer on March 19, 1996, to page 2 of the bill.

Senator Boettger asked and received unanimous consent that action on amendment S—5403 and **Senate File 2103** be **deferred.**

Senate File 2224

On motion of Senator Giannetto, Senate File 2224, a bill for an act relating to veterans of the United States armed forces, by changing eligibility for veteran benefits, preferences, and tax exemptions, by providing for the administration of veteran benefits, providing a penalty, and by providing for other properly related matters, with report of committee recommending passage, was taken up for consideration.

Senator Giannetto offered amendment S—5415 filed by him on March 19, 1996, to pages 2, 3, 10 and 11 of the bill and moved its adoption.

Amendment S—5415 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. 2224) 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 AMENDMENT CONSIDERED

Senate File 482

Senator Giannetto called up for consideration Senate File 482, a bill for an act establishing economic and other penalties for certain criminal activity, amended by the House in House amendment S—5036 filed February 5, 1996.

Senator Priebe offered amendment S—5081 filed by Senators Priebe and Kibbie on February 19, 1996, to House amendment S—5036 and moved its adoption.

Amendment S—5081 was adopted by a voice vote.

Senator Giannetto 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 Giannetto 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. 482) 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.

UNFINISHED BUSINESS
(Deferred March 5, 1996)

Senate File 2350

The Senate resumed consideration of Senate File 2350, a bill for an act concerning eligibility for unemployment compensation benefits by providing that an individual is not disqualified for benefits for participating in a self-employment assistance program, deferred March 5, 1996.

Senator Dvorsky offered amendment S—5338 filed by him on March 13, 1996, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5338 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. 2350) the vote was:

Ayes, 49:

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, 1:

Banks

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 376

Senator Gettings called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—5257 filed March 11, 1996.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gettings moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 376) 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 2298

On motion of Senator Vilsack, Senate File 2298, a bill for an act relating to the awarding of costs to a prevailing taxpayer in a proceeding against the department of revenue and finance under the state tax procedures and practices Act and providing an effective date, was taken up for consideration.

Senator Vilsack offered amendment S—5175 filed by him on March 5, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5175 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. 2298) 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 2123, 2335, 2224, 482, 2350, 376** and **2298** 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 20, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2212, a bill for an act relating to the appointment of the director of the department of commerce.

This bill was read first time and **passed on file.**

House File 2318, a bill for an act relating to the licensure and practice of land surveying, to the unlawful practice of land surveying, architecture, and professional engineering, and establishing a civil penalty.

This bill was read first time and **passed on file.**

House File 2350, a bill for an act relating to motor vehicle dimensional and weight requirements and certificates of title for commercial vehicles.

This bill was read first time and **passed on file.**

House File 2452, a bill for an act providing for the establishment of a lien by licensed professionals against damages collected by an injured patient.

This bill was read first time and **passed on file.**

BILLS ASSIGNED TO COMMITTEE

The Chair announced the assignment of the following bills to committee:

H.F.	2318	State Government
H.F.	2350	Transportation
H.F.	2452	Judiciary

RECESS

On motion of Senator Horn, the Senate recessed at 11:17 a.m., until 2:30 p.m.

APPENDIX

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 March 20, 1996:

AGRICULTURE

Steven A. Basler, Sonja L. Larsen and Diana L. Stadtmueller as members of the Agricultural Development Authority.

Marie G. Ellingson and Carolyn A. Roberts as members of the Iowa Grain Indemnity Fund Board.

Russell L. Brandes as a member of the State Soil Conservation Committee.

BUSINESS AND LABOR

Harrison Weber as a member of the Employment Appeal Board.

David D. Knock and M. Sue Warner as members of the Public Employment Relations Board.

COMMERCE

Margaret M. Chadwell and Ernest W. Gilson as members of the Credit Union Review Board.

COMMUNICATIONS AND INFORMATION POLICY

Richard H. Opie as a member and chair of the Iowa Telecommunications and Technology Commission.

EDUCATION

Harriet B. Gottlieb as a member of the Iowa Higher Education Loan Authority.

Marilyn J. Perkins as a member of the School Budget Review Committee.

Susan J. Clouser, Corine A. Hadley, Mary Jean Montgomery and Gene E. Vincent as members of the State Board of Education.

Roger L. Lande as a member of the State Board of Regents.

HUMAN RESOURCES

Dr. Kenneth W. Caldwell, Dr. Mary L. Khowassah and Dr. Rick D. Wilkerson as members of the Athletic Trainer Advisory Board.

Rebecca S. Beach, Dr. Thomas J. Henrich and Dominick D. Pellegreno as members of the Board of Behavioral Science Examiners.

Ruth A. Daggett and Dr. Laine D. Dvorak as members of the Board of Physician Assistant Examiners.

Marian A. Williams as a member of the Commission for the Blind.

Craig J. Downing and Dr. Vennetta M. Fiedler as members of the Commission of Elder Affairs.

Kevin J. Beauvais, Bette L. Crumrine and Nancy J. Garberson as members of the Commission on Community Action Agencies.

Brenda Kruse-McConville, Sharon Lehmann and Loren J. Woods as members of the Commission on the Deaf.

Sandra J. Blodgett, Judge Brown, Jr., Dennis J. Bullock, Dr. Scharron A. Clayton and Shawn E. Mullen as members of the Commission on the Status of Women.

Dr. Beth K. Bruening, Scott M. Harrison, Marabeth K. Soneson and Pamela W. Vap as members of the Community Health Management Information System Governing Board.

Russell T. Sporer as a member of the Council on Human Services.

Arlene Dayhoff and Thomas M. Glenn as members of the Iowa Council on Human Investment.

Lori A. Bears, Dr. Marilee Fredericks, Frank H. Hermsen and Jessie "Ginger" L. Kuhl as members of the Mental Health and Developmental Disabilities Commission.

JUDICIARY

Elizabeth R. Walker as a member of the Board of Parole.

LOCAL GOVERNMENT

Dennis A. Plautz and Nita L. Taggart as members of the City Development Board.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

A.H. Cooper and Eric C. Seuren as members of the Renewable Fuels and Coproducts Advisory Committee.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Philip C. Smith as Director of the Office for State-Federal Relations.

Joan Y. Phillips and Charese E. Yanney as members of the Iowa Economic Development Board.

John B. Parks, L. Jeanne Partlow and Randolph P. Steig as members of the Iowa Seed Capital Corporation.

George O. Barton, Frances S. Fleck and Karla Wright as members of the Small Business Advisory Council.

Paul C. Johnson, Janice K. Laue and Dr. Nancy J. Tomes as members of the Wallace Technology Transfer Foundation of Iowa.

STATE GOVERNMENT

Dorothy R. Dunphy and Paul S. Stave as members of the Accountancy Examining Board.

Robert L. Cramer and Dick C. Stoffer as members of the Alcoholic Beverages Commission.

Gwendolyn S. Ecklund, Gordon E. Mills and Katherine L. Schwennsen as members of the Architectural Examining Board.

Jill M. Robinson and Patricia K. Stark as members of the Board for the Licensing and Regulation of Hearing Aid Dealers.

Raymond D. Barker and Suzanne J. Palmer as members of the Board of Barber Examiners.

Dr. Mark A. Kruse, Haleen E. Pellett and Dr. John W. Quinlan as members of the Board of Chiropractic Examiners.

David O. Creighton, Kenneth M. Lang, Mary Beth Myers and Catherine I. Ward as members of the Board of Cosmetology Arts and Sciences Examiners.

Marilyn K. Corwin, Dr. Bruce C. Heilman and Anne E. Zimmerman as members of the Board of Dental Examiners.

Kathy E. Buffington as a member of the Board of Dietetic Examiners.

Dr. Eddie D. DeHaan and Allen J. Zagoren as members of the Board of Medical Examiners.

Ruth A. Ohde and Shirley A. Pennington as members of the Board of Mortuary Science Examiners.

Sandra Bane, Rodmon C. Bell and Anna C. Fallon as members of the Board of Nursing Examiners.

Dr. Donovan L. Crouch and Dr. Larry W. Hicks as members of the Board of Optometry Examiners.

Dr. Melvin L. Grundleger, Mary P. Mitchell, Phyllis A. Olson and Matthew Osterhaus as members of the Board of Pharmacy Examiners.

Kathryn D. Eilers, Daniel L. Mack and Deborah J. Mehlhop as members of the Board of Physical and Occupational Therapy Examiners.

Dr. Ronald D. Lee and Cheryl A. Semerad as members of the Board of Podiatry Examiners.

Dr. Robert D. Jones, Madonna J. McGuire and Dr. Kurosh R. Shahriari as members of the Board of Psychology Examiners.

Bruce D. Buchanan and Linda K. Sickels as members of the Board of Social Work Examiners.

Patsy A. Hastings and Jill M. Miller as members of the Board of Speech Pathology and Audiology Examiners.

Michael A. Scheibeler, Robert O. Steben and Mary Ellen White as members of the Commission of Veterans Affairs.

Theresa E. Clark, Tamera L. Diggs-Tate, Wilfred M. Johnson, Darryl L. Lipscomb, Gwenda L. Naylor and Jerome Thomas as members of the Commission on the Status of African-Americans.

Gretchen H. Tegeler as Director of the Department of Management.

Linda Hanson as Director of the Department of Personnel.

Gwendolyn M. Boeke, Dr. Kenneth A. Brewer and Nicholas R. Konrady as members of the Engineering and Land Surveying Examining Board.

Dr. Leroy A. Holmes and Norma D. Lyon as members of the Iowa Board of Veterinary Medicine.

Dennis A. Ausenhus, Gregory C. Jones and Joan F. Vitale as members of the Landscape Architectural Examining Board.

James B. Kersten as a member of the Lottery Board.

L. Craig Harris, Thomas J. Kregel and Lillie M. Perry as members of the Real Estate Appraiser Examining Board.

Theresa A. Loffredo and Mark G. Odden as members of the Real Estate Commission.

Karen L. Bossard and Rosemary Schrack as members of the State Board of Examiners for Nursing Home Administrators.

Jacquelyne I. Allen, Willard "Bill" R. Hansen and Rita D. Sealock as members of the State Racing and Gaming Commission.

TRANSPORTATION

Roxanne L. Johnson and Dana R. Peterson as members of the Iowa Law Enforcement Academy Council.

Janice M. Johnson and Bonnie L. Vetter as members of the State Transportation Commission.

WAYS AND MEANS

Fred E. McKim, Jr. and Emil S. Pavich as members of the Iowa Railway Finance Authority.

WALLY E. HORN, Chair

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S-5315 to Senate File 401 was adopted by the Senate on March 19, 1996.

MICHAEL E. GRONSTAL

MR. PRESIDENT: I move to reconsider the vote by which amendment S-5316 to Senate File 401 was adopted by the Senate on March 19, 1996.

MICHAEL E. GRONSTAL

COMPANION BILL RECEIVED

On March 19, 1996, **House File 2331** was received and attached to companion **Senate File 2180** on the Senate calendar.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: 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.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5429.

Final Vote: Ayes, 18: Murphy, Lind, Banks, Bartz, Borlaug, Dvorsky, Flynn, Fraise, Gronstal, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, Neuhauser, Rensink and Vilsack. Nays, none. Absent or not voting, 7: Boswell, Bisignano, Black, Douglas, Halvorson, McLaren and Tinsman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2477, 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 making related statutory changes and providing effective date provisions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5427.

Final Vote: Ayes, 17: Murphy, Lind, Bartz, Borlaug, Dvorsky, Flynn, Fraise, Gronstal, Hammond, Husak, Judge, Kibbie, Kramer, Neuhauser, Rensink, Tinsman and Vilsack. Nays, 2: Banks and Iverson. Absent or not voting, 6: Boswell, Bisignano, Black, Douglas, Halvorson and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2077, a bill for an act relating to a property tax exemption for a person who is totally disabled while on active duty with the armed forces of the United States and providing 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.

ALSO:

Final Bill Action: SENATE FILE 2357, a bill for an act relating to school finance providing for an increase in the amount certified for levy in excess of that previously authorized for bonded indebtedness repayment.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5435.

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—5425	S.F.	2355	Tom Vilsack Elaine Szymoniak Steven D. Hansen Berl E. Priebe
S—5426	S.F.	2330	Elaine Szymoniak
S—5427	H.F.	2477	Appropriations
S—5428	H.F.	2370	O. Gene Maddox
S—5429	H.F.	570	Appropriations
S—5430	S.F.	2429	O. Gene Maddox
S—5431	S.F.	2344	Mary Neuhauser
S—5432	S.F.	2153	Randal J. Giannetto
S—5433	S.F.	2399	Randal J. Giannetto
S—5434	S.F.	2103	Nancy Boettger Maggie Tinsman Sheldon Rittmer Berl E. Priebe
S—5435	S.F.	2357	Ways and Means

AFTERNOON SESSION

The Senate reconvened at 2:45 p.m., President Boswell presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 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 the House has on March 20, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2087, a bill for an act providing that appeal of certain sentences be by writ of certiorari.

ALSO: That the House has on March 20, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 308, a bill for an act relating to the election of workers' compensation coverage by a limited liability company member.

This bill was read first time and **passed on file.**

House File 455, a bill for an act relating to the filing of complaints with the board of educational examiners.

This bill was read first time and **passed on file.**

House File 2191, a bill for an act relating to the expansion of the membership of the advisory council to the director of human services regarding medical assistance.

This bill was read first time and **passed on file.**

House File 2401, a bill for an act relating to the issuance of deer and wild turkey nonresident hunting licenses to certain official guests and dignitaries.

This bill was read first time and **passed on file.**

House File 2427, a bill for an act relating to mental health, mental retardation, developmental disabilities, and other services paid for in whole or in part by counties or the state, and including an applicability provision and an effective date.

This bill was read first time and **passed on file.**

House File 2435, a bill for an act relating to the establishment of a problem gambling treatment program, creating an advisory committee, providing for other properly related matters, and applying a penalty.

This bill was read first time and **passed on file.**

INTRODUCTION OF BILL

Senate File 2451, by committee on Ways and Means, a bill for an act providing that member contributions under certain public retirement systems are considered employer contributions for state income tax purposes, and providing applicability and effective date provisions.

Read first time and **placed on Ways and Means Calendar.**

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senate File 2449

On motion of Senator Palmer, Senate File 2449, a bill for an act changing the computation of the inflation factors for the tax brackets and standard deduction under the individual income tax; changing the computation of taxable income of certain subchapter S corporations and their shareholders; increasing inheritance tax exemptions for certain relatives; increasing the amount of the appropriations for homestead credit, military service credit, and low-income credit and reimbursement claims; providing income tax credits for investing in a qualified venture capital company;

establishing incentives for family farm animal feeding operations and making an appropriation; adjusting the funding for the family farm and agricultural land tax credits; and providing effective and applicability date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Palmer offered amendment S—5416 filed by him on March 19, 1996, to pages 6, 7 and 28 of the bill.

(Action on Senate File 2449 was deferred.)

The Senate stood at ease at 2:58 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 3:45 p.m., President pro tempore Bisignano presiding.

BUSINESS PENDING

Senate File 2449

The Senate resumed consideration of Senate File 2449 and amendment S—5416 by Senator Palmer to pages 6, 7 and 28 of the bill, previously deferred.

Senator Palmer moved the adoption of amendment S—5416, which motion prevailed by a voice vote.

Senator Bartz offered amendment S—5380 filed by him on March 18, 1996, to page 24 of the bill and moved its adoption.

Amendment S—5380 was adopted by a voice vote.

President Boswell took the chair 3:50 p.m.

Senator McKean offered amendment S—5442 filed by Senators McKean, et al., from the floor to page 2 of the bill.

Senator Bennett asked unanimous consent that action on amendment S—5442 be deferred.

Senator Bennett withdrew his request to defer.

Senator McKean moved the adoption of amendment S—5442 and requested a record roll call.

On the question "Shall amendment S—5442 be adopted?" (S.F. 2449) 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—5442 lost.

With the adoption of amendments S—5416 and 5380, the Chair ruled amendment S—5445 filed by Senator Bennett from the floor to pages 20-29 and the title page of the bill, out of order.

Senator Bartz asked and received unanimous consent that action on amendment S—5449 filed by Senators Bartz and Judge to page 25 of the bill be deferred.

Senator Bartz offered amendment S—5443 filed by Senators Bartz and Borlaug from the floor to page 29 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5443 be adopted?" (S.F. 2449) 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—5443 lost.

Senator Husak offered amendment S—5441 filed by Senators Husak, Murphy and Banks from the floor to page 31 and the title page of the bill and moved its adoption.

Amendment S—5441 was adopted by a voice vote.

With the adoption of amendments S—5416, S—5380 and S—5441, the Chair ruled amendment S—5447 filed by Senators Bennett, et al., from the floor to strike everything after the enacting clause and to the title page of the bill, out of order.

Senator Hedge offered amendment S—5444 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5444 lost by a voice vote.

Senator Banks withdrew amendment S—5454 filed by him from the floor to pages 2, 7-15, 20-29 and the title page of the bill.

Senator Bartz called up 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—5416 to Senate File 2449 was adopted by the Senate on March 20, 1996.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2449) 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, 26:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Murphy	Palmer	Priebe	Sorensen
Szymoniak	Vilsack		

Absent or not voting, 1:

Neuhauser

The motion lost.

Senator Rittmer offered amendment S—5456 filed by him from the floor to page 28 of the bill and moved its adoption.

Amendment S—5456 was adopted by a voice vote.

Senator Bartz moved the adoption of amendment S—5449 to page 25 of the bill, previously deferred, which motion prevailed by a voice vote.

Senator Redfern offered amendment S—5458 filed by Senators Redfern, et al., from the floor to pages 7-15 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5458 be adopted?" (S.F. 2449) 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, 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—5458 lost.

Senator Lind offered amendment S—5461 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—5461 be adopted?" (S.F. 2449) the vote was:

Ayes, 22:

Banks	Bartz	Boettger	Borlaug
Douglas	Drake	Freeman	Hedge
Iverson	Jensen	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Redfern	Rensink	Rife	Rittmer
Tinsman	Zieman		

Nays, 28:

Bennett	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—5461 lost.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2449) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 46:

Bartz	Bennett	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	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 4:

Banks	Bisignano	Hammond	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 that **Senate File 2449** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 2246** be referred from the Regular Calendar to the committee on **Agriculture.**

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 20, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2443, a bill for an act appropriating funds to the department of economic development, the Iowa finance authority, certain board of regents institutions, the public employment relations board, and the department of employment services, and making related statutory changes (S—5459).

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Horn asked and received unanimous consent that the following bills be removed from the Regular Calendar and placed on the Unfinished Business Calendar:

Senate Files 2131, 2170, 2180, 2184, 2210, 2280, 2349, 2356, 2368, 2372, 2389, 2407, 2422 and 2429.

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on the morning of March 20, 1996.

Had I been present, I would have voted "aye" on House Files 2303, 2225, 2299 and 2211.

LYLE E. ZIEMAN

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 19, 1996, 6:15 p.m.

Members Present: Murphy, Chair; Lind, Ranking Member; Banks, Bartz, Borlaug, Dvorsky, Flynn, Fraise, Gronstal, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: Boswell, Vice Chair; Bisignano, Black, Douglas, Halvorson and McLaren (all excused).

Committee Business: Recommended passage of House Files 2477 and 570 as amended.

Adjourned: 6:40 p.m.

HUMAN RESOURCES

Convened: March 19, 1996, 1:39 p.m.

Members Present: Szymoniak, Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Neuhauser, Tinsman and Vilsack.

Members Absent: Hammond, Vice Chair and Kramer (both excused).

Committee Business: Recommended passage of House Concurrent Resolution 109 and House Files 2050 and 2150.

Adjourned: 1:50 p.m.

JUDICIARY

Convened: March 19, 1996, 2:28 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 House Joint Resolution 11, House Files 523, 2429 and 2061; recommended passage of House Files 61, 2458 and 2456 as amended.

Adjourned: 3:12 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: March 19, 1996, 2:28 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; recommended passage of Senate File 2370 as amended; recommended passage of House Files 2308 and 2258.

Adjourned: 3:20 p.m.

STATE GOVERNMENT

Convened: March 19, 1996, 1:38 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; recommended passage of Senate Concurrent Resolution 113, and House Files 400 and 2190; recommended passage of Senate Files 2384 and House File 2315 as amended.

Adjourned: 2:17 p.m.

STUDY BILL RECEIVED

SSB 2346 Local Government

A senate resolution requesting the House of Representatives to override the Governor's item veto of certain provisions of House File 2114.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2224, the following correction was made:

1. Page 18, line 26, the word and number "Section 26" was changed to the word and number "Section 24".

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

Senator Husak welcomed the Honorable Gene Kennedy, former member of the House and Senate from Dubuque County, who was present in the Senate chamber.

Senator Jensen welcomed the Honorable Edgar H. Holden, former member of the House and Senate from Scott County, who was present in the Senate chamber.

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-one twelfth grade students from Ruthven-Ayrshire High School, Ruthven, accompanied by Mr. Jospheson. Senator Kibbie.

Thirty twelfth grade students from Benton Community High School, Van Horne, accompanied by Ron Donald and Doug Embray. Senator Husak.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

The Dowling Maroons, Dowling High School — For winning the Class 4-A State Championship. Senator Maddox (3-19-96).

Coach Bob Miller and the Rock Valley Basketball Team — For winning the state Class 1-A boys' basketball championship. Senator Rensink (3-19-96).

Rock Valley Public School and Community of Rock Valley — For being awarded the Class 1-A Sportsmanship Trophy. Senator Rensink (3-19-96).

Coach Jim Eekhoff and the Western Christian Basketball Team — For winning the state Class 3-A boys' basketball championship. Senator Rensink (3-19-96).

Greg Totten, Clinton — For attaining the rank of Eagle Scout. Senator Rittmer (3-20-96).

COMMITTEE REPORTS

COMMERCE

Final Bill Action: HOUSE FILE 2127, a bill for an act relating to the exemption of certain individual property management accounts from certification and auditing requirements.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Deluhery, Hansen, Jensen, Bartz, Douglas, Flynn, Freeman, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 2: Bisignano and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2366, a bill for an act relating to entities and subject matter under the regulatory authority of the division of insurance, including prearranged funeral contracts, cemeteries, residential service contracts, and business opportunities, and establishing fees.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Deluhery, Hansen, Jensen, Bartz, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Priebe and Redfern. Nays, none. Absent or not voting, 2: Bisignano and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2397, a bill for an act relating to linked investments and establishing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Deluhery, Hansen, Jensen, Bartz, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Priebe and Redfern. Nays, none. Absent or not voting, 2: Bisignano and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2413, a bill for an act relating to foreign and domestic business corporations by amending certain reporting and filing requirements and procedures and establishing fees.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5452.

Final Vote: Ayes, 13: Deluhery, Hansen, Jensen, Bartz, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, 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: HOUSE FILE 2297, a bill for an act relating to payment of warrants drawn on levee and drainage district funds.

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: HOUSE FILE 2426, a bill for an act relating to certain certification requirements of a city or county urban renewal area.

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.

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 112, a concurrent resolution supporting the 185th Fighter Wing of the Air National Guard of Iowa in its peacekeeping patrols in the United Nations "No-Fly Zone" over Iraq.

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 111, a concurrent resolution supporting Iowa military personnel in the Bosnian peacekeeping mission.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S–5446.

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 2451 (formerly Senate File 2166), a bill for an act providing that member contributions under certain public retirement systems are considered employer contributions for state income tax pruposes, and providing applicability and effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Iverson, McLaren, Murphy, Neuhauser, Priebe and Vilsack. Nays, 1: Hedge. Absent or not voting, 1: Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2451 and they were attached to the committee report.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 112

RULES AND ADMINISTRATION: Gettings, Chair; Boswell and Rife

Senate File 2421

COMMERCE: Hansen, Chair; Husak and Redfern

House File 2153

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and Rittmer

House File 2207

TRANSPORTATION: Halvorson, Chair; Black and Jensen

House File 2255

LOCAL GOVERNMENT: Fraise, Chair; Rittmer and Sorensen

House File 2297

LOCAL GOVERNMENT: Sorensen, Chair; Halvorson and Zieman

House File 2318

STATE GOVERNMENT: Drake, Chair; Gronstal and Kibbie

House File 2350

TRANSPORTATION: Gettings, Chair; Drake and Rittmer

House File 2426

LOCAL GOVERNMENT: Sorensen, Chair; Fink and Maddox

House File 2436

TRANSPORTATION: Drake, Chair; Fink and Gettings

House File 2462

TRANSPORTATION: Gettings, Chair; Dearden and Douglas

SSB 2346

LOCAL GOVERNMENT: Sorensen, Chair; Fraise and Rittmer

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

H.F.	2427	Local Government
H.F.	2212	State Government
H.F.	455	Education
H.F.	308	Business and Labor
H.F.	2401	Natural Res., Environ. & Energy
H.F.	2191	Human Resources
H.F.	2435	Human Resources
S.C.R.	116	Agriculture

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 2416, 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.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5464.

Final Vote: Ayes, 14: Murphy, Boswell, Lind, Bisignano, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Husak, Judge, Kibbie, Kramer and Vilsack. Nays, 6: Banks, Bartz, Black, Douglas, Iverson and Neuhauser. Absent or not voting, 5: Borlaug, Hammond, McLaren, Rensink and Tinsman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2472, a bill for an act relating to and making appropriations to the justice system and providing effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5465.

Final Vote: Ayes, 18: Murphy, Boswell, Lind, Bartz, Black, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Judge, Kibbie, Kramer, McLaren, Neuhauser and Vilsack. Nays, 3: Banks, Douglas and Iverson. Absent or not voting, 4: Bisignano, Borlaug, Rensink and Tinsman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5436	H.F.	2477	John P. Kibbie
S—5437	S.F.	2450	Allen Borlaug
S—5438	S.F.	2060	Allen Borlaug
S—5439	S.F.	2355	Allen Borlaug
S—5440	S.F.	2258	Mary Lundby
S—5441	S.F.	2449	Emil J. Husak
			Larry Murphy
			Brad Banks
S—5442	S.F.	2449	Andy McKean
			Richard F. Drake
			Maggie Tinsman
			O. Gene Maddox
			Lyle E. Zieman
			Wayne D. Bennett
			Sheldon Rittmer
			H. Kay Hedge
			JoAnn Douglas
			John W. Jensen
			Nancy Boettger
			Stewart Iverson, Jr.
			Brad Banks
			Allen Borlaug
			Wilmer Rensink
S—5443	S.F.	2449	Merlin E. Bartz
			Allen Borlaug
S—5444	S.F.	2449	H. Kay Hedge
S—5445	S.F.	2449	Wayne D. Bennett
S—5446	H.C.R.	111	Rules and Administration
S—5447	S.F.	2449	Wayne D. Bennett
			Merlin E. Bartz
			Stewart Iverson
			Jim Lind
			O. Gene Maddox

			Derryl McLaren
S—5448	S.F.	2414	Johnie Hammond
S—5449	S.F.	2449	Merlin E. Bartz
			Patty Judge
S—5450	S.F.	2389	Jim Lind
S—5451	H.F.	2477	Patty Judge
			Eugene Fraise
			Larry Murphy
			Mary Lou Freeman
			Jim Lind
			Mary E. Kramer
S—5452	H.F.	2413	Commerce
S—5453	S.F.	2433	Stewart Iverson
S—5454	S.F.	2449	Brad Banks
S—5455	S.F.	2268	Eugene Fraise
			Tom Flynn
S—5456	S.F.	2449	Sheldon Rittmer
S—5457	H.F.	2477	Berl E. Priebe
			Brad Banks
S—5458	S.F.	2449	Donald B. Redfern
			Maggie Tinsman
			Andy McKean
			Brad Banks
			Wilmer Rensink
			Allen Borlaug
			Wayne D. Bennett
S—5459	S.F.	2443	House amendment
S—5460	S.F.	2355	Berl E. Priebe
			Allen Borlaug
			Merlin E. Bartz
S—5461	S.F.	2449	Jim Lind
S—5462	S.F.	2399	Elaine Szymoniak
S—5463	S.F.	2268	Eugene Fraise
			Tom Flynn
S—5464	H.F.	2416	Appropriations
S—5465	H.F.	2472	Appropriations

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:41 p.m., until 9:00 a.m., Thursday, March 21, 1996.

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
FORTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 21, 1996

The Senate met in regular session at 9:05 a.m., Senator Connolly presiding.

Prayer was offered by the Reverend John Koedyker, pastor of the Community Reformed Church, Clinton, Iowa.

The Journal of Wednesday, March 20, 1996, was approved.

INTRODUCTION OF BILL

Senate File 2452, by committee on Ways and Means, a bill for an act relating to the modernization of the vital statistics process and establishing a fee.

Read first time and **placed on Ways and Means Calendar.**

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Flynn 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 listed on the En Bloc Confirmation Calendar:

Linda Hopkins as a member of the Accountancy Examining Board.

Dorothy A. Anderson and Rebecca S. Beach as members of the Board of Behavioral Science Examiners.

Dr. Laine D. Dvorak and Joan L. Skogstrom as members of the Board of Physician Assistant Examiners.

Donald R. Tietz as a member of the Board of Corrections.

Jerry L. Meek and Michael A. Scheibeler as members of the Commission of Veterans Affairs.

Paul R. Walther as a member of the Commission on the Status of Women.

Scott M. Harrison and Susan R. Ryan as members of the Community Health Management Information System Governing Board.

Margaret P. Guhin as a member of the Council on Human Services.

Jon P. Finney as a member of the County Finance Committee.

Frederick (Ted) M. Stilwill as Director of the Department of Education.

Earl W. Seymour as a member of the Employment Appeal Board.

Frederick (Ted) M. Stilwill as a member of the First in the Nation in Education Foundation Governing Board.

Iris J. Post as Industrial Commissioner.

Kay A. Hagen as a member of the Iowa Finance Authority.

Emil S. Pavich as a member of the Iowa Railway Finance Authority.

Liz S. Nichols as a member of the Iowa State Civil Rights Commission.

Mary A. Nelson as a member and Richard H. Opie as a member and Chair of the Iowa Telecommunications and Technology Commission.

Byron Orton as Labor Commissioner.

Clark A. Yeager as a member of the School Budget Review Committee.

Gregory A. Forristall as a member of the State Board of Education.

Terri J. Gunderson as a member of the State Board of Examiners for Nursing Home Adminstrators.

Aileen F. Mahood as a member of the State Board of Regents.

John F. Bright and Zell L. Millard as members of the State Judicial Nominating Commission.

Michael K. Guttau as Superintendent of Banking.

Amy M. Britt, Berneil Preul and James A. Sattler as members of the Title Guaranty Division Board.

Senator Horn moved that the foregoing appoointments 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	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, 2:

Flynn	Kramer

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

MOTION TO RECONSIDER ADOPTED

Senator Giannetto called up the motion to reconsider Senate File 2153 filed by him on March 6, 1996, found on page 665 of the Senate Journal.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kramer until she arrives on request of Senator Borlaug.

BUSINESS PENDING

Senate File 2153

The Senate resumed consideration of Senate File 2153.

Senator Giannetto moved the adoption of the motion to reconsider.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2153) the vote was:

Ayes, 48:

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	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:

Flynn	Kramer

The motion prevailed.

Senator Giannetto moved to reconsider the vote by which Senate File 2153 went to its last reading, which motion prevailed by a voice vote.

Senate File 2153

On motion of Senator Giannetto, Senate File 2153, a bill for an act relating to Iowa law enforcement officer certification by the Iowa law enforcement academy, was taken up for reconsideration.

Senator Giannetto offered amendment S—5432 filed by him on March 20, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5432 was adopted by a voice vote.

With the adoption of amendment S—5432, the Chair ruled amendment S—5215 filed by Senator Giannetto on March 6, 1996, to page 1 of the bill, out of order.

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. 2153) the vote was:

Ayes, 46:

Bartz	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Fraise	Freeman
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, 1:

Gettings

Absent or not voting, 3:

Banks	Flynn	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 that **Senate File 2153** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message 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, 1996, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 114, a concurrent resolution establishing a "Childhood Recognition Day".

This resolution was read first time and **passed on file.**

ADOPTION OF RESOLUTION
(Regular Calendar)

Senate Concurrent Resolution 111

On motion of Senator Boettger, Senate Concurrent Resolution 111, a concurrent resolution establishing a "Childhood Recognition Day", with report of committee recommending passage, was taken up for consideration.

Senator Boettger asked and received unanimous consent that **House Concurrent Resolution 114** be **substituted** for **Senate Concurrent Resolution 111.**

House Concurrent Resolution 114

On motion of Senator Boettger, House Concurrent Resolution 114, a concurrent resolution establishing a "Childhood Recognition Day", was taken up for consideration.

Senator Boettger moved the adoption of House Concurrent Resolution 114, which motion prevailed by a voice vote.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2364

On motion of Senator Bisignano, Senate File 2364, a bill for an act requiring a child day care provider who has been found to have committed child abuse to register with the state and related provisions, making an appropriation, and providing penalties, was taken up for consideration.

Senator Bisignano offered amendment S—5421 filed by him on March 19, 1996, to pages 1-4 and 6 of the bill and moved its adoption.

Amendment S—5421 was adopted by a voice vote.

Senator Bisignano moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2364) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	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	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Flynn	Horn

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, 1996)

Senate File 2355

The Senate resumed consideration of Senate File 2355, a bill for an act relating to domestic abuse, including law enforcement training requirements, seizure of weapons, prosecution of misdemeanors by county attorneys, and jurisdiction of district associate judges, and amendment S—5425 by Senators Vilsack, et al., to page 1 of the bill, deferred March 20, 1996.

Senator Borlaug offered amendment S—5439 filed by him on March 20, 1996, to amendment S—5425 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5439 to amendment S—5425 be adopted?" (S.F. 2355) the vote was:

Ayes, 21:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Douglas	Freeman
Giannetto	Gronstal	Iverson	Jensen
Lind	Lundby	McKean	McLaren
Priebe	Rensink	Rife	Rittmer
Zieman			

Nays, 28:

Bisignano	Boswell	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Gettings	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Judge	Kibbie	Kramer	Maddox
Murphy	Neuhauser	Palmer	Redfern
Sorensen	Szymoniak	Tinsman	Vilsack

Absent or not voting, 1:

Flynn

Amendment S—5439 lost.

Senator Priebe offered amendment S—5460 filed by Senators Priebe, Borlaug and Bartz on March 20, 1996, to amendment S—5425 and moved its adoption.

Amendment S—5460 was adopted by a voice vote.

Senator Vilsack moved the adoption of amendment S—5425 as amended, which motion prevailed by a voice vote.

Senator Lind offered amendment S—5468 filed by Senators Lind and Szymoniak from the floor to page 2 of the bill and moved its adoption.

Amendment S—5468 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. 2355) the vote was:

Ayes, 48:

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	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Flynn	Palmer

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 9:55 a.m.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2344

On motion of Senator Neuhauser, Senate File 2344, a bill for an act relating to child support enforcement, was taken up for consideration.

Senator Gronstal offered amendment S—5289 filed by him on March 12, 1996, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5289 was adopted by a voice vote.

Senator Lind withdrew amendment S—5210 filed by him on March 5, 1996, to page 14 of the bill.

Senator Neuhauser withdrew amendment S—5431 filed by her on March 20, 1996, to page 14 and the title page of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McLaren until he returns on request of Senator Hedge.

BUSINESS PENDING

Senate File 2344

The Senate resumed consideration of Senate File 2344.

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. 2344) the vote was:

Ayes, 48:

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	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Flynn	McLaren

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 2433

On motion of Senator Dearden, Senate File 2433, a bill for an act relating to workers' compensation concerning medical services fee disputes, providing a stay of debt collection against an employer in workers' compensation contested cases, and relating to disputes subject to settlement under workers' compensation, was taken up for consideration.

Senator Iverson offered amendment S—5453 filed by him on March 20, 1996, to page 2 and the title page of the bill and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 21, nays 25.

Amendment S—5453 lost.

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. 2433) the vote was:

Ayes, 47:

Banks	Bartz	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	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Bennett	Flynn	McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2399

On motion of Senator Szymoniak, Senate File 2399, a bill for an act relating to the reporting and substantiation of harm to a child and the related duties of the department of human services and the child abuse information registry, was taken up for consideration.

Senator Neuhauser asked and received unanimous consent that action on amendment S—5401 filed by her on March 19, 1996, to strike everything after the enacting clause and to the title page of the bill, be deferred.

Senator Szymoniak offered amendment S—5462 filed by her on March 20, 1996, to strike everything after the enacting clause and to the title page of the bill.

President Boswell took the chair at 10:30 a.m.

Senator Iverson asked unanimous consent that action on amendment S—5462 and Senate File 2399 be deferred.

Senator Iverson withdrew his request to defer.

Senator Szymoniak moved the adoption of amendment S—5462, which motion prevailed by a voice vote.

With the adoption of amendment S—5462, the Chair ruled the following amendments out of order.

S—5325 filed by Senator Szymoniak on March 12, 1996, to page 2 of the bill.

S—5350 filed by Senator Szymoniak on March 14, 1996, to pages 1, 10, 11, 17, 18, 22, 26, 29 and 30 of the bill.

S—5373 filed by Senator Szymoniak on March 18, 1996, to page 30 of the bill.

S—5401 by Senator Neuhauser on March 19, 1996, to strike everything after the enacting clause and to the title page of the bill, previously deferred.

S—5433 filed by Senator Giannetto on March 20, 1996, to amendment S—5401.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Boettger until she returns on request of Senator Bennett.

BUSINESS PENDING

Senate File 2399

The Senate resumed consideration of Senate File 2399.

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. 2399) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	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	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Boettger	Flynn	Gettings

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 2364, 2355, 2344, 2433** and **2399** and **House Concurrent Resolution 114** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Appropriations Calendar)

House File 2477

On motion of Senator Kibbie, House File 2477, 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 making related statutory changes and providing effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kibbie offered amendment S—5427 filed by the committee on Appropriations on March 20, 1996, to pages 1, 3-14, 17-20, 23-27, 30-32 and 34-39 of the bill.

The Senate stood at ease at 11:07 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 11:47 a.m., President Boswell presiding.

BUSINESS PENDING

House File 2477

The Senate resumed consideration of House File 2477.

Senator Judge offered amendment S—5451 filed by Senators Judge, et al., on March 20, 1996, to page 1 of amendment S—5427 and moved its adoption.

Amendment S—5451 was adopted by a voice vote.

Senator Priebe asked and received unanimous consent that action on amendment S—5457 filed by Senators Priebe and Banks on March 20, 1996, to page 1 of amendment S—5427 be deferred.

Senator Kibbie offered amendment S—5436 filed by him on March 20, 1996, to pages 1, 3, 5 and 8 of amendment S—5427 and moved its adoption.

Amendment S—5436 was adopted by a voice vote.

Senator Vilsack offered amendment S—5471 filed by him from the floor to pages 2, 3 and 6 of amendment S—5427 and moved its adoption.

Amendment S—5471 was adopted by a voice vote.

Senator Kibbie offered amendment S—5469 filed by him from the floor to pages 4 and 5 of amendment S—5427 and moved its adoption.

Amendment S—5469 was adopted by a voice vote.

Action on amendment S—5427 was temporarily deferred.

Senator Bartz asked and received unanimous consent to withdraw amendment S—5394 filed by Senators Bartz, Rensink and Kibbie on March 19, 1996, to page 6 of the bill.

Senator Horn asked and received unanimous consent that action on **House File 2477** 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 March 21, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2408, a bill for an act relating to disclosure requirements under the federal Community Reinvestment Act with respect to the eligibility of a financial institution to receive state public funds.

ALSO: That the House has on March 21, 1996, passed the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 119, a concurrent resolution expressing the sympathy of the Iowa General Assembly to the family of Captain John R. Pitzen, United States Navy.

This resolution was read first time and **passed on file.**

ALSO: That the House has on March 21, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 414, a bill for an act eliminating the restitution limit for the offense of operating a motor vehicle while intoxicated.

This bill was read first time and **passed on file.**

House File 2309, a bill for an act relating to publications referenced in administrative rules and providing an effective date.

This bill was read first time and **passed on file.**

House File 2412, a bill for an act relating to workers' compensation claims against the second injury fund and permanent partial disability compensation, authorizing the treasurer of state to impose a surcharge, and providing an effective date.

This bill was read first time and assigned to committee on **Business and Labor.**

INTRODUCTION OF RESOLUTION

Senate Resolution 107, by committee on Local Government, a senate resolution requesting the House of Representatives to override the Governor's item veto of certain provisions of House File 2114.

Read first time and **placed on calendar.**

RECESS

On motion of Senator Horn, the Senate recessed at 12:02 p.m., until 2:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 20, 1996, 6:45 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 and Vilsack.

Members Absent: Rensink and Tinsman (both excused).

Committee Business: Recommended passage of House Files 2472 and 2416 as amended.

Adjourned: 8:05 p.m.

COMMERCE

Convened: March 20, 1996, 1:39 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Bartz, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Priebe and Redfern.

Members Absent: Palmer.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 2366, 2397 and 2127; recommended passage of House File 2413 as amended.

Adjourned: 2:07 p.m.

LOCAL GOVERNMENT

Convened: March 20, 1996, 1:37 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Black, Fraise, Halvorson, Judge, McKean and Rittmer.

Members Absent: Zieman (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 2297 and 2426; amended and approved SSB 2346 as a committee resolution.

Adjourned: 2:05 p.m.

RULES AND ADMINISTRATION

Convened: March 20, 1996, 2:25 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 assignment of governor's appointees to standing committees; recommended passage of Senate Concurrent Resolution 112; recommended passage of House Concurrent Resolution 111 as amended; approved merit step increase for employee.

Adjourned: 2:40 p.m.

WAYS AND MEANS

Convened: March 20, 1996, 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: Approved Senate File 2166 as a committee bill; deferred action on Senate File 2424; recommended passage of Senate File 2357 as amended; recommended passage of Senate File 2077; reconsidered, amended and approved Senate File 2304 as a committee bill.

Adjourned: 11:40 a.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2364, the following correction was made:

1. Page 3, line 7, the word and punctuation "person," was changed to the word and punctuation "person.".

2. Page 3, line 26, the letter "d." was changed to the number "4.".

JOHN F. DWYER
Secretary of the Senate

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 20, 1996, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 2083 — Relating to minimum instructional time requirements for a school week.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows on request of Senator Bartz on March 21, 1996:

Steve Locher, Mason City — For receiving the Student Athlete/Achiever's Scholarship.

Mason City Team, Fans and Cheerleaders — For receiving the Sportsmanship Award.

Dean Oliver, Mason City — For being Co-captain of the All-Tournament Team.

Brant Harriman, Mason City — For being chosen to the All-Tournament Team.

Coaches of the Mason City Mohawks — For coaching the Boy's 4-A state basketball champions.

Managers of the Mason City Mohawks — For managing the Boy's 4-A state basketball champions.

Mason City Mohawks, Mason City — For winning the Boys' 4-A state basketball championship.

The secretary of the senate issued certificates of recognition as follows on request of Senator Boettger:

Dean Kroll, Avoca — For attaining the rank of Eagle Scout. (3-21-96).

Jerod Stamp, Avoca — For attaining the rank of Eagle Scout. (3-24-96).

Nick Rold, Kimballton — For attaining the rank of Eagle Scout. (3-21-96).

COMMITTEE REPORTS

BUSINESS AND LABOR

Final Bill Action: HOUSE FILE 308, a bill for an act relating to the election of workers' compensation coverage by a limited liability company member.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Dearden, Gettings, Freeman, Connolly, Giannetto, Hammond, Iverson and Maddox. Nays, none. Absent or not voting, 2: Banks and Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2412, a bill for an act relating to workers' compensation claims against the second injury fund and permanent partial disability compensation, authorizing the commissioner of insruance to impose a surcharge, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Dearden, Gettings, Freeman, Connolly, Giannetto, Hammond, Iverson and Maddox. Nays, none. Absent or not voting, 2: Banks and Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: HOUSE FILE 455, a bill for an act relating to the filing of complaints with the board of educational examiners.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Iverson, Lind, Neuhauser, Rensink and Szymoniak. Nays, none. Absent or not voting, 4: Hammond, Kramer, Murphy and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: *SENATE RESOLUTION 107 (SSB 2346), a senate resolution requesting the House of Representatives to override the governor's item veto of certain provisions of House File 2114.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Local Government Committee on Senate Resolution 107 and they were attached to the committee report.

WAYS AND MEANS

Final Bill Action: *SENATE FILE 2452 (formerly Senate File 2304), a bill for an act relating to the modernization of the vital statistics process and establishing a fee.

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 2452 and they were attached to the committee report.

AMENDMENTS FILED

S—5466	S.F.	2221	Bill Fink Michael E. Gronstal Mary Lundby Mary Lou Freeman Patrick J. Deluhery
S—5467	S.F.	2424	Elaine Szymoniak
S—5468	S.F.	2355	Jim Lind Elaine Szymoniak
S—5469	H.F.	2477	John P. Kibbie
S—5470	H.F.	2416	Mary Lundby Merlin E. Bartz
S—5471	H.F.	2477	Tom Vilsack
S—5472	H.F.	2472	Brad Banks
S—5473	S.F.	2210	Randal J. Giannetto

S—5474	H.F.	2477	Tom Vilsack
S—5475	H.F.	2477	Mary Lou Freeman Wilmer Rensink
S—5476	H.F.	2477	Mary Kramer
S—5477	H.F.	2472	Michael E. Gronstal
S—5478	S.F.	2035	House amendment
S—5479	S.F.	2260	House amendment
S—5480	S.F.	2287	House amendment
S—5481	S.F.	2370	Michael E. Gronstal

AFTERNOON SESSION

The Senate reconvened at 3:11 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 March 21, 1996, passed the following bills in which the concurrence of the House was asked:

Senate File 2259, a bill for an act relating to issuance of a certificate of title for a documented vessel.

Senate File 2278, a bill for an act repealing the prohibition on political activity by a member, officer, or employee of the natural resource commission.

Senate File 2405, a bill for an act relating to the duties of the clerk of court concerning court records.

ALSO: That the House has on March 21, 1996, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2035, a bill for an act relating to the control and eradication of ecologically harmful exotic species and Eurasian milfoil and establishing a penalty,(S—5478).

Senate File 2260, a bill for an act relating to soil and water conservation, by providing for the powers and duties of commissioners of soil and water conservation districts, and soil and water conservation practices (S—5479).

Senate File 2287, a bill for an act relating to the limitations on the use of toxic materials in packaging and providing additional exemptions (S—5480).

ALSO: That the House has on March 21, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2369, a bill for an act relating to the postdelivery care requirements for mothers and newborns and providing for an exception of follow-up care outside of the hospital setting.

This bill was read first time and **passed on file.**

BUSINESS PENDING

House File 2477

The Senate resumed consideration of House File 2477, 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 making related statutory changes and providing effective date provisions, and amendments S—5427 by the committee on Appropriations and S—5457 by Senators Priebe and Banks to amendment S—5427, previously deferred.

Senator Priebe moved the adoption of amendment S—5457 to amendment S—5427, which motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kramer for the remainder of the week on request of Senator Rife.

BUSINESS PENDING

House File 2477

The Senate resumed consideration of House File 2477.

Senator Maddox offered amendment S—5483 filed by him from the floor to page 2, 4, 5 and 7 of amendment S—5427.

Senator Kibbie called for a division of amendment S—5483 to amendment S—5427: lines 21-45 as division S—5483A and lines 4-20 as division S—5483B.

Senator Kibbie raised the point of order that division S—5483A to amendment S—5427 was not germane.

Senator Maddox withdrew amendment S—5483.

The Chair ruled amendment S—5475 filed by Senators Freeman and Rensink from the floor to page 5 of amendment S—5427, out of order.

Senator Iverson offered amendment S—5476 filed by Senator Kramer from the floor to pages 6 and 7 of amendment S—5427.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen until he returns on request of Senator Borlaug.

BUSINESS PENDING

House File 2477

The Senate resumed consideration of House File 2477.

Senator Iverson moved the adoption of amendment S—5476 to amendment S—5427.

A record roll call was requested.

On the question "Shall amendment S—5476 to amendment S—5427 be adopted?" (H.F. 2477) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 19:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Lind	Maddox
McKean	McLaren	Redfern	Rife
Rittmer	Tinsman	Zieman	

Nays, 27:

Black	Boswell	Connolly	Dearden
Deluhery	Dvorsky	Fink	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Judge	Kibbie	Lundby	Murphy
Neuhauser	Palmer	Priebe	Rensink
Sorensen	Szymoniak	Vilsack	

Absent or not voting, 4:

Bisignano	Flynn	Jensen	Kramer

Amendment S—5476 lost.

Senator Vilsack offered amendment S—5474 filed by him from the floor to page 7 of amendment S—5427 and moved its adoption.

Amendment S—5474 was adopted by a voice vote.

Senator Kibbie moved the adoption of amendment S—5427 as amended, which motion prevailed by a voice vote.

Senator Fraise withdrew amendment S—5363 filed by him on March 18, 1996, to page 37 of the bill.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2477) the vote was:

Ayes, 41:

Bartz	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Drake	Dvorsky
Fink	Fraise	Freeman	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Jensen	Judge	Kibbie	Lundby
Maddox	McKean	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack			

Nays, 7:

Banks	Douglas	Iverson	Lind
McLaren	Rife	Zieman	

Absent or not voting, 2:

Flynn	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 that **House File 2477** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 107.

Senate Resolution 107

On motion of Senator Sorensen, Senate Resolution 107, a senate resolution requesting the House of Representatives to override the Governor's item veto of certain provisions of House File 2114, was taken up for consideration.

(Action on Senate Resolution 107 was deferred.)

BILL ASSIGNED TO COMMITTEE

President Boswell announced that **House File 2369** was assigned to the committee on **Commerce.**

The Senate stood at ease at 3:52 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 4:20 p.m., President Boswell presiding.

BUSINESS PENDING

Senate Resolution 107

The Senate resumed consideration of Senate Resolution 107, previously deferred.

Senator Lind asked and received unanimous consent that action on **Senate Resolution 107** be **deferred.**

MOTION TO RECONSIDER ADOPTED

Senator Lind called up the motion to reconsider Senate File 2104 filed by him on March 4, 1996, found on page 599 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2104) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Fraise	Freeman
Gettings	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, 1:

Bisignano

Absent or not voting, 4:

Flynn	Giannetto	Kramer	Palmer

The motion prevailed.

Senator Lind moved to reconsider the vote by which Senate File 2104 went to its last reading, which motion prevailed by a voice vote.

Senate File 2104

On motion of Senator Halvorson, Senate File 2104, a bill for an act relating to state employee disclosures of information and making penalties applicable, was taken up for reconsideration.

Senator Horn asked and received unanimous consent that action on **Senate File 2104** be **deferred.**

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 2472.

House File 2472

On motion of Senator Fraise, House File 2472, a bill for an act relating to and making appropriations to the justice system and providing effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Fraise offered amendment S—5465 filed by the committee on Appropriations on March 20, 1996, to pages 1-7, 10-14, 16, 18, 20, 22-28, 30, 31 and the title page of the bill.

(Action on House File 2472 was deferred.)

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 5:15 p.m., President Boswell presiding.

BUSINESS PENDING

House File 2472

The Senate resumed consideration of House File 2472.

Senator Banks asked and received unanimous consent that action on amendment S—5491 filed by him from the floor to pages 1 and 7-17 of amendment S—5465 be deferred.

Senator Iverson withdrew amendment S—5493 filed by him from the floor to pages 1-6 of amendment S—5465.

Senator Iverson withdrew amendment S—5485 filed by him from the floor to pages 1-6 of amendment S—5465.

Senator Hammond withdrew amendment S—5499 filed by her from the floor to page 4 of amendment S—5465.

Senator Iverson offered amendment S—5492 filed by him from the floor to pages 5 and 6 of amendment S—5465, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5492 to amendment S—5465 be adopted?" (H.F. 2472) 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, 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:

Flynn	Kramer

Amendment S—5492 lost.

Senator Szymoniak offered amendment S—5495 filed by her from the floor to page 17 of amendment S—5465 and moved its adoption.

Amendment S—5495 was adopted by a voice vote.

The Chair ruled amendment S—5491 by Senator Banks to pages 1-17 of amendment S—5465, previously deferred, out of order.

Action on amendment S—5465 as amended was deferred.

Senator Iverson offered amendment S—5484 filed by him from the floor to pages 26 and 27 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5484 be adopted?" (H.F. 2472) the vote was:

Ayes, 21:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Lind
Lundby	Maddox	McKean	McLaren

Redfern	Rensink	Rife	Rittmer
Zieman			

Nays, 27:

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	Tinsman	Vilsack	

Absent or not voting, 2:

Flynn	Kramer

Amendment S—5484 lost.

Senator Banks offered amendment S—5472 filed by him from the floor to page 27 of the bill.

Senator Vilsack raised the point of order that amendment S—5472 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5472 out of order.

Senator Fraise offered amendment S—5498 filed by Senators Fraise, et al., from the floor to pages 28 and 29 of the bill and moved its adoption.

Amendment S—5498 was adopted by a voice vote.

Senator Gronstal offered amendment S—5477 filed by him from the floor to page 28 of the bill and moved its adoption.

Amendment S—5477 was adopted by a voice vote.

Senator Deluhery offered amendment S—5486 filed by Senators Deluhery, et al., from the floor to page 29 of the bill and moved its adoption.

Amendment S—5486 was adopted by a voice vote.

Senator McKean offered amendment S—5500 filed by Senators McKean, Hammond and Lundby from the floor to page 30 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5500 be adopted?" (H.F. 2472) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Banks	Bennett	Boettger	Borlaug
Connolly	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Lind
Lundby	Maddox	McKean	McLaren
Redfern	Rensink	Rife	Rittmer
Szymoniak	Zieman		

Nays, 24:

Bartz	Bisignano	Black	Boswell
Dearden	Deluhery	Dvorsky	Fink
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hansen	Horn	Husak
Judge	Kibbie	Murphy	Neuhauser
Palmer	Priebe	Sorensen	Vilsack

Absent or not voting, 4:

Flynn	Hammond	Kramer	Tinsman

Amendment S—5500 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tinsman for the remainder of the evening on request of Senator Iverson.

BUSINESS PENDING

House File 2472

The Senate resumed consideration of House File 2472.

The Senate resumed consideration of amendment S—5465 by the committee on Appropriations, previously deferred.

Senator Lundby offered amendment S—5503 filed by her from the floor to page 2 of amendment S—5465 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5503 to amendment S—5465 be adopted?" (H.F. 2472) the vote was:

Ayes, 20:

Bartz	Bennett	Boettger	Borlaug
Douglas	Drake	Freeman	Hedge
Iverson	Jensen	Lind	Lundby
Maddox	McKean	McLaren	Redfern
Rensink	Rife	Rittmer	Zieman

Nays, 25:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hansen	Horn	Husak
Judge	Kibbie	Murphy	Neuhauser
Palmer	Priebe	Sorensen	Szymoniak
Vilsack			

Absent or not voting, 5:

Banks	Flynn	Hammond	Kramer
Tinsman			

Amendment S—5503 lost.

Senator Fraise moved the adoption of amendment S—5465 as amended, which motion prevailed by a voice vote.

Senator Iverson offered amendment S—5505 filed by Senators Tinsman and Iverson from the floor to page 4 of the bill and moved its adoption.

Amendment S—5505 lost 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. 2472) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hansen	Horn	Husak
Judge	Kibbie	Neuhauser	Palmer
Priebe	Sorensen	Szymoniak	Vilsack

Nays, 22:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Redfern	Rensink	Rife
Rittmer	Zieman		

Absent or not voting, 4:

Flynn	Hammond	Kramer	Tinsman

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 2416.

House File 2416

On motion of Senator Judge, House File 2416, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Judge offered amendment S—5464 filed by the committee on Appropriations from the floor to strike everything after the enacting clause of the bill.

Senator Judge asked and received unanimous consent that action on amendment S—5464 and **House File 2416** be **deferred.**

The Senate stood at ease at 7:08 p.m. until the fall of the gavel for the purpose of committee meetings.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 116

AGRICULTURE: Priebe, Chair; Judge and Zieman

House File 455

EDUCATION: Dvorsky, Chair; Fink and Rensink

House File 2191

HUMAN RESOURCES: Hammond, Chair; Szymoniak and Tinsman

House File 2212

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

House File 2271

EDUCATION: Neuhauser, Chair; Hammond and Rensink

House File 2369

COMMERCE: Gronstal, Chair; Freeman and Husak

House File 2401

NATURAL RES., ENVIRON & ENERGY: Dearden, Chair; Freeman and Sorensen

House File 2412

BUSINESS AND LABOR: Gettings, Chair; Banks and Dearden

House File 2427

LOCAL GOVERNMENT: Sorensen, Chair; Fraise and McKean

House File 2435

HUMAN RESOURCES: Hammond, Chair; Szymoniak and Tinsman

House File 2452

JUDICIARY: Fraise, Chair; Drake, Giannetto, Maddox and Vilsack

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-six eleventh grade students from North High School, Sioux City, accompanied by Kathy Lucas, Larry Twait, Ms. Smith and Mr. Fentress. Senator Hansen.

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 21st day of March, 1996:

Senate File 376.

JOHN F. DWYER
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

H.F.	414	Judiciary
H.F.	2309	State Government

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 116, a senate concurrent resolution to urge the federal government to restore requirements for the reporting of information regarding cattle fed in Iowa feedlots.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Priebe, Judge, Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, Lundby, McLaren, Palmer, Sorensen and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: HOUSE FILE 2369, a bill for an act relating to the postdelivery care requirements for mothers and newborns and providing for an exception of follow-up care outside of the hospital setting.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5496.

Final Vote: Ayes, 13: Deluhery, Hansen, Jensen, Bartz, Douglas, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 2: Bisignano and Flynn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 2081, a bill for an act relating to legalizing official acts performed by notaries public more than ten years earlier.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Fraise, Halvorson, Hansen, Maddox, Neuhauser and Redfern. Nays, none. Absent or not voting, 3: Drake, Hammond and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2316, a bill for an act relating to sex offenses, including enticing away a child and sentences for persons convicted of sexually predatory offenses.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5502.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Hammond.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 2427, a bill for an act relating to mental health, mental retardation, developmental disabilities, and other services paid for in whole or in part by counties or the state, and including an applicability provision and an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge, Rittmer and Zieman. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: HOUSE FILE 2306, a bill for an act relating to the regulation of motorboats on certain artificial lakes, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5497.

Final Vote: Ayes, 11: Fink, Black, Banks, Borlaug, Dearden, Freeman, Gronstal, Hedge, Judge, Kibbie and Sorensen. Nays, 4: Lundby, Deluhery, Priebe and Rensink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2433, a bill for an act relating to the management of waste tires by providing for the establishment of a waste tire management fund, allocation of moneys to facilitate elimination of waste tires and the establishment of future markets for waste tires, providing for the redirection of the existing fee on certificates of title of motor vehicles, and providing a repeal.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5494.

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.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 2153, a bill for an act relating to the reinstatement to active service of members of the statewide fire and police retirement system and the public safety peace officers' statewide fire and police retirement system

and the public safety peace officers' retirement, accident, and disability system upon denial of disability benefits.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 1: Dearden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2201, a bill for an act relating to defining the practice of dentistry.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 1: Dearden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2202, a bill for an act relating to permissible acts related to real estate sales, exchanges, purchases, rentals, leases, or advertising by licensees and nonlicensees.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 1: Dearden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2318, a bill for an act relating to the licensure and practice of land surveying, to the unlawful practice of land surveying, architecture, and professional engineering, and establishing a civil penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 1: Dearden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2407, a bill for an act relating to legal publications and related products prepared and distributed under the authority of the general assembly.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5490.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 1: Dearden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2449, a bill for an act setting campaign contribution limits by persons and political committees, addressing independent expenditures on behalf of candidates, employee and member contributions, making penalties applicable, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5489.

Final Vote: Ayes, 10: Gronstal, Kibbie, Bisignano, Connolly, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen. Nays, 4: Rittmer, Bennett, Drake and McLaren. Absent or not voting, 1: Dearden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 2113, a bill for an act providing for a permanent registration plate for motor trucks and truck tractors licensed pursuant to multistate 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: HOUSE FILE 2207, a bill for an act relating to the state transportation commission's planning process and federal funding.

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: HOUSE FILE 2350, a bill for an act relating to motor vehicle dimensional and weight requirements and certificates of title for commercial vehicles.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5482.

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: HOUSE FILE 2436, a bill for an act providing that a court order the revocation or suspension of a driver's license at the time of conviction for certain drug-related offenses, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gettings, Fraise, Drake, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2462, a bill for an act relating to public access to motor vehicle records and providing a conditional repeal and an effective date.

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.

The Senate resumed session at 7:54 p.m., President Boswell presiding.

BUSINESS PENDING

House File 2416

The Senate resumed consideration of House File 2416, 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 and amendment S—5464 by committee on Appropriations, previously deferred.

Senator Judge offered amendment S—5510 filed by her from the floor to page 21 of amendment S—5464 and moved its adoption.

Amendment S—5510 was adopted by a voice vote.

Senator Judge asked and received unanimous consent that action on amendment S—5464 as amended and **House File 2416** be **deferred.**

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 2330** be referred from the Regular Calendar to the committee on **Business and Labor.**

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Horn asked and received unanimous consent that the following bills be removed from the Regular Calendar and placed on the Unfinished Business Calendar:

Senate Files 2173, 2253, 2258, 2370, 2450, 2451 and Senate Concurrent Resolution 112.

APPENDIX

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2472 failed to pass the Senate on March 21, 1996.

MERLIN BARTZ

MR. PRESIDENT: I move to reconsider the vote by which House File 2472 failed to pass the Senate on March 21, 1996.

LARRY MURPHY

MR. PRESIDENT: I move to reconsider the vote by which House File 2472 failed to pass the Senate on March 21, 1996.

DONALD REDFERN

AMENDMENTS FILED

S–5482	H.F.	2350	Transportation
S–5483	H.F.	2477	O. Gene Maddox
S–5484	H.F.	2472	Stewart Iverson, Jr.
S–5485	H.F.	2472	Stewart Iverson, Jr.
S–5486	H.F.	2472	Patrick J. Deluhery
			Maggie Tinsman
			Johnie Hammond
			Randal J. Giannetto
			Andy McKean
S–5487	H.F.	2416	Don Gettings
			Dick L. Dearden
			Tom Vilsack
			Patty Judge
			Larry Murphy
S–5488	H.F.	2416	Tom Vilsack
S–5489	H.F.	2449	State Government
S–5490	H.F.	2407	State Government
S–5491	H.F.	2472	Brad Banks
S–5492	H.F.	2472	Stewart Iverson
S–5493	H.F.	2472	Stewart Iverson
S–5494	H.F.	2433	Nat. Resources, Envir. & Energy
S–5495	H.F.	2472	Elaine Szymoniak

S—5496	H.F.	2369	Commerce
S—5497	H.F.	2306	Nat. Resources, Envir. & Energy
S—5498	H.F.	2472	Eugene Fraise
			Emil J. Husak
			Patrick J. Deluhery
			Larry Murphy
			John P. Kibbie
S—5499	H.F.	2472	Johnie Hammond
S—5500	H.F.	2472	Andy McKean
			Johnie Hammond
			Mary A. Lundby
S—5501	H.F.	2416	Jack Rife
S—5502	H.F.	2316	Judiciary
S—5503	H.F.	2472	Mary Lundby
S—5504	S.F.	2450	Brad Banks
S—5505	H.F.	2472	Maggie Tinsman
			Stewart Iverson, Jr.
S—5506	S.F.	2450	Brad Banks
S—5507	S.F.	2450	Brad Banks
S—5508	S.F.	2450	Brad Banks
S—5509	H.F.	2416	Tony Bisignano
			Tom Vilsack
			Randal J. Giannetto
			Larry Murphy
			Berl E. Priebe
			Mike Connolly
			Emil J. Husak
			Michael E. Gronstal
S—5510	H.F.	2416	Patty Judge
S—5511	H.F.	2462	Michael E. Gronstal
			Richard F. Drake

COMMITTEE REPORT

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: HOUSE FILE 2383, a bill for an act relating to issuance of free deer and wild turkey hunting to certain landowners and tenants.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Fink, Black, Dearden, Deluhery, Gronstal, Kibbie, Priebe and Sorensen. Nays, none. Absent or not voting, 7: Lundby, Banks, Borlaug, Freeman, Hedge, Judge and Rensink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 7:58 p.m., until 1:30 p.m., Monday, March 25, 1996.

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 25, 1996

The Senate met in regular session at 1:45 p.m., President Boswell presiding.

Prayer was offered by the Reverend Gerald McGee, pastor of the United Methodist Church, Rockwell City, Iowa.

The Journal of Thursday, March 21, 1996, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Jensen and Bartz until they arrive and Senators Iverson and Kramer for the day on request of Senator Rife.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **House Files 2366** and **2413** be referred from the Regular Calendar to the committee on **Ways and Means.**

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.

AGRICULTURE

Senate Files 2339, 2340, 2369 and 2397.

BUSINESS & LABOR

Senate Files 188 and 2027.

COMMERCE

Senate Files 2116, 2134, 2261, 2290 and 2398.

HUMAN RESOURCES

Senate Files 2078, 2102, 2172, 2174 and 2388.

JUDICIARY

Senate Files 2152, 2360, 2376, 2377, 2379, 2386, 2393, 2400, 2401, 2414, 2418 and 2426.

LOCAL GOVERNMENT

Senate Files 198 and 2124.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Senate Files 415, 2041 and 2060.

STATE GOVERNMENT

Senate Files 2090, 2333 and 2384.

TRANSPORTATION

Senate Files 2112 and 2347.

President pro tempore Bisignano took the chair at 1:53 p.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.

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 20 and 21, 1996, to investigate the appointment and reappointment of the following Governor's appointees:

AGRICULTURE

As members of the Agricultural Development Authority:

STEVEN A. BASLER: Boswell, Chair; Black and Fraise
SONJA L. LARSEN: Hedge, Chair; Boswell and Judge
DIANA L. STADTMUELLER: Lundby, Chair; Sorensen and Priebe

As members of the Iowa Grain Indemnity Fund Board:

MARIE G. ELLINGSON: Lundby, Chair; Husak and Palmer
CAROLYN A. ROBERTS: Banks, Chair; Fraise and Giannetto

As a member of the State Soil Conservation Committee:

RUSSELL L. BRANDES: McLaren, Chair; Judge and Black

BUSINESS AND LABOR

As a member of the Employment Appeal Board:

HARRISON WEBER: Iverson, Chair; Banks and Connolly

As members of the Public Employment Relations Board:

DAVID D. KNOCK: Dearden, Chair; Gettings and Iverson
M. SUE WARNER: Maddox, Chair; Freeman and Dvorsky

COMMERCE

As members of the Credit Union Review Board:

MARGARET M. CHADWELL: Gettings, Chair; Deluhery and Redfern
ERNEST W. GILSON: Gettings, Chair; Deluhery and Redfern

COMMUNICATIONS AND INFORMATION POLICY

As a member and Chair of the Iowa Telecommunications and Technology Commission:

RICHARD H. OPIE: Dvorsky, Chair; Deluhery and McLaren

EDUCATION

As a member of the Iowa Higher Education Loan Authority:

HARRIET B. GOTTLIEB: Deluhery, Chair; Tinsman and Neuhauser

As a member of the School Budget Review Committee:

MARILYN J. PERKINS: Hammond, Chair; Lind and Dvorsky

As members of the State Board of Education:

SUSAN J. CLOUSER: Hammond, Chair; Connolly and Rensink
CORINE A. HADLEY: Connolly, Chair; Kramer and Redfern
MARY JEAN MONTGOMERY: Kibbie, Chair; Connolly and Rensink
GENE E. VINCENT: Deluhery, Chair; Tinsman and Connolly

As a member of the State Board of Regents:

ROGER L. LANDE: Neuhauser, Chair; Deluhery, Redfern, Tinsman and Connolly

HUMAN RESOURCES

As members of the Athletic Trainer Advisory Board:

DR. KENNETH W. CALDWELL: Boettger, Chair; Szymoniak and Bartz
DR. MARY L. KHOWASSAH: Tinsman, Chair; Neuhauser and Kramer
DR. RICK D. WILKERSON: Bartz, Chair; Hansen and Neuhauser

As members of the Board of Behavioral Science Examiners:

REBECCA S. BEACH: Hammond, Chair; Tinsman and Vilsack
DR. THOMAS J. HENRICH: Boettger, Chair; Tinsman and Vilsack
DOMINICK D. PELLEGRENO: Szymoniak, Chair; Dvorsky and Kramer

As members of the Board of Physician Assistant Examiners:

RUTH A. DAGGETT: Boettger, Chair; Bartz and Szymoniak
DR. LAINE D. DVORAK: Szymoniak, Chair; Kramer and Bartz

As a member of the Commission for the Blind:

MARIAN A. WILLIAMS: Tinsman, Chair; Bartz and Vilsack

As members of the Commission of Elder Affairs:

CRAIG J. DOWNING: Tinsman, Chair; Boettger and Hansen
DR. VENNETTA M. FIEDLER: Bartz, Chair; Boettger and Vilsack

As members of the Commission on Community Action Agencies:

KEVIN J. BEAUVAIS: Hansen, Chair; Tinsman and Dvorsky
BETTE L. CRUMRINE: Boettger, Chair; Hansen, and Tinsman
NANCY J. GARBERSON: Tinsman, Chair; Bartz and Vilsack

As members of the Commission on the Deaf:

SHARON LEHMANN: Boettger, Chair; Dvorsky and Bartz
BRENDA KRUSE-McCONVILLE: Bartz, Chair; Kramer and Neuhauser
LOREN J. WOODS: Kramer, Chair; Vilsack and Boettger

As members of the Commission on the Status of Women:

SANDRA J. BLODGETT: Boettger, Chair; Kramer and Vilsack
JUDGE BROWN, JR.: Tinsman, Chair; Bartz and Vilsack
DENNIS J. BULLOCK: Hansen, Chair; Dvorsky and Boettger
DR. SCHARRON A. CLAYTON: Boettger, Chair; Tinsman and Hammond
SHAWN E. MULLEN: Kramer, Chair; Bartz and Hammond

As members of the Community Health Management Information System Governing Board:

DR. BETH K. BRUENING: Hansen, Chair; Boettger and Vilsack
SCOTT M. HARRISON: Kramer, Chair; Szymoniak and Tinsman
MARABETH K. SONESON: Bartz, Chair; Hammond and Tinsman
PAMELA W. VAP: Bartz, Chair; Boettger and Neuhauser

As a member of the Council on Human Services:

RUSSELL T. SPORER: Szymoniak, Chair; Vilsack and Tinsman

As members of the Iowa Council on Human Investment:

ARLENE DAYHOFF: Szymoniak, Chair; Dvorsky and Tinsman
THOMAS M. GLENN: Szymoniak, Chair; Boettger and Bartz

As members of the Mental Health and Developmental Disabilities Commission:

LORI A. BEARS: Tinsman, Chair; Boettger and Szymoniak
DR. MARILEE FREDERICKS: Kramer, Chair; Vilsack and Bartz
FRANK H. HERMSEN: Tinsman, Chair; Boettger and Szymoniak
JESSIE "GINGER" L. KUHL: Szymoniak, Chair; Tinsman and Boettger

JUDICIARY

As a member of the Board of Parole:

ELIZABETH R. WALKER: Giannetto, Chair; Hammond and Drake

LOCAL GOVERNMENT

As members of the City Development Board:

DENNIS A. PLAUTZ: Halvorson, Chair; Sorensen and McKean
NITA L. TAGGART: Maddox, Chair; Black and Fraise

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

As members of the Renewable Fuels and Coproducts Advisory Committee:

A.H. COOPER: Lundby, Chair; Sorensen and Dearden
ERIC C. SEUREN: Hedge, Chair; Judge and Fink

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

As Director of the Office for State-Federal Relations:

PHILIP C. SMITH: Giannetto, Chair; Zieman and Palmer

As members of the Iowa Economic Development Board:

JOAN Y. PHILLIPS: Sorensen, Chair; Judge and Borlaug
CHARESE E. YANNEY: Hansen, Chair; Bennett and Vilsack

As members of the Iowa Seed Capital Corporation:

JOHN B. PARKS: Boettger, Chair; Bennett and Flynn
L. JEANNE PARTLOW: Szymoniak, Chair; Judge and Borlaug
RANDOLPH P. STEIG: Maddox, Chair; Palmer and Flynn

As members of the Small Business Advisory Council:

GEORGE O. BARTON: Boettger, Chair; Bennett and Flynn
FRANCES S. FLECK: Szymoniak, Chair; Judge and Borlaug
KARLA WRIGHT: Boettger, Chair; Bennett and Flynn

As members of the Wallace Technology Transfer Foundation of Iowa:

PAUL C. JOHNSON: Kibbie, Chair; Palmer and Bennett
JANICE K. LAUE: Maddox, Chair; Vilsack and Flynn
DR. NANCY J. TOMES: Maddox, Chair; McKean and Flynn

STATE GOVERNMENT

As members of the Accountancy Examining Board:

DOROTHY R. DUNPHY: McLaren, Chair; Sorensen and Dearden
PAUL S. STAVE: Kibbie, Chair; Gronstal and Drake

As members of the Alcoholic Beverages Commission:

ROBERT L. CRAMER: Sorensen, Chair; Lind and Connolly
DICK C. STOFFER: Lind, Chair; Connolly and Sorensen

As members of the Architectural Examining Board:

GWENDOLYN S. ECKLUND: Bennett, Chair; Dearden and Sorensen
GORDON E. MILLS: Connolly, Chair; Fink and Bennett
KATHERINE L. SCHWENNSEN: Bennett, Chair; Dearden and Sorensen

As members of the Board for the Licensing and Regulation of Hearing Aid Dealers:

JILL M. ROBINSON: Lind, Chair; Fink and Connolly
PATRICIA K. STARK: Connolly, Chair; Fink and Lind

As members of the Board of Barber Examiners:

RAYMOND D. BARKER: Dearden, Chair; Sorensen and Rittmer
SUZANNE J. PALMER: Lind, Chair; Fink and Giannetto

As members of the Board of Chiropractic Examiners:

DR. MARK A. KRUSE: Drake, Chair; Sorensen and Giannetto
HALEEN E. PELLETT: Bennett, Chair; Sorensen and Dearden
DR. JOHN W. QUINLAN: Connolly, Chair; Fink and Lundby

As members of the Board of Cosmetology Arts and Sciences Examiners:

DAVID O. CREIGHTON: Bisignano, Chair; Gronstal and Lind
KENNETH M. LANG: Kibbie, Chair; Gronstal and Drake
MARY BETH MYERS: McLaren, Chair; Fink and Halvorson
CATHERINE I. WARD: McLaren, Chair; Fink and Halvorson

As members of the Board of Dental Examiners:

MARILYN K. CORWIN: Lind, Chair; Fink and Gronstal
DR. BRUCE C. HEILMAN: Lundby, Chair; Kibbie and Gronstal
ANNE E. ZIMMERMAN: Rittmer, Chair; Kibbie and Gronstal

As a member of the Board of Dietetic Examiners:

KATHY E. BUFFINGTON: Bennett, Chair; Bisignano and Fink

As members of the Board of Medical Examiners:

DR. EDDIE D. DeHAAN: Halvorson, Chair; Kibbie and Lind
DR. ALLEN J. ZAGOREN: Lind, Chair; Halvorson and Kibbie

As members of the Board of Mortuary Science Examiners:

RUTH A. OHDE: Halvorson, Chair; Sorensen and Lundby
SHIRLEY A. PENNINGTON: Rittmer, Chair; Gronstal and Kibbie

As members of the Board of Nursing Examiners:

SANDRA BANE: McLaren, Chair; Connolly and Halvorson
RODMON C. BELL: McLaren, Chair; Connolly and Halvorson
ANNA C. FALLON: Halvorson, Chair; Connolly and McLaren

As members of Board of Optometry Examiners:

DR. DONOVAN L. CROUCH: Bennett, Chair; Gronstal and Kibbie
DR. LARRY W. HICKS: Lundby, Chair; Gronstal and Kibbie

As members of the Board of Pharmacy Examiners:

DR. MELVIN L. GRUNDLEGER: Kibbie, Chair; Rittmer and Gronstal
MARY P. MITCHELL: Gronstal, Chair; Rittmer and Kibbie
PHYLLIS A. OLSON: Rittmer, Chair; Kibbie and Gronstal
MATTHEW OSTERHAUS: Connolly, Chair; Rittmer and Gronstal

As members of the Board of Physical and Occupational Therapy Examiners:

KATHRYN D. EILERS: Rittmer, Chair; Gronstal and Kibbie
DANIEL L. MACK: Sorensen, Chair; Dearden and Bennett
DEBORAH J. MEHLOP: Dearden, Chair; Sorensen and Rittmer

As members of the Board of Podiatry Examiners:

DR. RONALD D. LEE: Drake, Chair; Connolly and Halvorson
CHERYL A. SEMERAD: Drake, Chair; Connolly and Halvorson

As members of the Board of Psychology Examiners:

DR. ROBERT D. JONES: Giannetto, Chair; Rittmer and Sorensen
MADONNA J. McGUIRE: Rittmer, Chair; Giannetto and Sorensen
DR. KUROSH R. SHAHRIARI: Giannetto, Chair; Rittmer and Sorensen

As members of the Board of Social Work Examiners:

BRUCE D. BUCHANAN: Bisignano, Chair; Kibbie and Lind
LINDA L. SICKELS: Bisignano, Chair; Kibbie and Lind

As members of the Board of Speech Pathology and Audiology Examiners:

PATSY A. HASTINGS: Sorensen, Chair; Dearden and Lundby
JILL M MILLER: McLaren, Chair; Dearden and Kibbie

As members of the Commission of Veterans Affairs:

MICHAEL A. SCHEIBELER: McLaren, Chair; Giannetto and Kibbie
ROBERT O. STEBEN: Drake, Chair; Giannetto and Kibbie
MARY ELLEN WHITE: Giannetto, Chair; Kibbie and McLaren

As members of the Commission on the Status of African-Americans:

THERESA E. CLARK: Lundby, Chair; Giannetto and Gronstal
TAMERA L. DIGGS-TATE: Lundby, Chair; Giannetto and Gronstal
WILFRED M. JOHNSON: Lind, Chair; Giannetto and Gronstal
DARRYL L. LIPSCOMB: Lundby, Chair; Giannetto and Gronstal
GWENDA L. NAYLOR: Halvorson, Chair; Gronstal and McLaren
JEROME THOMAS: Connolly, Chair; Gronstal and McLaren

As Director of the Department of Management:

GRETCHEN H. TEGELER: Rittmer, Chair; Gronstal and Kibbie

As Director of the Department of Personnel:

LINDA HANSON: Fink, Chair; Dearden and Lind

As members of the Engineering and Land Surveying Examining Board:

GWENDOLYN M. BOEKE: Lundby, Chair; Gronstal and Kibbie
DR. KENNETH A. BREWER: Giannetto, Chair; Fink and Drake
NICHOLAS R. KONRADY: Fink, Chair; Giannetto and Drake

As members of the Iowa Board of Veterinary Medicine:

DR. LEROY A. HOLMES: Bisignano, Chair; Fink and Lundby
NORMA D. LYON: Lundby, Chair; Bisignano and Fink

As members of the Landscape Architectural Examining Board:

DENNIS A. AUSENHUS: Bennett, Chair; Fink and Halvorson
GREGORY C. JONES: McLaren, Chair; Fink and Halvorson
JOAN F. VITALE: Fink, Chair; Halvorson and McLaren

As a member of the Lottery Board:

JAMES B. KERSTEN: Halvorson, Chair; Gronstal and Lind

As members of the Real Estate Appraiser Examining Board:

L. CRAIG HARRIS: Dearden, Chair; Gronstal and Drake
THOMAS J. KREGEL: Halvorson, Chair; Drake and Gronstal
LILLIE M. PERRY: Drake, Chair; Kibbie and Gronstal

As members of the Real Estate Commission:

THERESA A. LOFFREDO: Drake, Chair; Gronstal and Kibbie
MARK G. ODDEN: Drake, Chair; Gronstal and Kibbie

As members of State Board of Examiners for Nursing Home Administrators:

KAREN L. BOSSARD: Sorensen, Chair; Fink and Rittmer

ROSEMARY SCHRACK: Rittmer, Chair; Fink and Sorensen

As members of the State Racing and Gaming Commission:

JACQUELYNE I. ALLEN: Lind, Chair; Bisignano and Gronstal
WILLARD "BILL" R. HANSEN: Connolly, Chair; Bisignano and Lind
RITA D. SEALOCK: Gronstal, Chair; Bisignano and Lind

TRANSPORTATION

As members of the Iowa Law Enforcement Academy Council:

ROXANNE L. JOHNSON: Douglas, Chair; Gettings and Fraise
DANA R. PETERSON: Gettings, Chair; Drake and Fink

As members of the State Transportation Commission:

JANICE M. JOHNSON: Jensen, Chair; Halvorson and Connolly
BONNIE L. VETTER: Dearden, Chair; Black and Lind

WAYS AND MEANS

As members of the Iowa Railway Finance Authority:

FRED E. McKIM, JR.: Bennett, Chair; Hedge and Palmer
EMIL S. PAVICH: Husak, Chair; Neuhauser and Drake

CONSIDERATION OF BILLS
(Regular Calendar)

House File 419

On motion of Senator Gettings, House File 419, a bill for an act providing for class "C" area service system roads and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gettings offered amendment S—5030 filed by the committee on Transportation on January 31, 1996, to page 2 of the bill and moved its adoption.

Amendment S—5030 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. 419) the vote was:

Ayes, 44:

Bennett	Bisignano	Black	Boettger
Borlaug	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Fraise	Freeman	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
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, 6:

Banks	Bartz	Flynn	Iverson
Jensen	Kramer		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 121

On motion of Senator Dvorsky, House File 121, a bill for an act relating to the taping and broadcasting of certain high school athetic events, 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. 121) the vote was:

Ayes, 44:

Bennett	Bisignano	Black	Boettger
Borlaug	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Fraise	Freeman	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
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, 6:

Banks	Bartz	Flynn	Iverson
Jensen	Kramer		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2107

On motion of Senator Vilsack, House File 2107, a bill for an act relating to the requirements regarding human immunodeficiency virus-related tests and making existing remedies applicable, with report of committee recommending passage, was taken up for consideration.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Flynn until he arrives on request of Senator Connolly and Senator Banks until he arrives on request of Senator Rife.

BUSINESS PENDING

House File 2107

The Senate resumed consideration of House File 2107.

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. 2107) the vote was:

Ayes, 44:

Bennett	Bisignano	Black	Boettger
Borlaug	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Fraise	Freeman	Gettings

Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
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, 6:

Banks	Bartz	Flynn	Iverson
Jensen	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)

House File 210

On motion of Senator Boettger, House File 210, a bill for an act authorizing a court to require a criminal offender as part of a restitution order to make financial contributions to a local anticrime organization, with report of committee recommending passage, was taken up for consideration.

Senator Boettger offered amendment S—5516 filed by her from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5516 was adopted by a voice vote.

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. 210) the vote was:

Ayes, 41:

Bennett	Bisignano	Black	Boettger
Borlaug	Connolly	Dearden	Deluhery
Douglas	Drake	Fink	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	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, 3:

Dvorsky	Hammond	Neuhauser

Absent or not voting, 6:

Banks	Bartz	Boswell	Flynn
Iverson	Kramer		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2152

On motion of Senator Palmer, House File 2152, 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, with report of committee recommending passage, was taken up for consideration.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2152) the vote was:

Ayes, 45:

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	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, 5:

Banks	Flynn	Iverson	Kramer
Neuhauser			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2187

On motion of Senator Fraise, House File 2187, a bill for an act relating to the attachment of property to a rural water district, with report of committee recommending passage, was taken up for consideration.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2187) the vote was:

Ayes, 46:

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	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, 4:

Banks	Flynn	Iverson	Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2259

On motion of Senator Sorensen, House File 2259, a bill for an act relating to city sewer or water utility connections, with report of committee recommending passage, was taken up for consideration.

Senator Rife asked and received unanimous consent that action on **House File 2259** be **deferred.**

House File 2310

On motion of Senator Freeman, House File 2310, a bill for an act relating to the regulation of insurance and amending provisions providing for setoff of premium, fraudulent submissions to insurers, availability of certain information to insurers, length of term of the board of directors of an insurer, notice of cancellation, delivery of certain policies in this state, and making a penalty applicable, with report of committee recommending passage, was taken up for consideration.

Senator Freeman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2310) the vote was:

Ayes, 45:

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	Jensen	Judge	Kibbie
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Zieman			

Nays, 1:

Vilsack

Absent or not voting, 4:

Banks	Flynn	Iverson	Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2408

On motion of Senator Gronstal, House File 2408, a bill for an act concerning mining by applying the criterion for the reclamation of mine sites, by redefining operator and mining operations, by amending the hearing procedures, by providing for administrative actions and the assessments of penalties by the division of soil conservation for noncompliance, and establishing additional penalties, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2408) the vote was:

Ayes, 46:

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	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, 4:

Banks	Flynn	Iverson	Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 400

On motion of Senator Gronstal, House File 400, a bill for an act relating to the joint purchasing of equipment by political subdivisions of the state, with report of committee recommending passage, was taken up for consideration.

President Boswell took the chair at 2:36 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. 400) the vote was:

Ayes, 13:

Bennett	Connolly	Dearden	Douglas
Drake	Dvorsky	Fink	Hedge
Murphy	Priebe	Redfern	Rittmer
Sorensen			

Nays, 33:

Bartz	Bisignano	Black	Boettger
Borlaug	Boswell	Deluhery	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Jensen	Judge	Kibbie
Lind	Lundby	Maddox	McKean
McLaren	Neuhauser	Palmer	Rensink
Rife	Szymoniak	Tinsman	Vilsack
Zieman			

Absent or not voting, 4:

Banks	Flynn	Iverson	Kramer

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

House File 523

On motion of Senator Boettger, House File 523, a bill for an act relating to the establishment of minimum standards for the training of telecommunicators, 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. 523) the vote was:

Ayes, 46:

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	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, 4:

Banks	Flynn	Iverson	Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 21, 1996)

Senate Resolution 107

The Senate resumed consideration of Senate Resolution 107, a senate resolution requesting the House of Representatives to override the Governor's item veto of certain provisions of House File 2114, deferred March 21, 1996.

Senator Rife asked and received unanimous consent that action on **Senate Resolution 107** be **deferred.**

CONSIDERATION OF BILLS
(Regular Calendar)

House File 2061

On motion of Senator Hansen, House File 2061, a bill for an act relating to the immumity from civil liability for health care peer review committee members, 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?" (H.F. 2061) the vote was:

Ayes, 46:

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	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, 4:

Banks	Flynn	Iverson	Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2150

On motion of Senator Szymoniak, House File 2150, a bill for an act relating to grandparent visitation rights, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2150) the vote was:

Ayes, 45:

Bartz	Bennett	Black	Boettger
Borlaug	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	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, 1:

Bisignano

Absent or not voting, 4:

Banks	Flynn	Iverson	Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2190

On motion of Senator Gronstal, House File 2190, a bill for an act relating to the publication of certain notices, ordinances, and amendments by the superintendent of printing, with report of committee recommending passage, was taken up for consideration.

Senator Bisignano asked and received unanimous consent that action on **House File 2190** be **deferred.**

House File 2258

On motion of Senator Dearden, House File 2258, a bill for an act relating to the powers of a benefited recreational lake district to promote water quality, with report of committee recommending passage, 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. 2258) the vote was:

Ayes, 46:

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	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, 4:

Banks	Flynn	Iverson	Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2315

On motion of Senator Connolly, House File 2315, a bill for an act authorizing small quantities of wine to be shipped in an out of this state for consumption or use by persons twenty-one years of age or older, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Connolly offered amendment S—5412 filed by the committee on State Government on March 19, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5412 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. 2315) the vote was:

Ayes, 43:

Bartz	Bisignano	Black	Boettger
Borlaug	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Fraise	Freeman	Gettings
Giannetto	Gronstal	Hammond	Hansen
Hedge	Horn	Husak	Jensen
Judge	Kibbie	Lind	Lundby
Maddox	McLaren	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 3:

Bennett	Halvorson	McKean

Absent or not voting, 4:

Banks	Flynn	Iverson	Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2429

On motion of Senator Maddox, House File 2429, a bill for an act relating to the representation of indigents and other court appointments in criminal and juvenile proceedings and providing effective and retroactive applicability dates, 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. 2429) the vote was:

Ayes, 46:

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	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, 4:

Banks	Flynn	Iverson	Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2458

On motion of Senator Hansen, House File 2458, a bill for an act relating to the right to appointed counsel or a public defender, by relating to the eligibility for certain indigents, the recovery of defense costs, and by restricting the right to counsel for certain parents in child in need of assistance cases, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hansen asked and received unanimous consent that action on **House File 2458** be **deferred.**

ADOPTION OF RESOLUTION
(Regular Calendar)

House Concurrent Resolution 109

On motion of Senator Szymoniak, House Concurrent Resolution 109, a concurrent resolution designating June 15, 1996, as the day to celebrate the ending of slavery and to recognize the worth and value of all people, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved the adoption of House Concurrent Resolution 109, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS
(Regular Calendar)

House File 2127

On motion of Senator Priebe, House File 2127, a bill for an act relating to the exemption of certain individual property management accounts from certification and auditing requirements, with report of committee recommending passage, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2127) the vote was:

Ayes, 45:

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	Jensen	Judge	Kibbie
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Banks	Flynn	Iverson	Kramer
Rife			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2297

On motion of Senator Sorensen, House File 2297, a bill for an act relating to payment of warrants drawn on levee and drainage

district funds, 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?" (H.F. 2297) the vote was:

Ayes, 46:

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	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, 4:

Banks	Flynn	Iverson	Kramer

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 3:37 p.m.

House File 2426

On motion of Senator Sorensen, House File 2426, a bill for an act relating to certain certification requirements of a city or county urban renewal area, 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?" (H.F. 2426) 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	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, 3:

Banks	Iverson	Kramer

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 111

On motion of Senator Boswell, House Concurrent Resolution 111, a concurrent resolution supporting Iowa military personnel in the Bosnian peacekeeping mission, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Boswell offered amendment S—5446 filed by the committee on Rules and Administration on March 20, 1996, to pages 1 and 2 of the resolution and moved its adoption.

Amendment S—5446 was adopted by a voice vote.

Senator Boswell moved the adoption of House Concurrent Resolution 111 as amended, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 419, 2107, 210, 2152, 2187, 2310, 2408, 523, 2150, 2258, 2315, 2429, 2127, 2297, 2426** and **House Concurrent Resolutions 109** and **111** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **House File 2436** be referred to the committee on **Judiciary.**

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that the following bills on the Unfinished Business Calendar no longer eligible under Senate Rule 60 be referred to committee:

S.F.	180	Local Government
S.F.	2017	Transportation
S.F.	2103	Human Resources
S.F.	2164	Judiciary
S.F.	2203	Human Resources
S.F.	2268	Local Government
S.F.	2295	Judiciary
S.F.	2416	Judiciary

MOTION TO RECONSIDER ADOPTED

Senator Murphy called up the motion to reconsider House File 2472 filed by him on March 21, 1996, found on page 981 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2472) the vote was:

Ayes, 41:

Bartz	Bisignano	Black	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen

Hedge	Horn	Husak	Judge
Kibbie	Lind	Lundby	Maddox
McKean	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 6:

Bennett	Boettger	Borlaug	Jensen
McLaren	Rife		

Absent or not voting, 3:

Banks	Iverson	Kramer

The motion prevailed.

Senator Murphy moved to reconsider the vote by which House File 2472 went to its last reading, which motion prevailed by a voice vote.

The motions to reconsider the vote by which House File 2472 failed to pass the Senate on March 21, 1996, filed by Senators Bartz and Redfern on March 21, 1996, and found on page 981 of the Senate Journal, were out of order.

President Boswell took the chair at 3:48 p.m.

House File 2472

On motion of Senator Fraise, House File 2472, a bill for an act relating to and making appropriations to the justice system and providing effective dates, was taken up for reconsideration.

The Senate stood at ease at 3:49 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 4:05 p.m., President Boswell presiding.

BUSINESS PENDING

House File 2472

The Senate resumed consideration of House File 2472.

The Chair ruled amendment S—5512 filed by Senator Fraise from the floor to amendment S—5465, out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kibbie until he returns on request of Senator Palmer.

BUSINESS PENDING

House File 2472

The Senate resumed consideration of House File 2472.

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. 2472) the vote was:

Ayes, 39:

Bartz	Bennett	Bisignano	Black
Boettger	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hansen	Hedge	Horn	Husak
Judge	Lundby	Maddox	McKean
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 7:

Borlaug	Hammond	Jensen	Lind
McLaren	Rife	Rittmer	

Absent or not voting, 4:

Banks	Iverson	Kibbie	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 that **House File 2472** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred March 21, 1996)

House File 2416

The Senate resumed consideration of House File 2416, 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, and amendment S—5464 by the committee on Appropriations to strike everything after the enacting clause of the bill and amendment S—5510 by Senator Judge to page 21 of amendment S—5464, deferred March 21, 1996.

Senator Vilsack offered amendment S—5488 filed by him from the floor to pages 2 and 3 of amendment S—5464.

Senator Judge called for a division of amendment S—5488: lines 3 and 4 as division S—5488A and line 5 as division S—5488B.

Senator Vilsack moved the adoption of division S—5488A, which motion lost on a voice vote.

Senator Vilsack moved the adoption of division S—5488B, which motion prevailed on a voice vote.

Senator Rittmer withdrew amendment S—5520 filed by him from the floor to page 12 of amendment S—5464.

Senator Rittmer offered amendment S—5525 filed by Senators Rittmer and Judge from the floor to page 12 of amendment S—5464 and moved its adoption.

Amendment S—5525 was adopted by a voice vote.

Senator Bisignano offered amendment S—5509 filed by Senators Bisignano, et al., to page 16 of amendment S—5464 and requested a division: lines 3 and 4 as division S—5509A and lines 5-16 as division S—5509B.

Senator Bisignano asked and received uaninimous consent to withdraw division S—5509A to amendment S—5464.

Senator Bisignano moved the adoption of division S—5509B and requested a record roll call.

On the question "Shall division S—5509B to amendment S—5464 be adopted?" (H.F. 2416) 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	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, 3:

Banks	Iverson	Kramer

Division S—5509B was adopted.

Senator Lundby offered amendment S—5470 filed by Senators Lundby and Bartz on March 21, 1996, to page 17 of amendment S—5464 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5470 to amendment S—5464 be adopted?" (H.F. 2416) the vote was:

Ayes, 19:

Bartz	Bennett	Boettger	Borlaug
Douglas	Freeman	Hedge	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, 4:

Banks	Drake	Iverson	Kramer

Amendment S—5470 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Drake until he returns on request of Senator Rensink.

BUSINESS PENDING

House File 2416

The Senate resumed consideration of House File 2416.

Senator Gettings offered amendment S—5487 filed by Senators Gettings, et al., on March 21, 1996, to pages 17 and 18 of amendment S—5464.

Senator Gettings asked and received unanimous consent that action on amendment S—5487 to amendment S—5464 be deferred.

Senator Lind asked and received unanimous consent that action on amendment S—5526 filed by Senators Lind and Freeman from the floor to pages 17 and 18 of amendment S—5464 be deferred.

Senator Rife asked and received unanimous consent that action on amendment S—5501 filed by him on March 21, 1996, to page 20 of amendment S—5464 be deferred.

Senator McKean offered amendment S—5528 filed by Senators McKean, et al., from the floor to pages 19 and 22 of amendment S—5464.

Senator Bisignano raised the point of order that amendment S—5528 was not germane to amendment S—5464.

The Chair ruled the point well taken and amendment S—5528 out of order.

Senator Bisignano asked and received unanimous consent that action on amendment S—5515 filed by him from the floor to pages 20 and 22 of amendment S—5464 be deferred.

Senator Black offered amendment S—5517 filed by him from the floor to page 20 of amendment S—5464.

Senator Lind raised the point of order that amendment S—5517 was not germane to amendment S—5464.

The Chair ruled the point well taken and amendment S—5517 out of order.

Senator Gettings moved the adoption of amendment S—5487 to pages 17 and 18 of amendment S—5464, previously deferred.

A record roll call was requested.

On the question "Shall amendment S—5487 to amendment S—5464 be adopted?" (H.F. 2416) 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, 19:

Bartz	Bennett	Boettger	Borlaug
Douglas	Freeman	Hedge	Jensen
Lind	Lundby	Maddox	McKean
McLaren	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Absent or not voting, 4:

Banks	Drake	Iverson	Kramer

Amendment S—5487 was adopted.

With the adoption of amendment S—5487 to amendment S—5464, the Chair ruled amendment S—5526 by Senators Lind and Freeman to amendment S—5464, previously deferred, out of order.

The Senate resumed consideration of amendment S—5501 by Senator Rife to page 20 of amendment S—5464, previously deferred.

Senator Judge raised the point of order that amendment S—5501 was not germane to amendment S—5464.

The Chair ruled the point well taken and amendment S—5501 out of order.

The Senate resumed consideration of amendment S—5515 by Senator Bisignano to pages 20 and 22 of amendment S—5464, previously deferred.

Senator Murphy raised the point of order that amendment S—5515 was not germane to amendment S—5464.

The Chair ruled the point well taken and amendment S—5515 out of order.

Senator Freeman asked and received unanimous consent that action on amendment S—5464 as amended and **House File 2416** be **deferred.**

BUSINESS PENDING

Senate Resolution 107

The Senate resumed consideration of Senate Resolution 107, a senate resolution requesting the House of Representatives to override the Governor's item veto of certain provisions of House File 2114, previously deferred.

Senator Lind offered amendment S—5519 filed by him from the floor to page 2 of the resolution.

Senator Sorensen offered amendment S—5524 filed by him from the floor to amendment S—5519 and moved its adoption.

Amendment S—5524 was adopted by a voice vote.

Senator Lind withdrew amendment S—5519 as amended.

Senator Sorensen moved the adoption of Senate Resolution 107.

A record roll call was requested.

On the question "Shall the resolution be adopted?" (S.R. 107) 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	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Murphy	Neuhauser	Palmer	Priebe
Sorensen	Szymoniak	Vilsack	

Nays, 17:

Bennett	Boettger	Douglas	Freeman
Hedge	Jensen	Lind	Lundby
Maddox	McKean	Murphy	Redfern
Rensink	Rife	Rittmer	Tinsman
Zieman			

Absent or not voting, 6:

Banks	Bartz	Borlaug	Drake
Iverson	Kramer		

The motion prevailed and the resolution was adopted.

BUSINESS PENDING

House File 2416

The Senate resumed consideration of House File 2416, 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, and amendment S—5464 as amended, previously deferred.

Senator Connolly withdrew amendment S—5532 filed by him from the floor to page 17 of amendment S—5464.

Senator Freeman offered amendment S—5531 filed by Senators Freeman, et al., from the floor to page 20 of amendment S—5464.

Senator Judge raised the point of order that amendment S—5531 was not germane to amendment S—5464.

The Chair ruled the point well taken and amendment S—5531 out of order.

Senator Judge moved the adoption of amendment S—5464 as amended, which motion prevailed 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?" (H.F. 2416) 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	Maddox	McKean	Murphy
Neuhauser	Palmer	Priebe	Rittmer
Sorensen	Szymoniak	Vilsack	

Nays, 15:

Bartz	Bennett	Boettger	Borlaug
Douglas	Freeman	Hedge	Lind
Lundby	McLaren	Redfern	Rensink
Rife	Tinsman	Zieman	

Absent or not voting, 4:

Banks	Drake	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 that **House File 2416** 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 March 25, 1996, passed the following bills in which the concurrence of the House was asked:

Senate File 2080, a bill for an act relating to nonsubstantive Code corrections, and providing effective and retroactive applicability dates.

Senate File 2121, a bill for an act providing for auditing practices by the Iowa state fair board.

Senate File 2219, a bill for an act relating to the midwest interstate compact on low-level radioactive waste and establishing a penalty.

Senate File 2270, a bill for an act amending the uniform commercial code relating to letters of credit and providing an effective date.

Senate File 2331, a bill for an act prohibiting certain uses and false representations relating to academic degrees, grades, or honors, and providing a penalty.

Senate File 2336, a bill for an act providing for the selection and tenure of the executive director of the agricultural development authority.

Senate File 2337, a bill for an act relating to receiverships regarding the administration of the assets of grain dealers.

Senate File 2363, a bill for an act relating to entities and subject matter under the regulatory authority of the securities bureau of the division of insurance.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 21, 1996, 8:08 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Banks, Ranking Member; Black, Boswell, Douglas, Fraise, Hedge, Husak, Lundby and Zieman.

Members Absent: Giannetto, McLaren, Palmer and Sorensen (excused).

Committee Business: Recommended confirmation of governor's appointees to en bloc calendar.

Adjourned: 8:25 a.m.

BUSINESS AND LABOR

Convened: March 21, 1996, 1:00 p.m.

Members Present: Dearden, Chair; Gettings, Vice Chair; Freeman, Ranking Member; Connolly, Giannetto, Hammond, Iverson and Maddox.

Members Absent: Banks and Dvorsky (both excused).

Committee Business: Recommended passage of House Files 308 and 2412; placed governor's appointee David Knock on individual calendar without recommendation; recommended confirmation of governor's appointees Harrison Weber and M. Sue Warner.

Adjourned: 1:08 p.m.

COMMERCE

Convened: March 21, 1996, 4:15 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Bartz, Douglas, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern.

Members Absent: Bisignano and Flynn (both excused).

Committee Business: Recommended passage of House File 2369 as amended.

Adjourned: 4:18 p.m.

EDUCATION

Convened: March 21, 1996, 8:35 a.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Iverson, Lind, Neuhauser, Rensink and Szymoniak.

Members Absent: Hammond, Kramer, Murphy and Tinsman (all excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House File 455.

Adjourned: 8:37 a.m.

LOCAL GOVERNMENT

Convened: March 21, 1996, 1:17 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Black, Fraise, Halvorson, Judge, Rittmer and Zieman.

Members Absent: McKean.

Committee Business: Assigned governor's appointees and bill to subcommittees; recommended passage of House File 2427.

Adjourned: 1:25 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: March 21, 1996, 2:12 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; recommended passage of House Files 2433 and 2306 as amended.

Recessed: 3:00 p.m.

Reconvened: March 21, 1996, 8:25 p.m.

Members Present: Fink, Chair; Black, Vice Chair; Dearden, Deluhery, Gronstal, Kibbie, Priebe and Sorensen.

Members Absent: Lundby, Ranking Member; Banks, Borlaug, Freeman, Hedge, Judge and Rensink (all excused).

Committee Business: Recommended passage of House File 2383; House File 395 failed recommendation for passage.

Adjourned: 8:35 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: March 21, 1996, 1:35 p.m.

Members Present: Hansen, Chair; Judge, Vice Chair; Zieman, Ranking Member; Bennett, Boettger, Borlaug, Giannetto, Kibbie, Maddox, McKean, Palmer, Sorensen, Szymoniak and Vilsack.

Members Absent: Flynn (excused).

Committee Business: Recommended confirmation of governor's appointee; recommended passage of House File 2234 as amended.

Adjourned; 1:57 p.m.

TRANSPORTATION

Convened: March 21, 1996, 1:30 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: Recommended passage of House Files 2436, 2113, 2207, 2350 and 2462; recommended confirmation of governor's appointees.

Adjourned: 2:00 p.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Husak from 1,546 residents of Benton County opposing Glen Muzingo getting out of prison on parole.

Senator Kibbie from 265 residents of Clay, Emmet and Dickinson Counties opposing legislation which would restrict Iowa utilities from offering nonutility services.

PRESENTATION OF VISITORS

Senator Borlaug welcomed the Honorable Jim Nussle, member of the U.S. House of Representatives from Iowa's second district, who was present in the Senate chamber.

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty eighth grade students from Urbandale Middle School, Urbandale, accompanied by Mrs. Lauri Raker, Ms. Susie Myron and Ms. Lisa Langen. Senator Maddox.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 21, 1996, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 2135 — Providing for the organization of cooperative corporations, providing for fees, and providing for penalties.

ALSO: A communication was received announcing that on March 22, 1996, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 13 — Relating to the establishment of a prospective minor parents decision-making assistance program, providing penalties, providing a repeal, and providing effective dates.

ALSO: A communication was received announcing that on March 25, 1996, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 376 — Relating to the regulation of credit unions by authorizing additional powers and defining certain business relationships and establishing a penalty.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 121 passed the Senate on March 25, 1996.

LARRY MURPHY

MR. PRESIDENT: I move to reconsider the vote by which House File 2061 passed the Senate on March 25, 1996.

LARRY MURPHY

MR. PRESIDENT: I move to reconsider the vote by which House File 400 failed to pass the Senate on March 25, 1996.

MICHAEL E. GRONSTAL

SUBCOMMITTEE ASSIGNMENT

House File 308

BUSINESS AND LABOR: Dearden, Chair; Connolly and Iverson

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

AGRICULTURE

Pursuant to Senate Rule 59, the committee on Agriculture assigned to investigate the following governor's appointments, completed its investigations on March 21, 1996, and recommended the appointees be confirmed:

Steven A. Basler, Sonja L. Larsen and Diana L. Stadtmueller as members of the Agricultural Development Authority.

Marie G. Ellingson and Carolyn A. Roberts as members of the Iowa Grain Indemnity Fund Board.

Russell L. Brandes as a member of the State Soil Conservation Committee.

BUSINESS AND LABOR

Harrison Weber as a member of the Employment Appeal Board.

M. Sue Warner as a member of the Public Employment Relations Board.

TRANSPORTATION

Roxanne L. Johnson and Dana R. Peterson as members of the Iowa Law Enforcement Academy Council.

Janice M. Johnson and Bonnie L. Vetter as members of the State Transportation Commission.

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 March 21, 1996, and **made no recommendation:**

David D. Knock as a member of the Public Employment Relations Board.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of M. Sue Warner to the Public Employees Relations Board be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

DICK DEARDEN

COMMITTEE REPORTS

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Final Bill Action: HOUSE FILE 2234, a bill for an act relating to exempting certain nonresident aliens from land ownership restrictions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S–5514.

Final Vote: Ayes, 14: Hansen, Judge, Zieman, Bennett, Boettger, Borlaug, Giannetto, Kibbie, Maddox, McKean, Palmer, Sorensen, Szymoniak and Vilsack. Nays, none. Absent or not voting, 1: Flynn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 2387, a bill for an act 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, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, McLaren and Sorensen. Nays, none. Absent or not voting, 2: Connolly and Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber when the vote was taken on House File 2472. Had I been present, I would have voted "aye".

JOHN P. KIBBIE

AMENDMENTS FILED

S—5512	H.F.	2472	Eugene Fraise
S—5513	H.F.	2464	Michael E. Gronstal
S—5514	H.F.	2234	Small Bus., Econ. Dev. & Tourism
S—5515	H.F.	2416	Tony Bisignano
S—5516	H.F.	210	Nancy Boettger
S—5517	H.F.	2416	Dennis H. Black
S—5518	H.F.	2229	Don E. Gettings
S—5519	S.R.	107	Jim Lind
S—5520	H.F.	2416	Sheldon Rittmer
S—5521	H.F.	2458	Tom Vilsack
S—5522	S.F.	2104	Rod Halvorson
			Jim Lind
			Johnie Hammond
S—5523	H.F.	2324	Rod Halvorson
			Jim Lind
			Johnnie Hammond
S—5524	S.R.	107	Al Sorensen
S—5525	H.F.	2416	Sheldon Rittmer
			Patty Judge
S—5526	H.F.	2416	Jim Lind
			Mary Lou Freeman

S—5527	H.F.	2259	Merlin E. Bartz
S—5528	H.F.	2416	Andy McKean
			Al Sorensen
			Nancy Boettger
			Stewart Iverson
			Dennis H. Black
			Rod Halvorson
			Mary A. Lundby
			Johnie Hammond
			Randal J. Giannetto
			Maggie Tinsman
S—5529	H.F.	2409	Steven D. Hansen
S—5530	H.F.	111	Mary Neuhauser
S—5531	H.F.	2416	Mary Lou Freeman
			Wayne Bennett
			Nancy Boettger
			Sheldon Rittmer
S—5532	H.F.	2416	Mike Connolly
S—5533	S.F.	2377	Randal J. Giannetto

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:23 p.m., until 9:00 a.m., Tuesday, March 26, 1996.

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 26, 1996

The Senate met in regular session at 9:06 a.m., President Boswell presiding.

Prayer was offered by the Reverend Robert Pickerell, pastor of the First Christian Church Disciples of Christ, Creston, Iowa.

The Journal of Monday, March 25, 1996, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Bisignano until he arrives on request of Senator Vilsack and Senator Dvorsky 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.

UNFINISHED BUSINESS CALENDAR

Senate Concurrent Resolution 112

On motion of Senator Gettings, Senate Concurrent Resolution 112, a concurrent resolution supporting the 185th Fighter Wing of the Air National Guard of Iowa in its peacekeeping patrols in the United Nations "No-Fly Zone" over Iraq, with report of committee recommending passage and placed on the Unfinished Business Calendar on March 21, 1996, was taken up for consideration.

Senator Gettings moved the adoption of Senate Concurrent Resolution 112, which motion prevailed by a voice vote.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

House Joint Resolution 11

On motion of Senator Bartz, 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, with report of committee recommending passage, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kramer until she arrives on request of Senator Rife.

BUSINESS PENDING

House Joint Resolution 11

The Senate resumed consideration of House Joint Resolution 11.

Senator Bartz 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 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.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

Section 11, unnumbered paragraph 1, Article I of the Constitution of the State of Iowa, is amended to read as follows:

All offenses less than felony and in which the maximum

permissible imprisonment does not exceed thirty days shall be tried summarily before an officer authorized by law, on information under oath, without indictment, or the intervention of a grand jury, saving to the defendant the right of appeal; and no person shall be held to answer for any higher criminal offense, unless on presentment or indictment by a grand jury, except in cases arising in the army, or navy, or in the militia, when in actual service, in time of war or public danger.

Sec. 2. The foregoing amendment to the Constitution of the State of Iowa is referred to the General Assembly to be chosen at the next general election for members of the General Assembly and the Secretary of State is directed to cause the same to be published for three consecutive months previous to the date of that election as provided by law.

On the question "Shall the resolution pass?" (H.J.R. 11) the vote was:

Yeas, 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	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	Kramer

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS
(Appropriations Calendar)

House File 334

On motion of Senator Flynn, House File 334, a bill for an act relating to the hearing and election provisions of the instructional support program of school districts, with report of committee recommending passage, was taken up for consideration.

Senator Flynn asked and received unanimous consent that action on **House File 334** be **deferred.**

House File 570

On motion of Senator Kibbie, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kibbie offered amendment S—5429 filed by the committee on Appropriations on March 20, 1996, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5429 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. 570) 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	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 Kramer

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 2170

On motion of Senator Boettger, Senate File 2170, a bill for an act relating to the authority of a medical examiner to release and permit the removal of a body part in certain instances for the purposes of making an anatomical gift, placed on the Unfinished Business Calendar on March 20, 1996, was taken up for consideration.

Senator Boettger offered amendment S—5220 filed by her on March 6, 1996, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5220 was adopted by a voice vote.

The Chair ruled the following amendments to amendment S—5220 out of order:

S—5059 filed by Senator Boettger on February 14, 1996, to page 2 of the bill.

S—5146 filed by Senator Boettger on February 28, 1996, to page 2 and the title page of the bill.

Senator Boettger asked and received unanimous consent that **House File 2400** be **substituted** for **Senate File 2170** as amended.

House File 2400

On motion of Senator Boettger, House File 2400, a bill for an act relating to anatomical gifts including the use of confidential information and the authority of a medical examiner to release and permit the removal of a body part in certain instances for the purposes of making an anatomical gift, 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. 2400) the vote was:

Ayes, 45:

Bartz	Bennett	Black	Boettger
Borlaug	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	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, 3:

Banks	Giannetto	Hedge

Absent or not voting, 2:

Bisignano	Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Boettger asked and received unanimous consent that **Senate File 2170** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL
(Ways and Means Calendar)

House File 2165

On motion of Senator Vilsack, House File 2165, a bill for an act relating to industrial machinery, computers and equipment for purposes of sales taxation and property taxation and providing an effective date and applicability date, with report of committee

recommending amendment and passage, was taken up for consideration.

Senator Vilsack asked and received unanimous consent to withdraw amendment S—5142 filed by the committee on Ways and Means on February 28, 1996, to page 1 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?" (H.F. 2165) 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	Husak	Iverson	Jensen
Judge	Kibbie	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Voting present, 1:

Palmer

Absent or not voting, 2:

Bisignano Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 12, 1996)

House File 2229

The Senate resumed consideration of House File 2229, a bill

for an act relating to unemployment insurance benefits by providing for employer contributions and liability for benefits regarding successor employers, deferred March 12, 1996.

Senator Gettings asked and received unanimous consent that action on **House File 2229** be **deferred.**

UNFINISHED BUSINESS
(Deferred March 21, 1996)

Senate File 2104

The Senate resumed consideration of Senate File 2104, a bill for an act relating to state employee disclosures of information and making penalties applicable, deferred March 21, 1996.

Senator Lind called up the motion to reconsider the vote by which amendment S—5149 to Senate File 2104 was adopted by the Senate on March 4, 1996, filed by him on March 4, 1996, found on page 599 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5149 by Senator Lind to pages 1 and 2 of the bill, was taken up for reconsideration.

Senator Halvorson asked and received unanimous consent to withdraw amendment S—5194 filed by Senators Halvorson, Lind and Hammond on March 5, 1996, to amendment S—5149.

Senator Halvorson offered amendment S—5522 filed by Senators Halvorson, Lind and Hammond on March 25, 1996, to page 2 and the title page of the bill and moved its adoption.

Amendment S—5522 was adopted by a voice vote.

With the adoption of amendment S—5522, amendment S—5149 was out of order.

Senator Halvorson asked and received unanimous consent that **House File 2324** be **substituted** for **Senate File 2104** as amended.

House File 2324

On motion of Senator Halvorson, House File 2324, a bill for an act relating to state employee disclosures of information and making penalties applicable, was taken up for consideration.

Senator Halvorson offered amendment S—5523 filed by Senators Halvorson, Lind and Hammond on March 25, 1996, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5523 was adopted by a voice vote.

Senator Priebe asked and received unanimous consent that action on **House File 2324** be **deferred.**

BUSINESS PENDING

House File 334

The Senate resumed consideration of House File 334, a bill for an act relating to the hearing and election provisions of the instructional support program of school districts, previously deferred.

Senator Flynn offered amendment S—5242 filed by him on March 7, 1996, to strike everything after the enacting clause of the bill.

Senator Flynn offered amendment S—5537 filed by him from the floor to amendment S—5242 and moved its adoption.

Amendment S—5537 was adopted by a voice vote.

Senator Flynn moved the adoption of amendment S—5242 as amended, which motion prevailed 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. 334) 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	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 Kramer

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 2258** be referred from the Unfinished Business Calendar to the committee on **Natural Resources, Environment and Energy.**

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Concurrent Resolution 112, House Joint Resolution 11, House Files 334, 2400** and **2165** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **House File 2234** be referred from the Regular Calendar to the committee on **State Government.**

CONSIDERATION OF BILL
(Regular Calendar)

House File 2201

On motion of Senator Gronstal, House File 2201, a bill for an act relating to defining the practice of dentistry, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 2201** be **deferred.**

UNFINISHED BUSINESS CALENDAR

Senate File 2429

On motion of Senator Maddox, Senate File 2429, a bill for an act relating to limited liability companies and corporations, including the period within which a limited liability company subject to dissolution may be continued, use of trade names by corporations and limited liability companies, and providing an exemption from the real estate transfer tax for certain transfers involving limited liability companies, with report of committee on Ways and Means recommending passage on March 14, 1996, and placed on the Unfinished Business Calendar on March 20, 1996, was taken up for consideration.

Senator Maddox offered amendment S—5430 filed by him on March 20, 1996, to pages 1, 2 and the title page of the bill and moved its adoption.

Amendment S—5430 was adopted by a voice vote.

Senator Maddox asked and received unanimous consent that **House File 2370** be **substituted** for **Senate File 2429** as amended.

House File 2370

On motion of Senator Maddox, House File 2370, a bill for an act relating to limited liability companies and corporations, including the period within which a limited liability company subject to dissolution may be continued, and providing an exemption from the real estate transfer tax for certain transfers involving limited liability companies, was taken up for consideration.

Senator Maddox offered amendment S—5428 filed by him on March 20, 1996, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5428 was adopted by a voice vote.

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. 2370) 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 Maddox asked and received unanimous consent that **Senate File 2429** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS
(Regular Calendar)

House File 111

On motion of Senator Hansen, House File 111, a bill for an act exempting from regulation certain homeowners' association swimming pools, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hansen offered amendment S—5117 filed by the committee on Human Resources on February 26, 1996, to page 1 of the bill.

Senator Neuhauser offered amendment S—5530 filed by her on March 25, 1996, to amendment S—5117 and moved its adoption.

Amendment S—5530 was adopted by a voice vote.

Senator Husak asked and received unanimous consent that action on amendment S—5117 as amended and **House File 111** be **deferred.**

House File 2202

On motion of Senator Halvorson, House File 2202, a bill for an act relating to permissible acts related to real estate sales, exchanges, purchases, rentals, leases, or advertising by licensees and nonlicensees, 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. 2202) 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.

House File 2318

On motion of Senator Drake, House File 2318, a bill for an act relating to the licensure and practice of land surveying, to the unlawful practice of land surveying, architecture, and professional engineering, and establishing a civil penalty, with report of committee recommending passage, was taken up for consideration.

President pro tempore Bisignano took the chair at 10:37 a.m.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2318) the vote was:

Ayes, 47:

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, 2:

Banks Bartz

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.

House File 2207

On motion of Senator Halvorson, House File 2207, a bill for an act relating to the state transportation commission's planning process and federal funding, 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. 2207) 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.

House File 2153

On motion of Senator Kibbie, House File 2153, a bill for an act relating to the reinstatement to active service of members of the statewide fire and police retirement system and the public safety peace officers' retirement, accident, and disability system upon denial of disability benefits, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2153) 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	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 1:

Neuhauser

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.

House File 2449

On motion of Senator Gronstal, House File 2449, a bill for an act setting campaign contribution limits by persons and political committees, addressing independent expenditures on behalf of candidates, employee and member contributions, making penalties applicable, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—5489 filed by the committee on State Government on March 21, 1996, to strike everything after the enacting clause and to the title page of the bill.

(Action on amendment S—5489 and **House File 2449** was **deferred.**)

The Senate stood at ease at 10:49 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 11:28 a.m., President Boswell presiding.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 2370, 2202, 2318** and **2207** be **immediately messaged** to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 11:31 a.m., until 2:30 p.m.

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: Due to a necessary and excused absence on March 21 and 25, 1996, I submit for the record my position and vote had I been present. I would have voted "aye" on the following:

En Bloc Confirmation Calendar; Senate Files 2153, 2364, 2355, 2344, 2433, and 2399; House Files 2477, 2416, 2297, 2472, 2429, 2315, 2258, 2310, 2187, 2152, 210, 2107, 121, 419, 2150, 2127, 400, 2408, 523 and 2061; and amendment S—5439 to Senate File 2355.

TOM FLYNN

PRESENTATION OF VISITORS

Senator Redfern introduced 17 Russian exchange students from the Russian State Pedagogical University in St. Petersburg who are presently attending the University of Northern Iowa during the spring semester of 1996. They were accompanied by Holly Crandall.

The Chair welcomed the following visitors who were present in the Senate gallery:

Six talented and gifted students from Adair-Casey Community School, accompanied by Jim Simmelink. Senator Douglas.

Thirteen seventh grade students from Blakesburg Middle School, Eddyville-Blakesburg Community School District, Blakesburg, accompanied by Maura Young. Senators Hedge, Gettings and Judge.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2153 passed the Senate on March 26, 1996.

LARRY MURPHY

MR. PRESIDENT: I move to reconsider the vote by which House File 570 passed the Senate on March 26, 1996.

STEVEN D. HANSEN

MR. PRESIDENT: I move to reconsider the vote by which amendment S-5530 to House File 111 was adopted by the Senate on March 26, 1996.

EMIL J. HUSAK

COMMUNICATION FROM THE GOVERNOR

The following communication from the governor was received and placed on file:

Due to the resignation of George O. Barton from the Small Business Advisory Council, I am withdrawing his name for consideration by the Senate for this appointment.

Sincerely,
TERRY E. BRANSTAD
Governor

RESOLUTION ASSIGNED TO COMMITTEE

President Boswell announced the assignment of **House Concurrent Resolution 119** to the committee on **Rules and Administration.**

SUBCOMMITTEE ASSIGNMENTS

House File 414

JUDICIARY: Giannetto, Chair; Bisignano, Boettger, McKean and Vilsack

House File 2366

WAYS AND MEANS: Deluhery, Chair; Drake, Hedge, Neuhauser and Priebe

House File 2413

WAYS AND MEANS: Priebe, Chair; Freeman, Husak, Iverson and Palmer

House File 2436

JUDICIARY: Giannetto, Chair; Bisignano, Drake, McKean and Vilsack

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 26th day of March, 1996:

Senate Files 2087, 2259, 2278, 2405 and 2408.

Sincerely,
TERRY E. BRANSTAD
Governor

AMENDMENTS FILED

S—5534	H.F.	2448	Randal J. Giannetto
S—5535	H.F.	2229	Don E. Gettings
S—5536	S.F.	2210	Andy McKean
S—5537	H.F.	334	Tom Flynn
S—5538	H.F.	2397	Larry Murphy
S—5539	H.F.	111	Emil J. Husak
S—5540	H.F.	2449	Andy McKean
S—5541	H.F.	2449	Tony Bisignano
S—5542	H.F.	2456	Randal J. Giannetto

AFTERNOON SESSION

The Senate reconvened at 2:45 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 March 26, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2395, a bill for an act relating to the regulation of insurance companies for purposes of solvency and establishing a measure for the risk-based capital of an insurer, and providing penalties.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bisignano until he returns on request of Senator Vilsack.

BUSINESS PENDING

House File 2229

The Senate resumed consideration of House File 2229, a bill for an act relating to unemployment insurance benefits by providing for employer contributions and liability for benefits regarding successor employers, previously deferred.

Senator Kramer offered amendment S—5300 filed by her on March 12, 1996, to page 1 of the bill.

Senator Gettings raised the point of order that amendment S—5300 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5300 out of order.

Senator Gettings offered amendment S—5518 filed by him on March 25, 1996, to pages 1-3 and the title page of the bill.

Senator Gettings offered amendment S—5535 filed by him from the floor to amendment S—5518 and moved its adoption.

Amendment S—5535 was adopted by a voice vote.

Senator Gettings moved the adoption of amendment S—5518 as amended, which motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Connolly until he returns on request of Senator Horn.

BUSINESS PENDING

House File 2229

The Senate resumed consideration of House File 2229.

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. 2229) 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.

BUSINESS PENDING

House File 2324

The Senate resumed consideration of House File 2324, a bill for an act relating to state employee disclosures of information and making penalties applicable, previously deferred.

Senator Halverson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2324) 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.

Senator Halvorson asked and received unanimous consent that **Senate File 2104** be **withdrawn** from further consideration of the Senate.

BUSINESS PENDING

House File 111

The Senate resumed consideration of House File 111, a bill for an act exempting from regulation certain homeowners' association swimming pools and amendment S—5117 as amended by the committee on Human Resources to page 1 of the bill, previously deferred.

Senator Husak withdrew amendment S—5539 filed by him from the floor to amendment S—5117.

Senator Husak withdrew the motion to reconsider the vote by which amendment S—5530 to House File 111 was adopted by the Senate on March 26, 1996, filed by him on March 26, 1996, found on page 1048 of the Senate Journal.

Senator Neuhauser asked and received unanimous consent that action on amendment S—5117 as amended and **House File 111** be **deferred.**

BUSINESS PENDING

House File 2449

The Senate resumed consideration of House File 2449, a bill for an act setting campaign contribution limits by persons and political committees, addressing independent expenditures on behalf of candidates, employee and member contributions, making penalties applicable, and providing an effective date and amendment S—5489 by the committee on State Government, previously deferred.

Senator Gronstal asked and received unanimous consent that action on amendment S—5489 and **House File 2449** be **deferred.**

CONSIDERATION OF BILLS
(Regular Calendar)

House File 2081

On motion of Senator Hansen, House File 2081, a bill for an act relating to legalizing official acts performed by notaries public more than ten years earlier, 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?" (H.F. 2081) 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.

House File 2001

On motion of Senator Gettings, House File 2001, a bill for an act extending an exemption from federal motor carrier safety regulations for medically unqualified drivers and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2001) 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.

House File 2407

On motion of Senator Gronstal, House File 2407, a bill for an act relating to legal publications and related products prepared and distributed under the authority of the general assembly, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—5490 filed by the committee on State Government on March 21, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5490 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. 2407) 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.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Bennett called up the appointment of Ted R. Chapler as Executive Director of the Iowa Finance Authority, placed on the Individual Confirmation Calendar on March 29, 1995, found on page 963 of the the Senate Journal and deferred by Senate Resolution 15 on April 13, 1995.

Senator Bennett 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
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 appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Bisignano called up the appointment of Allan T. Thoms as Chairperson of the Utilities Board, placed on the Individual Confirmation Calendar on March 30, 1995, found on page 995 of the the Senate Journal and deferred by Senate Resolution 14 on April 13, 1995.

Senator Bisignano 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
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:

Connolly Murphy

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 2229, 2324, 2081, 2001** and **2407** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

House File 455

On motion of Senator Dvorsky, House File 455, a bill for an act relating to the filing of complaints with the board of educational examiners, 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. 455) 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.

HOUSE AMENDMENT CONSIDERED

Senate File 73

Senator Gronstal called up for consideration Senate File 73, a bill for an act requiring licensure of certain social workers, providing an effective date, imposing fees, and making penalties applicable, amended by the House in amendment S—5052 filed February 8, 1996.

Senator Vilsack offered amendment S—5094 filed by him on February 21, 1996, to House amendment S—5052 and moved its adoption.

A non record roll call was requested.

The ayes were 15, nays 27.

Amendment S—5094 lost.

Senator Gronstal moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gronstal moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 73) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Boettger	Borlaug	Boswell	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	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, 3:

Black	Giannetto	Halvorson

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.

CONSIDERATION OF BILL
(Regular Calendar)

House File 2316

On motion of Senator Bisignano, House File 2316, a bill for an act relating to sex offenses, including enticing away a child and sentences for persons convicted of sexually predatory offenses, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bisignano offered amendment S—5502 filed by the committee on Judiciary on March 21, 1996, to page 3 of the bill and moved its adoption.

Amendment S—5502 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. 2316) 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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 455** and **2316** and **Senate File 73** be **immediately messaged** to the House.

BUSINESS PENDING

House File 111

The Senate resumed consideration of House File 111, a bill for an act exempting from regulation certain homeowners' association swimming pools, and amendment S—5117 as amended by the

committee on Human Resources to page 1 of the bill, previously deferred.

Senator Husak 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—5530 to amendment S—5117 to House File 111 was adopted by the Senate on March 26, 1996.

The motion prevailed by a voice vote and amendment S—5530 by Senator Neuhauser to amendment S—5117 was taken up for reconsideration.

Senator Husak asked and received unanimous consent that action on amendment S—5530 to amendment S—5117 be deferred.

Senator Husak offered amendment S—5548 filed by him from the floor to amendment S—5117 and moved its adoption.

Amendment S—5548 was adopted by a voice vote.

With the adoption of amendment S—5548, the Chair ruled amendment S—5530 by Senator Neuhauser to amendment S—5117, previously deferred, out of order.

Senator Hansen moved the adoption of amendment S—5117 as amended.

A record roll call was requested.

On the question "Shall amendment S—5117 as amended be adopted?" (H.F. 111) the vote was:

Ayes, 22:

Bartz	Boettger	Boswell	Deluhery
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Horn	Husak	Iverson
Judge	Kramer	Murphy	Neuhauser
Tinsman	Vilsack		

Nays, 26:

Banks	Bennett	Black	Borlaug
Dearden	Douglas	Drake	Dvorsky
Freeman	Hedge	Jensen	Kibbie

Lind	Lundby	Maddox	McKean
McLaren	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Zieman		

Absent or not voting, 2:

Bisignano	Connolly

Amendment S—5117 as amended lost.

Senator Neuhauser asked and received unanimous consent that action on **House File 111** be **deferred.**

CONSIDERATION OF BILL
(Regular Calendar)

House File 2456

On motion of Senator Giannetto, House File 2456, a bill for an act relating to the rights of victims of criminal acts, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Giannetto offered amendment S—5420 filed by the committee on Judiciary on March 19, 1996, to page 3 of the bill and moved its adoption.

Amendment S—5420 was adopted by a voice vote.

Senator Giannetto offered amendment S—5542 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5542 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. 2456) 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.

House File 2462

On motion of Senator Gettings, House File 2462, a bill for an act relating to public access to motor vehicle records and providing a conditional repeal and an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal offered amendment S—5511 filed by Senators Gronstal and Drake on March 21, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5511 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. 2462) the vote was:

Ayes, 46:

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	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 2:

Banks	Bartz

Absent or not voting, 2:

Connolly	Murphy

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 2035

Senator Kibbie called up for consideration Senate File 2035, a bill for an act relating to the control and eradication of ecologically harmful exotic species and Eurasian milfoil and establishing a penalty, amended by the House, and moved that the Senate concur in House amendment S—5478 filed March 21, 1996.

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. 2035) 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.

CONSIDERATION OF BILLS
(Regular Calendar)

House File 2177

On motion of Senator Sorensen, House File 2177, a bill for an act relating to the exclusion of century farms from economic development areas for purposes of urban renewal and providing for the act's applicability, with report of committee recommending passage, was taken up for consideration.

Senator Maddox asked and received unanimous consent to withdraw amendment S—5348 filed by Senators Maddox and Black on March 14, 1996, to page 1 and the title page of the bill.

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. 2177) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Boswell	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Hammond
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Judge	Kibbie

Kramer	Lind	Lundby	McKean
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 4:

Bisignano	Halvorson	Maddox	McLaren

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.

House File 2397

On motion of Senator Flynn, House File 2397, a bill for an act relating to linked investments and establishing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Murphy offered amendment S—5538 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 23, nays 26.

Amendment S—5538 lost.

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. 2397) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	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	Maddox
McKean	McLaren	Murphy	Neuhauser
Palmer	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 3:

Bisignano	Lundby	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.

House File 2036

On motion of Senator Husak, House File 2036, a bill for an act relating to certain telephone companies and permitting their reorganization as cooperative associations, 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. 2036) 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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 2456, 2462, 2177, 2397** and **2036** be immediately messaged to the House, and to send an immediate message to the House on **Senate File 2035.**

APPENDIX

STUDY BILLS RECEIVED

SSB 2347 Ways & Means

Exempting certain employment services from the state sales, services, and use taxes.

SSB 2348 Ways & Means

Relating to the time and the criteria for filing of claims for refund under the state individual income tax by retired federal employees as a result of the unconstitutional taxation of federal pensions and appropriating moneys to pay refund claims and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

SSB 2347

WAYS AND MEANS: Priebe, Chair; Connolly, Deluhery, Hedge and McLaren

SSB 2348

WAYS AND MEANS: Vilsack, Chair; Connolly, Freeman, Hedge and Priebe

House File 2234

STATE GOVERNMENT: Gronstal, Chair; Bennett and Halvorson

House File 2309

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following governor's appointments, completed its investigations on March 26, 1996, and recommended the appointees be confirmed:

Dr. Kenneth W. Caldwell, Dr. Mary L. Khowassah and Dr. Rick D. Wilkerson as members of the Athletic Trainer Advisory Board.

Dr. Thomas J. Henrich and Dominick D. Pellegreno as members of the Board of Behavorial Science Examiners.

Ruth A. Daggett and Dr. Laine D. Dvorak as members of the Board of Physician Assistant Examiners.

Marian A. Williams as a member of the Commission for the Blind.

Craig J. Downing and Dr. Vennetta M. Fiedler as members of the Commission of Elder Affairs.

Kevin J. Beauvais, Bette L. Crumrine and Nancy J. Garberson as members of the Commission on Community Action Agencies.

Sharon Lehmann and Brenda Kruse-McConville as members of the Commission on the Deaf.

Sandra J. Blodgett, Judge Brown, Jr., Dennis J. Bullock and Dr. Scharron A. Clayton as members of the Commission on the Status of Women.

Dr. Beth K. Bruening, Marabeth K. Soneson and Pamela W. Vap as members of the Community Health Management Information System Governing Board.

Russell T. Sporer as a member of the Council on Human Services.

Arlene Dayhoff and Thomas M. Glenn as members of the Iowa Council on Human Investment.

Lori A. Bears, Frank H. Hermsen and Jessie "Ginger" L. Kuhl as members of the Mental Health and Developmental Disabilities Commission.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber when the votes were taken on the following bills. Had I been present, I would have voted "aye" on Senate Files 2348, 2365, 2411, 2430, 2085 and 2195.

I would have voted "nay" on Senate File 2366 and amendments S—5278, S—5379, S—5377 and S—5359 to Senate File 2195.

MAGGIE TINSMAN

AMENDMENTS FILED

S—5543	H.F.	2449	Mary Lundby Andy McKean
S—5544	H.F.	2144	Tom Vilsack

			Nancy Boettger
S—5545	H.F.	2449	Tony Bisignano
S—5546	H.F.	2449	Andy McKean
			Rod Halvorson
S—5547	H.F.	2449	Jack Rife
S—5548	H.F.	111	Emil J. Husak
S—5549	H.F.	555	Larry Murphy

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:25 p.m., until 9:00 a.m., Wednesday, March 27, 1996.

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FORTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 27, 1996

The Senate met in regular session at 9:03 a.m., President pro tempore Bisignano presiding.

Prayer was offered by Imam Farooq Abo-Elzahab of the Islamic Center, Cedar Rapids, Iowa.

The Journal of Tuesday, March 26, 1996, 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 March 26, 1996, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 2140, a bill for an act increasing the speed limit on certain highways, requiring a report on safety in construction zones, and providing an effective date (S—5551).

Senate File 2442, 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—5550).

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.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 401

Senator Deluhery withdrew the motion to reconsider Senate File 401, a bill for an act relating to consumer-related actions, filed by him on March 19, 1996, and found on page 894 of the Senate Journal.

Senate File 2411

Senator Rife withdrew the motion to reconsider Senate File 2411, a bill for an act providing the state auditor with the right to examine documents of state officers and departments, filed by him on March 18, 1996, and found on page 846 of the Senate Journal.

Senate File 2216

Senators Bartz and Connolly withdrew the motions to reconsider Senate File 2216, a bill for an act providing that the examination for commercial applicators of pesticides be given at each community college, filed by them on March 4, 1996, and found on page 599 of the Senate Journal.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Boswell until he arrives on request of Senator Horn.

ADOPTION OF RESOLUTIONS
(Regular Calendar)

Senate Concurrent Resolution 113

On motion of Senator Drake, Senate Concurrent Resolution 113, a concurrent resolution declaring Miss Iowa an official hostess for the State of Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Drake moved the adoption of Senate Concurrent Resolution 113, which motion prevailed by a voice vote.

Senate Concurrent Resolution 116

On motion of Senator Priebe, Senate Concurrent Resolution 116, a senate concurrent resolution to urge the federal government to restore requirements for the reporting of information regarding cattle fed in Iowa feedlots, with report of committee recommending passage, was taken up for consideration.

Senator Priebe moved the adoption of Senate Concurrent Resolution 116, which motion prevailed by a voice vote.

UNFINISHED BUSINESS
(Deferred March 19, 1996)

Senate File 2221

The Senate resumed consideration of Senate File 2221, a bill for an act relating to alternate energy production and purchasing requirements, and providing an applicability provision and an effective date, amendment S—5151 by the committee on Natural Resources to strike everything after the enacting clause of the bill, and amendment S—5396 by Senator Fink to amendment S—5151, deferred March 19, 1996.

Senator Fink asked and received unanimous consent that action on **Senate File 2221** be **deferred.**

UNFINISHED BUSINESS CALENDAR

Senate File 2280

On motion of Senator Sorensen, Senate File 2280, a bill for an act relating to filing fees charged by county recorders and eliminating a surcharge fee, with report of committee on Ways and Means recommending passage on March 7, 1996, and placed on the Unfinished Business Calendar on March 20, 1996, 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. 2280) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	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, 1:

Bisignano

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 2349

On motion of Senator Connolly, Senate File 2349, a bill for an act relating to transportation by granting the state department of transportation condemnation rights for utility facility replacement, providing for entry onto private property for sounding and drilling, and providing for release of retained funds for public improvements, placed on the Unfinished Business Calendar on March 20, 1996, was taken up for consideration.

Senator Connolly offered amendment S—5410 filed by him on March 19, 1996, to pages 1-3 and to the title page of the bill and moved its adoption.

Amendment S—5410 was adopted by a voice vote.

Senator Connolly asked and received unanimous consent that **House File 2419** be **substituted** for **Senate File 2349** as amended.

House File 2419

On motion of Senator Connolly, House File 2419, a bill for an act relating to transportation by granting the state department of transportation condemnation rights for utility facility replacement, requiring sixty day property payments, requiring certain criteria be adopted by administrative rule, modifying certain damage disclosure statement requirements, providing for entry onto private property for sounding and drilling, exempting operators of trucks hauling cement from certain regulations, and relating to the disposal of abandoned vehicles, and providing for release of retained funds for public improvements, was taken up for consideration.

Senator Connolly offered amendment S—5408 filed by him on March 19, 1996, to pages 2-9 and the title page of the bill.

Senator Connolly asked and received unanimous consent that action on amendment S—5408 be deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vilsack until he returns on request of Senator Hansen.

BUSINESS PENDING

House File 2419

The Senate resumed consideration of House File 2419.

Senator Banks offered amendment S—5418 filed by Senators Banks and McLaren on March 19, 1996, to page 3 of the bill.

Senator Connolly raised the point of order that amendment S—5418 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5418 out of order.

Senator Connolly asked and received unanimous consent that action on **House File 2419** be **deferred.**

BUSINESS PENDING

Senate File 2221

The Senate resumed consideration of Senate File 2221, a bill for an act relating to alternate energy production and purchasing requirements, and providing an applicability provision and an effective date, amendment S—5151 and amendment S—5396 to amendment S—5151, previously deferred.

Senator Fink offered amendment S—5466 filed by Senators Fink, et al., on March 20, 1996, to amendment S—5151.

Senator Priebe asked and received unanimous consent that action on amendment S—5466 to amendment S—5151 and **Senate File 2221** be **deferred.**

BUSINESS PENDING

House File 2419

The Senate resumed consideration of House File 2419, a bill for an act relating to transportation by granting the state department of transportation condemnation rights for utility facility replacement, requiring sixty day property payments, requiring certain criteria be adopted by administrative rule, modifying certain damage disclosure statement requirements, providing for entry onto private property for sounding and drilling, exempting operators of trucks hauling cement from certain regulations, and relating to the disposal of abandoned vehicles, and providing for release of retained funds for public improvements, previously deferred.

Senator Connolly offered amendment S—5557 filed by him from the floor to pages 2-9 and the title page of the bill and moved its adoption.

Amendment S—5557 was adopted by a voice vote.

With the adoption of amendment S—5557, the Chair ruled amendment S—5408 by Senator Connolly to pages 2-9 and the title page of the bill, previously deferred, out of order.

Senator Connolly offered amendment S—5555 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5555 was adopted by a voice vote.

Senator McKean asked and received unanimous consent that action on **House File 2419** be **deferred.**

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Concurrent Resolutions 113** and **116** and **Senate File 2280** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred March 13, 1996)

House File 2409

The Senate resumed consideration of House File 2409, a bill for an act relating to the regulation of activities of state banks and state bank affiliates, interstate branching or banking, and personnel of the banking division, state banks, and state bank affiliates, and the regulation of financial transactions involving such entities and personnel, and amendment S—5312 by Senators Douglas and Gronstal to page 12 of the bill, deferred March 13, 1996.

Senator Gronstal asked and received unanimous consent to withdraw amendment S—5312.

President Boswell took the chair at 10:30 a.m.

Senator Hansen offered amendment S—5529 filed by him on March 25, 1996, to page 12 of the bill.

Senator Flynn raised the point of order that amendment S—5529 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5529 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. 2409) 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
Zieman			

Nays, none.

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.

CONSIDERATION OF BILL
(Regular Calendar)

House File 2230

On motion of Senator Husak, House File 2230, a bill for an act relating to the duties of the department of inspections and appeals concerning liens on improper provider payments from the department of human services, the administration of certain health care statutes, and the conducting of audits, 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. 2230) 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
Zieman			

Nays, none.

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.

Senate File 2368

On motion of Senator Flynn, Senate File 2368, a bill for an act providing for the regulation of investment securities under Article 8 of the Uniform Commercial Code, and providing conforming changes, and an effective date, with report of committee without recommendation and placed on the Unfinished Business Calendar on March 20, 1996, was taken up for consideration.

Senator Flynn offered amendment S—5356 filed by him on March 14, 1996, to pages 1, 2, 11, 17, 20, 22, 24, 33, 37, 45, 50, 53-57 and 60 of the bill and moved its adoption.

Amendment S—5356 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?" (S.F. 2368) 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
Zieman			

Nays, none.

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.

Senate File 2356

On motion of Senator Judge, Senate File 2356, a bill for an act providing requirements for implementation of new or revised federal block grant provisions which affect local governments and providing an effective date and applicability provision and placed on the Unfinished Business Calendar on March 20, 1996, was taken up for consideration.

Senator Judge asked and received unanimous consent that **House File 2256** be **substituted** for **Senate File 2356.**

House File 2256

On motion of Senator Judge, House File 2256, a bill for an act providing requirements for implementation of new or revised federal block grant provisions which affect local governments and providing an effective date and applicability provision, was taken up for consideration.

Senator Judge offered amendment S—5553 filed by her from the floor to strike everything after the enacting clause of the bill.

(Action on amendment S—5553 and House File 2256 was deferred for distribution of an amendment.)

UNFINISHED BUSINESS
(Deferred April 11, 1995)

House File 514

The Senate resumed consideration of 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, deferred April 11, 1995.

Senator Fraise offered amendment S—5110 filed by Senators Fraise and Gettings on February 22, 1996, to pages 1-4, 8-12 and the title page of the bill.

Senator Connolly offered amendment S—5552 filed by him from the floor to pages 1-3 of amendment S—5110 and moved its adoption.

Amendment S—5552 was adopted by a voice vote.

Senator Fraise moved the adoption of amendment S—5110 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5110 as amended, the Chair ruled amendment S—3400 filed by Senator Fink on April 12, 1995, to pages 2, 8 and 12 of the bill, out of order.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 514) 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	Murphy	Neuhauser	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Zieman

Nays, none.

Absent or not voting, 2:

Palmer Vilsack

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 2409** and **2230** and **Senate File 2368** 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 March 27, 1996, passed the following bills in which the concurrence of the House was asked:

Senate File 2013, a bill for an act requiring the licensure of respiratory care therapists and creating a board for respiratory care practitioners.

Senate File 2122, a bill for an act relating to unclaimed property held by the state, fraudulent practices to obtain the property, and establishing a penalty.

Senate File 2127, a bill for an act relating to the confidentiality of social security numbers of the owners of unclaimed property.

RECESS

On motion of Senator Horn, the Senate recessed at 11:29 a.m., until 3:00 p.m.

APPENDIX

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 26, 1996. Had I been present, I would have voted "aye" on the following bills:

Senate Files 73 and 2035 and House Files 2316, 2456, 2462, 2229, 2324, 2081, 2001, 2407, 2177, 2397, 2036 and 455.

I would have voted "aye" on the confirmation of governor's appointees Ted R. Chapler and Allan T. Thoms.

MIKE CONNOLLY

MR. PRESIDENT: I was necessarily absent from the Senate chamber due to weather complications on March 25, 1996. Had I been present, I would have voted "aye" on House Files 419, 121, 2107 and 210.

MERLIN E. BARTZ

PRESENTATION OF VISITORS

Senator Jensen introduced Brian Heithoff and Jason Reid, representing the 4th and 5th grade classes of Gunn Elementary School, Council Bluffs, who briefly addressed the Senate about their school fund raisers for the Friends of the Capitol.

They were accompanied by Mrs. Heithoff who presented a check to Senator Jensen in the amount of $2,153.82 for the Capitol restoration project.

The following visitors were present in the Senate gallery:

Sixty fifth grade students from Pleasant View Elementary School, Pleasant Valley, accompanied by Michelle Hoffman. Senators Rittmer and Tinsman.

Thirty-eight eleventh grade students from Underwood Community High School, Underwood, accompanied by Nick Benling, Kathy Knott, Dan Knudtson, Shelley Olberding and Craig Riemersma. Senator Boettger.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5557 to House File 2419 was adopted by the Senate on March 27, 1996.

SHELDON RITTMER

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

South Winn Warriors Boys Basketball Team, Calmar — For winning the 2-A District 5 Championship. Senator Borlaug (3-21-96).

Peter Arling and Kenneth J. Faulhaber, Dubuque — For attaining the rank of Eagle Scout. Senator Connolly (3-25-96).

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 26, 1996, 8:20 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Black, Douglas, Fraise, Hedge, Husak, Lundby, McLaren, Palmer, Sorensen and Zieman.

Members Absent: Banks, Ranking Member; Boswell (excused) and Giannetto.

Committee Business: Hearing on odor control.

Adjourned: 9:00 a.m.

HUMAN RESOURCES

Convened: March 26, 1996, 11:38 a.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Neuhauser and Tinsman.

Members Absent: Kramer and Vilsack (both excused).

Committee Business: Recommended confirmation of governor's appointees.

Adjourned: 11:56 a.m.

JUDICIARY

Convened: March 21, 1996, 2:10 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 House Files 2081 and 2316; deferred action on House File 394.

Recessed: 3:15 p.m.

Reconvened: March 26, 1996, 1:40 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: Recommended confirmation of governor's appointee; deferred action on House File 2436.

Adjourned: 2:05 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: March 26, 1996, 1:37 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: Recommended confirmation of governor's appointees.

Adjourned: 1:43 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: March 26, 1996, 2:07 p.m.

Members Present: Hansen, Chair; Judge, Vice Chair; Zieman, Ranking Member; Bennett, Boettger, Borlaug, Flynn, Giannetto, Kibbie, Maddox, McKean, Sorensen, Szymoniak and Vilsack.

Members Absent: Palmer (excused).

Committee Business: Recommended confirmation of governor's appointees.

Adjourned: 2:16 p.m.

STATE GOVERNMENT

Convened: March 21, 1996, 12:07 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen.

Members Absent: Dearden (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 2153, 2201, 2318 and 2202; recommended passage of House Files 2449 and 2407 as amended.

Recessed: 12:40 p.m.

Reconvened: March 21, 1996, 7:12 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, McLaren and Sorensen.

Members Absent: Connolly and Lundby.

Committee Business: Recommended passage of House File 2387; deferred action on House Joint Resolution 2003.

Recessed: 7:45 p.m.

Reconvened: March 21, 1996, 7:58 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, McLaren and Sorensen.

Members Absent: Bisignano, Connolly (excused) and Lundby.

Committee Business: House Joint Resolution 2003 failed recommendation for passage.

Adjourned: 8:15 p.m.

AMENDMENTS FILED

S—5550	S.F.	2442	House amendment
S—5551	S.F.	2140	House amendment
S—5552	H.F.	514	Mike Connolly
S—5553	H.F.	2256	Patty Judge
S—5554	H.F.	2383	Patty Judge
S—5555	H.F.	2419	Mike Connolly
S—5556	H.F.	2448	Andy McKean Randal J. Giannetto Tom Vilsack
S—5557	H.F.	2419	Mike Connolly
S—5558	S.F.	2184	Patty Judge
S—5559	S.F.	2221	Berl E. Priebe
S—5560	H.F.	2387	Michael E. Gronstal
S—5561	H.F.	2448	Randal J. Giannetto
S—5562	H.F.	428	Tom Flynn Mike Connolly
S—5563	H.F.	2433	John P. Kibbie
S—5564	H.F.	2448	Tom Flynn

AFTERNOON SESSION

The Senate reconvened at 3:05 p.m., Senator Hansen 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 March 27, 1996, passed the following bills in which the concurrence of the House was asked:

Senate File 2235, a bill for an act relating to the use of alternative licensing for nursing facilities and providing for a contingent effective date.

Senate File 2282, a bill for an act relating to the requirement of notifying a consumer of a change in the terms of an open-end credit agreement.

ALSO: That the House has on March 27, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2062, 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, and providing effective and retroactive applicability dates (S—5566).

QUORUM CALL

Senator Fraise 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)

House File 308

On motion of Senator Dearden, House File 308, a bill for an act relating to the election of workers' compensation coverage by

a limited liability company member, with report of committee recommending passage, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Black until he returns on request of Senator Judge.

BUSINESS PENDING

House File 308

The Senate resumed consideration of House File 308.

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. 308) 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.

UNFINISHED BUSINESS CALENDAR

Senate File 2184

On motion of Senator Judge, Senate File 2184, a bill for an act relating to livestock by establishing a council and providing for brands, with report of committee recommending passage, and placed on the Unfinished Business Calendar on March 20, 1996, was taken up for consideration.

Senator Judge offered amendment S—5558 filed by her from the floor to pages 1-4 and the title page of the bill and moved its adoption.

Amendment S—5558 was adopted by a voice vote.

With the adoption of amendment S—5558, the Chair ruled amendment S—5123 filed by Senator Judge on February 26, 1996, to pages 2 and 3 of the bill, out of order.

Senator Judge asked and received unanimous consent that **House File 2390** be **substituted** for **Senate File 2184** as amended.

House File 2390

On motion of Senator Judge, House File 2390, a bill for an act relating to livestock by establishing a council and providing for brands, was taken up for consideration.

Senator Judge offered amendment S—5331 filed by her on March 13, 1996, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5331 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?" (H.F. 2390) 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 as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 308** and **2390** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Ways and Means Calendar)

Senate File 2357

On motion of Senator Rittmer, Senate File 2357, a bill for an act relating to school finance providing for an increase in the amount certified for levy in excess of that previously authorized for bonded indebtedness repayment, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rittmer offered amendment S—5435 filed by the committee on Ways and Means on March 20, 1996, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5435 was adopted by a voice vote.

Senator Rittmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2357) 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 2077

On motion of Senator Fink, Senate File 2077, a bill for an act relating to a property tax exemption for a person who is totally disabled while on active duty with the armed forces of the United States and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Fink offered amendment S—5046 filed by him on February 7, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5046 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. 2077) 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 2452

On motion of Senator Szymoniak, Senate File 2452, a bill for an act relating to the modernization of the vital statistics process and establishing a fee, 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. 2452) 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 2221

The Senate resumed consideration of Senate File 2221, a bill for an act relating to alternate energy production and purchasing requirements, and providing an applicability provision and an effective date, and amendment S—5151 by the committee on Natural Resources, Environment and Energy to strike everything after the enacting clause of the bill, and amendment S—5466 by Senators Fink, et al., to amendment S—5151, previously deferred.

Senator Fink moved the adoption of amendment S—5466 to amendment S—5151, which motion prevailed by a voice vote.

With the adoption of amendment S—5466 to amendment S—5151, the Chair ruled amendment S—5396 by Senator Fink to amendment S—5151, deferred March 19, 1996, out of order.

Senator Priebe offered amendment S—5559 filed by him from the floor to amendment S—5151 and moved its adoption.

Amendment S—5559 was adopted by a voice vote.

Senator Borlaug offered amendment S—5400 filed by Senators Borlaug, et al., on March 19, 1996, to amendment S—5151 and moved its adoption.

Amendment S—5400 was adopted by a voice vote.

Senator Fink moved the adoption of amendment S—5151 as amended, which motion prevailed 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. 2221) 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	Lind	Lundby
Maddox	McKean	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rittmer
Sorensen	Szymoniak	Vilsack	Zieman

Nays, 6:

Banks	Kramer	McLaren	Rensink
Rife	Tinsman		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 26, 1996)

House File 2449

The Senate resumed consideration of House File 2449, a bill for an act setting campaign contribution limits by persons and political committees, addressing independent expenditures on behalf of candidates, employee and member contributions, making penalties applicable, and providing an effective date, and amendment S—5489 by the committee on State Government to strike everything after the enacting clause and to the title page of the bill, deferred March 26, 1996.

Senator Rittmer offered amendment S—5567 filed by him from the floor to page 3 of amendment S—5489 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5567 to amendment S—5489 be adopted?" (H.F. 2449) 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—5567 lost.

Senator McKean withdrew amendment S—5540 filed by him on March 26, 1996, to pages 5 and 6 of amendment S—5489.

Senator McKean offered amendment S—5546 filed by Senators McKean and Halvorson on March 26, 1996, to pages 5 and 6 of amendment S—5489, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5546 to amendment S—5489 be adopted?" (H.F. 2449) the vote was:

Ayes, 42:

Bartz	Bennett	Black	Boettger
Borlaug	Boswell	Connolly	Deluhery
Douglas	Dvorsky	Fink	Flynn
Fraise	Freeman	Giannetto	Gronstal
Halvorson	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rittmer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 8:

Banks	Bisignano	Dearden	Drake
Gettings	Hammond	Rife	Sorensen

Amendment S—5546 was adopted.

Senator Rife offered amendment S—5547 filed by him on March 26, 1996, to page 7 of amendment S—5489.

Senator Gronstal raised the point of order that amendment S—5547 to amendment S—5489 was not germane.

The Chair ruled the point well taken and amendment S—5547 out of order.

Senator Bisignano withdrew amendment S—5541 filed by him on March 26, 1996, to page 7 of amendment S—5489.

Senator Lundby offered amendment S—5543 filed by Senators Lundby and McKean on March 26, 1996, to page 7 of amendment S—5489.

Senator Connolly raised the point of order that amendment S—5543 to amendment S—5489 was not germane.

The Chair ruled the point not well taken and amendment S—5543 in order.

Senator Horn asked and received unanimous consent that action on amendment S—5543 to amendment S—5489, amendment S—5489 and **House File 2449** be **deferred**.

President Boswell took the chair at 5:55 p.m.

HOUSE AMENDMENT CONSIDERED

Senate File 2443

Senator Vilsack called up for consideration Senate File 2443, a bill for an act appropriating funds to the department of economic development, the Iowa finance authority, certain board of regents institutions, the public employment relations board, and the department of employment services, and making related statutory changes, amended by the House, and moved that the Senate concur in House amendment S—5459 filed March 20, 1996.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

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 25, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2423, a bill for an act prohibiting a person from soliciting another person to arrange a sex act with a child and making a penalty applicable.

ALSO: That the House has on March 27, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2449, a bill for an act changing the computation of the inflation factors for the tax brackets and standard deduction under the individual income tax; changing the computation of taxable income of certain subchapter S corporations and their shareholders; increasing inheritance tax exemptions for certain relatives; increasing the amount of the appropriations for homestead credit, military service credit, and low-income credit and reimbursement claims; providing income tax credits for investing in a qualified venture capital company; establishing incentives for family farm animal feeding operations and making an appropriation; adjusting the funding for the family farm and agricultural land tax credits; establishing a study of the property tax system as the sole or major source of local funding and of alternate sources of funding for school, city, and county services, the repayment of bonds or other debt obligations, and capital improvements; and providing effective and applicability date provisions (S—5574).

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2357, 2077, 2452, 2221** and **2443** be **immediately messaged** to the House.

APPENDIX

STUDY BILL RECEIVED

SSB 2349 Ways & Means

Relating to estate issues by modifying certain exemptions and tax rates for inheritance taxes, the jurisdiction of the probate court on certain testamentary trusts, fees payable on certain trusts, and including an applicability provision.

NOTICE OF HEARINGS

Jacquelyne I. Allen appointed by the Governor to the State Racing and Gaming Commission will appear before the Senate State Government Committee on April 3, 1996, at 12:00 noon, Room 22, State Capitol Building.

JIM LIND, Chair
SENATE INVESTIGATING COMMITTEE

Willard "Bill" R. Hansen appointed by the Governor to the State Racing and Gaming Commission will appear before the Senate State Government Committee on April 3, 1996, at 12:00 noon, Room 22, State Capitol Building.

MIKE CONNOLLY, Chair
SENATE INVESTIGATING COMMITTEE

Rita D. Sealock appointed by the Governor to the State Racing and Gaming Commission will appear before the Senate State Government Committee on April 3, 1996, at 12:00 noon, Room 22, State Capitol Building.

MICHAEL E. GRONSTAL, Chair
SENATE INVESTIGATING COMMITTEE

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 2234, a bill for an act relating to exempting certain nonresident aliens from land ownership restrictions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Fink, Giannetto, Halvorson, Lind, McLaren and Sorensen. Nays, none. Absent or not voting, 2: Drake and Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENT

SSB 2349

WAYS AND MEANS: Connolly, Chair; Freeman and Neuhauser

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

COMMERCE

Pursuant to Senate Rule 59, the committee on Commerce assigned to investigate the following governor's appointments, completed its investigations on March 27, 1996, and recommended the appointees be confirmed:

Margaret M. Chadwell and Ernest W. Gilson as members of the Credit Union Review Board.

COMMUNICATIONS AND INFORMATION POLICY

Pursuant to Senate Rule 59, the committee on Communications and Information Policy assigned to investigate the following governor's appointment, completed its investigation on March 27, 1996, and recommended the appointee be confirmed:

Richard H. Opie as a member of the Iowa Telecommunications and Technology Commission.

EDUCATION

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the following governor's appointments, completed its investigations on March 27, 1996, and recommended the appointees be confirmed:

Harriet B. Gottlieb as a member of the Iowa Higher Education Loan Authority.

Marilyn J. Perkins as a member of the School Budget Review Committee.

Susan J. Clouser, Corine A. Hadley, Mary Jean Montgomery and Gene E. Vincent as members of the State Board of Education.

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following governor's appointment, completed its investigation on March 26, 1996, and recommended the appointee be confirmed:

Elizabeth R. Walker as a member of the Board of Parole.

LOCAL GOVERNMENT

Pursuant to Senate Rule 59, the committee on Local Government assigned to investigate the following governor's appointments, completed its investigations on March 27, 1996, and recommended the appointees be confirmed:

Dennis A. Plautz and Nita L. Taggart as members of the City Development Board.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Pursuant to Senate Rule 59, the committee on Small Business, Economic Development and Tourism assigned to investigate the following governor's appointments, completed its investigations on March 27, 1996, and recommended the appointees be confirmed:

Philip C. Smith as Director of the Office for State-Federal Relations.

Joan Y. Phillips and Charese E. Yanney as members of the Iowa Economic Development Board.

John B. Parks, L. Jeanne Partlow and Randolph P. Steig as members of the Iowa Seed Capital Corporation.

Frances S. Fleck and Karla Wright as members of the Small Business Advisory Council.

Paul C. Johnson, Janice K. Laue and Dr. Nancy J. Tomes as members of the Wallace Technology Transfer Foundation of Iowa.

REPORTS OF STANDING COMMITTEES
(Place nominees on Individual Confirmation Calendar)

COMMUNICATIONS AND INFORMATION POLICY

Pursuant to Senate Rule 59, the committee on Communications and Information Policy assigned to investigate the following governor's appointment, completed its investigation on March 27, 1996, and recommended the appointee be confirmed:

Richard H. Opie as Chair of the Iowa Telecommunications and Technology Commission.

EDUCATION

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the following governor's appointment, completed its investigation on March 27, 1996, and recommended the appointee be confirmed:

Roger L. Lande as a member of the State Board of Regents.

AMENDMENTS FILED

S—5565	H.F.	2449	Michael E. Gronstal
S—5566	S.F.	2062	House amendment
S—5567	H.F.	2449	Sheldon Rittmer
S—5568	H.F.	2449	Sheldon Rittmer
S—5569	H.F.	2449	Tony Bisignano
S—5570	S.F.	2450	Merlin E. Bartz
S—5571	H.F.	2331	Tony Bisignano
S—5572	S.F.	2370	Michael E. Gronstal
S—5573	S.F.	2370	Michael E. Gronstal
S—5574	S.F.	2449	House amendment
S—5575	H.F.	2433	Berl E. Priebe
			John P. Kibbie
			Brad Banks
			Bill Fink
			Rod Halvorson
S—5576	H.F.	2449	Berl E. Priebe
S—5577	H.F.	2419	Andy McKean
S—5578	H.F.	2144	Tom Vilsack
			Nancy Boettger
S—5579	S.F.	2370	Patrick J. Deluhery
			Donald B. Redfern
			Michael E. Gronstal
			Tony Bisignano
			JoAnn Douglas
			Tom Flynn
			Merlin E. Bartz
			Mary Lou Freeman
			Mary A. Lundby
			William D. Palmer
			Emil J. Husak
			Steven D. Hansen
			Don Gettings
S—5580	S.F.	2449	William D. Palmer
			Michael E. Gronstal
			Emil J. Husak
S—5581	H.F.	2256	Patty Judge

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:58 p.m., until 9:00 a.m., Thursday, March 28, 1996.

CORRECTION TO THE SENATE JOURNAL OF MONDAY, MARCH 25, 1996

Page 1019, Senator McLaren voted "nay" on Senate Resolution 107.

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 28, 1996

The Senate met in regular session at 9:09 a.m., President Boswell presiding.

Prayer was offered by the Reverend David Ohrt, pastor of the United Methodist Church, Woodward, Iowa.

The Journal of Wednesday, March 27, 1996, 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, 1996, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 122, a concurrent resolution to designate March 29, 1996, Iowa State Flag Day.

This resolution was read first time and assigned to committee on **State Government.**

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

UNFINISHED BUSINESS CALENDAR

Senate File 2180

On motion of Senator Bisignano, Senate File 2180, a bill for

an act expanding the factors that a court and the state department of transportation may consider in ordering the issuance of a temporary restricted license, and providing an effective date, with report of committee recommending passage, and placed on the Unfinished Business Calendar on March 20, 1996, was taken up for consideration.

Senator Bisignano asked and received unanimous consent that **House File 2331** be **substituted for Senate File 2180.**

House File 2331

On motion of Senator Bisignano, House File 2331, a bill for an act expanding the factors that a court and the state department of transportation may consider in ordering the issuance of a temporary restricted license, and providing an effective date, was taken up for consideration.

Senator Bisignano offered amendment S—5571 filed by him on March 27, 1996, to pages 1-3 of the bill and moved its adoption.

Amendment S—5571 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hammond until she arrives on request of Senator Dearden.

BUSINESS PENDING

House File 2331

The Senate resumed consideration of House File 2331.

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. 2331) the vote was:

Ayes, 34:

Bartz	Bisignano	Black	Boswell
Connolly	Dearden	Deluhery	Drake
Dvorsky	Fink	Flynn	Fraise

Freeman	Gettings	Giannetto	Gronstal
Hansen	Hedge	Horn	Husak
Iverson	Judge	Kibbie	Lind
Murphy	Neuhauser	Palmer	Priebe
Rife	Rittmer	Sorensen	Szymoniak
Vilsack	Zieman		

Nays, 13:

Banks	Bennett	Boettger	Borlaug
Douglas	Halvorson	Jensen	Lundby
Maddox	McKean	McLaren	Redfern
Rensink			

Absent or not voting, 3:

Hammond	Kramer	Tinsman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Tinsman and Kramer until they arrive on request of Senator Rife.

UNFINISHED BUSINESS
(Deferred March 27, 1996)

House File 2449

The Senate resumed consideration of House File 2449, a bill for an act setting campaign contribution limits by persons and political committees, addressing independent expenditures on behalf of candidates, employee and member contributions, making penalties applicable, and providing an effective date, and amendment S—5489 by the committee on State Government to strike everything after the enacting clause and to the title page of the bill, and amendment S—5543 by Senators Lundby and McKean to page 7 of amendment S—5489, deferred March 27, 1996.

President pro tempore Bisignano took the chair at 9:37 a.m.

Senator Lundby moved the adoption of amendment S—5543 to amendment S—5489.

A record roll call was requested.

On the question "Shall amendment S—5543 to amendment S—5489 be adopted?" (H.F. 2449) the vote was:

Ayes, 39:

Bartz	Bennett	Black	Boettger
Borlaug	Boswell	Dearden	Deluhery
Douglas	Drake	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Lind	Lundby	Maddox
McKean	McLaren	Murphy	Priebe
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Vilsack	Zieman	

Nays, 8:

Banks	Bisignano	Connolly	Dvorsky
Hansen	Neuhauser	Palmer	Redfern

Absent or not voting, 3:

Hammond	Kramer	Tinsman

Amendment S—5543 was adopted.

President Boswell took the chair at 9:43 a.m.

Senator Bisignano withdrew amendment S—5545 filed by him on March 26, 1996, to page 7 of amendment S—5489.

Senator Gronstal offered amendment S—5565 filed by him on March 27, 1996, to pages 7 and 8 of amendment S—5489 and moved its adoption.

Amendment S—5565 was adopted by a voice vote.

Senator Bisignano offered amendment S—5569 filed by him on March 27, 1996, to page 7 of amendment S—5489.

Senator Hammond raised the point of order that amendment S—5569 to amendment S—5489 was not germane.

The Chair ruled the point not well taken and amendment S—5569 in order.

Senator Bisignano moved the adoption of amendment S—5569 to amendment S—5489, which motion prevailed by a voice vote.

Senator Lundby withdrew amendment S—5582 filed by her from the floor to pages 7 and 8 of amendment S—5489.

Senator Rittmer offered amendment S—5568 filed by him on March 27, 1996, to page 8 of amendment S—5489.

Amendment S—5568 was adopted by a voice vote.

Senator Gronstal offered amendment S—5583 filed by him from the floor to page 8 of amendment S—5489 and moved its adoption.

Amendment S—5583 was adopted by a voice vote.

Senator Priebe withdrew amendment S—5576 filed by him on March 27, 1996, to page 8 of amendment S—5489.

Senator Priebe offered amendment S—5584 filed by him from the floor to page 8 of amendment S—5489 and moved its adoption.

Amendment S—5584 was adopted by a voice vote.

Senator Bartz raised the point of order that amendment S—5489 as amended was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5489 as amended in order.

President pro tempore Bisignano took the chair at 11:19 a.m.

The Senate stood at ease at 12:02 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 12:15 p.m., President pro tempore Bisignano presiding.

BUSINESS PENDING

House File 2449

The Senate resumed consideration of House File 2449.

Senator Gronstal moved the adoption of amendment S—5489 as amended.

A record roll call was requested.

On the question "Shall amendment S—5489 as amended be adopted?" (H.F. 2449) the vote was:

Ayes, 29:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Lundby	Maddox	McKean	Murphy
Neuhauser	Palmer	Priebe	Sorensen
Szymoniak			

Nays, 18:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Lind
McLaren	Redfern	Rensink	Rife
Rittmer	Zieman		

Absent or not voting, 3:

Kramer	Tinsman	Vilsack

Amendment S—5489 as amended was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vilsack until he returns on request of Senator Sorensen.

BUSINESS PENDING

House File 2449

The Senate resumed consideration of House File 2449.

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. 2449) the vote was:

Ayes, 36:

Bennett	Bisignano	Black	Boettger
Boswell	Connolly	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Judge
Kibbie	Lundby	Maddox	McKean
Murphy	Neuhauser	Palmer	Priebe
Rittmer	Sorensen	Szymoniak	Zieman

Nays, 11:

Banks	Bartz	Borlaug	Douglas
Iverson	Jensen	Lind	McLaren
Redfern	Rensink	Rife	

Absent or not voting, 3:

Kramer	Tinsman	Vilsack

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 Files 2331** and **2449** 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 28, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2213, a bill for an act relating to the continued existence of the prevention of disabilities policy council and technical assistance committee and providing an effective date (S—5592).

RECESS

On motion of Senator Horn, the Senate recessed at 12:35 p.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 27, 1996, 2:38 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Douglas, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer and Redfern.

Members Absent: Bartz, Bisignano, Freeman and Priebe (all excused).

Committee Business: Recommended confirmation of governor's appointees.

Adjourned: 2:41 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: March 27, 1996, 1:30 p.m.

Members Present: Dvorsky, Chair; Deluhery, Vice Chair; McLaren, Ranking Member; Flynn, Hansen and Jensen.

Members Absent: Redfern (excused).

Committee Business: Recommended confirmation of and placed governor's appointee Richard H. Opie as chair of ITTC on individual confirmation calendar; recommended confirmation of and placed governor's appointee Richard H. Opie as a member of ITTC on en bloc calendar.

Adjourned: 1:45 p.m.

EDUCATION

Convened: March 27, 1996, 2:04 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 confirmation of governor's appointees.

Adjourned: 2:17 p.m.

LOCAL GOVERNMENT

Convened: March 27, 1996, 1:25 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Halvorson, Judge and Zieman.

Members Absent: Black, Fraise, McKean and Rittmer (all excused).

Committee Business: Recommended confirmation of governor's appointees.

Adjourned: 1:27 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: March 27, 1996, 11:31 a.m.

Members Present: Hansen, Chair; Judge, Vice Chair; Zieman, Ranking Member; Bennett, Boettger, Flynn, Giannetto, Kibbie, Maddox, McKean and Szymoniak.

Members Absent: Borlaug, Palmer, Sorensen and Vilsack (all excused).

Committee Business: Recommended confirmation of governor's appointee.

Adjourned: 11:34 a.m.

STATE GOVERNMENT

Convened: March 27, 1996, 11:30 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, McLaren and Sorensen.

Members Absent: Lundby (excused).

Committee Business: Recommended confirmation of governor's appointees; recommended passage of House File 2234.

Adjourned: 11:55 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 28th day of March, 1995:

Senate Files 2121, 2270, 2336, 2337 and 2363.

JOHN F. DWYER
Secretary of the Senate

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

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 March 26, 1996, and recommended the appointees be confirmed:

A.H. Cooper and Eric C. Seuren as members of the Renewable Fuels and Coproducts Advisory Committee.

SUBCOMMITTEE ASSIGNMENTS

House Concurrent Resolution 119

RULES AND ADMINISTRATION: Gettings, Chair; Husak and Rife

House Concurrent Resolution 122

STATE GOVERNMENT: Fink, Chair; Drake and Halvorson

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-five members of Financial Women International from the States of Iowa, Nebraska and Florida. Senator Deluhery.

Sixty sixth grade students from Nashua-Plainfield, Nashua, accompanied by Mr. Anderson. Senator Borlaug.

Thirty-five seniors from Green Mountain-Garwin School, accompanied by Trent Taylor and Gary Sinclair. Senators Husak and Giannetto.

AMENDMENTS FILED

S—5582	H.F.	2449	Mary Lundby
S—5583	H.F.	2449	Michael E. Gronstal
S—5584	H.F.	2449	Berl E. Priebe
S—5585	H.F.	2350	Don E. Gettings
S—5586	H.F.	2350	Don E. Gettings
S—5587	S.F.	2389	Elaine Szymoniak
S—5588	S.F.	2389	Elaine Szymoniak
S—5589	S.F.	2389	Elaine Szymoniak
S—5590	S.F.	2389	Elaine Szymoniak
S—5591	H.F.	2369	Michael E. Gronstal
S—5592	S.F.	2213	House amendment
S—5593	S.F.	2449	William D. Palmer
			Michael E. Gronstal
S—5594	S.F.	2449	Wayne Bennett
S—5595	H.F.	2350	Don E. Gettings
S—5596	H.F.	2458	Randal J. Giannetto
S—5597	S.F.	2140	Steven D. Hansen
			Jim Lind
S—5598	S.F.	2449	Wayne D. Bennett
S—5599	H.F.	2448	Andy McKean
			Randal J. Giannetto
			Tom Flynn
S—5600	S.F.	2375	House amendment
S—5601	H.F.	2448	Andy McKean

AFTERNOON SESSION

The Senate reconvened at 2:42 p.m., President Boswell presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 47 present, 3 absent and a quorum present.

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 28, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2375, a bill for an act relating to a limitation on qualifications for rebuttable presumptions for nuisance defenses for certain persons classified as chronic violators involved in confinement feeding operations (S—5600).

INTRODUCTION OF BILL

Senate File 2453, by Horn and Rife, a bill for an act relating to boilers and unfired steam pressure vessels by providing for the inspection of certain unfired steam pressure vessels, the procedure for adopting rules, and providing an effective date.

Read first time and **passed on file.**

CONSIDERATION OF BILL
(Regular Calendar)

House File 2433

On motion of Senator Kibbie, House File 2433, a bill for an act relating to the management of waste tires by providing for the establishment of a waste tire management fund, allocation of moneys to facilitate elimination of waste tires and the

establishment of future markets for waste tires, providing for the redirection of the existing fee on certificates of title of motor vehicles, and providing a repeal, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Fink asked and received unanimous consent to withdraw amendment S—5494 filed by the committee on Natural Resources, Environment and Energy on March 21, 1996, to pages 2, 3 and the title page of the bill.

Senator Priebe offered amendment S—5575 filed by Senators Priebe, et al., on March 27, 1996, to pages 2 and 7 of the bill and moved its adoption.

Amendment S—5575 was adopted by a voice vote.

Senator Kibbie offered amendment S—5563 filed by him on March 27, 1996, to page 3 of the bill and moved its adoption.

Amendment S—5563 was adopted by a voice vote.

Senator Husak asked and received unanimous consent that action on **House File 2433** be **deferred.**

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: HOUSE CONCURRENT RESOLUTION 122, a concurrent resolution to designate March 29, 1996, Iowa State Flag Day.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Gronstal, Kibbie, Bennett, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby and McLaren. Nays, none. Absent or not voting, 3: Rittmer, Bisignano and Sorensen.

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 House Concurrent Resolution 122.

House Concurrent Resolution 122

On motion of Senator Fink, House Concurrent Resolution 122, a concurrent resolution to designate March 29, 1996, Iowa State Flag Day, with report of committee recommending passage, was taken up for consideration.

Senator Fink moved the adoption of House Concurrent Resolution 122, which motion prevailed by a voice vote.

HOUSE AMENDMENT CONSIDERED

Senate File 2449

Senator Palmer called up for consideration Senate File 2449, a bill for an act changing the computation of the inflation factors for the tax brackets and standard deduction under the individual income tax; changing the computation of taxable income of certain subchapter S corporations and their shareholders; increasing inheritance tax exemptions for certain relatives; increasing the amount of the appropriations for homestead credit, military service credit, and low-income credit and reimbursement claims; providing income tax credits for investing in a qualified venture capital company; establishing incentives for family farm animal feeding operations and making an appropriation; adjusting the funding for the family farm and agricultural land tax credits; and providing effective and applicability date provisions, amended by the House in House amendment S—5574 filed March 27, 1996.

Senator Bennett offered amendment S—5598 filed by him from the floor to amendment S—5574.

Senator Priebe asked and received unanimous consent that action on amendment S—5598 to House amendment S—5574 be deferred.

Senator Lind asked and received unanimous consent that action on House amendment S—5574 and **Senate File 2449** be **deferred.**

UNFINISHED BUSINESS CALENDAR

Senate File 2370

On motion of Senator Gronstal, Senate File 2370, a bill for an

act relating to energy efficiency programs, electric and gas public utility energy efficiency mandates, and the Iowa energy center and the center for global and regional environmental research, with report of committee on Natural Resources, Environment and Energy recommending amendment and passage on March 19, 1996, and placed on the Unfinished Business Calendar on March 21, 1996, was taken up for consideration.

Senator Gronstal offered amendment S—5417 filed by the committee on Natural Resources, Environment and Energy on March 19, 1996, to page 3 of the bill and moved its adoption.

Amendment S—5417 was adopted by a voice vote.

Senator Deluhery offered amendment S—5183 filed by Senators Deluhery, Lundby and Gronstal on March 5, 1996, to pages 3 and 4 of the bill and moved its adoption.

Amendment S—5183 was adopted by a voice vote.

Senator Gronstal offered amendment S—5573 filed by him on March 27, 1996, to page 3 of the bill and moved its adoption.

Amendment S—5573 was adopted by a voice vote.

Senator Deluhery offered amendment S—5579 filed by Senators Deluhery, et al., on March 27, 1996, to pages 3 and 5 of the bill.

President pro tempore Bisignano took the chair at 4:25 p.m.

Senator Kibbie offered amendment S—5603 filed by Senators Kibbie, et al., from the floor to amendment S—5579.

President Boswell took the chair at 5:00 p.m.

Senator Horn asked and received unanimous consent that action on amendment S—5603 to amendment S—5579, amendment S—5579 and **Senate File 2370** be **deferred.**

BUSINESS PENDING

Senate File 2449

The Senate resumed consideration of Senate File 2449, a bill for an act changing the computation of the inflation factors for the tax brackets and standard deduction under the individual

income tax; changing the computation of taxable income of certain subchapter S corporations and their shareholders; increasing inheritance tax exemptions for certain relatives; increasing the amount of the appropriations for homestead credit, military service credit, and low-income credit and reimbursement claims; providing income tax credits for investing in a qualified venture capital company; establishing incentives for family farm animal feeding operations and making an appropriation; adjusting the funding for the family farm and agricultural land tax credits; and providing effective and applicability date provisions, House amendment S—5574, and amendment S—5598 by Senator Bennett to House amendment S—5574, previously deferred.

Senator Priebe offered amendment S—5609 filed by him from the floor to amendment S—5598 to House amendment S—5574.

Senator Iverson raised the point of order that amendment S—5609 to amendment S—5598 to House amendment S—5574 was not germane.

The Chair ruled the point not well taken and amendment S—5609 in order.

Senator Priebe moved the adoption of amendment S—5609 to amendment S—5598 to House amendment S—5574 and requested a record roll call.

On the question "Shall amendment S—5609 to amendment S—5598 to House amendment S—5574 be adopted?" (S.F. 2449) the vote was:

Ayes, 5:

Gettings	Giannetto	Hedge	Kibbie
Priebe			

Nays, 45:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Iverson	Jensen	Judge	Kramer
Lind	Lundby	Maddox	McKean

McLaren	Murphy	Neuhauser	Palmer
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Amendment S—5609 lost.

Senator Bartz offered amendment S—5610 filed by him from the floor to amendment S—5598 to House amendment S—5574, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5610 to amendment S—5598 to House amendment S—5574 be adopted?" (S.F. 2449) the vote was:

Ayes, 35:

Bartz	Bisignano	Black	Boettger
Boswell	Connolly	Dearden	Deluhery
Douglas	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Jensen	Judge	Kibbie	Lind
Lundby	Maddox	McKean	Murphy
Neuhauser	Palmer	Redfern	Sorensen
Szymoniak	Vilsack	Zieman	

Nays, 14:

Banks	Bennett	Borlaug	Drake
Giannetto	Hedge	Iverson	Kramer
McLaren	Priebe	Rensink	Rife
Rittmer	Tinsman		

Absent or not voting, 1:

Dvorsky

Amendment S—5610 was adopted.

Senator Bennett moved the adoption of amendment S—5598 as amended to House amendment S—5574 and requested a record roll call.

On the question "Shall amendment S—5598 as amended to House amendment S—5574 be adopted?" (S.F. 2449) 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
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Priebe	Redfern	Rensink
Rife	Rittmer	Tinsman	Zieman

Nays, 25:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Judge	Kibbie	Murphy
Neuhauser	Palmer	Sorensen	Szymoniak
Vilsack			

Absent or not voting, 1:

Dvorsky

Amendment S—5598 as amended lost.

Senator Palmer offered amendment S—5580 filed by Senators Palmer, Gronstal and Husak on March 27, 1996, to House amendment S—5574.

Senator Palmer offered amendment S—5593 filed by Senators Palmer and Gronstal from the floor to amendment S—5580 to House amendment S—5574.

Senator Iverson raised the point of order that amendment S—5593 was not germane to amendment S—5580.

The Chair ruled the point not well taken and amendment S—5593 in order.

Senator Bartz asked and received unanimous consent that action on amendment S—5593 to amendment S—5580 to House amendment S—5574 be deferred.

Senator Bartz withdrew his request to defer.

Senator Palmer moved the adoption of amendment S—5593 to amendment S—5580 to House amendment S—5574.

A record roll call was requested.

On the question "Shall amendment S—5593 to amendment S—5580 to House amendment S—5574 be adopted?" (S.F. 2449) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Bartz	Bennett	Bisignano	Black
Connolly	Dearden	Deluhery	Dvorsky
Fink	Flynn	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Kibbie	Lundby	Murphy	Neuhauser
Palmer	Szymoniak	Vilsack	

Nays, 26:

Banks	Boettger	Borlaug	Boswell
Douglas	Drake	Fraise	Freeman
Gettings	Hedge	Husak	Iverson
Jensen	Judge	Lind	Maddox
McKean	McLaren	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Tinsman	Zieman		

Absent or not voting, 1:

Kramer

Amendment S—5593 lost.

The Chair ruled amendment S—5594 filed by Senator Bennett from the floor to amendment S—5580 to House amendment S—5574, out of order.

Senator Murphy asked and received unanimous consent to withdraw amendment S—5602 filed by Senators Murphy, Bennett and Gronstal from the floor to amendment S—5580 to House amendment S—5574.

Senator Palmer moved the adoption of amendment S—5580 to House amendment S—5574, which motion prevailed by a voice vote.

Senator Palmer 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 Palmer 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. 2449) the vote was:

Ayes, 30:

Bartz	Black	Boswell	Connolly
Dearden	Deluhery	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Judge	Kibbie	Murphy	Neuhauser
Palmer	Priebe	Rittmer	Sorensen
Szymoniak	Vilsack		

Nays, 19:

Banks	Bennett	Bisignano	Boettger
Borlaug	Douglas	Hedge	Iverson
Jensen	Lind	Lundby	Maddox
McKean	McLaren	Redfern	Rensink
Rife	Tinsman	Zieman	

Absent or not voting, 1:

Kramer

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 Concurrent Resolution 122** and **Senate File 2449** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2370

The Senate resumed consideration of Senate File 2370, a bill for an act relating to energy efficiency programs, electric and gas public utility energy efficiency mandates, and the Iowa energy center and the center for global and regional environmental research, amendment S—5579 by Sentaors Deluhery, et al., to pages 3 and 5 of the bill and amendment S—5603 by Senators Kibbie, et al., to amendment S—5579, previously deferred.

Senator Kibbie moved the adoption of amendment S—5603 to amendment S—5579 and requested a record roll call.

On the question "Shall amendment S—5603 to amendment S—5579 be adopted?" (S.F. 2370) the vote was:

Ayes, 13:

Bennett	Black	Freeman	Halvorson
Horn	Iverson	Jensen	Kibbie
McKean	McLaren	Murphy	Sorensen
Zieman			

Nays, 36:

Banks	Bartz	Bisignano	Boettger
Borlaug	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Hammond	Hansen
Hedge	Husak	Judge	Lind
Lundby	Maddox	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Szymoniak	Tinsman	Vilsack

Absent or not voting, 1:

Kramer

Amendment S—5603 lost.

Senator Deluhery moved the adoption of amendment S—5579, which motion prevailed by a voice vote.

Senator Gronstal offered amendment S—5572 filed by him from the floor to page 3 of the bill and requested a division: lines 2-4 as division S—5572A and lines 5-12 as division S—5572B.

Senator Gronstal withdrew division S—5572A.

Senator Gronstal moved the adoption of division S—5572B, which motion prevailed by a voice vote.

Senator Halvorson offered amendment S—5605 filed by him from the floor to page 5 and the title page of the bill.

Senator Lind raised the point of order that amendment S—5605 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5605 out of order.

Senator Gronstal withdrew amendment S—5481 filed by him on March 21, 1996, to page 5 of the bill.

Senator Fink offered amendment S—5608 filed by Senators Fink, et al., from the floor to pages 1, 4, 5, 7 and the title page of the bill.

Senator Lind raised the point of order that amendment S—5608 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5608 out of order.

Senator Halvorson withdrew amendment S—5612 filed by him from the floor to page 1 and the title page of the bill.

Senator Lundby asked and received unanimous consent to withdraw amendment S—5607 filed by Senators Lundby, Horn and McKean from the floor to pages 2, 7 and the title page of the bill.

Senator Lundby offered amendment S—5611 filed by Senators Lundby, McKean and Dvorsky from the floor to pages 2, 7 and the title page of the bill.

Senator Lind raised the point of order that amendment S—5611 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5611 out of order.

Senator Black asked and received unanimous consent that action on **Senate File 2370** be **deferred.**

BUSINESS PENDING

House File 2433

The Senate resumed consideration of House File 2433, a bill for an act relating to the management of waste tires by providing for the establishment of a waste tire management fund, allocation of moneys to facilitate elimination of waste tires and the establishment of future markets for waste tires, providing for the redirection of the existing fee on certificates of title of motor vehicles, and providing a repeal, previously deferred.

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. 2433) 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	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Kramer	Tinsman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Horn asked and received unanimous consent that

Senate Files 2184, 2247 and **2362** be **withdrawn** from further consideration of the Senate.

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Horn asked and received unanimous consent that the following bills on the Regular Calendar be placed on the Unfinished Business Calendar:

House Files 511, 2144, 230, 2109, 2050, 2308, 2113, 2306, 2350, 2369, 2383, 2412, 2427, 2234 and 2387.

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 28, 1996, **insisted on** its amendment to **Senate File 2443**, a bill for an act appropriating funds to the department of economic development, the Iowa finance authority, certain board of regents institutions, the public employment relations board, and the department of employment services, and making related statutory changes, and that the members of the **Conference Committee** on part of the House are: The Representative from Polk, Mr. Churchill, Chair; the Representative from Polk, Mr. Baker; the Representative from Hamilton, Mr. Teig; the Representative from Scott, Mr. Van Fossen; the Representative from Lee, Mr. Wise.

INTRODUCTION OF BILLS

Senate File 2454, by committee on Ways and Means, a bill for an act relating to the time and the criteria for filing of claims for refund under the state individual income tax by retired federal employees as a result of the unconstitutional taxation of federal pensions and appropriating moneys to pay refund claims and providing an effective date.

Read first time and **placed on Ways and Means Calendar.**

Senate File 2455, by committee on Ways and Means, a bill for an act relating to the administration of taxes; electronic filing of tax returns and payments; imposition of the penalty for willfully filing a false claim for refund; low income, elderly, and disabled property tax credit filing and certification dates; computation of

the real estate transfer tax; repeal of obsolete property tax provision; and providing effective and retroactive applicability dates.

Read first time and **placed on Ways and Means Calendar.**

Senate File 2456, by committee on Ways and Means, a bill for an act exempting from the county property tax limitation revenues deposited in the local emergency management fund and providing effective and applicability dates.

Read first time and **placed on Ways and Means Calendar.**

Senate File 2457, by committee on Ways and Means, a bill for an act relating to single-family residential construction and by establishing a mediation process providing consumer remedies, and providing for related matters.

Read first time and **placed on Ways and Means Calendar.**

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 2443** on the part of the Senate: Senators Vilsack, Chair; Hansen, Bisignano, Borlaug and McLaren.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 2433** be **immediately messaged** to the House.

APPENDIX

BILL ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bill to committee:

S.F. 2453 State Government

STUDY BILLS RECEIVED

SSB 2350 Appropriations

Relating to the establishment of the rebuild Iowa financing program and a revolving loan fund, and authorizing the Iowa finance authority to issue bonds and lend the proceeds to certain political subdivisions to finance infrastructure projects.

SSB 2351 Appropriations

Relating to the establishment of innovation zones to provide services to children and families at the local level and making an appropriation.

SSB 2352 Appropriations

Relating to the performance of a study of the feasibility of the establishment of a managed care system for elders who are eligible for assistance under the medical assistance program and providing for the possible establishment of a pilot project.

SSB 2353 Appropriations

Relating to risk-based inspections of health care facilities.

SUBCOMMITTEE ASSIGNMENTS

SSB 2350

APPROPRIATIONS: Neuhauser, Chair; Douglas, Gronstal, Halvorson and McLaren

SSB 2351

APPROPRIATIONS: Neuhauser, Chair; Hammond and Tinsman

SSB 2352

APPROPRIATIONS: Neuhauser, Chair; Gronstal and McLaren

SSB 2353

APPROPRIATIONS: Neuhauser, Chair; Gronstal and McLaren

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: HOUSE FILE 2366, a bill for an act relating to entities and subject matter under the regulatory authority of the division of insurance, including prearranged funeral contracts, cemeteries, residential service contracts, and business opportunities, and establishing fees.

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: SENATE FILE 2454 (SSB 2348), a bill for an act relating to the time and the criteria for filing of claims for refund under the state individual income tax by retired federal employees as a result of the unconstitutional taxation of federal pensions and appropriating moneys to pay refund claims and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Palmer, Husak, Bennett, Drake, Freeman, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, 3: Hedge, Iverson and McLaren. Absent or not voting, 2: Connolly and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2455 (SSB 2313), a bill for an act relating to the administration of taxes; electronic filing of tax returns and payments; imposition of the penalty for willfully filing a false claim for refund; low income, elderly, and disabled property tax credit filing and certification dates; computation of the real estate transfer tax; repeal of obsolete property tax provision; and providing effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none. Absent or not voting, 1: Husak.

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 2455 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2456 (SSB 2189), a bill for an act exempting from the county property tax limitation revenues deposited in the local emergency management fund 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.

ALSO:

Final Bill Action: *SENATE FILE 2457 (SSB 2237), a bill for an act relating to single-family residential construction and by requiring a bond and a cash set aside, providing consumer remedies, providing for related matters, and providing for the applicability of the Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Husak, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, Murphy, Neuhauser, Szymoniak and Vilsack. Nays, 2: Bennett and McLaren. Pass, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2457 and they were attached to the committee report.

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

WAYS AND MEANS

Pursuant to Senate Rule 59, the committee on Ways and Means assigned to investigate the following governor's appointments, completed its investigations on March 28, 1996, and recommended the appointees be confirmed:

Fred E. McKim, Jr. and Emil S. Pavich as members of the Iowa Railway Finance Authority.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty fifth grade students from Cody Elementary School, Pleasant Valley, accompanied by Sonia Vogel, Kity Miller, Dave Langtimm and Joel Hake. Senators Rittmer and Tinsman.

Thirteen seventh and eighth grade students from Pine Grove Mennonite School, Chester, accompanied by Mary Nightengale. Senator Borlaug.

AMENDMENTS FILED

S—5602	S.F.	2449	Larry Murphy
			Wayne Bennett
			Michael E. Gronstal
S—5603	S.F.	2370	John P. Kibbie
			Dennis H. Black
			John W. Jensen
			Stewart Iverson, Jr.
			Albert G. Sorensen
			Berl E. Priebe
			Mary Lou Freeman
			Derryl McLaren
S—5604	S.F.	2389	O. Gene Maddox
S—5605	S.F.	2370	Rod Halvorson
S—5606	S.F.	2140	Rod Halvorson
S—5607	S.F.	2370	Mary Lundby
			Wally E. Horn

			Andy McKean
S—5608	S.F.	2370	Bill Fink
			Mary Lou Freeman
			Mary A. Lundby
			Rodney Halvorson
			Berl E. Priebe
			Robert E. Dvorsky
			Mike Connolly
			Allen Borlaug
S—5609	S.F.	2449	Berl E. Priebe
S—5610	S.F.	2449	Merlin E. Bartz
S—5611	S.F.	2370	Mary Lundby
			Andy McKean
			Robert E. Dvorsky
S—5612	S.F.	2370	Rod Halvorson

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 7:50 p.m., until 1:30 p.m., Monday, April 1, 1996.

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 1, 1996

The Senate met in regular session at 1:48 p.m., President Boswell presiding.

Prayer was offered by Father Donald Schmitt, pastor of the St. Athanasius Catholic Church, Jesup, Iowa.

The Journal of Thursday, March 28, 1996, 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 March 28, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2446, a bill for an act relating to agriculture and natural resources, by providing for appropriations, providing related statutory changes, and providing effective dates (S—5613).

The Senate stood at ease at 2:06 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 2:10 p.m., President Boswell presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

President pro tempore Bisignano took the chair at 2:13 p.m.

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:

H.F.	61	Judiciary
H.F.	135	Judiciary
H.F.	166	Agriculture
H.F.	345	Judiciary
H.F.	2366	Commerce

UNFINISHED BUSINESS
(Deferred March 27, 1996)

House File 2419

The Senate resumed consideration of House File 2419, a bill for an act relating to transportation by granting the state department of transportation condemnation rights for utility facility replacement, requiring sixty day property payments, requiring certain criteria be adopted by administrative rule, modifying certain damage disclosure statement requirements, providing for entry onto private property for sounding and drilling, exempting operators of trucks hauling cement from certain regulations, and relating to the disposal of abandoned vehicles, and providing for release of retained funds for public improvements, deferred March 27, 1996.

Senator McKean offered amendment S—5577 filed by him on March 27, 1996, to page 3 of the bill and moved its adoption.

Amendment S—5577 was adopted by a voice vote.

Senator Rittmer withdrew the motion to reconsider the vote by which amendment S—5557 to House File 2419 was adopted by the Senate on March 27, 1996, filed by him on March 27, 1996, and found on page 1086 of the Senate Journal.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fraise until he arrives on request of Senator Sorensen.

BUSINESS PENDING

House File 2419

The Senate resumed consideration of House File 2419.

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. 2419) the vote was:

Ayes, 49:

Banks	Bartz	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	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:

Fraise

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 2306

On motion of Senator Fink, House File 2306, a bill for an act relating to the regulation of motorboats on certain artificial lakes, and providing an effective date, with report of committee

recommending amendment and passage, and placed on the Unfinished Business Calendar on March 28, 1996, was taken up for consideration.

Senator Fink offered amendment S—5497 filed by the committee on Natural Resources, Environment and Energy on March 21, 1996, to page 1 and the title page of the bill and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 26, nays 22.

Amendment S—5497 was adopted.

Senator Fink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2306) the vote was:

Ayes, 31:

Bisignano	Borlaug	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Horn
Husak	Judge	Kibbie	Lundby
Maddox	McKean	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rittmer
Sorensen	Szymoniak	Vilsack	

Nays, 18:

Banks	Bartz	Bennett	Black
Boettger	Douglas	Drake	Hansen
Hedge	Iverson	Jensen	Kramer
Lind	McLaren	Rensink	Rife
Tinsman	Zieman		

Absent or not voting, 1:

Fraise

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 2308

On motion of Senator Banks, House File 2308, a bill for an act relating to asbestos removal and encapsulation, with report of committee recommending passage, and placed on the Unfinished Business Calendar on March 28, 1996, 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?" (H.F. 2308) the vote was:

Ayes, 49:

Banks	Bartz	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	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:

Fraise

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2350

On motion of Senator Gettings, House File 2350, a bill for an act relating to motor vehicle dimensional and weight requirements and certificates of title for commercial vehicles, with report of

committee recommending amendment and passage, and placed on the Unfinished Business Calendar on March 28, 1996, was taken up for consideration.

Senator Gettings offered amendment S—5482 filed by the committee on Transportation on March 21, 1996, to pages 1 and 3 of the bill and moved its adoption.

Amendment S—5482 was adopted by a voice vote.

Senator Gettings offered amendment S—5585 filed by him on March 28, 1996, to page 3 and the title page of the bill and moved its adoption.

Amendment S—5585 was adopted by a voice vote.

Senator Gettings offered amendment S—5586 filed by him on March 28, 1996, to page 3 and the title page of the bill.

Senator Gettings offered amendment S—5595 filed by him on March 28, 1996, to amendment S—5586 and moved its adoption.

Amendment S—5595 was adopted by a voice vote.

Senator Gettings moved the adoption of amendment S—5586 as amended, which motion prevailed 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. 2350) the vote was:

Ayes, 48:

Banks	Bartz	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	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:

Fraise Murphy

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 2:55 p.m.

Senate File 2173

On motion of Senator Neuhauser, Senate File 2173, a bill for an act relating to the motor vehicle fuel tax law and providing effective and retroactive applicability dates, and placed on the Unfinished Business Calendar on March 21, 1996, was taken up for consideration.

Senator Neuhauser offered amendment S—5084 filed by her on February 19, 1996, to page 4 of the bill and moved its adoption.

Amendment S—5084 was adopted by a voice vote.

Amendment S—5098 filed by Senator Bartz on February 22, 1996, to page 3 of the bill was out of order.

Senator Neuhauser asked and received unanimous consent that **House File 2140** be **substituted** for **Senate File 2173** as amended.

House File 2140

On motion of Senator Neuhauser, House File 2140, a bill for an act relating to the motor vehicle fuel tax law and providing effective and retroactive applicability dates, was taken up for consideration.

Senator Bartz asked and received unanimous consent that action on amendment S—5389 filed by him on March 18, 1996, to page 3 of the bill be deferred.

Senator Bartz offered amendment S—5346 filed by him on March 14, 1996, to page 3 of the bill.

Senator Bisignano asked and received unanimous consent that action on amendment S—5346 and **House File 2140** be **deferred.**

SPECIAL GUESTS

Senator Boswell welcomed the following delegation of parliamentarians from Stavropol Krai, who were present in the Senate Chamber:

Yury A. Gontar, Deputy Chairman, Stavropol Regional State Duma; Tatyana D. Gabitova, Chairman, Committee on Social Policy, (SRSD); Victor A. Cherepanov, Chairman Audit-Accounting Committee, (SRSD) and Victor P. Khloponya, Chairman, Legislative and Jurisdictional Committee, (SRSD).

They were accompanied by interpreter Olga Strokova, PH.D. from Iowa State University.

Senators Horn and Rife extended their welcome and expressed pleasure at the exchange program which encourages learning and understanding of each one's culture, people and government.

Senator Boswell invited Senators Horn and Rife to the well and Senators McLaren and Neuhauser escorted the guests to the well where Senator Szymoniak presented the individuals who addressed the Senate.

The parliamentarians said they felt very much at home and noted the similarities between Stavropol and Iowa. They spoke of its growth and hoped contributions would strengthen relationships.

A flag of Stavropol was recently established and the delegation presented a flag to President Boswell and also an ornate and decorative vase.

Each of the parliamentarians were presented an Iowa Official Register signed by all fifty members of the Senate.

BUSINESS PENDING

House File 2140

The Senate resumed consideration of House File 2140, and amendment S—5346 by Senator Bartz to page 3 of the bill, previously deferred.

Senator Bartz moved the adoption of amendment S—5346.

A non record roll call was requested.

The ayes were 18, nays 27.

Amendment S—5346 lost.

Senator Bartz withdrew amendment S—5389 by him to page 3 of the bill, previously deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kramer until she returns on request of Senator Bartz.

BUSINESS PENDING

House File 2140

The Senate resumed consideration of House File 2140.

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. 2140) 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.

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 1, 1996, passed the following bills in which the concurrence of the House was asked:

Senate File 2110, a bill for an act relating to the establishment of an anatomical gift public awareness and transplantation fund to be administered by and an anatomical gift public awareness advisory committee to be established within the Iowa department of public health.

Senate File 2155, a bill for an act to adjust the jurisdictional amount for municipal infractions tried before a judge in district court.

Senate File 2165, a bill for an act relating to the hunting season for ungulates on a hunting preserve and providing an effective date.

Senate File 2167, a bill for an act relating to prohibiting the assault of a health care provider and providing penalties.

Senate File 2212, a bill for an act relating to the regulation of timber sales and surety bonds paid by timber buyers and providing an effective date.

Senate File 2252, a bill for an act relating to the number and apportionment of district associate judges, and providing an effective date.

Senate File 2299, a bill for an act relating to reserve peace officers obtaining or renewing professional permits to carry weapons.

Senate File 2323, a bill for an act relating to pharmacy technician designation, registration and fees, delegation of duties, and disciplinary action.

Senate File 2352, 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.

ALSO: That the House has on April 1, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2154, a bill for an act increasing the penalties for certain offenses involving methamphetamine (S—5614).

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 2419, 2306, 2308, 2350** and **2140** 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:

Ruth A. Daggett and Dr. Laine D. Dvorak as members of the Board of Physician Assistant Examiners.

Dennis A. Plautz as a member of the City Development Board.

Cynthia P. Snell as a member of the Commission on Judicial Qualifications.

Lumir E. Dostal, Jr. as a member of the County Finance Committee.

Ernest W. Gilson as a member of the Credit Union Review Board.

Harrison Weber as a member of the Employment Appeal Board.

Charese E. Yanney as a member of the Iowa Economic Development Board.

Carolyn A. Roberts as a member of the Iowa Grain Indemnity Fund Board.

Dana R. Peterson as a member of the Iowa Law Enforcement Academy Council.

Richard H. Opie as a member of the Iowa Telecommunications and Technology Commission.

Senator Horn moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the votes were:

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 appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

UNFINISHED BUSINESS CALENDAR

Senate File 2422

On motion of Senator Hansen, Senate File 2422, a bill for an act removing the requirement that a corporation which has adopted a corporate seal affix the seal to all documents affecting

real estate executed by the corporation, and placed on the Unfinished Business Calendar on March 20, 1996, was taken up for consideration.

Senator Hansen offered amendment S—5233 filed by him on March 6, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5233 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. 2422) 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.

HOUSE AMENDMENT CONSIDERED

Senate File 2062

Senator Bartz called up for consideration Senate File 2062, 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, and providing effective and retroactive applicability dates, amended by the House, and moved that the Senate concur in House amendment S—5566 filed March 27, 1996.

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. 2062) 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.

UNFINISHED BUSINESS CALENDAR

House File 2113

On motion of Senator Black, House File 2113, a bill for an act providing for a permanent registration plate for motor trucks and

truck tractors licensed pursuant to multistate registration, with report of committee recommending passage, and placed on the Unfinished Business Calendar on March 28, 1996, 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. 2113) 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	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Kramer	Rife	Rittmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 1, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2367, a bill for an act providing for the payment of outdated invoices by the agency to which the goods or services were provided, and by the department of revenue and finance, and providing an effective date.

ALSO: That the House has on April 1, 1996, **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 2449, a bill for an act changing the computation of the inflation factors for the tax brackets and standard deduction under the individual income tax; changing the computation of taxable income of certain subchapter S corporations and their shareholders; increasing inheritance tax exemptions for certain relatives; increasing the amount of the appropriations for homestead credit, military service credit, and low-income credit and reimbursement claims; providing income tax credits for investing in a qualified venture capital company; establishing incentives for family farm animal feeding operations and making an appropriation; adjusting the funding for the family farm and agricultural land tax credits; establishing a study of the property tax system as the sole or major source of local funding and of alternate sources of funding for school, city, and county services, the repayment of bonds or other debt obligations, and capital improvements; and providing effective and applicability date provisions.

ALSO: That the House has on April 1, 1996, **refused to concur** in the Senate amendment as amended to the following bill in which the concurrence of the House was asked:

House File 2416, 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.

ALSO: That the House has on April 1, 1996, **refused to concur** in the Senate amendment to the House amendment to the following bill in which the concurrence of the House was asked:

House File 2472, a bill for an act relating to and making appropriations to the justice system and providing effective dates.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 2422** and **House File 2113** be **immediately messaged** to the House and to send an immediate message to the House on **Senate File 2062.**

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Giannetto called up the appointment of Muriel E. Allan as a member of the Commission of Veterans Affairs, placed on the Individual Confirmation Calendar on February 21, 1995, found on page 407 of the Senate Journal and deferred by Senate Resolution 13 on April 12, 1995.

Senator Giannetto 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	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 appointee having received a two-thirds was declared to have been confirmed by the Senate.

Senator Giannetto called up the appointment of Gail K. Danilson as a member of the Commission of Veterans Affairs, placed on the Individual Confirmation Calendar on February 21, 1995, found on page 407 of the Senate Journal and deferred by Senate Resolution 13 on April 12, 1995.

Senator Giannetto 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	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 appointee having received a two-thirds was declared to have been confirmed by the Senate.

Senator Giannetto called up the appointment of Mildred R. Dawson as a member of the Commission of Veterans Affairs, placed on the Individual Confirmation Calendar on February 21, 1995, found on page 407 of the Senate Journal and deferred by Senate Resolution 13 on April 12, 1995.

Senator Giannetto 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	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 appointee having received a two-thirds was declared to have been confirmed by the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 2375

Senator Bisignano called up for consideration Senate File 2375, a bill for an act relating to a limitation on qualifications for rebuttable presumptions for nuisance defenses for certain persons classified as chronic violators involved in confinement feeding operations, amended by the House, and moved that the Senate concur in House amendment S—5600 filed March 28, 1996.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Bisignano 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. 2375) 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.

CONSIDERATION OF BILL
(Ways and Means)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 2455.

Senate File 2455

On motion of Senator Neuhauser, Senate File 2455, a bill for an act relating to the administration of taxes; electronic filing of tax returns and payments; imposition of the penalty for willfully filing a false claim for refund; low income, elderly, and disabled property tax credit filing and certification dates; computation of the real estate transfer tax; repeal of obsolete property tax provision; and providing effective and retroactive applicability dates, was taken up for consideration.

Senator Bartz asked and received unanimous consent that action on **Senate File 2455** be **deferred.**

UNFINISHED BUSINESS CALENDAR

House File 2144

On motion of Senator Vilsack, House File 2144, a bill for an act relating to the payment by third parties of physician assistants and advanced registered nurse practitioners, with report of committee recommending passage, and placed on the Unfinished Business Calendar on March 28, 1996, was taken up for consideration.

Senator Vilsack offered amendment S—5342 filed by Senators Vilsack and Boettger on March 13, 1996, to page 2 of the bill.

Senator Vilsack asked and receive unanimous consent to withdraw amendment S—5544 filed by Senators Vilsack and Boettger on March 26, 1996, to amendment S—5342.

Senator Vilsack offered amendment S—5578 filed by him on March 27, 1996, to amendment S—5342 and moved its adoption.

Amendment S—5578 was adopted by a voice vote.

Senator Vilsack moved the adoption of amendment S—5342 as amended, which motion prevailed by a voice vote.

(Action on **House File 2144** was **deferred** for preparation of an amendment).

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 2456.

Senate File 2456

On motion of Senator Neuhauser, Senate File 2456, a bill for an act exempting from the county property tax limitation revenues deposited in the local emergency management fund and providing effective and applicability 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. 2456) 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.

BUSINESS PENDING

House File 2144

The Senate resumed consideration of House File 2144, previously deferred.

Senator Lind offered amendment S—5616 filed by him from the floor to pages 1 and 2 of the bill.

Senator Vilsack raised the point of order that amendment S—5616 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5616 out of order.

President pro tempore Bisignano took the chair at 4:53 p.m.

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. 2144) 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	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Lind	Lundby
Maddox	McKean	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 1:

Drake

Voting present, 1:

Kramer

Absent or not voting, 1:

McLaren

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 2260

Senator Fraise called up for consideration Senate File 2260, a bill for an act relating to soil and water conservation, by providing for the powers and duties of commissioners of soil and water conservation districts, and soil and water conservation practices, amended by the House in House amendment S—5479 filed March 21, 1996.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Borlaug for the remainder of the day on request of Senator Jensen.

BUSINESS PENDING

Senate File 2260

The Senate resumed consideration of Senate File 2260.

Senator Fraise moved that the Senate concur in House amendment S—5479.

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. 2260) 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	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Borlaug	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 2213

Senator Szymoniak called up for consideration Senate File 2213, a bill for an act relating to the continued existence of the prevention of disabilities policy council and technical assistance committee and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—5592 filed March 2, 1996.

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. 2213) 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 INSISTS

House File 2472

Senator Fraise called up for consideration House File 2472, a bill for an act relating to and making appropriations to the justice system and providing effective dates, and moved that the Senate insist on its amendment.

A record roll call was requested.

On the question "Shall the motion to insist be adopted?" (H.F. 2472) the vote was:

Ayes, 28:

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	Sorensen	Szymoniak	Vilsack

Nays, 21:

Banks	Bartz	Bennett	Boettger
Douglas	Drake	Freeman	Hedge
Iverson	Jensen	Kramer	Lind
Maddox	McKean	McLaren	Redfern
Rensink	Rife	Rittmer	Tinsman
Zieman			

Absent or not voting, 1:

Borlaug

The motion prevailed and the Senate **insisted on** its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 2472** on the part of the Senate: Senators Fraise, Chair; Dvorsky, Husak, Redfern and Iverson.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 2472** be **immediately messaged** to the House and to send an immediate message to the House on **Senate Files 2375, 2260** and **2213.**

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 1, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2147, a bill for an act increasing the membership of the Iowa telecommunications and technology commission (S—5615).

INTRODUCTION OF RESOLUTIONS

Senate Resolution 108, by committee on Rules and Administration, a resolution commemorating the visit of the delegation of parliamentarians from the Stavropol Krai and recognizing the contributions of the parliamentarians to strengthen relations between the Iowa State Senate and the Stavropol Regional State Duma.

Read first time and **placed on calendar.**

Senate Concurrent Resolution 117, by Kramer, a concurrent resolution designating the week of April 14 through April 21, 1996, as Days of Remembrance of the Victims of the Holocaust.

Read first time and **passed on file.**

SENATE INSISTS

House File 2416

Senator Judge called up for consideration House File 2416, 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, 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 **House File 2416** on the part of the Senate: Senators Judge, Chair; Sorensen, Halvorson, Bartz and Lundby.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 2416** be **immediately messaged** to the House.

APPENDIX

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following governor's appointments, completed its investigations on March 27 and 28, 1996, and recommended the appointees be confirmed:

Dorothy R. Dunphy and Paul S. Stave as members of the Accoutancy Examining Board.

Robert L. Cramer and Dick C. Stoffer as members of the Alcoholic Beverages Commission.

Gwendolyn L. Ecklund, Gordon E. Mills and Katherine L. Schwennsen as members of the Architectural Examining Board.

Patricia K. Stark as a member of the Board for the Licensing and Regulation of Hearing Aid Dealers.

Raymond D. Barker and Suzanne J. Palmer as members of the Board of Barber Examiners.

Dr. Mark A. Kruse, Haleen E. Pellett and Dr. John W. Quinlan as members of the Board of Chiropractic Examiners.

David O. Creighton, Kenneth M. Lang, Mary Beth Myers and Catherine I. Ward as members of the Board of Cosmetology Arts and Sciences Examiners.

Marilyn K. Corwin, Dr. Bruce C. Heilman and Anne E. Zimmerman as members of the Board of Dental Examiners.

Kathy E. Buffington as a member of the Board of Dietetic Examiners.

Dr. Eddie D. DeHaan and Dr. Allen J. Zagoren as members of the Board of Medical Examiners.

Shirley A. Pennington as a member of the Board of Mortuary Science Examiners.

Sandra Bane, Rodmon C. Bell and Anna C. Fallon as members of the Board of Nursing Examiners.

Dr. Donovan L. Crouch and Dr. Larry W. Hicks as members of the Board of Optometry Examiners.

Dr. Melvin L. Grundleger, Mary P. Mitchell, Phyllis A. Olson and Matthew Osterhaus as members of the Board of Pharmacy Examiners.

Kathryn D. Eilers, Daniel L. Mack and Deborah J. Mehlop as members of the Board of Physical and Occupational Therapy Examiners.

Dr. Ronald D. Lee and Cheryl A. Semerad as members of the Board of Podiatry Examiners.

Dr. Robert D. Jones, Madonna J. McGuire and Dr. Kurosh R. Shahriari as members of the Board of Psychology Examiners.

Bruce D. Buchanan and Linda L. Sickels as members of the Board of Social Work Examiners.

Patsy A. Hastings and Jill M. Miller as members of the Board of Speech Pathology and Audiology Examiners.

Michael A. Scheibeler, Robert O. Steben and Mary Ellen White as members of the Commission of Veterans Affairs.

Theresa E. Clark, Tamera L. Diggs-Tate, Wilfred M. Johnson, Darryl L. Lipscomb, Gwenda L. Naylor and Jerome Thomas as members of the Commission on the Status of African-Americans.

Gretchen H. Tegeler as Director of the Department of Management.

Linda Hanson as Director of the Department of Personnel.

Gwendolyn M. Boeke, Dr. Kenneth A. Brewer and Nicholas R. Konrady as members of the Engineering and Land Surveying Examining Board.

Dr. Leroy A. Holmes and Norma D. Lyon as members of the Iowa Board of Veterinary Medicine.

Dennis A. Ausenhus, Gregory C. Jones and Joan F. Vitale as members of the Landscape Architectural Examining Board.

James B. Kersten as a member of the Lottery Board.

L. Craig Harris, Thomas J. Kregel and Lillie M. Perry as members of the Real Estate Appraiser Examining Board.

Theresa A. Loffredo and Mark G. Odden as members of the Real Estate Commission.

Karen L. Bossard and Rosemary Schrack as members of the State Board of Examiners for Nursing Home Administrators.

Jacquelyne I. Allen, Willard "Bill" R. Hansen and Rita D. Sealock as members of the State Racing and Gaming Commission.

REPORTS OF STANDING COMMITTEE
(Place nominees on Individual Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following governor's appointments, completed its investigations on March 27 and 28, 1996, and **made no recommendation:**

Jill M. Robinson as a member of the Board for the Licensing and Regulation of Hearing Aid Dealers.

Ruth A. Ohde as a member of the Board of Mortuary Science Examiners.

REPORTS OF COMMITTEE MEETINGS

STATE GOVERNMENT

Convened: March 28, 1996, 1:26 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Bennett, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen.

Members Absent: Rittmer, Ranking Member, Bisignano and Sorensen (all excused).

Committee Business: Recommended passage of House Concurrent Resolution 122; recommended confirmation of governor's appointees.

Adjourned: 1:32 p.m.

WAYS AND MEANS

Convened: March 28, 1996, 1:37 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 SSBs 2348 and 2189 as committee bills; amended and approved SSBs 2237 and 2313 as committee bills; recommended passage of House File 2366; recommended confirmation of governor's appointees.

Adjourned: 2:19 p.m.

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2013, the following correction was made:

1. Page 11, line 3. the word "board." was changed to the word "board.".

ALSO: That in enrolling Senate File 2395, the following corrections were made:

1. Page 24, lines 30 and 31, the words "regulatory action level event" were changed to the words "regulatory-action-level event".

2. Page 25, lines 5 and 6, the words "mandatory control level event" were changed to the words "mandatory-control-level event".

Sincerely,
TERRY E. BRANSTAD
Governor

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 29, 1996, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2087 — Providing that appeal of certain sentences be by writ of certiorari.

SENATE FILE 2259 — Relating to issuance of a certificate of title for a documented vessel.

SENATE FILE 2278 — Repealing the prohibition on political activity by a member, officer, or employee of the Natural Resource Commission.

SENATE FILE 2405 — Relating to the duties of the clerk of court concerning court records.

SENATE FILE 2408 — Relating to disclosure requirements under the federal community reinvestment act with respect to the eligibility of a financial institution to received state public funds.

ALSO: That on April 1, 1996, a communication was received annoucing that on April 1, 1996, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2121 — Providing for auditing practices by the Iowa state fair board.

SENATE FILE 2270 — Amending the uniform commercial code relating to letters of credit and providing an effective date.

SENATE FILE 2336 — Providing for the selection and tenure of the executive director of the agricultural development authority.

SENATE FILE 2337 — Relating to receiverships regarding the administration of the assets of grain dealers.

SENATE FILE 2363 — Relating to entities and subject matter under the regulatory authority of the securities bureau of the division of insurance.

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 29th day of March, 1996:

Senate Files 2331, 2080, 2395, 73, 2035, 2013, 2122 and 2127.

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Thirty students from Tri-County High School, Thornburg, accompanied by James Freeze. Senator Hedge.

PETITIONS

The following petitions opposing legislation which would restrict Iowa utilities from offering nonutility services were presented and placed on file by:

Senator Douglas from 29 residents of Adair County.
Senator McLaren from 56 residents of Cass County.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 59, I hereby request that the name of Jacquelyne I. Allen to the State Racing and Gaming Commission be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

JIM LIND

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2456 passed the Senate on April 1, 1996.

JACK RIFE

MR. PRESIDENT: I move to reconsider the vote by which House File 2144 passed the Senate on April 1, 1996.

JACK RIFE

RESOLUTION ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following resolution to committee:

S.C.R. 117 Human Resources

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2458 (SSB 2350), a bill for an act relating to the establishment of the rebuild Iowa financing program and a revolving loan fund and authorizing the Iowa finance authority to issue bonds and lend the proceeds to certain political subdivisions to finance infrastructure projects.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 21: Murphy, Boswell, Lind, Banks, Bartz, Black, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 4: Bisignano, Borlaug, Kramer and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2459 (SSB 2353), a bill for an act relating to risk-based inspections of health care facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 21: Murphy, Boswell, Lind, Banks, Bartz, Black, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 4: Bisignano, Borlaug, Kramer and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2460 (SSB 2352), a bill for an act relating to the performance of a study of the feasibility of the establishment of a managed care system for elders who are eligible for assistance under the medical assistance program and providing for the possible establishment of a pilot project.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Murphy, Boswell, Lind, Bartz, Black, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Judge, Kibbie, Neuhauser, Rensink, Tinsman and Vilsack. Nays, 2: Banks and Douglas. Absent or not voting, 6: Bisignano, Borlaug, Husak, Iverson, Kramer and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2461 (SSB 2351), a bill for an act relating to the establishment of family opportunity district to provide services to children and their families at the local level and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 18: Murphy, Boswell, Lind, Bartz, Black, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Judge, Kibbie, Neuhauser, Rensink, Tinsman and Vilsack. Nays, 3: Banks, Douglas and Iverson. Absent or not voting, 4: Bisignano, Borlaug, Kramer and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 108, a resolution commemorating the visit of the delegation of parliamentarians from the Stavropol Krai and recognizing the contributions of the parliamentarians to strengthen relations between the Iowa State Senate and the Stavropol Regional State Duma.

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 BILLS

Senate File 2458, by committee on Appropriations, a bill for an act relating to the establishment of the rebuild Iowa financing program and a revolving loan fund, and authorizing the Iowa finance authority to issue bonds and lend the proceeds to certain political subdivisions to finance infrastructure projects.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

Senate File 2459, by committee on Appropriations, a bill for an act relating to risk-based inspections of health care facilities.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

Senate File 2460, by committee on Appropriations, a bill for an act relating to the performance of a study of the feasibility of the establishment of a managed care system for elders who are eligible for assistance under the medical assistance program and providing for the possible establishment of a pilot project.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

Senate File 2461, by committee on Appropriations, a bill for an act relating to the establishment of family opportunity district to provide services to children and their families at the local level and making an appropriation.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

AMENDMENTS FILED

S—5613	S.F.	2446	House amendment
S—5614	S.F.	2154	House amendment
S—5615	S.F.	2147	House amendment
S—5616	H.F.	2144	Jim Lind
S—5617	S.F.	2370	Michael E. Gronstal
S—5618	S.F.	2455	Merlin E. Bartz

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:25 p.m., until 9:00 a.m., Tuesday, April 2, 1996.

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 2, 1996

The Senate met in regular session at 9:14 a.m., President Boswell presiding.

Prayer was offered by Sister Mary Louise Sczienski, Principal of St. Patrick School, Cedar Falls, Iowa.

The Journal of Monday, April 1, 1996, 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 members of the **Conference Committee** appointed April 1, 1996, on **House File 2416**, 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, on the part of the House are: The Representative from Black Hawk, Mr. Hanson, Chair; the Representative from Polk, Mr. Cataldo; the Representative from Winneshiek, Mr. Gipp; the Representative from Jefferson, Mr. Main; the Representative from Polk, Mr. McCoy.

ALSO: That the members of the **Conference Committee** appointed April 1, 1996, on **House File 2472**, a bill for an act relating to and making appropriations to the justice system and providing effective dates, on the part of the House are: The Representative from Story, Mrs. Garman, Chair; the Representative from Jasper, Mr. Bell; the Representative from Henry, Mr. Heaton; the Representative from Lee, Mr. Larkin; the Representative from Linn, Mr. Schulte.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McLaren 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 48 present, 2 absent and a quorum present.

UNFINISHED BUSINESS CALENDAR

House File 2109

On motion of Senator Neuhauser, House File 2109, a bill for an act relating to nonconsensual termination of or serious injury to a pregnancy and providing penalties, with report of committee recommending passage, and placed on the Unfinished Business Calendar on March 28, 1996, 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?" (H.F. 2109) 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	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Drake	McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 27, 1996)

House File 2256

The Senate resumed consideration of House File 2256, a bill for an act providing requirements for implementation of new or revised federal block grant provisions which affect local governments and providing an effective date and applicability provision, and amendment S—5553 by Senator Judge to strike everything after the enacting clause of the bill, deferred March 27, 1996.

Senator Judge withdrew amendment S—5581 filed by her on March 27, 1996, to amendment S—5553.

Senator Judge moved the adoption of amendment S—5553, which motion prevailed 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?" (H.F. 2256) 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	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 1:

Banks

Absent or not voting, 1:

McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 2461.

Senate File 2461

On motion of Senator Neuhauser, Senate File 2461, a bill for an act relating to the establishment of family opportunity districts to provide services to children and their families at the local level and making an appropriation, was taken up for consideration.

Senator Neuhauser asked and received unanimous consent that action on **Senate File 2461** be **deferred.**

UNFINISHED BUSINESS CALENDAR

Senate File 2451

On motion of Senator Palmer, Senate File 2451, a bill for an act providing that member contributions under certain public retirement systems are considered employer contributions for state income tax purposes, and providing applicability and effective date provisions, and placed on the Unfinished Business Calendar on March 21, 1996, was taken up for consideration.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2451) the vote was:

Ayes, 44:

Bartz	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Lind

Lundby	Maddox	McKean	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 4:

Banks	Douglas	Hedge	Kramer

Absent or not voting, 2:

Freeman	McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 1, 1996)

Senate File 2455

The Senate resumed consideration of Senate File 2455, a bill for an act relating to the administration of taxes; electronic filing of tax returns and payments; imposition of the penalty for willfully filing a false claim for refund; low income, elderly, and disabled property tax credit filing and certification dates; computation of the real estate transfer tax; repeal of obsolete property tax provision; and providing effective and retroactive applicability dates, deferred April 1, 1996.

Senator Bartz offered amendment S—5618 filed by him on April 1, 1996, to page 1 of the bill and called for a division: lines 2-6 as division S—5618A and lines 7-10 as division S—5618B.

Senator Bartz moved the adoption of division S—5618A, which motion prevailed by a voice vote.

Senator Bartz withdrew division S—5618B.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Freeman until she returns on request of Senator Lundby.

BUSINESS PENDING

Senate File 2455

The Senate resumed consideration of Senate File 2455.

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. 2455) 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	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, 2:

Freeman McLaren

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 2383

On motion of Senator Black, House File 2383, a bill for an act relating to issuance of free deer and wild turkey hunting licenses to certain landowners and tenants, with report of committee recommending passage, and placed on the Unfinished Business Calendar on March 28, 1996, was taken up for consideration.

Senator Priebe withdrew the following amendments filed by him to page 1 of the bill:

S—5321, filed on March 12, 1996.

S—5358, filed on March 14, 1996.

S—5387, filed on March 18, 1996.

Senator Judge offered amendment S—5554 filed by her on March 27, 1996, to page 2 of the bill.

Senator Fink offered amendment S—5621 filed by him from the floor to amendment S—5554 and moved its adoption.

Amendment S—5621 was adopted by a voice vote.

Senator Bartz raised the point of order that amendment S—5554 as amended was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5554 as amended in order.

Senator Bisignano asked and received unanimous consent that action on amendment S—5554 as amended and **House File 2383** be **deferred.**

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 2109** and **2256** and **Senate Files 2451** and **2455** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 2063

Senator Kibbie called up for consideration Senate File 2063, a bill for an act establishing a school improvement technology program to fund instructional technology for school districts, the Iowa braille and sight saving school, the state school for the deaf and the Price laboratory school, providing for properly related matters, and making appropriations, and providing an effective date, amended by the House in House amendment S—5109 filed February 22, 1996.

Senator Connolly asked and received unanimous consent to withdraw amendment S—5381 filed by Senators Connolly, Kibbie and Murphy on March 18, 1996, to House amendment S—5109.

Senator Kibbie moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator 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. 2063) the vote was:

Ayes, 49:

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, 1:

Banks

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 2063** 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 1, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2448, 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 governor's alliance on substance abuse, the Iowa department of public health, the department of human rights, and the commission of veterans affairs, and providing an immediate effective date (S—5622).

ALSO: That the House has on April 2, 1996, passed the following bills in which the concurrence of the House was asked:

Senate File 2307, a bill for an act relating to programs available to persons with disabilities which are administered by the department of human services.

Senate File 2387, a bill for an act relating to the department of general services, by providing for the sale or disposal of unwanted state personal property and by establishing a monument maintenance account.

ALSO: That the House has on April 2, 1996, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 2324, a bill for an act relating to state employee disclosures of information and making penalties applicable and providing an effective date.

INTRODUCTION OF RESOLUTION

Senate Resolution 109, by Halvorson, Judge, Kibbie, Vilsack, Gettings, Boswell, and Fraise, a senate resolution requesting the Legislative Council to establish an interim study committee to study the issue of sharing and leasing government equipment.

Read first time and **passed on file.**

RECESS

On motion of Senator Horn, the Senate recessed at 11:15 a.m., until 1:45 p.m.

APPENDIX

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2144 passed the Senate on April 1, 1996.

TOM VILSACK

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2456 passed the Senate on April 1, 1996.

MARY NEUHAUSER

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 1, 1996, 5:30 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Banks, Bartz, Black, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: Bisignano, Borlaug, Kramer and McLaren (all excused).

Committee Business: Approved SSBs 2350, 2352 and 2353 as committee bills; amended and approved SSB 2351 as a committee bill.

Adjourned: 6:15 p.m.

RULES AND ADMINISTRATION

Convened: April 1, 1996, 2:08 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 resolution relating to Stavropol delegation.

Adjourned: 2:09 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-six fifth grade students from Palmer School, Palmer, Iowa, accompanied by Linda Christopher, Linda T Jaden and Sherry Williams. Senator Freeman.

Fifth grade students from Western Hills School, West Des Moines, accompanied by Mrs. Strentz and Mrs. Hrdlicka. Senator Kramer.

Thirty-nine eleventh grade students from Clarksville Community School, Clarksville, accompanied by Dave Waskow, Larry Backer and Chris Backer. Senator Jensen.

Senator Priebe welcomed several members of the German Congress on Agriculture, who were present in the Senate chamber.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2219, the following correction was made:

1. Page 14, line 10, the words "~~liabilities of the party states.~~" were changed to the words "~~liabilities of the party states.~~".

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 2nd day of April, 1996:

Senate Files 2219, 2235, 2282 and 2423.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENT

Senate File 2453

STATE GOVERNMENT: Dearden, Chair; Fink and Lundby.

AMENDMENTS FILED

S—5619	H.F.	2369	Michael E. Gronstal
S—5620	H.F.	2387	Don E. Gettings
S—5621	H.F.	2383	Bill Fink
S—5622	S.F.	2448	House amendment
S—5623	S.F.	2461	Berl E. Priebe Mary Neuhauser
S—5624	S.F.	2446	Dennis H. Black Brad Banks Wayne D. Bennett Don Gettings Berl E. Priebe
S—5625	S.F.	2410	House amendment
S—5626	S.F.	2186	House amendment

AFTERNOON SESSION

The Senate reconvened at 2:10 p.m., President pro tempore Bisignano 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 2, 1996, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2012, a bill for an act relating to the conduct of raffles (S—5631).

Senate File 2074, a bill for an act relating to the dates on which city hospital or health care facility trustees take and depart from office (S—5632).

Senate File 2085, a bill for an act relating to handicapped parking and providing a penalty (S—5630).

Senate File 2186, a bill for an act relating to transportation-related sanctions by increasing penalties for certain offenses, providing for the issuance of temporary restricted licenses for certain offenses, providing scheduled fines for various violations, prohibiting certain activities of motor vehicle dealers, and allowing the issuance of a uniform citation and complaint to a corporation for certain violations (S—5626).

Senate File 2410, a bill for an act relating to juvenile justice chapter provisions involving medically relevant tests for the presence of illegal drugs in a child or parent, parent visitations with a child who has been removed from the child's home, voiding related administrative rules, and providing an effective date (S—5625).

ALSO: That the House has on April 2, 1996, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 2316, a bill for an act relating to sex offenses, including enticing away a child and sentences for persons convicted of sexually predatory offenses.

ALSO: That the House has on April 2, 1996, 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 2433, a bill for an act relating to the management of waste tires by providing for the establishment of a waste tire management fund, allocation of moneys to facilitate elimination of waste tires and the establishment of future markets for waste tires, providing for the redirection of the existing fee on certificates of title of motor vehicles, and providing a repeal (S—5627 to H—5735).

ALSO: That the House has on April 2, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2444, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds.

This bill was read first time and **passed on file.**

HOUSE AMENDMENT CONSIDERED

Senate File 2446

Senator Black called up for consideration Senate File 2446, a bill for an act relating to agriculture and natural resources, by providing for appropriations, providing related statutory changes, and providing effective dates, amended by the House in House amendment S—5613 filed April 1, 1996.

Senator Black offered amendment S—5624 filed by Senators Black, et al., from the floor to House amendment S—5613 and moved its adoption.

Amendment S—5624 was adopted by a voice vote.

Senator Black 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 Black 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. 2446) 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.

BUSINESS PENDING

Senate File 2461

The Senate resumed consideration of Senate File 2461, a bill for an act relating to the establishment of family opportunity districts to provide services to children and their families at the local level and making an appropriation, previously deferred.

Senator Priebe offered amendment S—5623 filed by Senators Priebe and Neuhauser from the floor to page 4 and the title page of the bill and moved its adoption.

Amendment S—5623 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. 2461) the vote was:

Ayes, 47:

Bartz	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	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	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 3:

Banks	Douglas	Iverson

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
(Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 2459.

Senate File 2459

On motion of Senator Neuhauser, Senate File 2459, a bill for an act relating to risk-based inspections of health care facilities, was taken up for consideration.

Senator Hammond offered amendment S—5628 filed by Senators Hammond and Iverson from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—5628 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. 2459) 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

House File 2369

On motion of Senator Gronstal, House File 2369, a bill for an act relating to the postdelivery care requirements for mothers and newborns and providing for an exception of follow-up care outside of the hospital setting, with report of committee recommending amendment and passage, and placed on the Unfinished Business Calendar on March 28, 1996, was taken up for consideration.

Senator Gronstal offered amendment S—5496 filed by the committee on Commerce on March 21, 1996, to strike everything after the enacting clause and to the title page of the bill.

Senator Gronstal offered amendment S—5591 filed by him on March 28, 1996, to amendment S—5496 and moved its adoption.

Amendment S—5591 was adopted by a voice vote.

Senator Gronstal offered amendment S—5619 filed by him from the floor to amendment S—5496 and moved its adoption.

Amendment S—5619 was adopted by a voice vote.

Senator Gronstal moved the adoption of amendment S—5496 as amended, which motion prevailed 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. 2369) 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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2446, 2461, 2459** and **House File 2369** be **immediately messaged** to the House.

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 108.

Senate Resolution 108

On motion of Senator Horn, Senate Resolution 108, a resolution commemorating the visit of the delegation of parliamentarians from the Stavropol Krai and recognizing the contributions of the parliamentarians to strengthen relations between the Iowa State Senate and the Stavropol Regional State Duma, was taken up for consideration.

Senator Horn moved the adoption of Senate Resolution 108.

On the question "Shall the resolution be adopted?" (S.R. 108) the vote was:

Yeas, 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 motion prevailed and the resolution was adopted.

HOUSE AMENDMENT CONSIDERED

Senate File 2186

Senator Drake called up for consideration Senate File 2186, a bill for an act relating to transportation-related sanctions by increasing penalties for certain offenses, providing for the issuance of temporary restricted licenses for certain offenses, providing scheduled fines for various violations, prohibiting certain activities of motor vehicle dealers, and allowing the issuance of a uniform citation and complaint to a corporation for certain violations,

amended by the House, and moved that the Senate concur in House amendment S—5626 filed April 2, 1996.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Drake 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. 2186) 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 Horn asked and received unanimous consent to send and **immediate message** to the House on **Senate File 2186**.

The Senate stood at ease at 3:27 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 4:33 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 38 present, 12 absent and a quorum present.

HOUSE AMENDMENT CONSIDERED

Senate File 2074

Senator Sorensen called up for consideration Senate File 2074, a bill for an act relating to the dates on which city hospital or health care facility trustees take and depart from office, amended by the House, and moved that the Senate concur in House amendment S—5632 filed April 2, 1996.

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. 2074) 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, 1:

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2453, a bill for an act relating to boilers and unfired steam pressure vessels by providing for the inspection of certain unfired steam pressure vessels, the procedure for adopting rules, and providing an effective date.

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.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 2453.

Senate File 2453

On motion of Senator Dearden, Senate File 2453, a bill for an act relating to boilers and unfired steam pressure vessels by providing for the inspection of certain unfired steam pressure vessels, the procedure for adopting rules, and providing an effective date, with report of committee recommending passage, 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. 2453) 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 2131

On motion of Senator Fraise, Senate File 2131, a bill for an act relating to a continuing appropriation for city capital projects and major equipment, with report of committee recommending passage, and placed on the Unfinished Business Calendar on March 20, 1996, was taken up for consideration.

Senator Fraise offered amendment S—5227 filed by him on March 6, 1996, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5227 was adopted by a voice vote.

With the adoption of amendment S—5227, the Chair ruled amendment S—5101, filed by Senator Fraise on February 22, 1996, to page 1 of the bill, out of order.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2131) the vote was:

Ayes, 38:

Bartz	Bennett	Bisignano	Black
Boettger	Boswell	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto

Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Jensen	Judge
Kibbie	Kramer	Lundby	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Sorensen	Szymoniak
Tinsman	Vilsack		

Nays, 12:

Banks	Borlaug	Douglas	Drake
Hedge	Iverson	Lind	Maddox
McKean	Rife	Rittmer	Zieman

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 2131** and **2453** be **immediately messaged** to the House, and to send an immediate messge to the House on **Senate File 2074.**

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 2, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2101, a bill for an act relating to the disbursement of the remaining funds in a nonguaranteed irrevocable burial trust fund following satisfaction of payment in accordance with an agreement for funeral merchandise and funeral services.

ALSO: That the House has on April 2, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 259, a bill for an act relating to the practice of mortuary science, cremation, and licensing of funeral establishments and providing penalties (S—5636).

INTRODUCTION OF RESOLUTIONS

Senate Resolution 110, by Black and Boswell, a resolution recognizing June 22, 1996, as Morman Trail Day, in celebration of the sesquicentennial anniversary of the Mormon pioneer exodus of 1846.

Read first time and **passed on file.**

Senate Resolution 111, by Black and Boswell, a senate resolution honoring the Honorable Teng-Hui Lee, President of the Republic of China.

Read first time and **passed on file.**

APPENDIX

SUBCOMMITTEE ASSIGNMENT

Senate Concurrent Resolution 117

HUMAN RESOURCES: Szymoniak, Chair; Bartz and Dvorsky

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

S.R.	109	Rules and Administration
S.R.	110	Nat. Resources, Environ. & Energy
S.R.	111	Rules and Administration

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery;

Ten eighth grade students from Washington Junior High, Dubuque, accompanied by Mr. Jeff Johll. Senator Connolly.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2462 (SSB 2256), a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 23: Murphy, Boswell, Lind, Banks, Bartz, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Bisignano and Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2464 (formerly Senate File 2096), a bill for an act relating to housing development, including tax increment financing, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: Murphy, Boswell, Lind, Banks, Bartz, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 3: Bisignano, Black and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 2166, a bill for an act relating to the taxation of foreign corporations and providing an effective and retroactive applicabiity date provision.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser and Vilsack. Nays, none. Absent or not voting, 3: Husak, Priebe and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2463 (SSB 2349), a bill for an act relating to estate issues by modifying certain exemptions and tax rates for inheritance taxes, the jurisdiction of the probate court on certain testamentary trusts, fees payable on certain trusts, claims against estates for medical assistance payments, registration of securities in a transfer-on-death form, and including an applicability provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, Neuhauser, Szymoniak and Vilsack. Nays, none. Absent or not voting, 3: McLaren, Murphy and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 2462, by the committee on Appropriations, a bill

for an act relating to energy conservation including making appropriations of petroleum overcharge funds.

Read first time under rule 28 and **placed on Appropriations Calendar.**

Senate File 2463, by the committee on Ways and Means, a bill for an act relating to estate issues by modifying certain exemptions and tax rates for inheritance taxes, the jurisdiction of the probate court on certain testamentary trusts, fees payable on certain trusts, claims against estates for medical assistance payments, registration of securities in a transfer-on-death form, and including an applicability provision.

Read first time under rule 28 and **placed on Ways and Means Calendar.**

Senate File 2464, by the committee on Appropriations, a bill for an act relating to housing development, including tax increment financing, and providing an effective date.

Read first time under rule 28 and **placed on Appropriations Calendar.**

COMPANION BILL RECEIVED

On April 2, 1996, **House File 2444** was received and attached to companion **Senate File 2462** on the Senate Calendar.

AMENDMENTS FILED

S—5627	H.F.	2433	House amendment
S—5628	S.F.	2459	Johnie Hammond Stewart Iverson, Jr.
S—5629	H.F.	2383	Steven D. Hansen Eugene S. Fraise
S—5630	S.F.	2085	House amendment
S—5631	S.F.	2012	House amendment
S—5632	S.F.	2074	House amendment
S—5633	H.F.	2234	Wayne Bennett
S—5634	S.F.	2389	Patty Judge
S—5635	S.F.	2458	Merlin E. Bartz
S—5636	S.F.	259	House amendment

S—5637	H.F.	111	Mary Neuhauser
			John P. Kibbie
			Nancy Boettger
			Emil J. Husak
S—5638	S.F.	2442	Elaine Szymoniak
			John P. Kibbie
			Mary Neuhauser
			Sheldon Rittmer
			Maggie Tinsman
			Merlin E. Bartz
S—5639	S.F.	2458	Merlin E. Bartz

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:00 p.m., until 9:00 a.m., Wednesday April 3, 1996.

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 3, 1996

The Senate met in regular session at 9:18 a.m., President Boswell presiding.

Prayer was offered by the Reverend Francis Harper Jr., pastor of the Followers of Christ Church, Woodbine, Iowa.

The Journal of Tuesday, April 2, 1996, was approved.

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.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Horn called up the following eligible appointees on the En Bloc Confirmation Calendar:

Dorothy R. Dunphy and Paul S. Stave as members of the Accountancy Examining Board.

Steven A. Basler as a member of the Agricultural Development Authority.

Dick C. Stoffer as a member of the Alcoholic Beverages Commission.

Gwendolyn S. Ecklund, Gordon E. Mills and Katherine L. Schwennsen as members of the Architectural Examining Board.

Raymond D. Barker and Suzanne J. Palmer as members of the Board of Barber Examiners.

Haleen E. Pellett as a member of the Board of Chiropractic Examiners.

David O. Creighton, Kenneth M. Lang, Mary Beth Myers and Catherine I. Ward as members of the Board of Cosmetology Arts and Sciences Examiners.

Marilyn K. Corwin and Anne E. Zimmerman as members of the Board of Dental Examiners.

Kathy E. Buffington as a member of the Board of Dietetic Examiners.

Dr. Allen J. Zagoren as a member of the Board of Medical Examiners.

Anna C. Fallon as a member of the Board of Nursing Examiners.

Dr. Donovan L. Crouch and Dr. Larry W. Hicks as members of the Board of Optometry Examiners.

Daniel L. Mack and Deborah J. Mehlhop as members of the Board of Physical and Occupational Therapy Examiners.

Dr. Ronald D. Lee and Cheryl A. Semerad as members of the Board of Podiatry Examiners.

Dr. Robert D. Jones, Madonna J. McGuire and Dr. Kurosh R. Shahriari as members of the Board of Psychology Examiners.

Bruce D. Buchanan as a member of the Board of Social Work Examiners.

Jill M. Miller as a member of the Board of Speech Pathology and Audiology Examiners.

Craig J. Downing as a member of the Commission of Elder Affairs.

Michael A. Scheibeler, Robert O. Steben and Mary Ellen White as members of the Commission of Veterans Affairs.

Wilfred M. Johnson and Gwenda L. Naylor as members of the Commission on the Status of African-Americans.

Sandra J. Blodgett as a member of the Commission on the Status of Women.

Margaret M. Chadwell as a member of the Credit Union Review Board.

Gretchen H. Tegeler as Director of the Department of Management.

Linda Hanson as Director of the Department of Personnel.

Dr. Kenneth A. Brewer and Nicholas R. Konrady as members of the Engineering and Land Surveying Examining Board.

Dr. Leroy A. Holmes as a member of the Iowa Board of Veterinary Medicine.

Roxanne L. Johnson as a member of the Iowa Law Enforcement Academy Council.

Emil S. Pavich as a member of the Iowa Railway Finance Authority.

Gregory C. Jones as a member of the Landscape Architectural Examining Board.

Lori A. Bears, Frank H. Hermsen and Jessie L. "Ginger" Kuhl as members of the Mental Health and Developmental Disabilities Commission.

Theresa A. Loffredo and Mark G. Odden as members of the Real Estate Commission.

Frances S. Fleck and Karla Wright as members of the Small Business Advisory Council.

Corine A. Hadley as a member of the State Board of Education.

Russell L. Brandes as a member of the State Soil Conservation Committee.

Janice M. Johnson as a member of the State Transportation Commission.

Senator Horn moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the votes were:

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 confimed by the Senate.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 2456

Senator Rife withdrew the motion to reconsider Senate File 2456, a bill for an act exempting from the county property tax limitation revenues deposited in the local emergency management fund and providing effective and applicability dates, filed by him on April 1, 1996, and found on page 1170 of the Senate Journal.

Senator Neuhauser withdrew the motion to reconsider Senate File 2456 filed by her on April 2, 1996, and found on page 1183 of the Senate Journal.

House File 2144

Senator Rife withdrew the motion to reconsider House File 2144, a bill for an act relating to the payment by third parties of physician assistants and advanced registered nurse practitioners, filed by him on April 1, 1996, and found on page 1170 of the Senate Journal.

Senator Vilsack withdrew the motion to reconsider House File 2144 filed by him on April 2, 1996, and found on page 1183 of the Senate Journal.

President pro tempore Bisignano took the chair at 9:48 a.m.

HOUSE AMENDMENTS CONSIDERED

Senate File 259

Senator Sorensen called up for consideration Senate File 259, a bill for an act relating to the practice of mortuary science, cremation, and licensing of funeral establishments and providing penalties, amended by the House in House amendment S—5636 filed April 2, 1996.

Senator Halvorson asked and received unanimous consent that action on House amendment S—5640 and **Senate File 259** be **deferred.**

Senate File 2085

Senator Fink called up for consideration Senate File 2085, a bill for an act relating to handicapped parking and providing a penalty, amended by the House in House amendment S—5630 filed April 2, 1996.

Senator Fink asked and received unanimous consent that action on House amendment S—5630 and **Senate File 2085** be **deferred.**

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 2462.

Senate File 2462

On motion of Senator Neuhauser, Senate File 2462, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds, was taken up for consideration.

Senator Neuhauser asked and received unanimous consent that **House File 2444** be **substituted** for **Senate File 2462.**

House File 2444

On motion of Senator Neuhauser, House File 2444, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds, 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?" (H.F. 2444) 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 AMENDMENT CONSIDERED

Senate File 2448

Senator Flynn called up for consideration Senate File 2448, 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 governor's alliance on substance abuse, the Iowa department of public health, the department of human rights, and the commission of veterans affairs, and providing an immediate effective date, amended by

the House, and moved that the Senate concur in House amendment S—5622 filed April 2, 1996.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

Senator Husak asked and received unanimous consent that **Senate File 2448** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred March 25, 1996)

House File 2190

The Senate resumed consideration of House File 2190, a bill for an act relating to the publication of certain notices, ordinances, and amendments by the superintendent of printing, deferred March 25, 1996.

Senator Lind asked and received unanimous consent that action on **House File 2190** be **deferred.**

UNFINISHED BUSINESS
(Deferred March 26, 1996)

House File 111

The Senate resumed consideration of House File 111, a bill for an act exempting from regulation certain homeowners' association swimming pools, deferred March 26, 1996.

Senator Neuhauser offered amendment S—5637 filed by Senators Neuhauser, et al., on April 2, 1996, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 32, nays 14.

Amendment S—5637 was adopted.

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. 111) the vote was:

Ayes, 43:

Banks	Bartz	Bennett	Bisignano
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Judge	Kibbie
Kramer	Lind	Lundby	Maddox
McKean	McLaren	Neuhauser	Priebe
Redfern	Rensink	Rife	Rittmer
Tinsman	Vilsack	Zieman	

Nays, 6:

Black	Dvorsky	Hammond	Murphy
Palmer	Sorensen		

Absent or not voting, 1:

Szymoniak

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)

House File 555

On motion of Senator Murphy, 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, with report of committee recommending passage, was taken up for consideration.

Senator Kramer offered amendment S—3624 filed by her on April 28, 1996, to page 1 of the bill.

Senator Murphy raised the point of order that amendment S—3624 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3624 in order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Szymoniak until she returns on request of Senator Hansen.

BUSINESS PENDING

House File 555

The Senate resumed consideration of House File 555.

Senator Kramer moved the adoption of amendment S—3624.

A record roll call was requested.

On the question "Shall amendment S—3624 be adopted?" (H.F 555) the vote was:

Ayes, 32:

Bartz	Bennett	Bisignano	Black
Boettger	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Freeman	Giannetto	Halvorson	Hammond
Hansen	Hedge	Horn	Judge
Kramer	Lind	Lundby	Maddox
McKean	Murphy	Neuhauser	Redfern
Rensink	Rife	Tinsman	Zieman

Nays, 17:

Banks	Borlaug	Boswell	Connolly
Fraise	Gettings	Gronstal	Husak
Iverson	Jensen	Kibbie	McLaren
Palmer	Priebe	Rittmer	Sorensen
Vilsack			

Absent or not voting, 1:

Szymoniak

Amendment S—3624 was adopted.

Senator Murphy asked and received unanimous consent that action on **House File 555** be **deferred.**

HOUSE AMENDMENT CONSIDERED

Senate File 2287

Senator Fink called up for consideration Senate File 2287, a bill for an act relating to the limitations on the use of toxic materials in packaging and providing additional exemptions, amended by the House, and moved that the Senate concur in House amendment S—5480 filed March 21, 1996.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Fink 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. 2287) 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, none.

Absent or not voting, 1:

Szymoniak

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 2287** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senate File 2296

On motion of Senator Vilsack, Senate File 2296, a bill for an act relating to the abatement of corporate income taxes for increasing production jobs in the state and providing an applicability date provision, 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. 2296) 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	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rittmer	Sorensen	Tinsman
Vilsack	Zieman		

Nays, 2:

Borlaug Iverson

Absent or not voting, 2:

Rife Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 1996, passed the following bills in which the concurrence of the House was asked:

Senate File 2159, a bill for an act relating to evaluator licensing of educators.

Senate File 2348, a bill for an act relating to agricultural limestone, and providing penalties, fees, and an effective date.

Senate File 2353, a bill for an act relating to satellite terminals and establishing certain requirements for such terminals of a financial institution with a principal place of business in another state.

ALSO: That the House has on April 3, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2438, a bill for an act relating to the terminology used to describe persons with certain mental and physical conditions (S—5645).

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 2296** be **immediately messaged** to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 10:56 a.m., until 1:30 p.m.

APPENDIX

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 111 passed the Senate on April 3, 1996.

TONY BISIGNANO

MR. PRESIDENT: I move to reconsider the vote by which House File 111 passed the Senate on April 3, 1996.

STEVEN D. HANSEN

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3624 to House File 555 was adopted by the Senate on April 3, 1996.

LARRY MURPHY

MR. PRESIDENT: I move to reconsider the vote by which House File 2444 passed the Senate on April 3, 1996.

MARY NEUHAUSER

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 2, 1996, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 73 — Requiring licensure of certain social workers, providing an effective date, imposing fees, and making penalties applicable.

SENATE FILE 2013 — Requiring the licensure of respiratory care therapists and creating a board for respiratory care practitioners.

SENATE FILE 2035 — Relating to the control and eradication of eurasian milfoil and establishing a penalty.

SENATE FILE 2080 — Relating to nonsubstantive code corrections, and providing effective and retroactive applicability dates.

SENATE FILE 2122 — Relating to unclaimed property held by the state, fraudulent practices to obtain the property, and establishing a penalty.

SENATE FILE 2127 — Relating to the confidentiality of social security numbers of the owners of unclaimed property.

SENATE FILE 2331 — Prohibiting certain uses and false representations relating to academic degrees, grades, or honors, and providing a penalty.

SENATE FILE 2395 — Relating to the regulation of insurance companies for purposes of solvency and establishing a measure for the risk-based capital of an insurer, and providing penalties.

SUBCOMMITTEE ASSIGNMENT

Senate Resolution 110

NATURAL RESOURCES, ENVIRONMENT & ENERGY: Black, Chair; Fink and Rensink.

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

Jesse Sheedy, Eldridge — For attaining the rank of Eagle Scout. Senator Tinsman (4-2-96).

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-five junior high students from Holmes Junior High School, Cedar Falls, accompanied by Dave Andreasen and Doris Nero. Senator Redfern.

AMENDMENTS FILED

S—5640	S.F.	259	Rod Halvorson
S—5641	S.F.	2463	Elaine Szymoniak
S—5642	S.F.	2458	Donald B. Redfern Johnie Hammond
S—5643	S.F.	2389	Patty Judge
S—5644	S.F.	2464	O. Gene Maddox
S—5645	S.F.	2438	House amendment
S—5646	H.F.	2387	Robert Dvorsky Mary Neuhauser
S—5647	S.F.	2462	Mary Neuhauser

S—5648	H.F.	2456	House amendment
S—5649	S.F.	2420	House amendment
S—5650	S.F.	2324	House amendment

AFTERNOON SESSION

The Senate reconvened at 1:58 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 3, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2430, a bill for an act requiring the juvenile court to provide certain information to a victim of a delinquent act committed by a juvenile.

ALSO: That the House has on April 3, 1996, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2324, a bill for an act relating to public assistance and certain associated state tax provisions involving the family investment program, family development and self-sufficiency council, individual development accounts, and fraudulent practices involving the food stamp program, making penalties applicable, and providing applicability provisions and effective dates (S—5650).

Senate File 2420, a bill for an act relating to juvenile justice, including dispositional alternatives for juveniles adjudicated delinquent, registering with the sex offender registry, and associate juvenile judge jurisdiction (S—5649).

ALSO: That the House has on April 3, 1996, **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 2446, a bill for an act relating to agriculture and natural resources, by providing for appropriations, providing related statutory changes, and providing effective dates.

ALSO: That the House has on April 3, 1996, 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 2456, a bill for an act relating to the rights of victims of criminal acts (S—5648 to H—5649).

ALSO: That the House has on April 3, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2481, a bill for an act relating to eligibility criteria and benefits, including tax benefits to businesses under the new jobs and income program and establishing a penalty.

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.

HOUSE AMENDMENT CONSIDERED

Senate File 2012

Senator Bisignano called up for consideration Senate File 2012, a bill for an act relating to the conduct of raffles, amended by the House, and moved that the Senate concur in House amendment S—5631 filed April 2, 1996.

A non record roll call was requested.

The ayes were 29, nays 15.

The motion prevailed and the Senate concurred in the House amendment.

Senator Bisignano 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. 2012) the vote was:

Ayes, 34:

Bisignano	Black	Boettger	Borlaug
Boswell	Connolly	Dearden	Deluhery

Douglas	Dvorsky	Fink	Flynn
Fraise	Gettings	Gronstal	Hansen
Horn	Husak	Iverson	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	Murphy	Palmer	Priebe
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack		

Nays, 16:

Banks	Bartz	Bennett	Drake
Freeman	Giannetto	Halvorson	Hammond
Hedge	Jensen	McKean	McLaren
Neuhauser	Redfern	Rensink	Zieman

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 2444 filed by her on April 3, 1996, found on page 1215 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2444) 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 motion prevailed.

Senator Neuhauser moved to reconsider the vote by which House File 2444 went to its last reading, which motion prevailed by a voice vote.

House File 2444

On motion of Senator Neuhauser, House File 2444, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds, was taken up for reconsideration.

Senator Neuhauser asked and received unanimous consent that action on **House File 2444** be **deferred.**

Senator Neuhauser moved to reconsider the previous substitution of House File 2444 for Senate File 2462, which motion prevailed by a voice vote.

Senate File 2462

On motion of Senator Neuhauser, Senate File 2462, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds, was taken up for consideration.

Senator Neuhauser offered amendment S—5647 filed by her to page 1 of the bill and moved its adoption.

Amendment S—5647 was adopted by a voice vote.

Senator Neuhauser asked and received unanimous consent that **House File 2444** be **substituted** for **Senate File 2462** as amended.

House File 2444

On motion of Senator Neuhauser, House File 2444, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds, 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?" (H.F. 2444) 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
(Appropriations Calendar)

Senator Husak asked and received unanimous consent to take up for consideration Senate File 2464.

Senate File 2464

On motion of Senator Gronstal, Senate File 2464, a bill for an act relating to housing development, including tax increment financing, and providing an effective date, was taken up for consideration.

Senator Maddox offered amendment S—5644 filed by him from the floor to page 5 of the bill and moved its adoption.

Amendment S—5644 was adopted by a voice vote.

Senator Gronstal offered amendment S—5656 filed by him from the floor to page 10 of the bill and moved its adoption.

Amendment S—5656 was adopted by a voice vote.

Senator Gronstal offered amendment S—5651 filed by him to page 12 of the bill and moved its adoption.

Amendment S—5651 was adopted by a voice vote.

With the adoption of amendment S—5651, the Chair ruled amendment S—5661 filed by Senator Borlaug from the floor to page 12 of the bill, out of order.

Senator Gronstal offered amendment S—5652 filed by him from the floor to page 13 of the bill and moved its adoption.

Amendment S—5652 was adopted by a voice vote.

Senator Gronstal offered amendment S—5660 filed by Senators Gronstal, Iverson and Husak from the floor to pages 21 and 22 of the bill and moved its adoption.

Amendment S—5660 was adopted by a voice vote.

Senator Judge offered amendment S—5655 filed by her from the floor to pages 21 and 22 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 33, nays 14.

Amendment S—5655 was adopted.

Senator Maddox offered amendment S—5653 filed by him from the floor to page 23 of the bill and moved its adoption.

Amendment S—5653 was adopted by a voice vote.

Senator Maddox withdrew amendment S—5654 filed by him from the floor to page 23 of the bill.

Senator Borlaug asked and received unanimous consent that action on **Senate File 2464** be **deferred.**

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 2012** and **House File 2444** 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 3, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2269, a bill for an act enhancing the penalties for a third or subsequent offense of domestic abuse assault (S—5659).

ALSO: That the House has on April 3, 1996, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 2315, a bill for an act authorizing small quantities of wine to be shipped in and out of this state for consumption or use by persons twenty-one years of age or older.

House File 2331, a bill for an act expanding the factors that a court and the state department of transportation may consider in ordering the issuance of a temporary restricted license, and providing an effective date.

MOTIONS TO RECONSIDER WITHDRAWN

House File 111

Senators Bisignano and Hansen withdrew the motions to reconsider House File 111, a bill for an act exempting from regulation certain homeowners' association swimming pools, filed by them on April 3, 1996, and found on page 1215 of the Senate Journal.

BUSINESS PENDING

Senate File 2085

The Senate resumed consideration of Senate File 2085, a bill for an act relating to handicapped parking and providing a penalty, previously deferred.

Senator Fink called up House amendment S—5630 filed April 2, 1996.

Senator Fink offered amendment S—5664 filed by him from the floor to House amendment S—5630 and moved its adoption.

Amendment S—5664 was adopted by a voice vote.

Senator Fink 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 Fink 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. 2085) 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 259

The Senate resumed consideration of Senate File 259, a bill for an act relating to the practice of mortuary science, cremation, and licensing of funeral establishments and providing penalties, and House amendment S—5636, previously deferred.

Senator Halvorson offered amendment S—5658 filed by him from the floor to House amendment S—5636 and moved its adoption.

Amendment S—5658 was adopted by a voice vote.

Senator Halvorson withdrew amendment S—5640 filed by him from the floor to House amendment S—5636.

Senator Sorensen 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 Sorensen 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. 259) the vote was:

Ayes, 45:

Bartz	Bennett	Bisignano	Black
Borlaug	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Iverson	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 5:

Banks	Boettger	Giannetto	Jensen
Rensink			

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 259, 2085** and **House File 111** be **immediately messaged** to the House.

SENATE INSISTS

Senate File 2446

Senator Black called up for consideration Senate File 2446, a bill for an act relating to agriculture and natural resources, by providing for appropriations, providing related statutory changes, and providing effective dates, amended by the House, 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 2446** on the part of the Senate: Senators Black, Chair; Priebe, Gettings, McLaren and Banks.

HOUSE AMENDMENT CONSIDERED

Senate File 2410

Senator Szymoniak called up for consideration Senate File 2410, a bill for an act relating to juvenile justice chapter provisions involving medically relevant tests for the presence of illegal drugs in a child or parent, parent visitations with a child who has been removed from the child's home, voiding related administrative rules, and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—5625 filed April 2, 1996.

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. 2410) 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 2464

The Senate resumed consideration of Senate File 2464, a bill for an act relating to housing development, including tax increment financing, and providing an effective date, previously deferred.

Senator Borlaug offered amendment S—5667 filed by him from the floor to page 12 of the bill and moved its adoption.

Amendment S—5667 was adopted by a voice vote.

Senator Borlaug offered amendment S—5666 filed by him from the floor to page 23 and the title page of the bill and moved its adoption.

Amendment S—5666 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2464) 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 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, 1996, 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 482, a bill for an act establishing economic and other penalties for certain criminal activity.

ALSO: That the House, on April 3, 1996, **insisted on** its amendment to **Senate File 2448,** 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 governor's alliance on substance abuse, the Iowa department of public health, the department of human rights, and the commission of veterans affairs, and providing an immediate effective date, and that the members of the **Conference Committee** on the part of the House are: The Representative from Buchanan, Mr. Kremer, Chair; the Representative from Bremer, Mr. Brunkhorst; the

Representative from Webster, Mr. Mundie; the Representative from Linn, Mrs. Thomson; the Representative from Chickasaw, Mr. Weigel.

ALSO: That the House has on April 3, 1996, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

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.

House File 2350, a bill for an act relating to motor vehicle dimensional and weight requirements and certificates of title for commercial vehicles and providing an effective date.

INTRODUCTION OF RESOLUTION

Senate Resolution 112, by Lind, a senate resolution honoring Iowa State University track and field coordinator and former head men's cross country coach Bill Bergan on his retirement.

Read first time and **passed on file.**

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 2448** on the part of the Senate: Senators Flynn, Chair; Dearden, Giannetto, Rensink and Boettger.

UNFINISHED BUSINESS CALENDAR

Senate File 2372

On motion of Senator Fink, Senate File 2372, a bill for an act relating to termination of rental agreements and notice provisions for actions to recover property, placed on the Unfinished Business Calendar on March 20, 1996, was taken up for consideration.

Senator Fink offered amendment S—5376 filed by him on March 18, 1996, to pages 1, 2 and the title page of the bill and moved its adoption.

Amendment S—5376 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. 2372) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Boswell	Connolly
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	Tinsman
Vilsack			

Nays, 5:

Bisignano	Dearden	Palmer	Szymoniak
Zieman			

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 2372, 2464** and **2446** be **immediately messaged** to the House, and to send an immediate message to the House on **Senate File 2410**.

WITHDRAWN

Senator Horn asked and received unanimous consent that

Senate Files 2462, 2173, 2349, 2180 and **2356** be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 2324

Senator Szymoniak called up for consideration Senate File 2324, a bill for an act relating to public assistance and certain associated state tax provisions involving the family investment program, family development and self-sufficiency council, individual development accounts, and fraudulent practices involving the food stamp program, making penalties applicable, and providing applicability provisions and effective dates, amended by the House, and moved that the Senate concur in House amendment S—5650 filed April 3, 1996.

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. 2324) the vote was:

Ayes, 49:

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, 1:

Banks

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

President pro tempore Bisignano took the chair at 4:12 p.m.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 2458.

Senate File 2458

On motion of Senator Neuhauser, Senate File 2458, a bill for an act relating to the establishment of the rebuild Iowa financing program and a revolving loan fund, and authorizing the Iowa finance authority to issue bonds and lend the proceeds to certain political subdivisions to finance infrastructure projects, was taken up for consideration.

Senator Redfern offered amendment S—5642 filed by Senators Redfern and Hammond from the floor to page 1 of the bill and moved its adoption.

Amendment S—5642 was adopted by a voice vote.

Senator Bartz withdrew amendment S—5635 filed by him on April 2, 1996, to pages 1 and 7 of the bill.

Senator Bartz offered amendment S—5639 filed by him on April 2, 1996, to pages 1 and 7 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5639 be adopted?" (S.F. 2458) 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	Borlaug
Drake	Freeman	Giannetto	Hedge
Husak	Iverson	Jensen	Kramer

Lind	Lundby	Maddox	McKean
McLaren	Redfern	Rensink	Rife
Rittmer	Zieman		

Nays, 27:

Bisignano	Black	Boettger	Boswell
Connolly	Dearden	Deluhery	Douglas
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Hammond	Hansen
Horn	Judge	Kibbie	Murphy
Neuhauser	Palmer	Priebe	Sorensen
Szymoniak	Tinsman	Vilsack	

Absent or not voting, 1:

Halvorson

Amendment S—5639 lost.

Senator Neuhauser offered amendment S—5662 filed by her from the floor to pages 5 and 6 of the bill and moved its adoption.

Amendment S—5662 was adopted by a voice vote.

President Boswell took the chair at 4:47 p.m.

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. 2458) the vote was:

Ayes, 45:

Banks	Bartz	Bisignano	Black
Boettger	Borlaug	Boswell	Dearden
Deluhery	Douglas	Dvorsky	Fink
Flynn	Fraise	Freeman	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 5:

Bennett	Connolly	Drake	Iverson
McKean			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 2190

The Senate resumed consideration of House File 2190, a bill for an act relating to the publication of certain notices, ordinances, and amendments by the superintendent of printing, previously deferred.

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. 2190) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Boswell	Connolly
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Hammond
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Judge	Kibbie
Kramer	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 3:

Bisignano	Halvorson	Lind

Absent or not voting, 1:

Dearden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Judge asked and received unanimous consent that **Senate Files 2324, 2458** and **House File 2190** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred March 25, 1996)

House File 2259

The Senate resumed consideration of House File 2259, a bill for an act relating to city sewer or water utility connections, deferred March 25, 1996.

Senator Bartz offered amendment S—5527 filed by him on March 25, 1996, to page 1 of the bill.

Senator Sorensen raised the point of order that amendment S—5527 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5527 out of order.

Senator Bartz asked and received unanimous consent that action on **House File 2259** be **deferred.**

UNFINISHED BUSINESS
(Deferred April 2, 1996)

House File 2383

The Senate resumed consideration of House File 2383, a bill for an act relating to issuance of free deer and wild turkey hunting licenses to certain landowners and tenants, and amendment S—5554 as amended by Senator Judge to page 2 of the bill, deferred April 2, 1996.

Senator Fink 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—5621 to amendment S—5554 to House File 2383 was adopted by the Senate on April 2, 1996.

The motion prevailed by a voice vote and amendment S—5621 by Senator Fink to amendment S—5554 was taken up for reconsideration.

Senator Fink asked and received unanimous consent that action on amendment S—5621 to amendment S—5554 be deferred.

Senator Bisignano offered amendment S—5668 filed by him from the floor to amendment S—5554.

Senator Priebe asked and received unanimous consent that action on amendment S—5668 to amendment S—5554, amendment S—5554 and **House File 2383** be **deferred.**

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2433

Senator Kibbie called up for consideration House File 2433, a bill for an act relating to the management of waste tires by providing for the establishment of a waste tire management fund, allocation of moneys to facilitate elimination of waste tires and the establishment of future markets for waste tires, providing for the redirection of the existing fee on certificates of title of motor vehicles, and providing a repeal, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5627 to Senate amendment H—5735 filed April 2, 1996.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Kibbie 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. 2433) 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 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 3, 1996, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2208, a bill for an act relating to persons required to register with the sex offender registry and providing a penalty (S—5671).

Senate File 2381, a bill for an act relating to dependent adult abuse and providing penalties (S—5672).

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 2433** be **immediately messaged** to the House.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 2, 1996, 3:34 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Banks, Bartz, Bisignano, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: Black (excused).

Committee Business: Amended Senate File 2096 and ordered redrafted as a committee bill; approved SSB 2256 as a committee bill.

Adjourned: 4:12 p.m.

STATE GOVERNMENT

Convened: April 2, 1996, 1:35 p.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: Recommended passage of Senate File 2453.

Adjourned: 1:40 p.m.

WAYS AND MEANS

Convened: April 2, 1996, 11:20 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Szymoniak and Vilsack.

Members Absent: Priebe (excused).

Committee Business: Recommended passage of House File 2166; amended and approved SSB 2349 as a committee bill.

Adjourned: 11:56 a.m.

COMMITTEE REPORT

HUMAN RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 117, a concurrent resolution designating the week of April 14 through April 21, 1996, as Days of Remembrance of the Victims of the Holocaust.

Recommendation: DO PASS.

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.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Members of the third grade class from Indianola School, accompanied by Ms. May and Mrs. Taylor. Senator Fink.

Thirty-one eighth grade students from Ruthven-Aryshire Middle School, Ruthven, accompanied by Jon Josephson. Senator Kibbie.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Rita D. Sealock to the State Racing and Gaming Commission be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

PATTY JUDGE

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 109

RULES AND ADMINISTRATION: Horn, Chair; Husak and Rife

Senate Resolution 111

RULES AND ADMINISTRATION: Boswell, Chair; Gettings and Kramer

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 and reappointments, completed its investigations on April 3, 1996, and recommended the appointees be confirmed:

Rebecca S. Beach as a member of the Board of Behavioral Science Examiners.

Loren J. Woods as a member of the Commission on the Deaf.

Shawn E. Mullen as a member of the Commission on the Status of Women.

Scott M. Harrison as a member of the Community Health Management Information System Governing Board.

Dr. Marilee Fredericks as a member of the Mental Health and Developmental Disabilities Commission.

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

S.R.	112	Rules and Administration
H.F.	2481	Ways and Means

AMENDMENTS FILED

S—5651	S.F.	2464	Michael E. Gronstal
S—5652	S.F.	2464	Michael E. Gronstal
S—5653	S.F.	2464	O. Gene Maddox
S—5654	S.F.	2464	O. Gene Maddox
S—5655	S.F.	2464	Patty Judge
S—5656	S.F.	2464	Michael E. Gronstal
S—5657	S.F.	2442	Elaine Szymoniak Sheldon Rittmer Merlin E. Bartz

			John P. Kibbie
S—5658	S.F.	259	Rod Halvorson
S—5659	S.F.	2269	House amendment
S—5660	S.F.	2464	Michael E. Gronstal
			Stewart Iverson, Jr.
			Emil J. Husak
S—5661	S.F.	2464	Allen Borlaug
S—5662	S.F.	2458	Mary Neuhauser
S—5663	H.F.	2448	Tom Vilsack
S—5664	S.F.	2085	Bill Fink
S—5665	H.F.	2448	Johnie Hammond
			Andy McKean
S—5666	S.F.	2464	Allen Borlaug
S—5667	S.F.	2464	Allen Borlaug
S—5668	H.F.	2383	Tony Bisignano
S—5669	S.F.	2370	Robert Dvorsky
S—5670	H.F.	230	Michael E. Gronstal
S—5671	S.F.	2208	House amendment
S—5672	S.F.	2381	House amendment
S—5673	H.F.	2458	Randal J. Giannetto
S—5674	S.F.	2463	Mary Louy Freeman
			Donald B. Redfern
S—5675	S.F.	2442	Brad Banks
			Johnie Hammond
S—5676	H.F.	2383	Jim Lind

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:00 p.m., until 9:00 a.m., Thursday, April 4, 1996.

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 4, 1996

The Senate met in regular session at 9:03 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 3, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2409, a bill for an act relating to workforce development by establishing a workforce development department, by eliminating the department of employment services, and including workforce development programs in the new department, by providing for state privatization contracts, and by establishing a workforce development board and regional advisory boards (S—5677).

ALSO: That the House has on April 3, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2423, a bill for an act relating to the taxation of real property used in the operation of a racetrack or racetrack enclosure.

This bill was read first time and **passed on file.**

The Journal of Wednesday, April 3, 1996, was approved.

The Senate stood at ease at 9:06 a.m. until the fall of the gavel.

The Senate resumed session at 9:25 a.m., President Boswell presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the members of the **Conference Committee** appointed April 3, 1996, on **Senate File 2446**, a bill for an act relating to agriculture and natural resources, by providing for appropriations, 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 Pottawattamie, Mr. Drake; the Representative from Washington, Mrs. Greiner; the Representative from Mitchell, Mr. Koenigs; and the Representative from Kossuth, Ms. Mertz.

APPENDIX

STUDY BILLS RECEIVED

SSB 2354 Ways and Means

Relating to the amount for state income tax purposes of the per diem received by certain members of the general assembly that may be deducted and providing an applicability date provision.

SSB 2355 Ways and Means

Increasing the nonpublic school tax credit and eliminating the nonpublic school tax deduction for amounts paid for tuition and textbooks for nonpublic elementary and secondary schools under the state individual income tax and providing effective and applicability date provisions.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2464, the following corrections were made:

1. Page 25, line 19, the word and number "Section "42" were changed to the word and number "Section 41".

JOHN F. DWYER
Secretary of the Senate

CERTIFICATE OF RECOGNITION

The secretary of the senate issued a certificate of recognition as follows:

John Keitges, ADM — For being selected to 3rd team all-state basketball. Senator Douglas (4-3-96).

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 4th day of April, 1996:

Senate Files 2155, 2165, 2167, 2212, 2252, 2323, 2367 and 2213.

JOHN F. DWYER
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: April 3, 1996, 9:08 a.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Kramer and Vilsack.

Members Absent: Neuhauser and Tinsman (both excused).

Committee Business: Recommended confirmation of governor's appointees; recommended passage of Senate Concurrent Resolution 117.

Adjourned: 9:14 a.m.

STATE GOVERNMENT

Convened: April 3, 1996, 12:05 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Connolly, Dearden, Drake, Fink, Halvorson, Lind and Sorensen.

Members Absent: Bennett, Bisignano, Giannetto, Lundby and McLaren.

Committee Business: Public hearing on governor's appointees to the State Racing and Gaming Commission.

Adjourned: 1:05 p.m.

AMENDMENT FILED

S—5677	S.F.	2409	House amendment

ADJOURNMENT

On motion of Senator Fraise, the Senate adjourned at 9:26 a.m., until 1:30 p.m., Monday, April 8, 1996.

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 8, 1996

The Senate met in regular session at 1:56 p.m., President Boswell presiding.

The prayer was offered by Father Robert McClintock, pastor of the St. Thomas Catholic Church, Manson, Iowa.

The Journal of Thursday, April 4, 1996, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Connolly until he arrives on request of Senator Fink.

HOUSE AMENDMENTS CONSIDERED

Senate File 2208

Senator Bisignano called up for consideration Senate File 2208, a bill for an act relating to persons required to register with the sex offender registry and providing a penalty, amended by the House, and moved that the Senate concur in House amendment S—5671 filed April 3, 1996.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Bisignano 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. 2208) the vote was:

Ayes, 46:

Bartz	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Dearden
Deluhery	Drake	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		

Nays, none.

Absent or not voting, 4:

Banks	Connolly	Douglas	Fraise

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 2269

Senator Szymoniak called up for consideration Senate File 2269, a bill for an act enhancing the penalties for a third or subsequent offense of domestic abuse assault, amended by the House, and moved that the Senate concur in House amendment S—5659 filed April 3, 1996.

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. 2269) the vote was:

Ayes, 48:

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, 2:

Banks	Connolly

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 2420

Senator Hammond called up for consideration Senate File 2420, a bill for an act relating to juvenile justice, including dispositional alternatives for juveniles adjudicated delinquent, registering with the sex offender registry, and associate juvenile judge jurisdiction, amended by the House in House amendment S—5649 filed April 3, 1996.

Senator Hammond offered amendment S—5678 filed by her from the floor to House amendment S—5649 and moved its adoption.

Amendment S—5678 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. 2420) the vote was:

Ayes, 48:

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, 2:

Banks Connolly

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 2438

Senator Szymoniak called up for consideration Senate File 2438, a bill for an act relating to the terminology used to describe persons with certain mental and physical conditions, amended by the House, and moved that the Senate concur in House amendment S—5645 filed April 3, 1996.

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. 2438) the vote was:

Ayes, 48:

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, 2:

Banks	Connolly

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 2420** be **immediately messaged** to the House and to send an immediate message to the House on **Senate Files 2208, 2269** and **2438.**

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Banks until he arrives on request of Senator Rife.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Horn called up the following eligible appointees on the En Bloc Confirmation Calendar:

Rebecca S. Beach and Dominick D. Pellegreno as members of the Board of Behavioral Science Examiners.

Dr. Mark A. Kruse as a member of the Board of Chiropractic Examiners.

Sandra Bane and Rodmon C. Bell as members of the Board of Nursing Examiners.

Elizabeth R. Walker as a member of the Board of Parole.

Mary P. Mitchell, Phyllis A. Olson and Matthew Osterhaus as members of the Board of Pharmacy Examiners.

Linda L. Sickels as a member of the Board of Social Work Examiners.

Patsy A. Hastings as a member of the Board of Speech Pathology and Audiology Examiners.

Susan M. Cosner as a member of the City Development Board.

Marian A. Williams as a member of the Commission for the Blind.

Loren J. Woods as a member of the Commission on the Deaf.

Shawn E. Mullen as a member of the Commission on the Status of Women.

Scott M. Harrison as a member of the Community Health Management Information System Governing Board.

Russell T. Sporer as a member of the Council on Human Services.

Philip C. Smith as Director of the Office for State-Federal Relations.

Gwendolyn M. Boeke as a member of the Engineering and Land Surveying Examining Board.

Dr. Thomas E. Davis as a member of the First in the Nation in Education Foundation Governing Board.

Thomas M. Glenn as a member of the Iowa Council on Human Investment.

L. Jeanne Partlow as a member of the Iowa Seed Capital Corporation.

Dr. Marilee Fredericks as a member of the Mental Health and Developmental Disabilities Commission.

Gene E. Vincent as a member of the State Board of Education.

Willard "Bill" R. Hansen as a member of the State Racing and Gaming Commission.

Janice K. Laue as a member of the Wallace Technology Transfer Foundation of Iowa.

Senator Horn moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the votes were:

Ayes, 48:

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, 2:

Banks	Connolly

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2456

Senator Giannetto called up for consideration House File 2456, a bill for an act relating to the rights of victims of criminal acts, amended by the Senate, further amended by the House and moved

that the Senate concur in House amendment S—5648 to Senate amendment H—5649 filed April 3, 1996.

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. 2456) the vote was:

Ayes, 49:

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.

Absent or not voting, 1:

Banks

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 2154

Senator Bisignano called up for consideration Senate File 2154, a bill for an act increasing the penalties for certain offenses involving methamphetamine, amended by the House in House amendment S—5614 filed April 1, 1996.

Senator Bisignano offered amendment S—5680 filed by him from the floor to House amendment S—5614 and moved its adoption.

Amendment S—5680 was adopted by a voice vote.

Senator Bisignano 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 Bisignano 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. 2154) the vote was:

Ayes, 49:

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.

Absent or not voting, 1:

Banks

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 2381

Senator Szymoniak called up for consideration Senate File 2381, a bill for an act relating to dependent adult abuse and providing penalties, amended by the House, and moved that the Senate concur in House amendment S—5672 filed April 3, 1996.

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. 2381) 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
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:

Banks Horn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2140

Senator Gettings called up for consideration Senate File 2140, a bill for an act increasing the speed limit on certain highways, requiring a report on safety in construction zones, and providing

an effective date, amended by the House in House amendment S—5551 filed March 27, 1996.

Senator Halvorson offered amendment S—5606 filed by him on March 2, 1996, to House amendment S—5551 and moved its adoption.

Amendment S—5606 was adopted by a voice vote.

Senator Halvorson 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—5606 to House amendment S—5551 to Senate File 2140 was adopted by the Senate on April 8, 1996.

The motion prevailed by a voice vote and amendment S—5606 to House amendment S—5551 was taken up for reconsideration.

Senator Halvorson withdrew amendment S—5606 to House amendment S—5551.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Freeman until she returns on request of Senator McKean.

BUSINESS PENDING

Senate File 2140

The Senate resumed consideration of Senator File 2140.

Senator Lind offered amendment S—5597 filed by Senators Hansen and Lind on March 28, 1996, to House amendment S—5551 and moved its adoption.

Amendment S—5597 lost by a voice vote.

Senator Gettings moved that the Senate concur in the House amendment.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

UNFINISHED BUSINESS CALENDAR

House File 2234

On motion of Senator Bennett, House File 2234, a bill for an act relating to exempting certain nonresident aliens from land ownership restrictions, with report of committee on Small Business, Economic Development and Tourism recommending amendment and passage on March 25, 1996, and report of committee on State Government recommending passage on March 27, 1996, and placed on the Unfinished Business Calendar on March 28, 1996, was taken up for consideration.

Senator Hansen offered amendment S—5514 filed by the committee on Small Business, Economic Development and Tourism on March 25, 1996, to page 1 of the bill.

Senator Bennett offered amendment S—5633 filed by him on April 2, 1996, to amendment S—5514 and moved its adoption.

Amendment S—5633 was adopted by a voice vote.

Senator Husak asked and received unanimous consent that action on amendment S—5514 as amended and **House File 2234** be **deferred.**

House File 511

On motion of Senator Gronstal, 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, with report of committee recommending amendment and passage, and placed on the Unfinished Business Calendar on March 28, 1996, was taken up for consideration.

Senator Gronstal offered amendment S—5031 filed by the committee on Commerce on January 31, 1996, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5031 was adopted by a voice vote.

Senator Palmer offered amendment S—5087 filed by him on February 20, 1996, to pages 1 and 2 of the bill.

Senator Gronstal called for a division of amendment S—5087: lines 3-5 and 9-11 as division S—5087A and lines 6-8 and 12-17 as division S—5087B.

Senator Palmer moved the adoption of division S—5087A, which motion prevailed by a voice vote.

Senator Palmer moved the adoption of division S—5087B.

A non record roll call was requested.

The ayes were 17, nays 28.

Division S—5087B lost.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 511) the vote was:

Ayes, 37:

Banks	Bartz	Bennett	Bisignano
Boettger	Borlaug	Boswell	Dearden
Deluhery	Douglas	Drake	Flynn
Freeman	Giannetto	Gronstal	Halvorson
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Neuhauser	Priebe	Redfern	Rensink
Rife	Rittmer	Szymoniak	Tinsman
Zieman			

Nays, 13:

Black	Connolly	Dvorsky	Fink
Fraise	Gettings	Hammond	Judge
Kibbie	Murphy	Palmer	Sorensen
Vilsack			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 3, 1996)

House File 2383

The Senate resumed consideration of House File 2383, a bill for an act relating to issuance of free deer and wild turkey hunting licenses to certain landowners and tenants, amendment S—5554 by Senator Judge to page 2 of the bill and amendment S—5668 by Senator Bisignano to amendment S—5554, deferred April 3, 1996.

Senator Bisignano moved the adoption of amendment S—5668 to amendment S—5554.

A non record roll call was requested.

The ayes were 26, nays 24.

Amendment S—5668 was adopted.

Senator Hansen offered amendment S—5629 filed by Senators Hansen and Fraise on April 2, 1996, to amendment S—5554.

Senator Black raised the point of order that amendment S—5629 was not germane to amendment S—5554.

The Chair ruled the point well taken and amendment S—5629 out of order.

With the adoption of amendment S—5668 to amendment S—5554, the Chair ruled amendment S—5621 by Senator Fink to amendment S—5554 deferred on April 2, 1996, out of order.

Action on amendment S—5554 as amended was temporarily deferred.

Senator Lind offered amendment S—5676 filed by him on April 3, 1996, to page 2 of the bill.

Senator Fink raised the point of order that amendment S—5676 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5676 in order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murphy until he returns on request of Senator Sorensen.

BUSINESS PENDING

House File 2383

The Senate resumed consideration of House File 2383 and amendment S—5676, previously deferred.

Senator Lind moved the adoption of amendment S—5676 and requested a record roll call.

On the question "Shall amendment S—5676 be adopted?" (H.F. 2383) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 19:

Bartz	Bennett	Boettger	Borlaug
Deluhery	Douglas	Freeman	Giannetto
Halvorson	Hedge	Kramer	Lind
McKean	McLaren	Redfern	Rife
Rittmer	Tinsman	Zieman	

Nays, 25:

Banks	Bisignano	Black	Boswell
Connolly	Dearden	Dvorsky	Fink
Flynn	Fraise	Gronstal	Hammond
Hansen	Horn	Iverson	Jensen
Judge	Kibbie	Lundby	Maddox
Neuhauser	Palmer	Rensink	Sorensen
Vilsack			

Voting present, 5:

Drake	Gettings	Husak	Priebe
Szymoniak			

Absent or not voting, 1:

Murphy

Amendment S—5676 lost.

The Senate resumed consideration of amendment S—5554 as amended, previously deferred.

Senator Priebe offered amendment S—5685 filed by him from the floor to amendment S—5554.

Senator Black called for a division of amendment S—5685: lines 3-12 as division S—5685A and lines 13-22 as division S—5685B.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Boettger for the remainder of the day on request of Senator Jensen and Senator Rife for the remainder of the day on his request.

BUSINESS PENDING

House File 2383

The Senate resumed consideration House File 2383.

Senator Priebe moved the adoption of division S—5685A to amendment S—5554 and requested a record roll call.

On the question "Shall division S—5685A to amendment S—5554 be adopted?" (H.F. 2383) the vote was:

Ayes, 30:

Banks	Bartz	Bennett	Bisignano
Borlaug	Douglas	Drake	Freeman
Gettings	Giannetto	Hansen	Hedge
Husak	Iverson	Jensen	Kibbie
Kramer	Lind	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rittmer	Sorensen
Tinsman	Zieman		

Nays, 18:

Black	Boswell	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Halvorson	Hammond
Horn	Judge	Lundby	Maddox
Szymoniak	Vilsack		

Absent or not voting, 2:

Boettger	Rife

Division S—5685A was adopted.

Senator Black raised the point of order that division S—5685B to amendment S—5554 was not germane.

The Chair ruled the point well taken and division S—5685B out of order.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator McLaren for the remainder of the day on request of Senator Jensen and Senator Neuhauser for the remainder of the day on request of Senator Dvorsky.

BUSINESS PENDING

House File 2383

The Senate resumed consideration of House File 2383 and amendment S—5554, previously deferred.

President pro tempore Bisignano took the chair at 5:26 p.m.

Senator Judge moved the adoption of amendment S—5554 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. 2383) the vote was:

Ayes, 38:

Banks	Bartz	Bennett	Bisignano
Black	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Flynn	Fraise	Freeman
Gettings	Halvorson	Hammond	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lundby
McKean	Palmer	Priebe	Redfern
Rensink	Rittmer	Sorensen	Szymoniak
Tinsman	Zieman		

Nays, 8:

Fink	Giannetto	Gronstal	Hansen
Lind	Maddox	Murphy	Vilsack

Absent or not voting, 4:

Boettger	McLaren	Neuhauser	Rife

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 2456, 511** and **2383** and **Senate Files 2154** and **2140** be **immediately messaged** to the House, and to send an immediate messaged to the House on **Senate File 2381.**

SENATE INSISTS

Senate File 2449

Senator Palmer called up for consideration Senate File 2449, a bill for an act changing the computation of the inflation factors for the tax brackets and standard deduction under the individual income tax; changing the computation of taxable income of certain subchapter S corporations and their shareholders; increasing inheritance tax exemptions for certain relatives; increasing the amount of the appropriations for homestead credit, military service credit, and low-income credit and reimbursement claims; providing income tax credits for investing in a qualified venture capital company; establishing incentives for family farm animal feeding operations and making an appropriation; adjusting the funding for the family farm and agricultural land tax credits; and providing effective and applicability date provisions, amended by the House, and moved that the Senate insist on its amendment.

A record roll call was requested.

On the question "Shall the motion to insist be adopted?" (S.F. 2449) the vote was:

Ayes, 25:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink

Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Murphy	Palmer	Sorensen	Szymoniak
Vilsack			

Nays, 21:

Banks	Bartz	Bennett	Borlaug
Douglas	Drake	Freeman	Hedge
Iverson	Jensen	Kramer	Lind
Lundby	Maddox	McKean	Priebe
Redfern	Rensink	Rittmer	Tinsman
Zieman			

Absent or not voting, 4:

Boettger	McLaren	Neuhauser	Rife

The motion prevailed and the Senate **insisted on** its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 2449** on the part of the Senate: Senators Palmer, Chair; Husak, Vilsack, Bennett and Freeman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 8, 1996, passed the following bills in which the concurrence of the House was asked:

Senate File 2131, a bill for an act relating to a continuing appropriation for city public improvements.

Senate File 2158, a bill for an act relating to textbooks.

Senate File 2218, a bill for an act relating to the community health management system by extending the date for implementation of phase I of the system.

Senate File 2283, a bill for an act relating to voting, the distribution of earnings, and the bylaws of a cooperative association.

Senate File 2303, a bill for an act relating to the medical assistance program including provisions relating to personal liability of personal representatives of medical assistance recipients, nursing facility fines, and transfers of assets.

ALSO: That the House has on April 8, 1996, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2201, a bill for an act relating to the open enrollment application and implementation process (S—5688).

Senate File 2294, a bill for an act creating multidisciplinary community services teams and providing a penalty (S—5687).

ALSO: That the House has on April 8, 1996, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 419, a bill for an act providing for class "C" area service system roads and providing a penalty.

House File 2256, a bill for an act providing requirements for implementation of new or revised federal block grant provisions which affect local governments and providing an effective date and applicability provision.

House File 2462, a bill for an act relating to public access to motor vehicle records and providing a conditional repeal and an effective date.

ALSO: That the House has on April 8, 1996, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 123, a house concurrent resolution to approve and confirm the appointment of the citizens' aide.

This resolution was read first time and **passed on file.**

ALSO: That the House has on April 8, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2422, a bill for an act relating to state sales and services tax exemption for sales or services rendered, furnished, or performed by state and county fairs.

This bill was read first time and **passed on file.**

House File 2488, a bill for an act relating to special census certification and providing an effective date.

This bill was read first time and **passed on file.**

House File 2491, a bill for an act relating to the care and maintenance of pioneer cemeteries and authorizing a tax levy.

This bill was read first time and **passed on file.**

ALSO: That the House has on April 8, 1996, **refused to concur** in the Senate amendment as amended to the following bill in which the concurrence of the House was asked:

House File 2449, a bill for an act setting campaign contribution limits by persons and political committees, addressing independent expenditures on behalf of candidates, employee and member contributions, making penalties applicable, and providing an effective date.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 118, by Szymoniak, a concurrent resolution recognizing the outstanding work of the employees of the Division of Vocational Rehabilitation Services of the Department of Education and commemorating the 75th anniversary of vocational rehabilitation services in Iowa.

Read first time and **passed on file.**

APPENDIX

STUDY BILL RECEIVED

SSB 2356 Ways and Means

Relating to entities and subject matter under the regulatory authority of the division of insurance, including prearranged funeral contracts, cemeteries, residential service contracts, and business opportunities, and establishing fees.

SUBCOMMITTEE ASSIGNMENTS

SSB 2354

WAYS AND MEANS: Deluhery, Chair; Freeman, McLaren, Neuhauser and Priebe

SSB 2356

WAYS AND MEANS: Deluhery, Chair; Iverson and Neuhauser

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 8th day of April, 1996

Senate Files 2110, 2299, 2352, 2062, 2260, 2307, 2387, 2063 and 2074.

JOHN F. DWYER
Secretary of the Senate

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2062, the following correction was made:

1. Page 11, line 11, the word and number "Section 17" were changed to the word and number "Section 22".

JOHN F. DWYER
Secretary of the Senate

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

James W. Kueter, Durango — For attaining the rank of Eagle Scout. Senator Flynn (4-8-96).

COMMUNICATION FROM THE GOVERNOR

The following communication from the governor was presented and placed on file:

April 3, 1996

Mr. John F. Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Dwyer:

Due to the resignation of Pamela Vap from the Community Health Management Information System Governing Board, I am withdrawing her name for consideration by the Senate for reappointment to this board.

Sincerely,
TERRY E. BRANSTAD
Governor

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 8, 1996, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2155 — To adjust the jurisdictional amount for municipal infractions tried before a judge in district court.

SENATE FILE 2165 — Relating to the hunting season for ungulates on a hunting preserve and providing an effective date.

SENATE FILE 2167 — Relating to prohibiting the assault of a health care provider and providing penalties.

SENATE FILE 2212 — Relating to the regulation of timber sales and surety bonds paid by timber buyers and providing an effective date.

SENATE FILE 2213 — Relating to the continued existence of the prevention of disabilities policy council and technical assistance committee and providing an effective date.

SENATE FILE 2252 — Relating to the number and apportionment of district associate judges, and providing an effective date.

SENATE FILE 2252 — Relating to the number and apportionment of district associate judges, and providing an effective date.

SENATE FILE 2323 — Relating to pharmacy technician designation, registration and fees, delegation of duties, and disciplinary action.

SENATE FILE 2367 — Providing for the payment of outdated invoices by the agency to which the goods or services were provided, and by the department of revenue and finance, and providing an effective date.

PRESENTATION OF VISITORS

Senator Jensen presented Helle Koch, Klaus Olesen and Jane Wickrog, visitors from Denmark, who were present in the Senate chamber.

BILL ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bill to committee:

H.F. 2423 Ways and Means

CONFERENCE COMMITTEE REPORT RECEIVED
(Senate File 2448)

A conference committee report signed by the following Senate and House members was filed April 8, 1996, on Senate File 2448, 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 governor's alliance on substance abuse, the Iowa department of public health, the department of human rights, and the commission of veterans affairs, and providing an immediate effective date:

On the Part of the Senate:

TOM FLYNN, Chair
NANCY BOETTGER
DICK DEARDEN
RANDAL GIANNETTO
WILMER RENSINK

On the Part of the House:

JOSEPH KREMER, Chair
NORMAN MUNDIE
KEITH WEIGEL

AMENDMENTS FILED

S—5678	S.F.	2420	Johnie Hammond
S—5679	S.F.	2442	Robert Dvorsky
S—5680	S.F.	2154	Tony Bisignano
S—5681	H.F.	2458	Michael E. Gronstal
S—5682	H.F.	2458	Michael E. Gronstal
S—5683	H.F.	2448	Andy McKean Randal J. Giannetto Tom Flynn
S—5684	H.F.	2259	Merlin E. Bartz
S—5685	H.F.	2383	Berl E. Priebe
S—5686	H.F.	230	Michael E. Gronstal
S—5687	S.F.	2294	House amendment
S—5688	S.F.	2201	House amendment
S—5689	S.F.	2442	Elaine Szymoniak Johnie Hammond Jim Lind

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:48 p.m., until 9:00 a.m., Tuesday, April 9, 1996.

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 9, 1996

The Senate met in regular session at 9:08 a.m., President Boswell presiding.

Prayer was offered by Caroline Ogle, a 10-year-old student at Luana Center of MFL Marmac School, District of Monona, Iowa, who sang "The Lord's Prayer".

The Journal of Monday, April 8, 1996, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sorensen until he arrives on request of Senator Gettings.

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 8, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2114, a bill for an act relating to the amount of 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, providing for a reduction in the amount of good and honor time that may be earned by forcible felons, providing for a legislative interim and a departmental study, and making other related changes (S—5690).

ALSO: That the members of the **Conference Committee** appointed April 9, 1996, on **Senate File 2449**, a bill for an act changing the computation of the inflation factors for the tax brackets and standard deduction under the individual income tax; changing the computation of taxable income of certain subchapter S corporations and their shareholders; increasing inheritance tax exemptions for certain relatives; increasing the amount of the appropriations for homestead credit, military service credit, and low-income credit and reimbursement claims; providing income tax credits for investing in a qualified venture capital company; establishing incentives for family farm animal feeding operations and making an appropriation; adjusting the funding for the family farm and agricultural land tax credits; and providing effective and applicability date provisions, on the part of the House are: The Representative from Clayton, Mr. Halvorson, Chair; the Representative from Story, Mr. Bernau; the Representative from Emmet, Mr. Greig; the Representative from Linn, Mr. Larson; the Representative from Johnson, Mr. Myers.

SPECIAL GUESTS

Senator Hedge presented Jill Verhey, Queen of the Sixty-first Annual Tulip Time Festival, who in turn introduced the members of her court: Allison Mulder, Livija Shannon, Julie Steenhoek and Crystal Vander Waal. They were accompanied by their parents.

Queen Jill invited members of the Senate to attend the Tulip Time Festival in Pella on May 9, 10 and 11.

The Queen, her attendants and their parents distributed the famous Dutch cookies to the senators and staff.

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

S.C.R.	118	Education
H.C.R.	123	Rules and Administration
H.F.	2422	Ways and Means
H.F.	2488	Ways and Means
H.F.	2491	Ways and Means

The Senate stood at ease at 9:30 a.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 10:55 a.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 9, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2171, a bill for an act relating to public health administration, including the duties of the director of public health, primary care recruitment and retention, professional licensure, and health data.

ALSO: That the House has on April 9, 1996, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 2407, a bill for an act relating to legal publications and related products prepared and distributed under the authority of the general assembly.

ALSO: That the House has on April 9, 1996, 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 2419, a bill for an act relating to transportation by granting the state department of transportation condemnation rights for utility facility replacement, requiring sixty day property payments, requiring certain criteria be adopted by administrative rule, modifying certain damage disclosure statement requirements, providing for entry onto private property for sounding and drilling, exempting operators of trucks hauling cement from certain regulations, and relating to the disposal of abandoned vehicles, and providing for release of retained funds for public improvements (S—5691 to H—5756).

ALSO: That the House has on April 9, 1996, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 2390, a bill for an act providing for the branding of livestock.

RECESS

On motion of Senator Horn, the Senate recessed at 10:57 a.m., until 2:00 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SSB 2355

WAYS AND MEANS: Murphy, Chair; Bennett, Drake, Palmer and Vilsack

House File 2488

WAYS AND MEANS: Szymoniak, Chair; Freeman and Neuhauser

House File 2491

WAYS AND MEANS: Deluhery, Chair; Iverson and Priebe

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty twelfth grade students from Washington High School, Vinton, accompanied by Sharyl Stulken. Senator Husak.

Thirty fifth grade students from Pleasant View Elementary School, Pleasant Valley, accompanied by Mark Wilson. Senators Tinsman and Rittmer.

Sixty fifth grade students from BCLUW Middle School, Union, accompanied by Mary Piper, John Ehn and Stacy Simpson. Senators Jensen, Giannetto and Iverson.

CERTIFICATE OF RECOGNITION

The secretary of the senate issued a certificate of recognition as follows:

Jason Rippeteau, Fort Madison — For attaining the rank of Eagle Scout. Senator Fraise (4-6-96).

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 2465 (SSB 2354), a bill for an act relating to the amount for state income tax purposes of the per diem received by certain members of the general assembly that may be deducted and providing an applicability date provision.

Recommendation: APPROVED COMMITTEE BILL.

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 2466 (SSB 2356), a bill for an act relating to entities and subject matter under the regulatory authority of the division of insurance, including prearranged funeral contracts, cemeteries, residential service contracts, and business opportunities, and establishing fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Neuhauser and Vilsack. Nays, 1: Priebe. Absent or not voting, 2: Murphy and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTES

MR. PRESIDENT: I was nessarily absent from the Senate chamber on April 6, 1996. Had I been present, I would have voted "aye" on Senate Files 2208, 2269, 2420 and 2438 and the En Bloc Confirmation Calendar.

MIKE CONNOLLY

AMENDMENTS FILED

S—5690	S.F.	2114	House amendment
S—5691	H.F.	2419	House amendment
S—5692	H.F.	2387	Don E. Gettings
S—5693	S.F.	2369	Merlin E. Bartz

S—5694	S.F.	2463	Wayne Bennett
S—5695	S.F.	2463	Wayne Bennett
S—5696	H.F.	2370	House amendment

AFTERNOON SESSION

The Senate reconvened at 2:45 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 9, 1996, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 109, a concurrent resolution urging the United States Congress to amend relevant law to facilitate the development and approval of new drugs and biologics.

ALSO: That the House has on April 9, 1996, passed the following bills in which the concurrence of the House was asked:

Senate File 2071, a bill for an act creating an advisory commission on intergovernmental relations, specifying its membership and its powers and duties, providing for other properly related matters, and providing an effective date.

Senate File 2123, a bill for an act relating to the payment of claims by an administrator acting on behalf of an insurer.

Senate File 2204, a bill for an act relating to the operation of the vocational rehabilitation division of the department of education and promoting consistency with the most recently amended version of federal law.

Senate File 2396, a bill for an act adding certain residential security deposits and prepaid rent to the list of exempt property which a debtor may claim.

ALSO: That the House has on April 9, 1996, 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 2420, a bill for an act relating to juvenile justice, including dispositional alternatives for juveniles adjudicated delinquent, registering with the sex offender registry, and associate juvenile judge jurisdiction.

ALSO: That the House has on April 9, 1996, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 28, a concurrent resolution requesting that the United States Congress repeal the decriminalization of status offenses mandate contained in the federal Juvenile Justice Delinquency Prevention Act of 1974.

This resolution was read first time and **passed on file.**

ALSO: That the House has on April 9, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2432, a bill for an act relating to the taxation of payments received by organized health care delivery systems.

This bill was read first time and **passed on file.**

ALSO: That the House has on April 9, 1996, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 111, a bill for an act exempting from regulation certain homeowners' association swimming pools.

House File 210, a bill for an act authorizing a court to require a criminal offender as part of a restitution order to make financial contributions to a local anticrime organization.

ALSO: That the House has on April 9, 1996, 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 2370, a bill for an act relating to limited liability companies and corporations, including the period within which a limited liability company subject to dissolution may be continued, and providing an exemption from the real estate transfer tax for certain transfers involving limited liability companies (S—5696 to H—5621).

INTRODUCTION OF BILLS

Senate File 2465, by committee on Ways and Means, a bill for an act relating to the amount for state income tax purposes of the per diem received by certain members of the general assembly that may be deducted and providing an applicability date provision.

Read first time and **placed on Ways and Means Calendar.**

Senate File 2466, by committee on Ways and Means, a bill for an act relating to entities and subject matter under the regulatory authority of the division of insurance, including prearranged funeral contracts, cemeteries, residential service contracts, and business opportunities, and establishing fees.

Read first time and **placed on Ways and Means Calendar.**

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 119, by Gronstal, a concurrent resolution relating to the establishment of an interim committee regarding the Iowa Administrative Procedure Act.

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 2:51 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 3:20 p.m., President Boswell presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

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. Kenneth W. Caldwell as a member of the Athletic Trainer Advisory Board.

Dr. Thomas J. Henrich as a member of the Board of Behavioral Science Examiners.

Shirley A. Pennington as a member of the Board of Mortuary Science Examiners.

Kevin J. Beauvais as a member of the Commission on Community Action Agencies.

Sharon Lehmann as a member of the Commission on the Deaf.

Jerome Thomas as a member of the Commission on the Status of African-Americans.

Judge Brown, Jr. and Dr. Scharron A. Clayton as members of the Commission on the Status of Women.

Lillie M. Perry as a member of the Real Estate Appraiser Examining Board.

Eric C. Seuren as a member of the Renewable Fuels and Coproducts Advisory Committee.

Rosemary Schrack as a member of the State Board of Examiners for Nursing Home Administrators.

Senator Horn moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the votes were:

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.

HOUSE AMENDMENTS CONSIDERED

Senate File 2201

Senator Neuhauser called up for consideration Senate File 2201, a bill for an act relating to the open enrollment application and implementation process, amended by the House, and moved that the Senate concur in House amendment S—5688 filed April 8, 1996.

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. 2201) 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.

Senate File 2294

Senator Hammond called up for consideration Senate File 2294, a bill for an act creating multidisciplinary community services teams and providing a penalty, amended by the House, and moved that the Senate concur in House amendment S—5687 filed April 8, 1996.

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. 2294) 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 3, 1996)

House File 2259

The Senate resumed consideration of House File 2259, a bill for an act relating to city sewer or water utility connections, deferred April 3, 1996.

Senator Bartz offered amendment S—5684 filed by him on April 8, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5684 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?" (H.F. 2259) 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.

CONFERENCE COMMITTEE REPORT ADOPTED

Senate File 2448

Senator Flynn called up the conference committee report on Senate File 2448, 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 governor's alliance on substance abuse, the Iowa department of public health, the department of human rights, and the commission of veterans affairs, and providing an immediate effective date, filed on April 8, 1996, 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 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. 2448) 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
(Ways and Means Calendar)

Senate File 2457

On motion of Senator Palmer, Senate File 2457, a bill for an act relating to single-family residential construction and by

establishing a mediation process providing consumer remedies, and providing for related matters, was taken up for consideration.

President pro tempore Bisignano took the chair at 3:46 p.m.

Senator Flynn asked and received unanimous consent that action on **Senate File 2457** be **deferred.**

House File 2166

On motion of Senator Palmer, House File 2166, a bill for an act relating to the taxation of foreign corporations and providing an effective and retroactive applicability date provision, with report of committee recommending passage, was taken up for consideration.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2166) 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, 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 April 8, 1996)

House File 2234

The Senate resumed consideration of House File 2234, a bill for an act relating to exempting certain nonresident aliens from land ownership restrictions, and amendment S—5514 by the committee on Small Business, Economic Development and Tourism, to page 1 of the bill, deferred April 8, 1996.

Senator Bennett offered amendment S—5698 filed by him from the floor to amendment S—5514 and moved its adoption.

Amendment S—5698 was adopted by a voice vote.

Senator Hansen moved the adoption of amendment S—5514 as amended, which motion prevailed by a voice vote.

Senator Priebe asked and received unanimous consent that action on **House File 2234** be **deferred.**

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 2259** and **2166** and **Senate File 2448** be **immediately messaged** to the House, and to send an immediate message to the House on **Senate Files 2201** and **2294.**

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

House File 2422

WAYS AND MEANS: Husak, Chair; Hedge and Neuhauser

House File 2423

WAYS AND MEANS: Palmer, Chair; Connolly and Iverson

House File 2481

WAYS AND MEANS: Vilsack, Chair; Bennett and Palmer

Senate Resolution 112

RULES AND ADMINISTRATION: Boswell, Chair; Gettings and Kramer

House Concurrent Resolution 123

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Kramer

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Sixty eleventh grade students from Colo-Nesco Community Schools, Colo, accompanied by Steve Lively, Steve Buhrow and Janis MaGruder. Senator Giannetto.

COMMITTEE REPORTS

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE RESOLUTION 110, a senate resolution recognizing June 22, 1996, as Morman Trail Day, in celebration of the sesquicentennial anniversary of the Mormon pioneer exodus of 1846.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Fink, Black, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe and Rensink. Nays, none. Absent or not voting, 1: Sorensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 569, a bill for an act relating to the motor vehicle leasing tax and providing an applicability provision.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5699.

Final Vote: Ayes, 13: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Neuhauser, Priebe and Szymoniak. Nays, none. Absent or not voting, 2: Murphy and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5697	H.F.	2427	Al Sorensen
S—5698	H.F.	2234	Wayne Bennett
S—5699	H.F.	569	Ways and Means

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:19 p.m., until 9:00 a.m., Wednesday, April 10, 1996.

JOURNAL OF THE SENATE

NINETY-FOURTH CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 10, 1996

The Senate met in regular session at 9:12 a.m., President Boswell presiding.

Prayer was offered by the Reverend David McCall, pastor of the First Baptist Church, Shenandoah, Iowa.

The Journal of Tuesday, April 9, 1996, 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 9, 1996, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 105, a concurrent resolution in support of maintaining the Mississippi River as a major transportation route for various products shipped into and out of the Upper Mississippi region.

ALSO: That the House has on April 9, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2305, a bill for an act relating to purchase money mortgages and providing a retroactive applicability provision.

ALSO: That the House has on April 9, 1996, **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 2085, a bill for an act relating to handicapped parking and providing a penalty.

ALSO: That the House has on April 9, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2399, a bill for an act relating to child protection system provisions involving the child abuse assessment pilot projects administered by the department of human services and certain multidisciplinary teams, and providing an effective date (S—5702).

ALSO: That the House has on April 9, 1996, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was 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.

House File 2306, a bill for an act relating to the regulation of motorboats on certain artificial lakes, and providing an effective date.

ALSO: That the House has on April 9, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2486, 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.

This bill was read first time and **passed on file.**

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

S.C.R.	119	Rules and Administration
H.C.R.	28	Judiciary
H.F.	2432	Ways and Means
H.F.	2486	Appropriations

LEAVES OF ABSENCE

Leaves of absence were granted to the following Senators until they arrive:

Senator Redfern on request of Senator McLaren; Senators Kramer, Tinsman and Banks on request of Senator Rife; Senator Rittmer on request of Senator Bennett and Senator Connolly request of Senator Flynn.

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:

Diana L. Stadtmueller as a member of the Agricultural Development Authority.

Robert L. Cramer as a member of the Alcoholic Beverages Commission.

Dr. Mary L. Khowassah as a member of the Athletic Trainer Advisory Board.

Patricia K. Stark as a member of the Board for the Licensing and Regulation of Hearing Aid Dealers.

Dr. John W. Quinlan as a member of the Board of Chiropractic Examiners.

Dr. Bruce C. Heilman as a member of the Board of Dental Examiners.

Dr. Eddie D. DeHaan as a member of the Board of Medical Examiners.

Dr. Melvin L. Grundleger as a member of the Board of Pharmacy Examiners.

Bette L. Crumrine as a member of the Commission on Community Action Agencies.

Darryl L. Lipscomb as a member of the Commission on the Status of African-Americans.

Dennis J. Bullock as a member of the Commission on the Status of Women.

Norma D. Lyon as a member of the Iowa Board of Veterinary Medicine.

Harriet B. Gottlieb as a member of the Iowa Higher Education Loan Authority.

Dennis A. Ausenhus as a member of the Landscape Architectural Examining Board.

A.H. Cooper as a member of the Renewable Fuels and Coproducts Advisory Committee.

Paul C. Johnson as a member of the Wallace Technology Transfer Foundation of Iowa.

Senator Horn moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the votes were:

Ayes, 44:

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	Lind	Lundby	Maddox
McKean	McLaren	Murphy	Neuhauser
Palmer	Priebe	Rensink	Rife
Sorensen	Szymoniak	Vilsack	Zieman

Nays, none.

Absent or not voting, 6:

Banks	Connolly	Kramer	Redfern
Rittmer	Tinsman		

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

UNFINISHED BUSINESS CALENDAR

Senate File 2210

On motion of Senator McKean, Senate File 2210, a bill for an act relating to public access to criminal history data maintained by the department of public safety, placed on the Unfinished Business Calendar on March 20, 1996, was taken up for consideration.

Senator McKean offered amendment S—5536 filed by him on March 26, 1996, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5536 was adopted by a voice vote.

Senator McKean asked and received unanimous consent that **House File 2448** be **substituted** for **Senate File 2210** as amended.

House File 2448

On motion of Senator McKean, House File 2448, a bill for an act relating to public access to criminal history data maintained by the department of public safety, was taken up for consideration.

Senator Giannetto offered amendment S—5561 filed by him on March 27, 1996, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5561 was adopted by a voice vote.

Senator McKean offered amendment S—5601 filed by him on March 28, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5601 was adopted by a voice vote.

Senator McKean offered amendment S—5556 filed by Senators McKean, Giannetto and Vilsack on March 27, 1996, to pages 1-4 of the bill and moved its adoption.

Amendment S—5556 was adopted by a voice vote.

With the adoption of amendment S—5556, the Chair ruled amendment S—5534 filed by Senator Giannetto on March 26, 1996, to page 1 of the bill, out of order.

Senator Hammond offered amendment S—5665 filed by Senators Hammond and McKean on April 3, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5665 was adopted by a voice vote.

Senator McKean asked and received unanimous consent to withdraw amendment S—5599 filed by Senators McKean, Giannetto and Flynn on March 28, 1996, to page 2 of the bill.

Senator McKean offered amendment S—5683 filed by Senators McKean, Giannetto and Flynn on April 8, 1996, to page 2 of the bill and moved its adoption.

Amendment S—5683 was adopted by a voice vote.

With the adoption of amendment S—5556, the Chair ruled amendment S—5663 filed by Senator Vilsack on April 3, 1996, to pages 3 and 4 of the bill, out of order.

Senator Flynn withdrew amendment S—5564 filed by him on March 27, 1996, to page 4 of the bill.

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. 2448) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Husak	Iverson	Jensen	Judge
Kibbie	Lind	Lundby	Maddox
McKean	McLaren	Murphy	Neuhauser
Palmer	Priebe	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Connolly	Horn	Kramer	Redfern
Tinsman			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

President pro tempore Bisignano took the chair at 10:03 a.m.

UNFINISHED BUSINESS CALENDAR

House File 2427

On motion of Senator Sorensen, House File 2427, a bill for an act relating to mental health, mental retardation, developmental disabilities, and other services paid for in whole or in part by counties or the state, and including an applicability provision and an effective date, with report of committee recommending passage, and placed on the Unfinished Business Calendar on March 28, 1996, was taken up for consideration.

Senator Sorensen offered amendment S—5697 filed by him on April 9, 1996, to pages 1-7 and 9-22 of the bill and moved its adoption.

Amendment S—5697 was adopted by a voice vote.

Senator Hammond offered amendment S—5704 filed by her from the floor to page 16 of the bill.

Senator Hammond asked and received unanimous consent that action on amendment S—5704 and **House File 2427** be **deferred.**

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 110.

Senate Resolution 110

On motion of Senator Black, Senate Resolution 110, a senate resolution recognizing June 22, 1996, as Morman Trail Day, in

celebration of the sesquicentennial anniversary of the Mormon pioneer exodus of 1846, with report of committee recommending passage, was taken up for consideration.

Senator Black moved the adoption of Senate Resolution 110, which motion prevailed by a voice vote.

UNFINISHED BUSINESS
(Deferred March 25, 1996)

House File 2458

The Senate resumed consideration of House File 2458, a bill for an act relating to the right to appointed counsel or a public defender, by relating to the eligibility for certain indigents, the recovery of defense costs, and by restricting the right to counsel for certain parents in child in need of assistance cases, deferred March 25, 1996.

Senator Hansen offered amendment S—5419 filed by the committee on Judiciary on March 19, 1996, to page 2 of the bill.

Senator Vilsack withdrew amendment S—5521 filed by him on March 25, 1996, to amendment S—5419.

Senator Hansen moved the adoption of amendment S—5419, which motion prevailed by a voice vote.

Senator Giannetto withdrew amendment S—5673 filed by him on April 3, 1996, to pages 1, 2 and the title page of the bill.

With the withdrawal of amendment S—5673, the Chair ruled amendments S—5681 and S—5682 filed by Senator Gronstal on April 8, 1996, to amendment S—5673, out of order.

Senator Giannetto offered amendment S—5596 filed by him on March 28, 1996, to page 6 of the bill and moved its adoption.

Amendment S—5596 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Halvorson until he returns on request of Senator Sorensen.

BUSINESS PENDING

House File 2458

The Senate resumed consideration of House File 2458.

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. 2458) 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	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:

Halvorson	Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 2427

The Senate resumed consideration of House File 2427, a bill for an act relating to mental health, mental retardation, developmental disabilities, and other services paid for in whole or in part by counties or the state, and including an applicability provision and an effective date, and amendment S—5704 by Senator Hammond to page 16 of the bill, previously deferred.

Senator Hammond offered amendment S—5705 filed by Senators Hammond and McLaren from the floor to amendment S—5704 and moved its adoption.

Amendment S—5705 was adopted by a voice vote.

Senator Hammond moved the adoption of amendment S—5704 as amended, which motion prevailed 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?" (H.F. 2427) 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.

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **House Files 2448** and **2427** be **immediately messaged** to the House.

RECESS

On motion of Senator Husak, the Senate recessed at 10:56 a.m., until 2:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 9, 1996, 4:30 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 2421 as amended.

Adjourned: 5:45 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: April 9, 1996, 2:56 p.m.

Members Present: Fink, Chair; Black, Vice Chair; Lundby, Ranking Member; Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe and Rensink.

Members Absent: Sorensen (excused).

Committee Business: Recommended passage of Senate Resolution 110.

Adjourned: 3:00 p.m.

WAYS AND MEANS

Convened: April 9, 1996, 9:35 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 House File 569 as amended; approved SSBs 2354 and 2356 as committee bills; discussed and deferred action on House File 2423.

Adjourned: 10:06 a.m.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 9, 1996, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2110 — Relating to the establishment of an anatomical gift public awareness and transplantation fund to be administered by and an anatomical gift public awareness advisory committee to be established within the Iowa Department of Public Health.

SENATE FILE 2299 — Relating top reserve peace officers obtaining or renewing professional permits to carry weapons.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-three eighth grade students from Southeast Junior High School, Iowa City, accompanied by Joyce Carman and Greg Kubert. Senator Neuhauser.

Thirteen twelfth grade students from Southeast Webster Community Schools, Burnside, accompanied by Jim Ainslie. Senator Halvorson.

SUBCOMMITTEE ASSIGNMENT

House Concurrent Resolution 28

JUDICIARY: Bisignano, Chair; Boettger, Giannetto, Maddox and Vilsack.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: HOUSE FILE 2421, 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, making appropriations for capital projects from the rebuild Iowa infrastructure fund, and relating to the Iowa communications network, construction projects for the commission of veterans affairs, county fairs, recreational trails, and nonreversion of certain appropriations, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5700.

Final Vote: Ayes, 22: Murphy, Boswell, Banks, Bartz, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, 2: Lind and Iverson. Absent or not voting, 1: Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 2422, a bill for an act relating to state sales and services tax exemption for sales or services rendered, furnished, or performed by state and county fairs.

Recommendation: DO PASS.

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.

ALSO:

Final Bill Action: HOUSE FILE 2488, a bill for an act relating to special census certification and providing an effective date.

Recommendation: DO PASS.

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.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2458 passed the Senate on April 10, 1996.

ROBERT E. DVORSKY

AMENDMENTS FILED

S—5700	H.F.	2421	Appropriations
S—5701	H.F.	428	Jim Lind
S—5702	S.F.	2399	House amendment
S—5703	S.F.	2442	Jim Lind
S—5704	H.F.	2427	Johnie Hammond
S—5705	H.F.	2427	Johnie Hammond Derryl McLaren
S—5706	S.F.	2457	Tom Flynn
S—5707	S.F.	2256	House amendment
S—5708	S.F.	2300	House amendment
S—5709	S.F.	2466	Mike Connolly

AFTERNOON SESSION

The Senate reconvened at 2:35 p.m., President pro tempore Bisignano 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

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, 1996, passed the following bills in which the concurrence of the House was asked:

Senate File 2211, a bill for an act relating to fingerprinting requirements for certain public offenses.

Senate File 2344, a bill for an act relating to child support enforcement.

Senate File 2359, 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.

Senate File 2368, a bill for an act providing for the regulation of investment securities under Article 8 of the Uniform Commercial Code, and providing conforming changes, and an effective date.

ALSO: That the House has on April 10, 1996, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2256, a bill for an act relating to possession or control of alcohol by persons aged eighteen, nineteen, and twenty, and providing a penalty (S—5707).

Senate File 2300, a bill for an act relating to the willful destruction of E911 addressing signs and providing a penalty (S—5708).

ALSO: That the House has on April 10, 1996, **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 259, a bill for an act relating to the practice of mortuary science, cremation, and licensing of funeral establishments and providing penalties.

ALSO: That the House has on April 10, 1996, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 334, a bill for an act relating to the hearing and election provisions of the instructional support program of school districts.

House File 2144, a bill for an act relating to the payment by third parties of physician assistants and advanced registered nurse practitioners.

INTRODUCTION OF BILL

Senate File 2467, by committee on Ways and Means, a bill for an act increasing the nonpublic school tax credit and eliminating the nonpublic school tax deduction for amounts paid for tuition and textbooks for nonpublic elementary and secondary schools under the state individual income tax and providing effective and applicability date provisions.

Read first time and **placed on Ways and Means Calendar.**

MOTION TO RECONSIDER WITHDRAWN

House File 570

Senator Hansen withdrew the motion to reconsider House File 570, a bill for an act relating to funding for the name of the national center for talented and gifted education and making an appropriation, filed by him on March 26, 1996, and found on page 1047 of the Senate Journal.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Husak asked and received unanimous consent to take up for consideration House File 569.

House File 569

On motion of Senator Szymoniak, House File 569, a bill for an act relating to the motor vehicle leasing tax and providing an applicability provision, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Szymoniak offered amendment S—5699 filed by the committee on Ways and Means on April 9, 1996, to page 3 of the bill and moved its adoption.

Amendment S—5699 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Banks until he returns on request of Senator Rife.

BUSINESS PENDING

House File 569

The Senate resumed consideration of House File 569.

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. 569) 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	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, 1:

Hammond

Voting present, 1:

McKean

Absent or not voting, 1:

Banks

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 following motion to reconsider filed by him from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 2458 passed the Senate on April 10, 1996.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2458) the vote was:

Ayes, 46:

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
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Zieman		

Nays, none.

Absent or not voting, 4:

Halvorson	Judge	Murphy	Vilsack

The motion prevailed.

Senator Hansen moved to reconsider the vote by which House File 2458 went to its last reading, which motion prevailed by a voice vote.

House File 2458

On motion of Senator Hansen, House File 2458, a bill for an act relating to the right to appointed counsel or a public defender, by relating to the eligibility for certain indigents, the recovery of defense costs, and by restricting the right to counsel for certain parents in child in need of assistance cases, was taken up for reconsideration.

Senator Hansen offered amendment S—5711 filed by him from the floor to pages 4 and 5 of the bill and moved its adoption.

Amendment S—5711 was adopted by a voice vote.

Senator Dvorsky offered amendment S—5712 filed by Senators Dvorsky and Giannetto from the floor to page 5 of the bill and moved its adoption.

Amendment S—5712 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?" (H.F. 2458) 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.

The motion to reconsider House File 2458 filed by Senator Dvorsky on April 10, 1996, and found on page 1304 of the Senate Journal was out of order.

MOTION TO RECONSIDER WITHDRAWN

House File 2061

Senator Murphy withdrew the motion to reconsider House File 2061, a bill for an act relating to the immunity from civil liability for health care peer review committee members, filed by him on March 25, 1996, and found on page 1026 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 569** and **2458** 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 party caucus.

The Senate resumed session at 5:35 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.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Neuhauser called up the appointment of Roger L. Lande as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on March 27, 1996, and found on page 1105 of the Senate Journal.

Senator Neuhauser 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	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 appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Dvorsky called up the appointment of Richard H. Opie as Chair of the Iowa Telecommunications and Technology Commission, placed on the Individual Confirmation Calendar on March 27, 1996, and found on page 1103 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, 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 appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Lind called up the appointment of Jill M. Robinson as a member of the Board for the Licensing and Regulation of Hearing Aid Dealers, placed on the Individual Confirmation Calendar on April 1, 1996, and found on page 1167 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, 46:

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
Lundby	Maddox	McKean	Murphy
Neuhauser	Palmer	Priebe	Rensink
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 4:

Lind	McLaren	Redfern	Rife

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Halvorson called up the appointment of Ruth A. Ohde as a member of the Board of Mortuary Science Examiners, placed on the Individual Confirmation Calendar on April 1, 1996, and found on page 1167 of the Senate Journal.

Senator Halvorson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
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 appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Dearden called up the appointment of David D. Knock as a member of the Public Employment Relations Board, placed on the Individual Confirmation Calendar on March 25, 1996, and found on page 1027 of the Senate Journal.

Senator Dearden moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
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 appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Maddox called up the appointment of M. Sue Warner as a member of the Public Employees Relations Board, placed on the Individual Confirmation Calendar on March 25, 1996, and found on page 1027 of the Senate Journal.

Senator Maddox moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
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 appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

INTRODUCTION OF RESOLUTION

Senate Resolution 113, by committee on Rules and Administration, a senate resolution relating to daily operations of the Senate.

Read first time and **placed on calendar.**

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 113 (LSB 0026), a senate resolution relating to daily operations of the Senate.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Horn, Boswell, Bisignano, Gettings and Gronstal. Nays, 2: Kramer and Lind. Pass, 1: Rife. Absent or not voting, 1: Husak.

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 113.

Senate Resolution 113

On motion of Senator Bisignano, Senate Resolution 113, a senate resolution relating to daily operations of the Senate, was taken up for consideration.

Senator Bisignano moved the adoption of Senate Resolution 113, which motion prevailed by a voice vote.

CONSIDERATION OF GOVERNOR'S APPOINTMENT
(Individual Confirmation Calendar)

Senator Horn called up the appointment of Jacquelyne I. Allen as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on April 1, 1996, and found on page 1170 of the Senate Journal.

Senator Lind asked unanimous consent that action on the confirmation of Jacquelyne I. Allen be deferred.

The Senate stood at ease at 6:03 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 6:04 p.m., President Boswell presiding.

APPENDIX

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 4, 1996, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2219 — Relating to the midwest interstate compact on low-level radioactive waste and establishing a penalty.

SENATE FILE 2235 — Relating to the use of alternative licensing for nursing facilities and providing for a contingent effective date.

SENATE FILE 2282 — Relating to the requirement of notifying a consumer of a change in the terms of an open-end credit agreement.

SENATE FILE 2423 — Prohibiting a person from soliciting another person to arrange a sex act with a child and making a penalty applicable.

ALSO: That on April 10, 1996, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2062 — 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, and providing effective and retroactive applicability dates.

SENATE FILE 2063 — Establishing a school improvement technology program to fund instructional technology for school districts, the Iowa braille and sight saving school, the state school for the deaf and the Price laboratory school, the state hospital-schools, the state training school, and the Iowa juvenile home, providing for properly related matters, and making appropriations.

SNEATE FILE 2074 — Relating to the dates on which city hospital or health care facility trustees take and depart from office.

SENATE FILE 2260 — Relating to soil and water conservation, by providing for the powers and duties of commissioners of soil and water conservation districts, and soil and water conservation proactices.

SENATE FILE 2307 — Relating to programs available to persons with disabilities which are administered by the department of human services.

SENATE FILE 2352 — 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.

SENATE FILE 2387 — Relating to the department of general services, by providing for the sale or disposal of unwanted state personal property and by establishing a monument maintenance account.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-four ninth grade students from Oelwein High School, Oelwein, accompanied by Mitch Murphy and Steve Pike. Senator Murphy.

Twenty-three ninth grade students from Essex Junior-Senior High School, Essex, accompanied by Dan Cox. Senator Boswell.

Forty-seven eighth grade students from Odebolt-Arthur Middle School, Arthur, accompanied by Steve Walsh. Senator Bennett.

The following visitors were present in Senate gallery:

Seventy-five third and fifth grade students from Avoca Elementary School, Avoca, accompanied by Sandy Burmeister, Willie Olesen, Loretta Harder and Pat Rock. Senator Boettger.

SUBCOMMITTEE ASSIGNMENT

Senate Concurrent Resolution 118

EDUCATION: Szymoniak, Chair; Deluhery and Rensink

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 118, a concurrent resolution recognizing the outstanding work of the employees of the Division of Vocational Rehabilitation Services of the Department of Education and commemorating the 75th anniversary of vocational rehabilitation services in Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Connolly, Redfern, Deluhery, Fink, Murphy, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 7: Kibbie, Dvorsky, Hammond, Iverson, Kramer, Lind and Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE CONCURRENT RESOLUTION 28, a concurrent resolution requesting that the United States Congress repeal the decriminalization of status offenses mandate contained in the federal Juvenile Justice Delinquency Prevention Act of 1974.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Giannetto, Vilsack, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson and Maddox. Nays, 4: Hammond, Hansen, Neuhauser and Szymoniak. Absent or not voting, 2: McKean and Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2467 (SSB 2355), a bill for an act increasing the nonpublic school tax credit and eliminating the nonpublic school tax deduction for amounts paid for tuition and textbooks for nonpublic elementary and secondary schools under the state individual income tax and providing effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Husak, Bennett, Connolly, Deluhery, Freeman, Hedge, Iverson, McLaren, Priebe, Szymoniak and Vilsack. Nays, 2: Drake and Neuhauser. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2423, a bill for an act relating to the taxation of real property used in the operation of a racetrack or racetrack enclosure.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5710.

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.

AMENDMENTS FILED

S—5710	H.F.	2423	Ways and Means
S—5711	H.F.	2458	Steven D. Hansen
S—5712	H.F.	2458	Robert Dvorsky
			Randal J. Giannetto
S—5713	H.F.	2421	Don E. Gettings
S—5714	S.F.	2442	Johnie Hammond
S—5715	H.F.	2421	Randal J. Giannetto
			Richard F. Drake
			Don E. Gettings
S—5716	H.F.	2491	Jim Lind
S—5717	H.F.	2423	Mike Connolly
			Berl E. Priebe
S—5718	H.F.	2050	Randal J. Giannetto
			Larry Murphy
			Elaine Szymoniak
			Mary E. Kramer
			Merlin E. Bartz
S—5719	H.F.	2421	Steven D. Hansen

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:05 p.m., until 9:00 a.m., Thursday, April 11, 1996.

JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 11, 1996

The Senate met in regular session at 9:14 a.m., President pro tempore Bisignano presiding.

Prayer was offered by Candy Boucher, Catholic Campus Minister for Drake University, Des Moines, Iowa, who sang "Amazing Grace".

The Journal of Wednesday, April 10, 1996, was approved.

INTRODUCTION OF RESOLUTION

Senate Resolution 114, by committee on Rules and Administration, a senate resolution honoring Iowa State University track and field coordinator and former head men's cross country coach Bill Bergan on his retirement.

Read first time and **placed on calendar.**

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 118.

Senate Concurrent Resolution 118

On motion of Senator Szymoniak, Senate Concurrent Resolution 118, a concurrent resolution recognizing the outstanding work of the employees of the Division of Vocational Rehabilitation Services of the Department of Education and commemorating the 75th anniversary of vocational rehabilitation services in Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved the adoption of Senate Concurrent Resolution 118, which motion prevailed by a voice vote.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 2488.

House File 2488

On motion of Senator Szymoniak, House File 2488, a bill for an act relating to special census certification and providing an effective date, with report of committee recommending passage, was taken up for consideration.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Fraise and Murphy until they arrive on request of Senator Sorensen.

BUSINESS PENDING

House File 2488

The Senate resumed consideration of House File 2488.

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. 2488) the vote was:

Ayes, 48:

Banks	Bartz	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	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:

Fraise	Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE RECEDES

Senate File 259

Senator Sorensen called up for consideration Senate File 259, a bill for an act relating to the practice of mortuary science, cremation, and licensing of funeral establishments and providing penalties, amended by the House, further amended by the Senate and moved that the Senate recede from its amendment.

The motion prevailed by a voice vote and the Senate receded from its amendment.

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. 259) the vote was:

Ayes, 45:

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	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack			

Nays, 4:

Banks	Bartz	McKean	Zieman

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.

House File 2390

Senator Judge called up for consideration House File 2390, a bill for an act providing for the branding of livestock, amended by the Senate and moved that the Senate recede from its amendment.

The motion prevailed by a voice vote and the Senate receded from its amendment.

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. 2390) 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.

UNFINISHED BUSINESS CALENDAR

House File 230

On motion of Senator Gronstal, House File 230, a bill for an act relating to procedural requirements for the enforcement of certain copyrights, and providing for penalties, with report of committee without recommendation, and placed on the Unfinished Business Calendar on March 28, 1996, was taken up for consideration.

Senator Gronstal offered amendment S—5670 filed by him on April 3, 1996, to strike everything after the enacting clause and to the title page of the bill.

Senator Gronstal offered amendment S—5686 filed by him on April 8, 1996, to amendment S—5670 and moved its adoption.

Amendment S—5686 was adopted by a voice vote.

Senator Gronstal moved the adoption of amendment S—5670 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5670 as amended, the Chair ruled amendment S—5392 filed by Senator Bartz on March 19, 1996, to pages 3 and 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?" (H.F. 230) 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, 1:

Sorensen

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)

Senator Horn asked and received unanimous consent to take up for consideration House File 2422.

House File 2422

On motion of Senator Husak, House File 2422, a bill for an act relating to state sales and services tax exemption for sales or services rendered, furnished, or performed by state and county fairs, 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. 2422) 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.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 111, a senate resolution honoring the Honorable Teng-Hui Lee, President of the Republic of China.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Kramer and Lind. Nays, none. Absent or not voting, 1: Husak.

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 111.

Senate Resolution 111

On motion of Senator Boswell, Senate Resolution 111, a senate resolution honoring the Honorable Teng-Hui Lee, President of the Republic of China, with report of committee recommending passage, was taken up for consideration.

Senator Boswell moved the adoption of Senate Resolution 111, which motion prevailed by a voice vote.

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:

Sonja L. Larsen as a member of the Agricultural Development Authority.

Dr. Rick D. Wilkerson as a member of the Athletic Trainer Advisory Board.

Kathryn D. Eilers as a member of the Board of Physical and Occupational Therapy Examiners.

Nita L. Taggart as a member of the City Development Board.

Dr. Vennetta M. Fiedler as a member of the Commission of Elder Affairs.

Brenda Kruse-McConville as a member of the Commission on the Deaf.

Dr. Beth K. Bruening and Bonnie J. Steege as members of the Community Health Management Information System Governing Board.

Joan Y. Phillips as a member of the Iowa Economic Development Board.

John B. Parks as a member of the Iowa Seed Capital Corporation.

Joan F. Vitale as a member of the Landscape Architectural Examining Board.

L. Craig Harris and Thomas J. Kregel as members of the Real Estate Appraiser Examining Board.

Marilyn J. Perkins as a member of the School Budget Review Committee.

Susan J. Clouser as a member of the State Board of Education.

Senator Horn moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the votes were:

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.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

The Senate resumed consideration of the appointment of Jacquelyne I. Allen as a member of the State Racing and Gaming Commission, pending on April 10, 1996.

Senator Lind moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Banks	Bennett	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	Murphy	Neuhauser	Palmer

Priebe	Redfern	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 6:

Bartz	Boettger	McKean	McLaren
Rensink	Rife		

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Rita D. Sealock as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on April 3, 1996, and found on page 1240 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, 46:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 4:

Boswell	Gettings	Giannetto	Judge

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House**

Files 2488, 2422 and **2390** and **Senate Concurrent Resolution 118** be **immediately messaged** to the House, and to send an immediate message to the House on **Senate File 259.**

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 2467.

Senate File 2467

On motion of Senator Connolly, Senate File 2467, a bill for an act increasing the nonpublic school tax credit and eliminating the nonpublic school tax deduction for amounts paid for tuition and textbooks for nonpublic elementary and secondary schools under the state individual income tax and providing effective and applicability date provisions, was taken up for consideration.

Senator Kramer asked and received unanimous consent that action on **Senate File 2467** be **deferred.**

UNFINISHED BUSINESS CALENDAR

House File 2050

On motion of Senator Szymoniak, House File 2050, a bill for an act relating to selection criteria preferences in the placement of children for adoption by or through the department of human services, with report of committee recommending passage, and placed on the Unfinished Business Calendar on March 28, 1996, was taken up for consideration.

Senator Giannetto offered amendment S—5718 filed by Senators Giannetto, et al., on April 10, 1996, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5718 was adopted by a voice vote.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2050) 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.

SENATE RECEDES

Senate File 2085

Senator Fink called up for consideration Senate File 2085, a bill for an act relating to handicapped parking and providing a penalty, amended by the House, further amended by the Senate and moved that the Senate recede from its amendment.

The motion prevailed by a voice vote and the Senate receded from its amendment.

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. 2085) 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 AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2419

Senator Connolly called up for consideration House File 2419, a bill for an act relating to transportation by granting the state department of transportation condemnation rights for utility facility replacement, requiring sixty day property payments, requiring certain criteria be adopted by administrative rule, modifying certain damage disclosure statement requirements, providing for entry onto private property for sounding and drilling, exempting operators of trucks hauling cement from certain regulations, and relating to the disposal of abandoned vehicles, and providing for release of retained funds for public improvements, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5691 to Senate amendment H—5756 filed April 9, 1996.

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. 2419) 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 AMENDMENT CONSIDERED

Senate File 2114

Senator Fraise called up for consideration Senate File 2114, a bill for an act relating to the amount of 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, providing for a reduction in the amount of good and honor time that may be earned by forcible felons, providing for a legislative interim and a departmental study, and making other related changes, amended by the House in House amendment S—5690 filed April 9, 1996.

Senator McKean asked and received unanimous consent that action on House amendment S—5690 and **Senate File 2114** be **deferred.**

BUSINESS PENDING

Senate File 2467

The Senate resumed consideration of Senate File 2467, a bill for an act increasing the nonpublic school tax credit and eliminating the nonpublic school tax deduction for amounts paid for tuition and textbooks for nonpublic elementary and secondary schools under the state individual income tax and providing effective and applicability date provisions, previously deferred.

Senator Kramer withdrew amendment S—5722 filed by her from the floor to page 1 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. 2467) the vote was:

Ayes, 41:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Deluhery	Douglas	Flynn	Fraise
Freeman	Gettings	Giannetto	Halvorson
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Judge	Kibbie
Kramer	Lind	Lundby	Maddox
McKean	Murphy	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 7:

Dearden	Drake	Dvorsky	Fink
Gronstal	Hammond	Neuhauser	

Absent or not voting, 2:

Borlaug	McLaren

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 2050** and **2419** and **Senate File 2467** be **immediately messaged** to the House, and to send an immediate message to the House on **Senate File 2085**.

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, 1996, passed the following bills in which the concurrence of the House was asked:

Senate File 2266, a bill for an act making transportation-related Code changes including providing for a temporary registration permit, increasing registration fees for certain trailers, and providing an effective date.

Senate File 2385, a bill for an act relating to appointment and election of state judicial nominating commissioners and providing effective and applicability dates and transition provisions.

Senate File 2413, a bill for an act relating to judicial administration, including the definition of a judicial officer, the administrative authority of certain judges within a district, and the retirement age of an associate juvenile judge and associate probate judge.

Senate File 2422, a bill for an act removing the requirement that a corporation which has adopted a corporate seal affix the seal to all documents affecting real estate executed by the corporation.

ALSO: That the House has on April 11, 1996, **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 2154, a bill for an act increasing the penalties for certain offenses involving methamphetamine.

ALSO: That the House has on April 11, 1996, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 2229, a bill for an act relating to the components of the unemployment insurance system concerning the job service advisory council, voluntary income tax withholding from unemployment benefits, relieving certain employers from certain unemployment insurance charges, employer contributions and liability for unemployment insurance benefits regarding successor employers, definitions of employment and wages for members of limited liability companies, and unemployment insurance tax liability for corporate officers, and providing an effective and applicability date.

House File 2259, a bill for an act relating to city sewer or water utility connections.

House File 2448, a bill for an act relating to access to criminal history and other records maintained by state agencies.

ALSO: That the House has on April 11, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2487, a bill for an act relating to the price index for growth for purposes of the property tax limitation.

This bill was read first time and **passed on file.**

RECESS

On motion of Senator Horn, the Senate recessed at 11:10 a.m., until 2:30 p.m.

APPENDIX

PETITIONS

The following petitions were presented and placed on file by:

Senator Drake from 96 residents of Johnson County favoring legislation protecting and strengthening Iowa's laws on energy efficiency and conservation.

Senator Dvorsky from 99 residents of Johnson, Linn and Iowa Counties opposing legislation allowing boats with engines larger than 10 horsepower on Lake McBride.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: April 10, 1996, 2:25 p.m.

Members Present: Connolly, Chair; Redfern, Ranking Member; Deluhery, Fink, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman.

Members Absent: Kibbie, Vice Chair; Dvorsky, Hammond, Iverson, Kramer, Lind and Neuhauser (all excused).

Committee Business: Recommended passage of Senate Concurrent Resolution 118.

Adjourned: 2:26 p.m.

JUDICIARY

Convened: April 10, 1996, 2:00 p.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser and Szymoniak.

Members Absent: McKean, Ranking Member and Redfern (both excused).

Committee Business: Recommended passage of House Concurrent Resolution 28.

Adjourned: 2:08 p.m.

RULES AND ADMINISTRATION

Convened: April 10, 1996, 4:30 p.m.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Bisignano, Gettings, Gronstal, Kramer and Lind.

Members Absent: Husak (excused).

Committee Business: Excused governor's appointees Dr. Beth K. Bruening and Dr. Rick D. Wilkerson from introduction before the Senate; recommended passage of House Concurrent Resolutions 119, 123 and Senate Resolution 111; approved Senate Resolution 112 as a committee resolution; approved LSBs 4440, 4441, 4442, 4443 as committee resolutions; approved committee resolution providing for the FY 97 Senate budget.

Adjourned: 4:55 p.m.

WAYS AND MEANS

Convened: April 10, 1996, 11:05 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 Busines: Recommended passage of House File 2423 as amended; recommended passage of House Files 2422 and 2488; approved SSB 2355 as a committee bill.

Adjourned: 11:36 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 119

RULES AND ADMINISTRATION: Horn, Chair; Husak and Rife

House File 2432

WAYS AND MEANS: Freeman, Chair; Neuhauser and Szymoniak

COMMITTEE REPORTS

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 114 (formerly Senate Resolution 112), a senate resolution honoring Iowa State University track and field coordinator and former head men's cross country coach Bill Bergan on his retirment.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Kramer and Lind. Nays, none. Absent or not voting, 1: Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 119, a concurrent resolution expressing the sympathy of the Iowa General Assembly to the family of Captain John R. Pitzen, United States Navy.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Kramer and Lind. Nays, none. Absent or not voting, 1: Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 123, a concurrent resolution to approve and confirm the appointment of the citizens' aide.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Kramer and Lind. Nays, none. Absent or not voting, 1: Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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 bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 11th day of April, 1996:

Senate Files 2410, 2101, 2186, 2159, 2287, 2348 and 2353.

JOHN F. DWYER
Secretary of the Senate

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 230 passed the Senate on April 11, 1996.

ROBERT E. DVORSKY

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

X-L Specialized Trailers, Inc., Oelwein — For production of your 100th trailer. Senator Murphy (4-11-96).

Juanita Andersen and Project New Horizons — For outstanding work and participation in the Main Street Program. Senator Borlaug (4-19-96).

AMENDMENTS FILED

S—5720	S.F.	2114	Michael E. Gronstal
S—5721	S.F.	2114	Michael E. Gronstal
S—5722	S.F.	2467	Mary Kramer
S—5723	H.F.	2201	Michael E. Gronstal
S—5724	S.F.	2370	Michael E. Gronstal Tom Flynn Patrick J. Deluhery
S—5725	H.F.	2421	Jack Rife

AFTERNOON SESSION

The Senate reconvened at 2:53 p.m., President Boswell presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 49 present, 1 absent and a quorum present.

UNFINISHED BUSINESS
(Deferred March 26, 1996)

House File 2201

The Senate resumed consideration of House File 2201, a bill for an act relating to defining the practice of dentistry, deferred March 26, 1996.

Senator Gronstal withdrew amendment S—5723 filed by him from the floor to page 1 of the bill.

Senator Gronstal offered amendment S—5726 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5726 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. 2201) 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.

ADOPTION OF RESOLUTIONS
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House Concurrent Resolutions 119 and 123.

House Concurrent Resolution 119

On motion of Senator Gettings, House Concurrent Resolution 119, a concurrent resolution expressing the sympathy of the Iowa General Assembly to the family of Captain John R. Pitzen, United States Navy, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved the adoption of House Concurrent Resolution 119, which motion prevailed by a voice vote.

House Concurrent Resolution 123

On motion of Senator Gronstal, House Concurrent Resolution 123, a concurrent resolution to approve and confirm the appointment of the citizens' aide, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 123.

The resolution was declared to have received a constitutional majority and to have been adopted by the Senate.

UNFINISHED BUSINESS
(Deferred April 9, 1996)

Senate File 2457

The Senate resumed consideration of Senate File 2457, a bill for an act relating to single-family residential construction and by establishing a mediation process providing consumer remedies, and providing for related matters, deferred April 9, 1996.

Senator Flynn offered amendment S—5706 filed by him on April 10, 1996, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5706 was adopted by a voice vote.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2457) the vote was:

Ayes, 44:

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	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack

Nays, 6:

Banks	Bartz	Bennett	Borlaug
Lundby	Zieman		

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 2300

Senator Neuhauser called up for consideration Senate File 2300, a bill for an act relating to the willful destruction of E911 addressing signs and providing a penalty, amended by the House in House amendment S—5708 filed April 10, 1996.

Senator Flynn offered amendment S—5727 filed by Senators Flynn and Connolly from the floor to House amendment S—5708 and moved its adoption.

Amendment S—5727 was adopted by a voice vote.

Senator Husak raised the point of order that House amendment S—5708 as amended was not germane.

Senator Husak withdrew his request for a ruling on germaneness.

Senator Neuhauser moved that the Senate concur in the House amendment as amended.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (S.F. 2300) the vote was:

Ayes, 8:

Bennett	Connolly	Flynn	Halvorson
Hedge	Jensen	Redfern	Zieman

Nays, 42:

Banks	Bartz	Bisignano	Black
Boettger	Borlaug	Boswell	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Fraise	Freeman	Gettings
Giannetto	Gronstal	Hammond	Hansen
Horn	Husak	Iverson	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack		

The motion lost and the Senate **refused to concur** in the House amendment as amended.

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 11, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2157, a bill for an act relating to the duties of the college student aid commission in administering the Iowa guaranteed loan program, creating a chiropractic loan revolving fund, and providing for matters related to the chiropractic graduate student forgivable loan program (S—5728).

ALSO: That the House has on April 11, 1996, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 569, a bill for an act relating to the motor vehicle leasing tax and providing an applicability provision.

ALSO: That the House has on April 11, 1996, 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 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 (S—5729 to H—5920).

SENATE INSISTS

House File 2449

Senator Gronstal called up for consideration House File 2449, a bill for an act setting campaign contribution limits by persons and political committees, addressing independent expenditures on behalf of candidates, employee and member contributions, making penalties applicable, and providing an effective date, 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 **House File 2449** on the part of the Senate: Senators Gronstal, Chair; Neuhauser, Fink, Drake and Rittmer.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 2201, Senate File 2457** and **House Concurrent Resolutions 119** and **123** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2114

The Senate resumed consideration of Senate File 2114, a bill for an act relating to the amount of 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, providing for a reduction in the amount of good and honor time that may be earned by forcible felons, providing for a legislative interim and a departmental study, and making other related changes, and House amendment S—5690, previously deferred.

Senator Gronstal withdrew amendments S—5720 and S—5721 filed by him from the floor to House amendment S—5690.

Senator Fraise moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator 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. 2114) 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.

BILL ASSIGNED TO COMMITTEE

President Boswell announced the assignment of **House File 2487** to the committee on **Ways and Means.**

UNFINISHED BUSINESS
(Deferred March 28, 1996)

Senate File 2370

The Senate resumed consideration of Senate File 2370, a bill for an act relating to energy efficiency programs, electric and gas public utility energy efficiency mandates, and the Iowa energy center and the center for global and regional environmental research, deferred March 28, 1996.

Senator Gronstal offered amendment S—5724 filed by Senators Gronstal, Flynn and Deluhery from the floor to pages 2, 7 and the title page of the bill.

Senator Lundby asked and received unanimous consent that action on amendment S—5724 and **Senate File 2370** be **deferred.**

SPECIAL GUESTS

Senator Horn presented Iowa State University basketball coach Tim Floyd, who address the Senate with brief remarks and expressed his pleasure with his team and the university. Coach Floyd introduced the team members and support staff present with him in the Senate chambers.

The Cyclones ended the season with a 24-9 record and finished second in the Big Eight Conference which earned them a trip to the NCAA tournament.

The Senate rose to express its welcome and appreciation for all the hard work done by the team.

HOUSE AMENDMENT CONSIDERED

Senate File 2442

Senator Hammond called up for consideration Senate File 2442, 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—5550 filed March 27, 1996.

Senator Hammond offered amendment S—5733 filed by Senators Hammond and Murphy from the floor to House amendment S—5550.

Senator Bisignano raised the point of order that amendment S—5733 to House amendment S—5550 was not germane.

The Chair ruled the point well taken and amendment S—5733 out of order.

Senator Hammond offered amendment S—5714 filed by her on April 10, 1996, to House amendment S—5550.

Senator Bisignano called for a division of amendment S—5714 to House amendment S—5550:

Division S—5714A: page 1, lines 4-7 and 27-50; pages 2, 3 and 4; and page 5, lines 35-50; pages 6-16 and page 17, lines 1-8.

Division S—5714B: page 1, lines 8-26 and page 5 lines 1-34.

Senator Lind called for a further division of amendment S—5714 to House amendment S—5550:

Page 1: lines 4-6 as division S—5714A and lines 8-26 as division S—5714B; line 7 as 5714C; lines 27-41 as S—5714D; lines 42-44 as S—5714E; lines 45-47 as S—5714F; lines 48-50 as S—5714G.

Page 2, line 1 as S—5714G; lines 2-18 as S—5714H; lines 19-21 as S—5714I; lines 22-24 as S—5714J; lines 25-29 as S—5714K; lines 30-32 as S—5714L; lines 33-35 as S—5714M; lines 36-43 as S—5714N; lines 44 and 45 as S—5714O; lines 46-50 as S—5714P.

Page 3, lines 1-24 as S—5714Q; lines 25-29 as S—5714R; lines 30 and 31 as S—5714S; lines 32 and 33 as S—5714T; lines 34-36 as S—5714U; lines 37-50 as S—5714V.

Page 4, lines 1-18 as S—5714V; line 19 as S—5714W; lines 20-26 as S—5714X; lines 27-31 as S—5714Y; line 32 as S—5714Z; lines 33-45 as division S—5714AA; lines 46-50 as S—5714BB.

Senator Horn asked and received unanimous consent that action on amendment S—5714 to House amendment S—5550, House amendment S—5550 and **Senate File 2442** be **deferred.**

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 2114** 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 11, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2453, a bill for an act relating to boilers and unfired steam pressure vessels by providing for the inspection of certain unfired steam pressure vessels, the procedure for adopting rules, and providing an effective date.

ALSO: That the House has on April 11, 1996, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 2427, a bill for an act relating to mental health, mental retardation, developmental disabilities, and other services paid for in whole or in part by counties or the state, and including an applicability provision and an effective date.

ALSO: That the House has on April 11, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2494, a bill for an act authorizing counties to impose additional civil court fees for use for county courthouse libraries and providing an effective date.

This bill was read first time and **passed on file.**

AMENDMENTS FILED

S—5726	H.F.	2201	Michael E. Gronstal
S—5727	S.F.	2300	Tom Flynn
			Mike Connolly
S—5728	S.F.	2157	House amendment
S—5729	H.F.	570	House amendment
S—5730	S.F.	2370	Michael E. Gronstal
S—5731	S.F.	2370	Bill Fink
S—5732	S.F.	2463	Donald B. Redfern
S—5733	S.F.	2442	Johnie Hammond
			Larry Murphy
S—5734	H.F.	560	Berl E. Priebe
			John P. Kibbie
			Emil J. Husak
			Merlin E. Bartz
S—5735	S.F.	2370	Bill Fink
S—5736	H.F.	2421	Mike Connolly
			John W. Jensen
			Tom Flynn
			Emil J. Husak
			Larry Murphy
S—5737	H.F.	2421	Brad Banks

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:55 p.m., until 9:30 a.m., Friday, April 12, 1996.

JOURNAL OF THE SENATE

NINETY-SIXTH CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 12, 1996

The Senate met in regular session at 9:52 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, April 11, 1996, was approved.

The Senate stood at ease at 10:38 a.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 10:48 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.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Horn called up the following appointees on the En Bloc Confirmation Calendar:

Marabeth K. Soneson as a member of the Community Health Management Information System Governing Board.

Nancy J. Garberson as a member of the Commission on Community Action Agencies.

Theresa E. Clark and Tamera L. Diggs-Tate as members of the Commission on the Status of African-Americans.

Arlene Dayhoff as a member of the Iowa Council on Human Investment.

Marie G. Ellingson as a member of the Iowa Grain Indemnity Fund Board.

Fred E. McKim, Jr. as a member of the Iowa Railway Finance Authority.

Randolph P. Steig as a member of the Iowa Seed Capital Corporation.

James B. Kersten as a member of the Lottery Board.

Mary Jean Montgomery as a member of the State Board of Education.

Karen L. Bossard as a member of the State Board of Examiners for Nursing Home Administrators.

Bonnie L. Vetter as a member of the State Transportation Commission.

Dr. Nancy J. Tomes as a member of the Wallace Techology 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 votes were:

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.

HOUSE AMENDMENT CONSIDERED

Senate File 2157

Senator Fink called up for consideration Senate File 2157, a bill for an act relating to the duties of the college student aid commission in administering the Iowa guaranteed loan program, creating a chiropractic loan revolving fund, and providing for matters related to the chiropractic graduate student forgivable loan program, amended by the House and moved that the Senate concur in House amendment S—5728 filed April 11, 1996.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Fink 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. 2157) 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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2300** and **2157** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **House File 555** be referred from the Unfinished Business Calendar to the committee on **Ways and Means.**

The Senate stood at ease at 11:07 a.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 11:24 a.m., President Boswell presiding.

UNFINISHED BUSINESS CALENDAR

Senate File 2253

On motion of Senator Judge, Senate File 2253, a bill for an act relating to eligibility of persons for county general assistance and placed on the Unfinished Business Calendar on March 21, 1996, was taken up for consideration.

Senator Judge asked and received unanimous consent that **House File 2399** be **substituted** for **Senate File 2253.**

House File 2399

On motion of Senator Judge, House File 2399, a bill for an act relating to eligibility of persons for county general assistance, was taken up for consideration.

Senator Connolly withdrew amendment S—5409 filed by him on March 19, 1996, to page 1 of the bill.

Senator Iverson withdrew amendment S—5306 filed by him on March 12, 1996, 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?" (H.F. 2399) 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 **House File 2399** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred April 18, 1996)

House File 428

The Senate resumed consideration of House File 428, a bill for an act relating to the expenditure of moneys deposited in an E911 service, deferred April 18, 1995.

Senator Flynn offered amendment S—5745 filed by Senators Flynn, Connolly and Lind from the floor to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5745 was adopted by a voice vote.

With the adoption of amendment S—5745, the Chair ruled the following amendments out of order:

S—5562 filed by Senators Flynn and Connolly on March 27, 1996, to page 1 of the bill.

S—5701 filed by Senator Lind on April 10, 1996, to page 1 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?" (H.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 as amended was agreed to.

CONSIDERATION OF BILL
(Ways and Means Calendar)

House File 2423

On motion of Senator Palmer, House File 2423, a bill for an act relating to the taxation of real property used in the operation of a racetrack or racetrack enclosure, with report of committee

recommending amendment and passage, was taken up for consideration.

Senator Palmer offered amendment S—5710 filed by the committee on Ways and Means on April 10, 1996, to page 1 and the title page of the bill.

Senator Connolly offered amendment S—5717 filed by Senators Connolly and Priebe on April 10, 1996, to amendment S—5710 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5717 to amendment S—5710 be adopted?" (S.F. 2423) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 30:

Bisignano	Boswell	Connolly	Deluhery
Douglas	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Horn	Husak	Iverson	Judge
Kibbie	Lundby	Murphy	Neuhauser
Palmer	Priebe	Rensink	Szymoniak
Vilsack	Zieman		

Nays, 17:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Hansen	Hedge
Lind	Maddox	McKean	McLaren
Redfern	Rife	Rittmer	Sorensen
Tinsman			

Absent or not voting, 3:

Dearden	Jensen	Kramer

Amendment S—5717 was adopted.

Senator McKean raised the point of order that amendment S—5710 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—5710 as amended out of order.

Senator Palmer asked and received unanimous consent that action on **House File 2423** be **deferred.**

SENATE INSISTS

Senate File 2154

Senator Bisignano called up for consideration Senate File 2154, a bill for an act increasing the penalties for certain offenses involving methamphetamine, 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.

Senator Horn asked and received unanimous consent that **Senate File 2154** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED
(Deferred April 11, 1996)

Senate File 2442

The Senate resumed consideration of Senate File 2442, 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, House amendment S—5550, and amendment S—5714 to House amendment S—5550, deferred April 12, 1996.

Senator Hammond withdrew amendment S—5714 to House amendment S—5550.

Senator Hammond offered amendment S—5750 filed by her from the floor to House amendment S—5550 and moved its adoption.

Amendment S—5750 was adopted by a voice vote.

Senator Banks offered amendment S—5675 filed by Senators Banks and Hammond on April 3, 1996, to House amendment S—5550 and moved its adoption.

Amendment S—5675 was adopted by a voice vote.

Senator Szymoniak asked and received unanimous consent to withdraw amendment S—5638 filed by Senators Szymoniak, et al., on April 2, 1996, to House amendment S—5550.

Senator Szymoniak asked and received unanimous consent to withdraw amendment S—5657 filed by Senators Szymoniak, et al., on April 3, 1996, to House amendment S—5550.

Senator Szymoniak offered amendment S—5689 filed by Senators Szymoniak, Hammond and Lind on April 8, 1996, to House amendment S—5550 and moved its adoption.

Amendment S—5689 was adopted by a voice vote.

Senator Deluhery offered amendment S—5754 filed by him from the floor to House amendment S—5550 and moved its adoption.

Amendment S—5754 was adopted by a voice vote.

Senator Dvorsky offered amendment S—5679 filed by him on April 8, 1996, to House amendment S—5550.

Amendment S—5679 was adopted by a voice vote.

Senator Lind withdrew amendment S—5703 filed by him on April 10, 1996, to House amendment S—5550.

Senator Lundby asked and received unanimous consent that action on House amendment S—5550 as amended and **Senate File 2442** be **deferred.**

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 2154** on the part of the Senate: Senators Bisignano, Chair; Giannetto, Neuhauser, Maddox and Zieman.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2370

Senator Maddox called up for consideration House File 2370, a bill for an act relating to limited liability companies and corporations, including the period within which a limited liability company subject to dissolution may be continued, and providing an exemption from the real estate transfer tax for certain transfers involving limited liability companies, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5696 to Senate amendment H—5621 filed April 9, 1996.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Maddox 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. 2370) 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	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:

Banks	Kramer

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 12, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2097, a bill for an act providing a sales, services, and use tax exemption on certain packaging materials used in agricultural, livestock, or dairy production.

ALSO: That the House has on April 12, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2298, a bill for an act relating to the awarding of costs to a prevailing taxpayer in a proceeding against the department of revenue and finance under the state tax procedures and practices Act and providing an effective date (S—5744).

ALSO: That the House has on April 12, 1996, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 110, a concurrent resolution requesting the State Department of Transportation to establish a scenic route designation.

This resolution was read first time and assigned to the committee on **Natural Resources.**

ALSO: That the House has on April 12, 1996, passed the following bills in which the concurrence of the Senate is asked:

House File 2453, a bill for an act relating to the regulation of industrial loan companies by establishing certain requirements applicable to a change of control, providing for the appointment of the superintendent or the federal deposit insurance corporation as receiver, and requiring an industrial loan company to obtain federal deposit insurance for certain debt instruments, and making a penalty applicable.

This bill was read first time and **passed on file.**

House File 2497, a bill for an act relating to the compensation and benefits for public officials and employees and making appropriations.

This bill was read first time and assigned to the committee on **Appropriations.**

House File 2498, a bill for an act relating to entities and subject matter under the regulatory authority of the division of insurance, including prearranged funeral contracts, cemeteries, residential service contracts, and business opportunities, and establishing fees.

This bill was read first time and **passed on file.**

ALSO: That the members of the **Conference Committee**, appointed April 12, 1996, on House File 2449, a bill for an act setting campaign contribution limits by persons and political committees, addressing independent expenditures on behalf of candidates, employee and member contributions, making penalties applicable, and providing an effective date, on the part of the House are: The Representative from Winneshiek, Mr. Gipp, Chair; the Representative from Polk, Mrs. Jacobs; the Representative from Dubuque, Ms. Jochum; the Representative from Wapello, Mr. Moreland; the Representative from Grundy, Mr. Renken.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 115, by committee on Commerce, a senate resolution honoring the memory and efforts of United States Secretary of Commerce Ronald H. Brown.

Read first time and **placed on calendar.**

Senate Concurrent Resolution 120, by Dvorsky, Neuhauser, and Hammond, a concurrent resolution honoring Ms. Jorie Graham, the 1996 Pulitizer Prize winner in the field of poetry.

Read first time and assigned to the committee on **Education.**

Senate Concurrent Resolution 121, by Dvorsky and Neuhauser, a senate concurrent resolution congratulating Coach Dan Gable and the University of Iowa Hawkeye Wrestling Team for winning the National Collegiate Athletic Association's 1996 team championship.

Read first time and assigned to the committee on **Education.**

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 2370** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **House File 2423** be referred from the Unfinished Business Calendar to the committee on **Ways and Means.**

The Senate stood at ease at 1:06 p.m. until the fall of the gavel.

The Senate resumed session at 1:44 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 11, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2464, a bill for an act relating to housing development, including tax increment financing, providing for the assessment of certain property for tax purposes, and providing an effective date (S—5738).

BILL ASSIGNED TO COMMITTEE

President Boswell announced that **House File 2494** was assigned to the committee on **Ways and Means.**

QUORUM CALL

Senator Judge requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

BUSINESS PENDING

Senate File 2442

The Senate resumed consideration of Senate File 2442, 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, and House amendment S—5550 as amended, previously deferred.

Senator Rittmer offered amendment S—5756 filed by Senators Rittmer and Bartz from floor to House amendment S—5550 and moved its adoption.

Amendment S—5756 was adopted by a voice vote.

Senator Flynn withdrew amendment S—5755 filed by him from the floor to House amendment S—5550.

Senator Lundby offered amendment S—5757 filed by her from the floor to House amendment S—5550 and moved its adoption.

Amendment S—5757 was adopted by a voice vote.

Senator Hammond moved that the Senate concur in the House amendment as amended.

The motion lost by a voice vote and the Senate **refused to concur** in House amendment as amended.

Senator Horn asked and received unanimous consent that **Senate File 2442** 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 enrolling Senate File 2324, the following correction was made:

1. Page 11, line 2, the word "DIVISION" was changed to the word "Division".

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 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 12th day of April, 1996:

Senate Files 2430, 2324, 2131, 2158, 2218, 2283 and 2303.

JOHN F. DWYER
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: April 12, 1996, 11:11 a.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Bartz, Bisignano, Douglas, Flynn, Gettings, Gronstal, Hedge, Priebe and Redfern.

Members Absent: Freeman, Husak and Palmer (all excused).

Committee Business: Approved SSB 2357 as a committee resolution.

Adjourned: 11:12 a.m.

RULES AND ADMINISTRATION

Convened: April 12, 1996, 10:44 a.m.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Bisignano, Gettings, Gronstal, Kramer and Lind.

Members Absent: Husak (excused).

Committee Business: Approved governor's appointee Marabeth K. Soneson from introduction before the Senate until April 16, 1996.

Adjourned: 10:45 a.m.

PRESENTATION OF VISITORS

Thirty-three members of the confirmation class from the First United Methodist Church, Cedar Falls, accompanied by Keith Scott, Nancy Fransdal, Maxine Kehret, Milton McCoy, Karl Gilbertson and Tom Primmer. Senator Redfern.

Fifth grade students from North Cedar Elementary of Mechanicsville, Mechanicsville, accompanied by Ruth Miller, Ann Pruess and Jennifer Borman. Senator Rife.

Eighty-eight fifth grade students from Sioux Center Middle School, Sioux Center, accompanied by Mrs. Green, Mrs. VanRavenhorst and Mr. Van Kley. Senator Rensink.

STUDY BILL RECEIVED

SSB 2357 Commerce

A senate resolution honoring the memory and efforts of United States Secretary of Commerce Ronald H. Brown.

SUBCOMMITTEE ASSIGNMENTS

SSB 2357

COMMERCE: Deluhery, Chair; Hansen and Jensen

House File 2486

APPROPRIATIONS: Flynn, Chair; Tinsman and Vilsack

House File 2497

APPROPRIATIONS: Flynn, Chair; McLaren and Neuhauser

COMMITTEE REPORT

COMMERCE

Final Bill Action: SENATE RESOLUTION 115 (SSB 2357), a senate resolution honoring the memory and efforts of United States Secretary of Commerce Ronald H. Brown.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 12: Deluhery, Hansen, Jensen, Bartz, Bisignano, Douglas, Flynn, Gettings, Gronstal, Hedge, Priebe and Redfern. Nays, none. Absent or not voting, 3: Freeman, Husak and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 428 passed the Senate on April 12, 1996.

WILMER RENSINK

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 11, 1996, when the votes were taken on the En Bloc Confirmation Calendar and House File 2448. Had I been present, I would have voted "aye".

MAGGIE TINSMAN

AMENDMENTS FILED

S—5738	S.F.	2464	House amendment
S—5739	S.F.	2370	Mary Lundby Andy McKean
S—5740	H.F.	2421	Derryl McLaren Mary Neuhauser JoAnn Douglas
S—5741	S.F.	2370	Mary Lundby
S—5742	H.F.	2421	Richard Drake
S—5743	H.F.	2421	John P. Kibbie Rodney Halvorson Larry Murphy

S—5744	S.F.	2298	House amendment
S—5745	H.F.	428	Tom Flynn
			Mike Connolly
			Jim Lind
S—5746	H.F.	2421	John P. Kibbie
			Rodney Halvorson
			Larry Murphy
S—5747	S.F.	2463	Mary Neuhauser
S—5748	H.F.	2421	Derryl McLaren
			Mary Neuhauser
			Rodney Halvorson
			JoAnn Douglas
S—5749	S.F.	2466	Mike Connolly
S—5750	S.F.	2442	Johnie Hammond
S—5751	S.F.	2370	Bill Fink
			Mary Lundby
S—5752	H.F.	2421	Rod Halvorson
S—5753	H.F.	2421	Randal J. Giannetto
S—5754	S.F.	2442	Patrick J. Deluhery
S—5755	S.F.	2442	Tom Flynn
S—5756	S.F.	2442	Sheldon Ritmer
			Merlin E. Bartz
S—5757	S.F.	2442	Mary Lundby

COMMITTEE REPORTS

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 116, a Resolution honoring Senator Bradley C. Banks.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Kramer and Lind. Nays, none. Absent or not voting, 1: Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 117, a Resolution honoring Senator Leonard L. Boswell.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Kramer and Lind. Nays, none. Absent or not voting, 1: Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 118, a Resolution honoring Senator Tony Bisignano.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Kramer and Lind. Nays, none. Absent or not voting, 1: Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 119, a Resolution honoring Senator Wayne Bennett for his years of legislative service.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Kramer and Lind. Nays, none. Absent or not voting, 1: Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 116, by committee on Rules and Administration, a Resolution honoring Senator Bradley C. Banks.

Read first time under rule 28 and **placed on calendar.**

Senate Resolution 117, by committee on Rules and Administration, a Resolution honoring Senator Leonard L. Boswell.

Read first time under rule 28 and **placed on calendar.**

Senate Resolution 118, by committee on Rules and Administration, a Resolution honoring Senator Tony Bisignano.

Read first time under rule 28 and **placed on calendar.**

Senate Resolution 119, by committee on Rules and Administration, a Resolution honoring Senator Wayne Bennett for his years of legislative service..

Read first time under rule 28 and **placed on calendar.**

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:00 p.m., until 1:30 p.m., Monday, April 15, 1996.

JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 15, 1996

The Senate met in regular session at 1:58 p.m., President Boswell presiding.

Prayer was offered by Rabbi Henry Karp of the Temple Emanuel, Davenport, Iowa.

The Journal of Friday, April 12, 1996, 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.

President pro tempore Bisignano took the chair at 2:07 p.m.

MOTION TO RECONSIDER WITHDRAWN

House File 428

Senator Rensink withdrew the motion to reconsider House File 428, a bill for an act relating to the expenditure of moneys deposited in an E911 service fund, filed by him on April 12, 1996, and found on page 1368 of the Senate Journal.

ADOPTION OF RESOLUTIONS
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 114.

Senate Resolution 114

On motion of Senator Boswell, Senate Resolution 114, a senate resolution honoring Iowa State University track and field coordinator and former head men's cross country coach Bill Bergan on his retirement, was taken up for consideration.

Senator Boswell moved the adoption of Senate Resolution 114, which motion prevailed by a voice vote.

Senate Concurrent Resolution 117

On motion of Senator Szymoniak, Senate Concurrent Resolution 117, a concurrent resolution designating the week of April 14 through April 21, 1996, as Days of Remembrance of the victims of the Holocaust, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved the adoption of Senate Concurrent Resolution 117, which motion prevailed by a voice vote.

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 115.

Senate Resolution 115

On motion of Senator Deluhery, Senate Resolution 115, a senate resolution honoring the memory and efforts of United States Secretary of Commerce Ronald H. Brown, was taken up for consideration.

Senator Deluhery moved the adoption of Senate Resolution 115, which motion prevailed by a voice vote.

HOUSE AMENDMENT CONSIDERED

Senate File 2256

Senator Maddox called up for consideration Senate File 2256, a bill for an act relating to possession or control of alcohol by persons aged eighteen, nineteen, and twenty, and providing a penalty, amended by the House in House amendment S—5707 filed April 10, 1996.

Senator Maddox asked and received unanimous consent that action on House amendment S—5707 and **Senate File 2256** be **deferred.**

The Senate stood at ease at 2:28 p.m. until the fall of the gavel.

The Senate resumed session at 2:33 p.m., President pro tempore Bisignano presiding.

CONSIDERATION OF BILL
(Appropriations Calendar)

House File 2421

On motion of Senator Halvorson, House File 2421, 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, making appropriations for capital projects from the rebuild Iowa infrastructure fund, and relating to the Iowa communications network, construction projects for the commission of veterans affairs, county fairs, recreational trails, and nonreversion of certain appropriations, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

The Senate stood at ease at 2:36 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 3:34 p.m., President Boswell presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Banks until he arrives on request of Senator Rife.

BUSINESS PENDING

House File 2421

The Senate resumed consideration of House File 2421.

Senator Halvorson offered amendment S—5700 filed by the committee on Appropriations on April 10, 1996, to pages 2-5, 7-12, 16, 17 and the title page of the bill.

Senator Gettings withdrew amendment S—5713 filed by him on April 10, 1996, to amendment S—5700.

Senator Gettings offered amendment S—5759 filed by him from the floor to amendment S—5700 and moved its adoption.

Amendment S—5759 was adopted by a voice vote.

Senator Dvorsky withdrew amendment S—5758 filed by him from the floor to amendment S—5700.

Senator Douglas offered amendment S—5761 filed by Senators Douglas, et al., from the floor to amendment S—5700 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5761 to amendment S—5700 be adopted?" (H.F. 2421) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Halvorson	Hedge	Husak	Iverson
Jensen	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Redfern
Rensink	Rife	Rittmer	Tinsman
Zieman			

Nays, 25:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Hammond	Hansen	Horn
Judge	Kibbie	Murphy	Neuhauser
Palmer	Priebe	Sorensen	Szymoniak
Vilsack			

Amendment S—5761 lost.

Senator Freeman offered amendment S—5768 filed by her from the floor to amendment S—5700 and moved its adoption.

Amendment S—5768 lost by a voice vote.

Senator Dvorsky offered amendment S—5770 filed by him from the floor to amendment S—5700 and moved its adoption.

Amendment S—5770 was adopted by a voice vote.

Senator Douglas offered amendment S—5762 filed by Senators Douglas and Jensen from the floor to amendment S—5700 and moved its adoption.

Amendment S—5762 lost by a voice vote.

Senator Murphy offered amendment S—5764 filed by Senators Murphy, et al., from the floor to amendment S—5700 and moved its adoption.

Amendment S—5764 was adopted by a voice vote.

Senator Borlaug offered amendment S—5772 filed by him from the floor to amendment S—5700 and moved its adoption.

A non record roll call was requested.

The ayes were 22, nays 26.

Amendment S—5772 lost.

Senator Kibbie asked and received unanimous consent to withdraw amendment S—5743 filed by Senators Kibbie, Halvorson and Murphy on April 12, 1996, to amendment S—5700.

Senator Kibbie offered amendment S—5746 filed by Senators Kibbie, Halvorson and Murphy on April 12, 1996, to amendment S—5700 and moved its adoption.

Amendment S—5746 was adopted by a voice vote.

Senator Connolly offered amendment S—5736 filed by Senators Connolly, et al., on April 11, 1996, to amendment S—5700 and moved its adoption.

Amendment S—5736 was adopted by a voice vote.

Senator Hansen offered amendment S—5719 filed by him on April 10, 1996, to amendment S—5700 and moved its adoption.

Amendment S—5719 lost by a voice vote.

Senator Murphy offered amendment S—5763 filed by Senators Murphy, et al., from the floor to amendment S—5700 and moved its adoption.

Amendment S—5763 was adopted by a voice vote.

Senator Halvorson offered amendment S—5774 filed by him from the floor to amendment S—5700 and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 24.

Amendment S—5774 was adopted.

Senator Halvorson withdrew amendment S—5752 filed by him on April 12, 1996, to amendment S—5700.

Senator Giannetto offered amendment S—5753 filed by him on April 12, 1996, to amendment S—5700 and moved its adoption.

Amendment S—5753 was adopted by a voice vote.

Senator Jensen offered amendment S—5775 filed by him from the floor to amendment S—5700 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5775 to amendment S—5700 be adopted?" (H.F. 2421) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Banks	Bennett	Boettger	Borlaug
Douglas	Drake	Freeman	Hansen
Hedge	Husak	Iverson	Jensen
Kramer	Lind	Maddox	McKean
McLaren	Priebe	Redfern	Rensink
Rife	Rittmer	Tinsman	Zieman

Nays, 26:

Bartz	Bisignano	Black	Boswell
Connolly	Dearden	Deluhery	Dvorsky
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Horn	Judge	Kibbie	Lundby
Murphy	Neuhauser	Palmer	Sorensen
Szymoniak	Vilsack		

Amendment S—5775 lost.

Senator Giannetto offered amendment S—5715 filed by Senators Giannetto, Drake and Gettings on April 10, 1996, to amendment S—5700 and moved its adoption.

Amendment S—5715 was adopted by a voice vote.

Senator Lind offered amendment S—5771 filed by Senators Lind, et al., from the floor to amendment S—5700 and moved its adoption.

Amendment S—5771 was adopted by a voice vote.

Senator Rife offered amendment S—5725 filed by him on April 11, 1996, to amendment S—5700 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5725 to amendment S—5700 be adopted?" (H.F. 2421) the vote was:

Ayes, 31:

Banks	Bartz	Bennett	Boettger
Borlaug	Deluhery	Douglas	Drake
Fraise	Freeman	Gettings	Giannetto
Hammond	Hedge	Husak	Iverson
Jensen	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Tinsman	Zieman	

Nays, 19:

Bisignano	Black	Boswell	Connolly
Dearden	Dvorsky	Fink	Flynn
Gronstal	Halvorson	Hansen	Horn

Judge	Kibbie	Murphy	Neuhauser
Palmer	Szymoniak	Vilsack	

Amendment S—5725 was adopted.

With the adoption of amendment S—5725 to amendment S—5700, the Chair ruled amendment S—5740 filed by Senators McLaren, Neuhauser and Douglas on April 12, 1996, to amendment S—5700, out of order.

Senator McLaren offered amendment S—5748 filed by Senators McLaren, et al., on April 12, 1996, to amendment S—5700 and moved its adoption.

Amendment S—5748 was adopted by a voice vote.

Senator Gronstal offered amendment S—5773 filed by Senators Gronstal and Iverson from the floor to amendment S—5700 and moved its adoption.

Amendment S—5773 was adopted by a voice vote.

Senator Drake offered amendment S—5742 filed by him from the floor to amendment S—5700 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5742 to amendment S—5700 be adopted?" (H.F. 2421) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Banks	Connolly	Dearden	Drake
Dvorsky	Flynn	Gettings	Gronstal
Halvorson	Hammond	Husak	Jensen
Kramer	Lind	Lundby	Murphy
Redfern	Rensink	Rife	Rittmer
Szymoniak			

Nays, 27:

Bartz	Bennett	Black	Boettger
Borlaug	Boswell	Deluhery	Douglas
Fink	Fraise	Freeman	Giannetto

Hansen	Hedge	Horn	Iverson
Judge	Kibbie	Maddox	McKean
McLaren	Neuhauser	Palmer	Priebe
Sorensen	Vilsack	Zieman	

Absent or not voting, 2:

Bisignano	Tinsman

Amendment S—5742 lost.

Senator Murphy offered amendment S—5767 filed by Senators Murphy, Halvorson and Gronstal from the floor to amendment S—5700.

Senator Husak raised the point of order that amendment S—5767 to amendment S—5700 was not germane.

The Chair ruled the point not well taken and amendment S—5767 in order.

Senator Murphy moved the adoption of amendment S—5767 to amendment S—5700.

A record roll call was requested.

On the question "Shall amendment S—5767 to amendment S—5700 be adopted?" (H.F. 2421) the vote was:

Ayes, 32:

Bartz	Bennett	Black	Boswell
Connolly	Dearden	Deluhery	Dvorsky
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Horn	Jensen	Judge
Kibbie	Kramer	Lundby	Maddox
Murphy	Neuhauser	Palmer	Priebe
Rittmer	Sorensen	Szymoniak	Vilsack

Nays, 17:

Banks	Boettger	Borlaug	Douglas
Drake	Freeman	Hedge	Husak
Iverson	Lind	McKean	McLaren
Redfern	Rensink	Rife	Tinsman
Zieman			

Absent or not voting, 1:

Bisignano

Amendment S—5767 was adopted.

Senator Murphy offered amendment S—5760 filed by him from the floor to amendment S—5700 and moved its adoption.

Amendment S—5760 was adopted by a voice vote.

Senator Banks offered amendment S—5737 filed by him from the floor to amendment S—5700 and called for a division: lines 4-6 as division S—5737A and lines 7-13 as division S—5737B.

Senator Banks moved the adoption of division S—5737A to amendment S—5700 and requested a record roll call.

On the question "Shall division S—5737A to amendment S—5700 be adopted?" (H.F. 2421) the vote was:

Ayes, 23:

Banks	Bartz	Bennett	Boettger
Connolly	Douglas	Freeman	Gettings
Halvorson	Iverson	Jensen	Kramer
Lind	Maddox	McKean	McLaren
Priebe	Redfern	Rensink	Rife
Szymoniak	Tinsman	Zieman	

Nays, 25:

Black	Boswell	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Giannetto	Gronstal	Hammond
Hansen	Hedge	Horn	Husak
Judge	Kibbie	Lundby	Murphy
Neuhauser	Palmer	Rittmer	Sorensen
Vilsack			

Absent or not voting, 2:

Bisignano Borlaug

Division S—5737A lost.

Senator Banks withdrew division S—5737B to amendment S—5700.

Senator Murphy offered amendment S—5785 filed by Senators Murphy, et al., from the floor to amendment S—5700 and moved its adoption.

Amendment S—5785 was adopted by a voice vote.

With the adoption of amendment S—5785 to amendment S—5700, the Chair ruled amendment S—5784 filed by Senator Borlaug from the floor to amendment S—5700, out of order.

Senator Lind offered amendment S—5787 filed by him from the floor to amendment S—5700 and moved its adoption.

Amendment S—5787 was adopted by a voice vote.

Senator Lind offered amendment S—5779 filed by Senators Lind and Murphy from the floor to amendment S—5700 and moved its adoption.

Amendment S—5779 was adopted by a voice vote.

Senator Priebe filed the following motion to reconsider from the floor:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5761 to amendment S—5700 to House File 2421 failed to be adopted by the Senate on April 15, 1996.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Borlaug for the remainder of the evening on request of Senator Iverson.

BUSINESS PENDING

House File 2421

The Senate resumed consideration of House File 2421.

Senator Priebe moved the adoption of amendment S—5761 to amendment S—5700.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2421) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Banks	Bartz	Bennett	Boettger
Douglas	Drake	Freeman	Gettings
Giannetto	Hedge	Husak	Iverson
Jensen	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Priebe
Redfern	Rensink	Rife	Rittmer
Tinsman	Zieman		

Nays, 23:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gronstal	Halvorson
Hammond	Hansen	Horn	Judge
Kibbie	Murphy	Neuhauser	Palmer
Sorensen	Szymoniak	Vilsack	

Absent or not voting, 1:

Borlaug

The motion prevailed and amendment S—5761 by Senators Douglas, et al., to amendment S—5700, was taken up for reconsideration.

Senator Douglas moved the adoption of amendment S—5761 to amendment S—5700.

A non record roll call was requested.

The ayes were 26, nays 23.

Amendment S—5761 was adopted.

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—5768 to amendment S—5700 to House File 2421 failed to be adopted by the Senate on April 15, 1996.

The motion prevailed by a voice vote and amendment S—5768 by Senator Freeman to amendment S—5700 was taken up for reconsideration.

Senator Freeman moved the adoption of amendment S—5768 to amendment S—5700, which motion prevailed by a voice vote.

Senator Drake called for a division of amendment S—5700 as amended:

Division S—5700A: Page 16, lines 7-50; page 17 and page 18, lines 1 and 2.

Division S—5700B: Page 1, lines 3-50; pages 2-15; page 16, lines 1-6; and page 18, lines 3-36.

Senator Drake raised the point of order that division S—5700A as amended was not germane to the bill.

The Chair ruled the point not well taken and division S—5700A as amended in order.

Senator Halvorson moved the adoption of division S—5700A as amended, which motion prevailed by a voice vote.

Senator Halvorson moved the adoption of division S—5700B as amended, which motion prevailed by a voice vote.

Senator Rife offered amendment S—5776 filed by him from the floor to page 5 of the bill.

The Chair stated that with the adoption of amendment S—5761, amendment S—5776 was out of order.

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. 2421) the vote was:

Ayes, 38:

Bartz	Bennett	Black	Boswell
Connolly	Dearden	Deluhery	Douglas
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge

Horn	Jensen	Judge	Kibbie
Kramer	Lundby	Maddox	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rittmer	Sorensen
Szymoniak	Vilsack		

Nays, 10:

Banks	Boettger	Drake	Husak
Iverson	Lind	McKean	Rife
Tinsman	Zieman		

Absent or not voting, 2:

Bisignano	Borlaug

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 2421** and **Senate Concurrent Resolution 117** 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 15, 1996, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2168, a bill for an act updating the Iowa Code references to the Internal Revenue Code and providing a retroactive applicability date and an effective date (S—5769).

Senate File 2351, a bill for an act relating to department of economic development programs, including the workforce development fund program and the Iowa small business new jobs training Act, providing a supplemental new jobs credit from withholding, establishing a rural microbusiness assistance program, increasing the funds available for the value-added agricultural products and processes program, making an annual

allocation from an appropriation, and establishing an effective date (S—5778).

Senate File 2372, a bill for an act relating to termination of rental agreements, the definition of notice, and notice provisions for actions to recover property (S—5782).

ALSO: That the members of the **Conference Committee**, appointed on April 15, 1996, on **Senate File 2154**, a bill for an act increasing the penalties for certain offenses involving methamphetamine, on the part of the House are: The Representative from Sioux, Mr. Veenstra, Chair; the Representative from Cedar, Mr. Boddicker; the Representative from Warren, Mr. Coon; the Representative from Wapello, Mr. Moreland; the Representative from Jackson, Mr. Osterhaus.

ALSO: That the House, on April 15, 1996, **insisted on** its amendment to **Senate File 2442**, 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, and that the members of the **Conference Committee** on part of the House are: The Representative from Pottawattamie, Mr. Houser, Chair; the Representative from Lucas, Mr. Arnold; the Representative from Poweshiek, Mr. Carroll; the Representative from Polk, Mr. Fallon; the Representative from Dubuque, Ms. Jochum.

ALSO: That the House has on April 15, 1996, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 2050, a bill for an act relating to adoption, including selection criteria preferences in the placement of children for adoption by or through the department of human services, requirements relating to the adoption of the child of a minor parent, and providing a repeal.

House File 2201, a bill for an act relating to defining the practice of dentistry.

ALSO: That the House has on April 15, 1996, 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 2383, a bill for an act relating to issuance of free deer and wild turkey hunting licenses to certain landowners and tenants (S—5777 to H—5877).

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 122, by Neuhauser and

Dvorsky, a concurrent resolution honoring University of Iowa Women's Basketball Coach Angie Lee.

Read first time and assigned to committee on **Education.**

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2208, the following correction was made:

1. Title, line 2, the words "study, and and" were changed to the words "study, and".

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 15th day of April, 1996:

Senate Files 482, 2375, 2269, 2208, 2381, 2438, 2171, 2071, 2123 and 2204.

JOHN F. DWYER
Secretary of the Senate

COMPANION BILLS RECEIVED

On April 12, 1996, **House File 2498** was received and attached to companion **Senate File 2466 and House File 2453** was received and attached to companion **Senate File 2407** on the Senate calendar.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 15, 1996, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2101 — Relating to the disbursement of the remaining funds in a nonguaranteed irrevocable burial trust fund following satisfaction of payment in accordance with an agreement for funeral merchandise and funeral services.

SENATE FILE 2159 — Relating to evaluator licensing of educators.

SENATE FILE 2186 — Relating to transportation-related sanctions by increasing penalties for certain offenses, providing for the issuance of temporary restricted licenses for certain offenses, providing scheduled fines for various violations, prohibiting certain activities of motor vehicle dealers.

SENATE FILE 2287 — Relating to the limitations on the use of toxic materials in packaging and providing additional exemptions.

SENATE FILE 2348 — Relating to agricultural limestone, and providing penalties, fees, and an effective date.

SENATE FILE 2353 — Relating to satellite terminals and establishing certain requirements for such terminals of a financial institution with a principal place of business in another state.

SENATE FILE 2410 — Relating to juvenile justice chapter provisions involving medically relevant tests for the presence of illegal drugs in a child or parent, parent visitations with a child who has been removed from the child's home, voiding related administrative rules, and providing an effective date.

STUDY BILL RECEIVED

SSB 2358 Ways & Means

Relating to the taxation of real property used in or gross receipts gained from the operation of a racetrack or racetrack enclosure.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 120

EDUCATION: Dvorsky, Chair; Hammond, Kramer, Neuhauser and Rensink

Senate Concurrent Resolution 121

EDUCATION: Dvorsky, Chair; Connolly, Lind, Neuhauser and Redfern

House Concurrent Resolution 110

NATURAL RESOURCES, ENVIRON. AND ENERGY: Dearden, Chair; Hedge and Sorensen

SSB 2358

WAYS AND MEANS: Palmer, Chair; Connolly and Iverson

COMMUNICATION FROM THE GOVERNOR

The following communication from the governor was presented and placed on file:

April 15, 1996

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
L OC A L

Dear Mr. Dwyer:

Due to the resignation of Marvin Pomerantz from the Board of Regents effective May 1, 1996, I am withdrawing his name for consideration by the Senate for this appointment.

Sincerely,
TERRY E. BRANSTAD
Governor

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 428 passed the Senate on April 12, 1996.

JIM LIND

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5745 to House File 428 was adopted by the Senate on April 12, 1996.

JIM LIND

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5514 as amended to House File 2234 was adopted by the Senate on April 9, 1996.

WAYNE BENNETT

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5698 to amendment S—5514 as amended to House File 2234 was adopted by the Senate on April 9, 1996.

WAYNE BENNETT

ANNOUNCEMENT OF APPOINTMENTS BY THE PRESIDENT OF THE SENATE

The President announced the following appointments:

Trustee of Police and Fire Retirement Systems
(Code 411.36)

Senators Larry Murphy and Mary Lundby: terms beginning 5-1-96 and ending 4-30-98.

Law Enforcement Council
(Code 80B.6)

Senator Don Gettings: term beginning 5-1-96 and ending 4-30-00.

Economic Development Board
(Code 15.103)

Senator Steve Hansen - replaces Senator Boswell for the remainder of the 76th General Assembly.

AMENDMENTS FILED

S—5758	H.F.	2421	Robert Dvorsky
S—5759	H.F.	2421	Don E. Gettings
S—5760	H.F.	2421	Larry Murphy
S—5761	H.F.	2421	JoAnn Douglas
			Emil J. Husak
			Donald B. Redfern
			John W. Jensen
S—5762	H.F.	2421	JoAnn Douglas
			John W. Jensen
S—5763	H.F.	2421	Larry Murphy
			John W. Jensen
			Rod Halvorson
			JoAnn Douglas
S—5764	H.F.	2421	Larry Murphy
			Derryl McLaren
			Rod Halvorson
			Sheldon Rittmer
S—5765	S.F.	2370	Mary Lundby
S—5766	H.F.	2234	Berl E. Priebe
			Emil J. Husak

			John P. Kibbie
			Wayne Bennett
			Michael E. Gronstal
S—5767	H.F.	2421	Larry Murphy
			Rod Halvorson
			Michael E. Gronstal
S—5768	H.F.	2421	Mary Lou Freeman
S—5769	S.F.	2168	House amendment
S—5770	H.F.	2421	Robert Dvorsky
S—5771	H.F.	2421	Jim Lind
			Dennis H. Black
			Brad Banks
			Rod Halvorson
S—5772	H.F.	2421	Allen Borlaug
S—5773	H.F.	2421	Michael E. Gronstal
			Stewart Iverson, Jr.
S—5774	H.F.	2421	Rod Halvorson
S—5775	H.F.	2421	John W. Jensen
S—5776	H.F.	2421	Jack Rife
S—5777	H.F.	2383	House amendment
S—5778	S.F.	2351	House amendment
S—5779	H.F.	2421	Jim Lind
			Larry Murphy
S—5780	S.F.	2256	O. Gene Maddox
			Andy McKean
			Nancy Boettger
			JoAnn Douglas
S—5781	H.C.R.	28	Tony Bisignano
S—5782	S.F.	2372	House amendment
S—5783	S.F.	2409	Tom Vilsack
			Allen Borlaug
S—5784	H.F.	2421	Allen Borlaug
S—5785	H.F.	2421	Larry Murphy
			Mike Connolly
			Tom Vilsack
			Tom Flynn
S—5786	H.F.	2234	Wayne Bennett
S—5787	H.F.	2421	Jim Lind

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 8:55 p.m., until 10:30 a.m., Tuesday, April 16, 1996.

JOURNAL OF THE SENATE

ONE HUNDREDTH CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 16, 1996

The Senate met in regular session at 10:45 a.m., President pro tempore Bisignano presiding.

Prayer was offered by the Reverend Brian Hagglund, pastor of Zion Lutheran Church, Clinton, Iowa.

The Journal of Monday, April 15, 1996, 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 April 16, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2493, a bill for an act relating to the state sales tax exemption on certain computers or machinery and equipment.

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.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 2440** be referred from the Ways and Means Calendar to the committee on **Ways and Means.**

The Senate stood at ease at 10:53 a.m. until the fall of the gavel for the purpose of committee meetings.

The Senate resumed session at 11:33 a.m., Senator Hansen presiding.

RECESS

On motion of Senator Husak, the Senate recessed at 11:34 a.m., until 2:15 p.m.

APPENDIX

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Barry N. Van Duyn, Dubuque — For attaining the rank of Eagle Scout. Senator Connolly (4-15-96).

THE DRUMMER, Ames — For persistence in the field of investigative reporting at Iowa State University, fifth anniversary. Senator Hammond (4-16-96).

North High Jazz 1 Band, Sioux City — For receiving 2nd place in the Class 4A high school jazz band championship. Senator Hansen (4-15-96).

East High Jazz Ensemble, Sioux City — For receiving 3rd place in the Class 4A high school jazz band championship. Senator Hansen (4-15-96).

Matt Baker, North High School, Sioux City — For receiving an outstanding soloist award for bass in the Class 4A high school jazz championship contest. Senator Hansen (4-15-96).

Eric Miller, East High School, Sioux City — For receiving an outstanding soloist award for trumpet in the Class 4A high school jazz championship contest. Senator Hansen (4-15-96).

Jeff Church, North High School, Sioux City — For receiving an outstanding soloist award for tenor saxophone in the Class 4A high school jazz championship contest. Senator Hansen (4-15-96).

Jeremy Miller, North High School, Sioux City — For receiving an outstanding soloist award for baritone saxophone in the Class 4A high school jazz championship contest. Senator Hansen (4-15-96).

Jonathan Kvam, North High School, Sioux City — For receiving an outstanding soloist award for piano in the Class 4A high school jazz championship contest. Senator Hansen (4-15-96).

Adam Schroeder and Ben Sutton, East High School, Sioux City, and Rick Stone, North High School, Sioux City — For receiving an outstanding soloist award for alto saxophone in the Class 4A high school jazz championship contest. Senator Hansen (4-15-96).

Justin Kisor, North High School and Chris Schuett, East High School, Sioux City — For receiving two of the four outstanding soloist awards in the Class 4A high school jazz championship contest. Senator Hansen (4-15-96).

Gordon J. Kuivanen, Emmetsburg — For receiving the state and the national Man of the Year awards by the Small Business Administration as the Veteran's Advocate for Disabled Veterans. Senator Kibbie (4-15-96).

Amanda Pierce, Sidney — For being a member of the 1st place team at the AEA XIII Math Day and also receiving 2nd place on an individual basis. Senator McLaren (4-15-96).

Lora Hall, Sidney — For being a member of the 1st place team at the AEA XIII Math Day and also receiving 5th place on an individual basis. Senator McLaren (4-15-96).

Caleb Hummel, Sean Metz and Wyatt Yates, Sidney — For being members of the 1st place team at the AEA XIII Math Day. Senator McLaren (4-15-96).

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2368, the following corrections were made:

1. Page 48, line 33, the word "non-perfection" was changed to the word "nonperfection".

2. Page 49, line 4, the word "non-perfection" was changed to the word "nonperfection".

3. Page 49, line 10, the word "non-perfection" was changed to the word "nonperfection".

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 16th day of April, 1996:

Senate Files 2012, 2396, 2305, 2420, 2211, 2344, 2359 and 2368.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENT

Senate Concurrent Resolution 122

EDUCATION: Neuhauser, Chair; Dvorsky, Hammond, Kramer and Tinsman

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 2497, a bill for an act relating to the compensation and benefits for public officials and employees and making appropriations.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5790.

Final Vote: Ayes, 23: Murphy, Boswell, Lind, Banks, Bartz, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Bisignano and Kibbie.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: HOUSE CONCURRENT RESOLUTION 110, a concurrent resolution requesting the State Department of Transportation to establish a scenic route designation.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Fink, Black, Lundby, Borlaug, Dearden, Hedge, Judge, Kibbie and Rensink. Nays, none. Absent or not voting, 6: Banks, Deluhery, Freeman, Gronstal, Priebe and Sorensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5788	S.F.	2207	House amendment
S—5789	S.F.	2301	House amendment
S—5790	H.F.	2497	Appropriations
S—5791	S.F.	2409	Tom Vilsack

AFTERNOON SESSION

The Senate resumed session at 2:50 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 16, 1996, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 117, a concurrent resolution designating the week of April 14 through April 21, 1996, as Days of Remembrance of the Victims of the Holocaust.

ALSO: That the House has on April 16, 1996, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2207, a bill for an act relating to excuse from jury service and the reimbursement of jurors and witnesses for transportation and mileage expenses (S—5788).

Senate File 2301, a bill for an act relating to lead abatement and inspection, training and certification requirements, and providing penalties (S—5789).

ALSO: That the House has on April 16, 1996, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 2421, 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, making appropriations for capital projects from the rebuild Iowa infrastructure fund, and relating to the Iowa communications network, construction projects for the commission of veterans affairs, county fairs, recreational trails, and nonreversion of certain appropriations, and providing an effective date.

The Senate stood at ease at 2:53 p.m. until the fall of the gavel.

The Senate resumed session at 3:12 p.m., President Boswell presiding.

BILL ASSIGNED TO COMMITTEE

President Boswell announced that **House File 2493** was assigned to the committee on **Ways and Means.**

QUORUM CALL

Senator Judge 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 Gettings until he arrives on request of Senator Fraise and Senator Borlaug until he arrives on request of Senator Jensen.

HOUSE AMENDMENT CONSIDERED

Senate File 2409

Senator Vilsack called up for consideration Senate File 2409, a bill for an act relating to workforce development by establishing a workforce development department, by eliminating the department of employment services, and including workforce development programs in the new department, by providing for state privatization contracts, and by establishing a workforce development board and regional advisory boards, amended by the House in House amendment S—5677 filed April 4, 1996.

Senator Vilsack offered amendment S—5783 filed by Senators Vilsack and Borlaug on April 15, 1996, to House amendment S—5677 and moved its adoption.

Amendment S—5783 was adopted by a voice vote.

Senator Vilsack offered amendment S—5791 filed by him from the floor to House amendment S—5677 and moved its adoption.

Amendment S—5791 was adopted by a voice vote.

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. 2409) the vote was:

Ayes, 47:

Bartz	Bennett	Bisignano	Black
Boettger	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	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 1:

Banks

Absent or not voting, 2:

Borlaug Gettings

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
(Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 2497.

House File 2497

On motion of Senator Flynn, House File 2497, a bill for an act relating to the compensation and benefits for public officials and employees and making appropriations, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—5790 filed by the committee on Appropriations from the floor to pages 5-7 of the bill and called for a division: lines 8-17 as division S—5790A and lines 3-7 as division S—5790B.

Senator Murphy asked and received unanimous consent to withdraw division S—5790A.

Senator Lundby asked and received unanimous consent that action on division S—5790B be deferred.

Senator Lundby offered amendment S—5796 filed by Senators Lundby and McKean from the floor to pages 4 and 5 of the bill and moved its adoption.

Amendment S—5796 lost by a voice vote.

Senator Kramer offered amendment S—5794 filed by her from the floor to page 7 of the bill and moved its adoption.

Amendment S—5794 was adopted by a voice vote.

Senator Kramer offered amendment S—5793 filed by her from the floor to page 8 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5793 be adopted?" (H.F. 2497) the vote was:

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, 28:

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	Sorensen	Szymoniak	Vilsack

Amendment S—5793 lost.

Senator Dvorsky offered amendment S—5797 filed by him from the floor to page 8 of the bill and moved its adoption.

Amendment S—5797 was adopted by a voice vote.

Senator Murphy moved the adoption of division S—5790B, previously deferred, which motion prevailed 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. 2497) the vote was:

Ayes, 49:

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, 1:

Banks

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 2383

Senator Black called up for consideration House File 2383, a bill for an act relating to issuance of free deer and wild turkey hunting licenses to certain landowners and tenants, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5777 to Senate amendment H—5877 filed April 15, 1996.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Black 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. 2383) the vote was:

Ayes, 39:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Flynn	Fraise
Freeman	Gettings	Halvorson	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lundby
McKean	McLaren	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rittmer
Sorensen	Szymoniak	Zieman	

Nays, 11:

Fink	Giannetto	Gronstal	Hammond
Hansen	Lind	Maddox	Murphy
Rife	Tinsman	Vilsack	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following **Conference Committee** on **Senate File 2442** on the part of the Senate: Senators Hammond, Chair; Deluhery, Szymoniak, Boettger and Tinsman.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 2497** and **2383** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred April 11, 1996)

Senate File 2370

The Senate resumed consideration of Senate File 2370, a bill for an act relating to energy efficiency programs, electric and gas public utility energy efficiency mandates, and the Iowa energy center and the center for global and regional environmental research, and amendment S—5724 by Senators Gronstal, Flynn and Deluhery to pages 2, 7 and the title page of the bill, deferred April 11, 1996.

Senator Fink offered amendment S—5751 filed by Senators Fink and Lundby on April 12, 1996, to pages 1, 4, 5, 7 and the title page of the bill and moved its adoption.

Amendment S—5751 was adopted by a voice vote.

Senator Lundby offered amendment S—5739 filed by Senators Lundby and McKean on April 12, 1996, to pages 2, 7 and the title page of the bill.

Senator Lundby offered amendment S—5741 filed by her on April 12, 1996, to amendment S—5739 and moved its adoption.

Amendment S—5741 was adopted by a voice vote.

Senator Lundby offered amendment S—5765 filed by her on April 15, 1996, to amendment S—5739 and moved its adoption.

Amendment S—5765 was adopted by a voice vote.

Senator Lundby moved the adoption of amendment S—5739 as amended, which motion prevailed by a voice vote.

Senator Gronstal asked and received unanimous consent to withdraw amendment S—5724 by Senators Gronstal, Flynn and Deluhery, deferred April 11, 1996.

Senator Gronstal withdrew amendment S—5730 filed by him on April 11, 1996, to page 2 of the bill.

Senator Gronstal offered amendment S—5617 filed by him on April 1, 1996, to page 4 of the bill and moved its adoption.

Amendment S—5617 was adopted by a voice vote.

Senator Fink offered amendment S—5800 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—5800 lost by a voice vote.

The Chair ruled amendment S—5795 filed by Senator Lundby from the floor to page 3 of the bill, out of order.

Senator Fink withdrew amendment S—5735 filed by him on April 11, 1996, to page 5 of the bill.

Senator Dvorsky offered amendment S—5669 filed by him on April 3, 1996, to pages 6 and 7 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 7, nays 35.

Amendment S—5669 lost.

Senator Fink withdrew amendment S—5731 filed by him on April 11, 1996, to page 7 of the bill.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2370) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Bisignano

Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
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			

Nays, 5:

Black	Halvorson	Hammond	Iverson
Zieman			

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 2147

Senator Dvorsky called up for consideration Senate File 2147, a bill for an act increasing the membership of the Iowa telecommunications and technology commission, amended by the House in House amendment S—5615 filed April 1, 1996.

Senator Dvorsky offered amendment S—5792 filed by him from the floor to House amendment S—5615.

Senator McLaren offered amendment S—5802 filed by Senators McLaren and Flynn from the floor to amendment S—5792 to House amendment S—5615 and moved its adoption.

Amendment S—5802 was adopted by a voice vote.

Senator McLaren offered amendment S—5803 filed by him from the floor to amendment S—5792 to House amendment S—5615 and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 18.

Amendment S—5803 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bisignano until he returns on request of Senator Hansen.

BUSINESS PENDING

Senate File 2147

The Senate resumed consideration of Senate File 2147.

Senator Dvorsky moved the adoption of amendment S—5792 as amended, to House amendment S—5615.

A record roll call was requested.

On the question "Shall amendment S—5792 as amended to House amendment S—5615 be adopted?" (S.F. 2147) the vote was:

Ayes, 25:

Black	Boswell	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Judge
Kramer	Lundby	Murphy	Neuhauser
Palmer	Sorensen	Szymoniak	Tinsman
Vilsack			

Nays, 24:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Fraise	Freeman
Giannetto	Hedge	Husak	Iverson
Jensen	Kibbie	Lind	Maddox
McKean	McLaren	Priebe	Redfern
Rensink	Rife	Rittmer	Zieman

Absent or not voting, 1:

Bisignano

Amendment S—5792 was adopted.

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. 2147) the vote was:

Ayes, 28:

Black	Boswell	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Judge
Kramer	Lundby	Maddox	Murphy
Neuhauser	Palmer	Priebe	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 21:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Fraise	Freeman
Giannetto	Hedge	Husak	Iverson
Jensen	Kibbie	Lind	McKean
McLaren	Redfern	Rensink	Rife
Rittmer			

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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 2370** be **immediately messaged** to the House.

SENATE INSISTS

House File 2421

Senator Halvorson called up for consideration House File 2421, 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, making appropriations for capital projects from the rebuild Iowa infrastructure fund, and relating to the Iowa communications network, construction projects for the commission of veterans affairs, county fairs, recreational trails, and nonreversion of certain appropriations, and providing an effective date, 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 **House File 2421** on the part of the Senate: Senators Halvorson, Chair; Murphy, Gronstal, Douglas and Jensen.

MOTION TO RECONSIDER WITHDRAWN

House File 230

Senator Dvorsky withdrew the motion to reconsider House File 230, a bill for an act relating to procedural requirements for the enforcement of certain copyrights, and providing for penalties, filed by him on April 11, 1996, and found on page 1341 of the Senate Journal.

APPENDIX

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 16, 1996, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2131 — Relating to a continuing appropriation for city public improvements.

SENATE FILE 2158 — Relating to textbooks.

SENATE FILE 2218 — Relating to the community health management system by extending the date for implementation of phase I of the system.

SENATE FILE 2283 — Relating to voting, the distribution of earnings, and the bylaws of a cooperative association.

SENATE FILE 2303 — Relating to the medical assistance program including provisions relating to personal liability of personal representatives of medical assistance recipients, nursing facility fines, and transfers of assets.

SENATE FILE 2324 — Relating to public assistance and certain associated state tax provisions involving the family investment program, family development and self-sufficiency council, individual development accounts, and fraudulent practices involving the food stamp program, and child support obligations of minors, making penalties applicable, and providing applicability provisions and effective dates.

SENATE FILE 2430 — Requiring the juvenile court to provide certain information to a victim of a delinquent act committed by a juvenile.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2409 passed the Senate on April 16, 1996.

TOM VILSACK

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2147 passed the Senate on April 16, 1996.

MICHAEL E. GRONSTAL

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 2486, 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.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5804.

Final Vote: Ayes, 20: Murphy, Boswell, Lind, Bartz, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Judge, McLaren, Neuhauser, Rensink and Vilsack. Nays, 1: Iverson. Absent or not voting, 4: Bisignano, Banks, Kramer and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 123 (formerly Senate Concurrent Resolution 121), a concurrent resolution congratulating Coach Dan Gable and the University of Iowa Hawkeye Wrestling Team for winning the National Collegiate Athletic Association's 1996 team championship.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Connolly, Kibbie, Redfern, Dvorsky, Fink, Kramer, Lind, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 4: Deluhery, Hammond, Iverson and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 124 (formerly Senate Concurrent Resolution 120), a concurrent resolution honoring Ms. Jorie Graham, the 1996 Pulitizer Prize winner in the field of poetry.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Connolly, Kibbie, Redfern, Dvorsky, Fink, Kramer, Lind, Neuhauser, Rensink and Tinsman. Nays, none. Absent or not voting, 5: Deluhery, Hammond, Iverson, Murphy and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 125 (formerly *Senate Concurrent Resolution 122*), a *concurrent resolution honoring* University of Iowa Women's Basketball Coach Angie Lee.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Connolly, Kibbie, Redfern, Dvorsky, Fink, Kramer, Lind, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 4: Deluhery, Hammond, Iverson and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 2432, a bill for an act relating to the taxation of payments received by organized health care delivery systems.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe and Szymoniak. Nays, none. Absent or not voting, 1: Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2491, a bill for an act relating to the care and maintenance of pioneer cemeteries and authorizing a tax levy.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5798.

Final Vote: Ayes, 12: Palmer, Husak, Bennett, Connolly, Drake, Freeman, Hedge, Iverson, McLaren, Neuhauser, Priebe and Szymoniak. Nays, 1: Deluhery. Absent or not voting, 2: Murphy and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2285, a bill for an act authorizing school districts to establish and enforce traffic and parking rules and authorizing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5799.

Final Vote: Ayes, 12: Palmer, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, Murphy, Neuhauser, Szymoniak and Vilsack. Nays, 2: McLaren and Priebe. Absent or not voting, 1: Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2468 (SSB 2358), a bill for an act relating to the taxation of real property used in or gross receipts gained from the operation of a racetrack or racetrack enclosure.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe and Szymoniak. Nays, none. Absent or not voting, 1: Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 123, by committee on Education, a concurrent resolution congratulating Coach Dan Gable and the University of Iowa Hawkeye Wrestling Team for winning the National Collegiate Athletic Association's 1996 team championship.

Read first time under rule 28 and **placed on calendar.**

Senate Concurrent Resolution 124, by committee on Education, a concurrent resolution honoring Ms. Jorie Graham, the 1996 Pulitizer Prize winner in the field of poetry.

Read first time under rule 28 and **placed on calendar.**

Senate Concurrent Resolution 125, by committee on Education, a concurrent resolution honoring University of Iowa Women's Basketball Coach Angie Lee.

Read first time under rule 28 and **placed on calendar.**

INTRODUCTION OF BILL

Senate File 2468, by committee on Ways and Means, a bill for an act relating to the taxation of real property used in or

gross receipts gained from the operation of a racetrack or racetrack enclosure.

Read first time under rule 28 and **placed on Ways and Means calendar.**

AMENDMENTS FILED

S—5792	S.F.	2147	Robert Dvorsky
S—5793	H.F.	2497	Mary Kramer
S—5794	H.F.	2497	Mary Kramer
S—5795	S.F.	2370	Mary Lundby
S—5796	H.F.	2497	Mary Lundby
			Andy McKean
S—5797	H.F.	2497	Robert Dvorsky
S—5798	H.F.	2491	Ways and Means
S—5799	S.F.	2285	Ways and Means
S—5800	S.F.	2370	Bill Fink
S—5801	H.C.R.	110	Randal J. Giannetto
S—5802	S.F.	2147	Derryl McLaren
			Tom Flynn
S—5803	S.F.	2147	Derryl McLaren
S—5804	H.F.	2486	Appropriations

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:30 p.m., until 10:30 a.m., Wednesday, April 17, 1996.

JOURNAL OF THE SENATE

ONE HUNDRED FIRST CALENDAR DAY
SIXTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 17, 1996

The Senate met in regular session at 10:45 a.m., President Boswell presiding.

Prayer was offered by the Reverend Douglas Swarthout, pastor of the Bennezette Wesleyan Methodist Church, Bristow, Iowa.

The Journal of Tuesday, April 16, 1996, 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 17, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2321, a bill for an act relating to the nonconfidentiality of information regarding the qualifications of interpreters for the deaf services division of the department of human rights.

ALSO: That the House has on April 17, 1996, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 230, a bill for an act relating to procedural requirements for the enforcement of certain copyrights.

INTRODUCTION OF RESOLUTION

Senate Resolution 120, by Kibbie, Husak, Priebe, Giannetto, Boswell, Jensen, Iverson, and Drake, a senate resolution urging the Commission of Veterans Affairs to provide for the establishment of a state veterans' cemetery in central Iowa.

Read first time and **passed on file.**

ADOPTION OF RESOLUTIONS
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 124 and House Concurrent Resolution 110.

Senate Concurrent Resolution 124

On motion of Senator Dvorsky, Senate Concurrent Resolution 124, a concurrent resolution honoring Ms. Jorie Graham, the 1996 Pulitizer Prize winner in the field of poetry, was taken up for consideration.

Senator Dvorsky moved the adoption of Senate Concurrent Resolution 124, which motion prevailed by a voice vote.

House Concurrent Resolution 110

On motion of Senator Dearden, House Concurrent Resolution 110, a concurrent resolution requesting the State Department of Transportation to establish a scenic route designation, with report of committee recommending passage, was taken up for consideration.

Senator Giannetto offered amendment S—5801 filed by him on April 16, 1996, to pages 1 and 2 of the resolution and moved its adoption.

Amendment S—5801 was adopted by a voice vote.

Senator Dearden moved the adoption of House Concurrent Resolution 110 as amended, which motion prevailed by a voice vote.

HOUSE AMENDMENTS CONSIDERED

Senate File 2301

Senator Dvorsky called up for consideration Senate File 2301, a bill for an act relating to lead abatement and inspection, training and certification requirements, and providing penalties, amended

by the House, and moved that the Senate concur in House amendment S—5789 filed April 16, 1996.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Dvorsky 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. 2301) the vote was:

Ayes, 36:

Bisignano	Black	Borlaug	Boswell
Connolly	Dearden	Deluhery	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Jensen	Judge	Kibbie	Kramer
Maddox	McKean	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack

Nays, 14:

Banks	Bartz	Bennett	Boettger
Douglas	Drake	Hedge	Iverson
Lind	Lundby	McLaren	Rensink
Rife	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 2168

Senator Deluhery called up for consideration Senate File 2168, a bill for an act updating the Iowa Code references to the Internal Revenue Code and providing a retroactive applicability date and an effective date, amended by the House, and moved that the Senate concur in House amendment S—5769 filed on April 15, 1996.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Deluhery moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2168) 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	Husák	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 2298

Senator Vilsack called up for consideration Senate File 2298, a bill for an act relating to the awarding of costs to a prevailing taxpayer in a proceeding against the department of revenue and finance under the state tax procedures and practices Act and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—5744 filed April 12, 1996.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

Senate File 2207

Senator Szymoniak called up for consideration Senate File 2207, a bill for an act relating to excuse from jury service and the reimbursement of jurors and witnesses for transportation and

mileage expenses, amended by the House, and moved that the Senate concur in House amendment S—5788 filed April 12, 1996.

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. 2207) 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
(Ways and Means Calendar)

Senate File 2463

On motion of Senator Connolly, Senate File 2463, a bill for an act relating to estate issues by modifying certain exemptions and tax rates for inheritance taxes, the jurisdiction of the probate court on certain testamentary trusts, fees payable on certain trusts, claims against estates for medical assistance payments, registration of securities in a transfer-on-death form, and

including an applicability provision, was taken up for consideration.

Senator Bennett asked and received unanimous consent that action on amendment S—5694 filed by him on April 9, 1996, be deferred.

Senator Bennett offered amendment S—5695 filed by him on April 9, 1996, to pages 3 and 13 of the bill.

Senator Connolly asked and received unanimous consent that action on amendment S—5695 and **Senate File 2463** be **deferred.**

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Concurrent Resolution 110, Senate Concurrent Resolution 124,** and **Senate File 2298** be **immediately messaged** to the House and to send an immediate message to the House on **Senate Files 2301, 2168** and **2207.**

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, 1996, 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 2497, a bill for an act relating to the compensation and benefits for public officials and employees and making appropriations (S—5808 to H—5976).

ALSO: That the members of the **Conference Committee,** appointed April 17, 1996, on **House File 2421,** 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, making appropriations for capital projects from the rebuild Iowa infrastructure fund, and relating to the Iowa communications network, construction projects for the commission of veterans affairs, county fairs, recreational trails, and nonreversion of certain appropriations, and providing an effective date, on the part of the House are: The Representative from Scott, Mr. Millage, Chair; the Representative from Clinton, Mr. Bradley; the Representative from Muscatine, Mr. Brauns; the

Representative from Des Moines, Mr. Cohoon; the Representative from Woodbury, Mr. Warnstadt.

ALSO: That the House has on April 17, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2499, a bill for an act relating to definitions, reporting, and remittance guidelines concerning the disposition of unclaimed property.

This bill was read first time and **passed on file.**

RECESS

On motion of Senator Horn, the Senate recessed at 11:50 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 16, 1996, 10:53 a.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: Recommended passage of House File 2497 as amended.

Recessed: 11:30 a.m.

Reconvened: April 16, 1996, 5:35 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Bartz, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, McLaren, Neuhauser, Rensink and Vilsack.

Members Absent: Banks, Bisignano, Kramer and Tinsman (all excused).

Committee Business: Recommended passage of House File 2486 as amended.

Adjourned: 6:00 p.m.

EDUCATION

Convened: April 16, 1996, 2:23 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Dvorsky, Fink, Kramer, Lind, Neuhauser, Rensink, Szymoniak and Tinsman.

Members Absent: Deluhery, Hammond, Iverson and Murphy (all excused).

Committee Business: Approved Senate Concurrent Resolutions 120, 121 and 122 and ordered redrafted as committee bills.

Adjourned: 2:34 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: April 16, 1996, 11:34 a.m.

Members Present: Fink, Chair; Black, Vice Chair; Lundby, Ranking Member; Borlaug, Dearden, Hedge, Judge, Kibbie and Rensink.

Members Absent: Banks, Deluhery, Freeman, Gronstal, Priebe (excused) and Sorensen.

Committee Business: Recommended passage of House Concurrent Resolution 110.

Adjourned: 11:38 a.m.

WAYS AND MEANS

Convened: April 16, 1996, 1:35 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; approved SSB 2358 as a committee bill; recommended passage of House File 2491 and Senate File 2285 as amended; recommended passage of House File 2432.

Adjourned: 2:12 p.m.

CONFERENCE COMMITTEE REPORT RECEIVED
(Senate File 2154)

A conference committee report signed by the following Senate and House members was filed April 17, 1996, on Senate File 2154, a bill for an act increasing the penalties for certain offenses involving methamphetamine, respectfully make the following report:

On the Part of the Senate:

TONY BISIGNANO, Chair
RANDAL J. GIANNETTO
MARY NEUHAUSER
O. GENE MADDOX
LYLE E. ZIEMAN

On the Part of the House:

KEN VEENSTRA, Chair
BRIAN COON
DAN BODDICKER
MICHAEL MORELAND
ROBERT J. OSTERHAUS

AMENDMENTS FILED

S—5805	S.F.	2463	Donald B. Redfern
S—5806	S.F.	2468	H. Kay Hedge Wayne D. Bennett
S—5807	S.F.	2463	Tom Vilsack
S—5808	H.F.	2497	House amendment
S—5809	H.F.	2486	Johnie Hammond Maggie Tinsman
S—5810	S.F.	2468	Tony Bisignano
S—5811	S.F.	2468	Tony Bisignano

AFTERNOON SESSION

The Senate reconvened at 3:18 p.m., Senator Priebe presiding.

QUORUM CALL

Senator Judge requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

CONFERENCE COMMITTEE REPORT ADOPTED

Senate File 2154

Senator Bisignano called up the conference committee report on Senate File 2154, a bill for an act increasing the penalties for certain offenses involving methamphetamine, filed on April 17, 1996, 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. 2154) 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.

President pro tempore Bisignano took the chair at 3:30 p.m.

President Boswell took the chair at 3:35 p.m.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 2486.

House File 2486

On motion of Senator Flynn, House File 2486, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—5804 filed by the committee on Appropriations on April 16, 1996, to pages 11-14 and 24 of the bill.

Senator Murphy offered amendment S—5812 filed by him from the floor to amendment S—5804.

Senator Murphy moved the adoption of amendment S—5812 to amendment S—5804, which motion prevailed by a voice vote.

Senator McLaren called for a division of amendment S—5804 as amended: Page 1, lines 3-13 and page 2, lines 22-39 as division S—5804A; Page 1, lines 14-50 and page 2, lines 1-21 as division S—5804B.

Senator Murphy moved the adoption of division S—5804A, which motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Redfern until he returns on request of Senator Lind.

BUSINESS PENDING

House File 2486

The Senate resumed consideration of House File 2486.

Senator Murphy moved the adoption of division S—5804B as amended.

A record roll call was requested.

On the question "Shall division S—5804B as amended be adopted?" (H.F. 2486) the vote was:

Ayes, 27:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hansen	Horn
Husak	Judge	Kibbie	Lundby
Murphy	Neuhauser	Palmer	Priebe
Sorensen	Szymoniak	Vilsack	

Nays, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hammond	Hedge	Iverson	Jensen
Kramer	Lind	Maddox	McKean
McLaren	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Division S—5804B as amended was adopted.

Senator Hammond offered amendment S—5809 filed by Senators Hammond and Tinsman from the floor to page 24 of the bill.

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, 1996, passed the following bills in which the concurrence of the House was asked:

Senate File 2289, a bill for an act relating to the department of corrections, including operating while intoxicated violator facilities, reimbursement by parole violators, tort claims protection for certain persons, and inmate accounts.

Senate File 2455, a bill for an act relating to the administration of taxes; electronic filing of tax returns and payments; imposition of the penalty for willfully filing a false claim for refund; low income, elderly, and disabled property tax credit filing and certification dates; computation of the real estate transfer tax; repeal of obsolete property tax provision; and providing effective and retroactive applicability dates.

ALSO: That the House has on April 17, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2496, a bill for an act relating to the financial and regulatory procedures of counties, cities, and drainage districts, by amending the powers and duties of county treasurers, by eliminating the filing of late claims for property credits, by striking personal property tax credits of military veterans, by striking outdated property tax limitations, by amending tax sale procedures, by providing delinquency dates for property taxes, by providing for health insurance and benefits, by providing for properly related matters, and by providing an applicability date and effective dates.

This bill was read first time and **passed on file.**

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

S.R. 120 State Government

H.F. 2499 Commerce

The Senate stood at ease at 4:23 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 4:59 p.m., President Boswell presiding.

BUSINESS PENDING

House File 2486

The Senate resumed consideration of House File 2486, 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 and amendment S—5809 by Senators Hammond and Tinsman to page 24 of the bill.

Senator Hammond moved the adoption of amendment S—5809, which motion prevailed by a voice vote.

Senator Hammond withdrew the following motion to reconsider filed by her from the floor:

MR. PRESIDENT: I move to reconsider the vote by which division S—5804A to House File 2486 was adopted by the Senate on April 17, 1996.

Senator McLaren asked and received unanimous consent that action on **House File 2486** be **deferred.**

UNFINISHED BUSINESS
(Deferred April 9, 1996)

House File 2234

The Senate resumed consideration of House File 2234, a bill for an act relating to exempting certain nonresident aliens from land ownership restrictions, deferred April 9, 1996.

Senator Bennett called up the motion to reconsider the vote by which amendment S—5514 as amended to House File 2234 was adopted by the Senate on April 9, 1996, filed by him on April

15, 1996, found on page 1390 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5514 by the committee on Small Business, Economic Development and Tourism to page 1 of the bill, was taken up for reconsideration.

Senator Bennett called up the motion to reconsider the vote by which amendment S—5698 to amendment S—5514 to House File 2234 was adopted by the Senate on April 9, 1996, filed by him on April 15, 1996, found on page 1390 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5698 to amendment S—5514 by Senator Bennett, was taken up for reconsideration.

Senator Bennett 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—5633 to amendment S—5514 to House File 2234 was adopted by the Senate on April 8, 1996.

The motion prevailed by a voice vote and amendment S—5633 by Senator Bennett to amendment S—5514 was taken up for reconsideration.

Senator Bennett asked and received unanimous consent that action on amendment S—5698 to amendment S—5514 be deferred.

Senator Bennett offered amendment S—5786 filed by him from the floor to amendment S—5514 and called for a division: Lines 3 and 4 as division S—5786A and lines 5-17 as division S—5786B.

Senator Bennett withdrew division S—5786A to amendment S—5514.

Senator Vilsack asked and received unanimous consent that action on division S—5786B to amendment S—5514, amendment S—5514 and **House File 2234** be **deferred.**

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 2154** be **immediately messaged** to the House.

APPENDIX

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Katy James, Farragut — For being chosen as the next President of Future Farmers of America. Senator McLaren (4-17-96).

Ross V. Vernon, Sioux Center — For serving 50 years on the Sioux Center City Council. Senator Rensink (4-17-96).

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-two eighth grade students from MFL-MarMac School, accompanied by Mr. Elliott, Mr. Whitney, Mr. Kornbeer and Mrs. Schlein. Senator Zieman.

CONFERENCE COMMITTEE REPORT RECEIVED
(Senate File 2449)

A conference committee report signed by the following Senate and House members was filed April 17, 1996, on Senate File 2449, a bill for an act changing the computation of the inflation factors for the tax brackets and standard deduction under the individual income tax; changing the computation of taxable income of certain subchapter S corporations and their shareholders; increasing inheritance tax exemptions for certain relatives; increasing the amount of the appropriations for homestead credit, military service credit, and low-income credit and reimbursement claims; providing income tax credits for investing in a qualified venture capital company; establishing incentives for family farm animal feeding operations and making an appropriation; adjusting the funding for the family farm and agricultural land tax credits; establishing a study of the property tax system as the sole or major source of local funding and of alternate sources of funding for school, city, and county services, the repayment of bonds or other debt obligations, and capital improvements; and providing

effective and applicability date provisions, respectfully make the following report:

On the Part of the Senate:

WILLIAM D. PALMER, Chair
WAYNE BENNETT
MARY LOU FREEMAN
EMIL J. HUSAK
TOM VILSACK

On the Part of the House:

ROGER HALVORSON, Chair
BILL BERNAU
JOHN GREIG
CHUCK LARSON
RICHARD MYERS

AMENDMENTS FILED

S—5812	H.F.	2486	Larry Murphy
S—5813	S.F.	2468	Tony Bisignano
S—5814	H.F.	2486	Derryl McLaren
			Merlin E. Bartz
			Jim Lind

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:17 p.m., uintil 10:30 a.m., Thursday, April 18, 1996.

JOURNAL OF THE SENATE

ONE HUNDRED SECOND CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 18, 1996

The Senate met in regular session at 10:36 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 Wednesday, April 17, 1996, 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 17, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2467, a bill for an act increasing the nonpublic school tax credit and eliminating the nonpublic school tax deduction for amounts paid for tuition and textbooks for nonpublic elementary and secondary schools under the state individual income tax and providing effective and applicability date provisions.

ALSO: That the House has on April 18, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2366, a bill for an act relating to lease-purchase agreements (S—5815).

ALSO: That the House has on April 18, 1996, adopted the conference committee report and passed **Senate File 2154,** a bill for an act increasing the penalties for certain offenses involving methamphetamine.

ALSO: That the House has on April 18, 1996, concurred in the Senate amendment and adopted the following resolution in which the concurrence of the House was asked:

House Concurrent Resolution 110, a concurrent resolution requesting the State Department of Transportation to establish a scenic route designation.

ALSO: That the House has on April 18, 1996, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 125, a house concurrent resolution to urge the federal government to ensure fair and competitive market practices for the purchase of livestock from producers by packers and livestock buyers.

This resolution 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.

PRESENTATION BY THE PAGES

Upon invitation from the Chair, the Senate Pages met at the Senate well and sang a song called "Senate Days" with lyrics written by them to the music of "Summer Lovin".

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 570

Senator Kibbie called up for consideration 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, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5729 to Senate amendment H—5920 filed April 11, 1996.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Kibbie 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. 570) the vote was:

Ayes, 49:

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.

Absent or not voting, 1:

Banks

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 17, 1996)

House File 2486

The Senate resumed consideration of House File 2486, 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, deferred April 17, 1996.

Senator McLaren offered amendment S—5814 filed by Senators McLaren, Bartz and Lind on April 17, 1996, to page 14 of the bill and moved its adoption.

Amendment S—5814 was adopted by a voice vote.

Senator Flynn asked and received unanimous consent that action on **House File 2486** be **deferred.**

UNFINISHED BUSINESS CALENDAR

Senate File 2407

On motion of Senator Deluhery, Senate File 2407, a bill for an act relating to the regulation of industrial loan companies by establishing certain requirements applicable to a change of control, providing for the appointment of the superintendent as receiver, and requiring an industrial loan company to obtain federal deposit insurance for certain debt instruments, and making a penalty applicable and placed on the Unfinished Business Calendar on March 20, 1996, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that **House File 2453** be **substituted** for **Senate File 2407.**

House File 2453

On motion of Senator Deluhery, House File 2453, a bill for an act relating to the regulation of industrial loan companies by establishing certain requirements applicable to a change of control, providing for the appointment of the superintendent as receiver, and requiring an industrial loan company to obtain federal deposit insurance for certain debt instruments, and making a penalty applicable, was taken up for consideration.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Banks until he arrives and Senator Rife until he returns on request of Senator Bartz.

BUSINESS PENDING

House File 2453

The Senate resumed consideration of House File 2453.

Senator Bisignano took the chair at 11:07 a.m.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2453) 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	Priebe
Redfern	Rensink	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Banks	Rife

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 2466

On motion of Senator Deluhery, Senate File 2466, a bill for an act relating to entities and subject matter under the regulatory authority of the division of insurance, including prearranged funeral contracts, cemeteries, residential service contracts, and

business opportunities, and establishing fees, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that **House File 2498** be **substituted** for **Senate File 2466.**

House File 2498

On motion of Senator Deluhery, House File 2498, a bill for an act relating to entities and subject matter under the regulatory authority of the division of insurance, including prearranged funeral contracts, cemeteries, residential service contracts, and business opportunities, and establishing fees, 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. 2498) 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.

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Judge asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 125.

Senate Concurrent Resolution 125

On motion of Senator Neuhauser, Senate Concurrent Resolution 125, a concurrent resolution honoring University of Iowa Women's basketball coach Angie Lee, was taken up for consideration.

Senator Neuhauser moved the adoption of Senate Concurrent Resolution 125, which motion prevailed by a voice vote.

Coach Lee, in her first year as head coach, lead the Hawkeyes to an overall record of 27-4, to the 1995-96 regular season Big Ten Conference Title with a 15-1 record and a birth to the Sweet 16 in the NCAA Tournament. She was named 1996 Big Ten Coach of the Year and several other honors.

Senator Neuhauser introduced Coach Angie Lee who expressed her appreciation on behalf of herself and the University of Iowa Women's basketball team, for the recognition for their work during the 1995-96 season.

The Senate rose to express its welcome.

Senator Judge asked and received unanimous consent that **Senate Concurrent Resolution 125** be **immediately messaged** to the House.

BILL ASSIGNED TO COMMITTEE

The Chair announced the assignment of **House File 2496** to committee on **Local Government**.

CONSIDERATION OF BILLS
(Ways and Means Calendar)

House File 2432

On motion of Senator Freeman, House File 2432, a bill for an act relating to the taxation of payments received by organized health care delivery systems, with report of committee recommending passage, was taken up for consideration.

Senator Freeman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2432) 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 2491

On motion of Senator Iverson, House File 2491, a bill for an act relating to the care and maintenance of pioneer cemeteries and authorizing a tax levy, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Iverson offered amendment S—5798 filed by the committee on Ways and Means on April 16, 1996, to page 2 of the bill and moved its adoption.

Amendment S—5798 was adopted by a voice vote.

Senator Lind offered amendment S—5716 filed by him on April 10, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5716 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Priebe until he returns on request of Senator Giannetto.

BUSINESS PENDING

House File 2491

The Senate resumed consideration of House File 2491.

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. 2491) the vote was:

Ayes, 41:

Bartz	Bennett	Black	Boettger
Borlaug	Boswell	Connolly	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Gronstal
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Palmer	Redfern	Rensink	Rife
Rittmer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 7:

Bisignano	Dearden	Deluhery	Giannetto
Halvorson	Neuhauser	Sorensen	

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 570, 2453, 2498, 2432** and **2491** be **immediately messaged** to the House.

WITHDRAWN

Senator Deluhery asked and received unanimous consent that **Senate Files 2407** and **2466** 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 18, 1996, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 114, a concurrent resolution recognizing the League of Women Voters of Iowa and Cornell College for their efforts in creating an Internet-accessible system for obtaining legislative information.

ALSO: That the House has on April 18, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

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 (S—5817).

ALSO: That the House has on April 18, 1996, 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 2458, a bill for an act relating to the right to appointed counsel or a public defender, by relating to the eligibility for certain indigents, the recovery of defense costs, and by restricting the right to counsel for certain parents in child in need of assistance cases (S—5816 to H—5922).

ALSO: That the House has on April 18, 1996, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 129, a concurrent resolution designating Crime Victims' Rights Week in Iowa.

This resolution was read first time and **passed on file.**

RECESS

On motion of Senator Horn, the Senate recessed at 12:30 p.m., until 3:00 p.m.

APPENDIX

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 17, 1996, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 482 — Establishing economic and other penalties for certain criminal activities.

SENATE FILE 2123 — Relating to the payment of claims by an administrator acting on behalf of an insurer.

SENATE FILE 2171 — Relating to public health administration, including the duties of the director of public health, primary care recruitment and retention, professional licensure, and health data.

SENATE FILE 2204 — Relating to the operation of the vocational rehabilitation division of the department of education and promoting consistency with the most recently amended version of federal law.

SENATE FILE 2208 — Relating to persons required to register with the sex offender registry, requiring a departmental study, and providing a penalty.

SENATE FILE 2269 — Enhancing the penalties for a third or subsequent offense of domestic abuse assault, requiring county attorneys to prosecute certain domestic abuse misdemeanors, giving district associate judges jurisdiction to enter orders of protection in certain domestic abuse matters, and establishing a pilot program for domestic abuse.

SENATE FILE 2375 — Relating to a limitation on qualifications for rebuttable presumptions for nuisance defenses for certain persons classified as chronic violators involved in confinement feeding opertions.

SENATE FILE 2381 — Relating to dependent adult abuse and providing penalties.

SENATE FILE 2438 — Relating to the terminology used to describe persons with certain mental and physical conditions, and providing for related matters concerning persons with mental illness.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-two eighth grade students from MFL-Mar-Mac School, accompanied by James Elliott, Jim Thompson, Larry Geirler and Denise Kregel. Senator Zieman.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 120

STATE GOVERNMENT: Kibbie, Chair; Drake and Gronstal

House File 2499

COMMERCE: Flynn, Chair; Deluhery and Douglas

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which division S—5804A to House File 2486 was adopted by the Senate on April 17, 1996.

Tom Flynn

AMENDMENTS FILED

S—5815	S.F.	2366	House amendment
S—5816	H.F.	2458	House amendment
S—5817	S.F.	284	House amendment

AFTERNOON SESSION

The Senate reconvened at 3:08 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 18, 1996, adopted the following resolution in which the concurrence of House was asked:

Senate Concurrent Resolution 125, a concurrent resolution honoring University of Iowa Women's basketball coach Angie Lee.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

BUSINESS PENDING

House File 2486

The Senate resumed consideration of House File 2486, 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, previously deferred.

Senator Flynn filed the following motion to reconsider from the floor:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5814 to House File 2486 was adopted by the Senate on April 18, 1996.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tinsman until she returns on request of Senator Kramer.

BUSINESS PENDING

House File 2486

The Senate resumed consideration of House File 2486.

Senator Flynn moved the adoption of the motion to reconsider.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2486) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Judge	Kibbie	Murphy
Neuhauser	Palmer	Sorensen	Szymoniak
Vilsack			

Nays, 24:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Husak	Iverson	Jensen
Kramer	Lind	Lundby	Maddox
McKean	McLaren	Priebe	Redfern
Rensink	Rife	Rittmer	Zieman

Absent or not voting, 1:

Tinsman

The motion prevailed and amendment S—5814 by Senators McLaren, Bartz and Lind to page 14 of the bill, was taken up for reconsideration.

Senator Lind asked and received unanimous consent that action on amendment S—5814 and **House File 2486** be **deferred.**

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 2468.

Senate File 2468

On motion of Senator Palmer, Senate File 2468, a bill for an act relating to the taxation of real property used in or gross receipts gained from the operation of a racetrack or racetrack enclosure, was taken up for consideration.

Senator McKean asked and received unanimous consent that action on **Senate File 2468** be **deferred.**

BUSINESS PENDING

House File 2486

The Senate resumed consideration of House File 2486, 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, and amendment S—5814 by Senators McLaren, Bartz and Lind to page 14 of the bill, previously deferred.

Senator McLaren asked and received unanimous consent to withdraw amendment S—5814.

Senator Flynn called up the motion to reconsider the vote by which division S—5804A to House File 2486 was adopted by the Senate on April 17, 1996, filed by him on April 18, 1996, found on page 1447 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and division S—5804A by the committee on Appropriations to pages 11-14 and 24 of the bill, was taken up for reconsideration.

Senator Flynn called for a further division of division S—5804A: Page 1, lines 9-13 and page 2, lines 22-39 as division S—5804A; page 1, lines 3-8 as division S—5804C.

Senator Flynn moved the adoption of division S—5804A, which motion prevailed by a voice vote.

Senator Flynn asked and received unanimous consent to withdraw division S—5804C.

Senator Flynn asked and received unanimous consent that action on **House File 2486** be **deferred.**

The Senate stood at ease at 4:08 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 4:40 p.m., President Boswell presiding.

BUSINESS PENDING

House File 2486

The Senate resumed consideration of House File 2486, previously deferred.

Senator McLaren offered amendment S—5819 filed by Senators McLaren, et al., from the floor to page 14 of the bill and moved its adoption.

Amendment S—5819 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. 2486) the vote was:

Ayes, 42:

Bartz	Bennett	Bisignano	Black
Boettger	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Fink
Flynn	Fraise	Freeman	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Jensen	Judge	Kibbie	Kramer
Lind	Maddox	McKean	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rittmer	Sorensen	Szymoniak
Vilsack	Zieman		

Nays, 4:

Borlaug	Iverson	McLaren	Rife

Absent or not voting, 4:

Banks	Dvorsky	Lundby	Tinsman

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 4:46 p.m. until the fall of the gavel.

The Senate resumed session at 5:12 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 2468

The Senate resumed consideration of Senate File 2468, a bill for an act relating to the taxation of real property used in or gross receipts gained from the operation of a racetrack or racetrack enclosure, previously deferred.

Senator Bisignano asked and received unanimous consent that action on **Senate File 2468** be **deferred.**

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 2486** 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 April 18, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2370, a bill for an act relating to energy efficiency and alternate energy programs, electric and gas public utility energy efficiency mandates, and the Iowa energy center and the

center for global and regional environmental research and requiring the location of a principal office within the state and providing an effective date and providing an applicability provision (S—5818).

INTRODUCTION OF RESOLUTION

Senate Resolution 121, by Bartz, a senate resolution advancing a system of values, beliefs, and goals underscoring a smaller, more effective government.

Read first time and **passed on file.**

APPENDIX

COMMITTEE REPORT

COMMERCE

Final Bill Action: HOUSE FILE 2499, a bill for an act relating to definitions, reporting, and remittance guidelines concerning the disposition of unclaimed property.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Deluhery, Jensen, Bartz, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge and Husak. Nays, none. Absent or not voting, 5: Hansen, Bisignano, Palmer, Priebe and Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-one third through sixth grade students from St. Patrick School, Anamosa, accompanied by Cheryl Junion, Sheila Machart, Alison Frerking and Barb High. Senator McKean.

Thirty-three twelfth grade students from Dunkerton High School, Dunkerton, accompanied by George Pickup. Senator Murphy.

Eighth grade students from MFL-Mar-Mac School, accompanied by James Elliott, Kelly Olson, Richard Brooks, Tom Martins and Debbie Davies. Senator Zieman.

AMENDMENTS FILED

S—5818	S.F.	2370	House amendment
S—5819	H.F.	2486	Derryl McLaren Larry Murphy Tom Flynn Jim Lind
S—5820	S.F.	2468	Andy McKean Albert G. Sorensen

Mary Neuhauser
Johnie Hammond
Rodney Halvorson
Nancy Boettger
Wayne D. Bennett
H. Kay Hedge
Merlin E. Bartz
Dennis H. Black
Jim Lind
Donald B. Redfern
Derryl McLaren
Allen Borlaug
O. Gene Maddox
JoAnn Douglas
Stewart Iverson, Jr.
Lyle E. Zieman
Mary Kramer
Jack Rife
John W. Jensen
Mary Lou Freeman

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:20 p.m., until 1:30 p.m., Monday, April 22, 1996.

JOURNAL OF THE SENATE

ONE HUNDRED SIXTH CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 22, 1996

The Senate met in regular session at 2:02 p.m., President pro tempore Bisignano presiding.

Prayer was offered by the Honorable Merlin E. Bartz, member of the Senate from Worth County, Grafton, Iowa.

The Journal of Thursday, April 18, 1996, 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 18, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2195, a bill for an act relating to the Iowa communications network by providing for state ownership of a Part III connection and for the connection and support of certain Part III users, making appropriations, and providing effective dates (S—5821).

ALSO: That the House has on April 22, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2480, a bill for an act relating to property taxation of property given to the state or a political subdivision upon which a life estate is retained.

This bill was read first time and **passed on file.**

ALSO: That the House has on April 22, 1996, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 2491, a bill for an act relating to the care and maintenance of pioneer cemeteries and authorizing a tax levy.

QUORUM CALL

Senator Judge requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

Senator Hansen took the chair at 2:17 p.m.

President pro tempore Bisignano took the chair at 2:31 p.m.

President Boswell took the chair at 3:05 p.m.

RESOLUTIONS ASSIGNED TO COMMITTEE

The Chair announced the assignment of the following resolutions to committee:

S.R.	121	State Government
H.C.R.	125	Agriculture
H.C.R.	129	Judiciary

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McLaren until he arrives on request of Senator Rife.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 2499.

House File 2499

On motion of Senator Flynn, House File 2499, a bill for an act relating to definitions, reporting, and remittance guidelines concerning the disposition of unclaimed property, with report of committee recommending passage, 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. 2499) 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	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Drake	McLaren

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 2370

Senator Gronstal called up for consideration Senate File 2370, a bill for an act relating to energy efficiency and alternate energy programs, electric and gas public utility energy efficiency mandates, and the Iowa energy center and the center for global and regional environmental research and requiring the location of a principal office within the state and providing an effective date and providing an applicability provision, amended by the House in House amendment S—5818 filed April 18, 1996.

The Senate stood at ease at 3:15 p.m. until the fall of the gavel for the purpose of a caucus.

The Senate resumed session at 3:56 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 2370

The Senate resumed consideration of Senate File 2370.

Senator Freeman offered amendment S—5826 filed by Senators Freeman, et al., from the floor to House amendment S—5818.

Senator Freeman asked and received unanimous consent that action on amendment S—5826 to House amendment S—5818 be deferred.

Senator Freeman offered amendment S—5825 filed by Senators Freeman, et al., from the floor to House amendment S—5818 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5825 to House amendment S—5818 be adopted?" (S.F. 2370) 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	Borlaug
Boswell	Connolly	Dearden	Fink
Flynn	Fraise	Freeman	Halvorson
Hammond	Hansen	Husak	Jensen
Kibbie	Lundby	McKean	McLaren
Murphy	Neuhauser	Priebe	Sorensen
Vilsack			

Nays, 24:

Banks	Bisignano	Boettger	Deluhery
Douglas	Drake	Dvorsky	Gettings
Giannetto	Gronstal	Hedge	Iverson
Judge	Kramer	Lind	Maddox
Palmer	Redfern	Rensink	Rife
Rittmer	Szymoniak	Tinsman	Zieman

Absent or not voting, 1:

Horn

Amendment S—5825 was adopted.

With the adoption of amendment S—5825 to House amendment S—5818, the Chair ruled the following amendments filed from the floor to House amendment S—5818, out of order:

S—5824 filed by Senators Freeman, et al., and S—5823 filed by Senators Fink, et al.

The Senate resumed consideration of amendment S—5826 by Senators Freeman, et al., to House amendment S—5818.

Senator Gronstal asked and received unanimous consent that action on amendment S—5826 to House amendment S—5818, House amendment S—5818 and **Senate File 2370** be **deferred.**

UNFINISHED BUSINESS
(Deferred April 17, 1996)

House File 2234

The Senate resumed consideration of House File 2234, a bill for an act relating to exempting certain nonresident aliens from land ownership restrictions, amendment S—5514 by the committee on Small Business, Economic Development and Tourism to page 1 of the bill, and division S—5786B by Senator Bennett to amendment S—5514, deferred April 17, 1996 (amendment S—5633 to amendment S—5514 pending).

Senator Bennett moved the adoption of division S—5786B to amendment S—5514, which motion prevailed by a voice vote.

Senator Priebe offered amendment S—5766 filed by Senators Priebe, et al., on April 15, 1996, to amendment S—5514 and moved its adoption.

Amendment S—5766 was adopted by a voice vote.

With the adoption of division S—5786B to amendment S—5514, the Chair ruled amendment S—5633 by Senator Bennett to amendment S—5514, reconsidered and pending on April 17, 1996,

and amendment S—5698 by Senator Bennett to amendment S—5514, deferred on April 17, 1996, out of order.

Senator Hansen moved the adoption of amendment S—5514 as amended, which motion prevailed by a voice vote.

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. 2234) 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	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, 3:

Bisignano	Hedge	McKean

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 2499** be **immediately messaged** to the House.

CONFERENCE COMMITTEE REPORT RECEIVED
(Senate File 2446)

A conference committee report signed by the following Senate and House members was filed April 22, 1996, on Senate File 2446, a bill for an act relating to agriculture and natural resources,

by providing for appropriations, providing related statutory changes, and providing effective dates:

On the Part of the Senate:

DENNIS H. BLACK, Chair
BRAD BANKS
DON E. GETTINGS

On the Part of the House:

JAMES HAHN, Chair
JACK DRAKE
SANDRA GREINER

CONFERENCE COMMITTEE REPORT ADOPTED

Senate File 2446

Senator Black called up the conference committee report on Senate File 2446, a bill for an act relating to agriculture and natural resources, by providing for appropriations, providing related statutory changes, and providing effective dates, filed on April 22, 1996, 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 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. 2446) the vote was:

Ayes, 42:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Boswell	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hedge	Horn	Husak
Jensen	Judge	Kibbie	Lind
McKean	McLaren	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 8:

Bisignano	Connolly	Hansen	Iverson
Kramer	Lundby	Maddox	Rife

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 2446** 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 April 22, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2495, a bill for an act relating to the tax exemption of active duty pay of national guard or armed forces military reserve personnel for certain foreign service.

This bill was read first time and **passed on file.**

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2201, the following corrections were made:

1. Page 2, line 8, the words and numbers "subsections 7, 8 and 18" were changed to the words and numbers "subsections 7, 8, and 18.

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 19th day of April, 1996:

Senate Files 259, 2097, 2114, 2201, 2266, 2294, 2385, 2413, 2422 and 2453.

JOHN F. DWYER
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 18, 1996, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2012 — Relating to the conduct of raffles.

SENATE FILE 2071 — Creating an advisory commission on intergovernmental relations, specifying its membership and its powers and duties, providing for other properly related matters, and providing an effective date.

SENATE FILE 2211 — Relating to fingerprinting requirements for certain public offenses.

SENATE FILE 2305 — Relating to purchase money mortgages and providing a retroactive applicability provision.

SENATE FILE 2344 — Relating to child support enforcement.

SENATE FILE 2359 — 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.

SENATE FILE 2368 — Providing for the regulation of investment securities under article 8 of the uniform commercial code, and providing conforming changes, and an effective date.

SENATE FILE 2396 — Adding certain residential security deposits and prepaid rent to the list of exempt property which a debtor may claim.

SENATE FILE 2420 — Relating to juvenile justice, including the use of deadly force by criminal street gangs, dispositional alternatives for juveniles adjudicated delinquent, registering with the sex offender registry, and associate juvenile judge jurisdiction.

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificte of recognition:

Paul Hanson, Red Oak — For services as President of the Iowa Future Farmers of America. Senator McLaren (4-18-96).

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2234 passed the Senate on April 22, 1996.

TOM VILSACK

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5825 to Senate File 2370 was adopted by the Senate on April 22, 1996.

EMIL J. HUSAK

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 18, 1996, when the votes were taken on the following bills:

Had I been present, I would have voted "nay" on the motion to reconsider amendment S—5814 to House File 2486 and "aye" on final passage of House File 2486.

MAGGIE TINSMAN

AMENDMENTS FILED

S—5821	S.F.	2195	House amendment
S—5822	H.F.	2387	Michael E. Gronstal
S—5823	S.F.	2370	Bill Fink
			Mary Lou Freeman
			Mary A. Lundby
			Dennis H. Black
S—5824	S.F.	2370	Mary Lou Freeman
			Berl E. Priebe
			Bill Fink
			Dennis H. Black
			Allen Borlaug
S—5825	S.F.	2370	Mary Lou Freeman
			Berl E. Priebe
			Bill Fink
			Dennis H. Black
			Allen Borlaug
S—5826	S.F.	2370	Mary Lou Freeman
			Mary A. Lundby
			Berl E. Priebe
			Bill Fink
			Dennis H. Black
			Allen Borlaug
S—5827	S.F.	2399	Tony Bisignano

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:01 p.m., until 10:00 a.m., Tuesday, April 23, 1996.

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 23, 1996

The Senate met in regular session at 10:15 a.m., President pro tempore Bisignano presiding.

Prayer was offered by the Reverend Robert J. Brown, pastor of the Missionary Baptist Church, Carlisle, Iowa.

The Journal of Monday, April 22, 1996, 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 April 22, 1996, adopted the conference committee report and passed **Senate File 2446**, a bill for an act relating to agriculture and natural resources, by providing for appropriations, providing related statutory changes, and providing effective dates.

Senator Hansen took the chair at 10:20 a.m.

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 AMENDMENT CONSIDERED

Senate File 2399

Senator Szymoniak called up for consideration Senate File 2399, a bill for an act relating to child protection system provisions involving the child abuse assessment pilot projects administered

by the department of human services and certain multidisciplinary teams, and providing an effective date, amended by the House in House amendment S—5702 filed April 10, 1996.

Senator Bisignano offered amendment S—5827 filed by him on April 22, 1996, to House amendment S—5702 and moved its adoption.

Amendment S—5827 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.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Connolly until he arrives on request of Senator Flynn and Senators Banks and Kramer until they arrive on request of Senator Rife.

BUSINESS PENDING

Senate File 2399

The Senate resumed consideration of Senate File 2399.

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. 2399) the vote was:

Ayes, 47:

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	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:

Banks	Connolly	Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

President pro tempore Bisignano took the chair at 10:45 a.m.

ADOPTION OF RESOLUTION
(Regular Calendar)

Senate Resolution 119

Senator Rife asked and received unanimous consent to take up the following resolution:

SENATE RESOLUTION 119
By: committee on Rules and Administration
A Resolution honoring Senator Wayne Bennett for his years of legislative service.

WHEREAS, Senator Wayne Bennett will this year complete his first term of office in the Senate and twenty-four years of service to the state of Iowa as a member of the General Assembly; and

WHEREAS, Senator Bennett has served honorably and has unselfishly given of his time and efforts to further the interests of the state of Iowa and to provide beneficial programs for the citizens of Iowa; and

WHEREAS, it is proper that Senator Bennett be honored for his many years of service to the state of Iowa; NOW THEREFORE,

BE IT RESOLVED BY THE SENATE, That the Senate pay tribute to Senator Bennett and express its gratitude for the service rendered by him; and

BE IT FURTHER RESOLVED, That the Senate present to Senator Bennett his Senate chair in appreciation for his service.

President Boswell took the chair at 10:50 a.m.

Senator Rife moved the adoption of Senate Resolution 119, which motion prevailed by a voice vote.

Senators Rife and Hedge escorted Senator Bennett to the well of the Senate and he was presented with an enrolled copy of Senate Resolution 119 and his Senate chair upon completion of the 1996 session.

Senator Bennett addressed the Senate with brief remarks.

The Senate rose and expressed its tribute to Senator Bennett.

UNFINISHED BUSINESS CALENDAR

House File 2387

On motion of Senator Gronstal House File 2387, a bill for an act 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, and providing an effective date, with report of committee recommending passage and placed on the Unfinished Business Calendar on March 28, 1996, was taken up for consideration.

Senator Gronstal offered amendment S—5822 filed by him on April 22, 1996, to pages 1, 7, 8, 10, 11, 22, 32, 33 and 40 of the bill.

Senator Rittmer called for a division of amendment S—5822:

Page 1, line 3 as division S—5822A; page 1, lines 6 and 7 as division S—5822B; page 1, lines 4 and 5 and 8-50, page 2 and page 3, lines 1-22 as division S—5822C.

President pro tempore Bisignano took the chair at 11:22 a.m.

BILLS ASSIGNED TO COMMITTEE

The Chair announced the assignment of the following bills to committee:

H.F.	2480	Ways and Means
H.F.	2495	Ways and Means

BUSINESS PENDING

House File 2387

The Senate resumed consideration of House File 2387 and division S—5822A.

Senator Gronstal moved the adoption of division S—5822A, which motion lost by a voice vote.

Senator Gronstal moved the adoption of division S—5822B.

A non record roll call was requested.

The ayes were 24, nays 25.

Division S—5822B lost.

Senator Lind called for a further division of division S—5822C:

Page 2, lines 19-44 as division S—5822D.

Senator Gronstal moved the adoption of division S—5822C, which motion prevailed by a voice vote.

Senator Lind raised the point of order that division S—5822D was not germane to the bill.

The Chair ruled the point not well taken and division S—5822D in order.

Senator Gronstal asked and received unanimous consent that action on division S—5822D and **House File 2387** be **deferred.**

RECESS

On motion of Senator Horn, the Senate recessed at 12:16 p.m., until 3:00 p.m.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2301, the following correction was made:

1. Page 1, line 35, the period was removed after the number 135.105B.

JOHN F. DWYER
Secretary of the Senate

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Ms. Jorie Graham — For distinction as the 1996 Pulitzer Prize recipient for poetry. Senator Dvorsky (4-22-96).

Jeff Johnson, Iowa City — For providing internship services during the 1996 legislative session. Senator Neuhauser (4-22-96).

REPORT OF COMMITTEE MEETING

COMMERCE

Convened: April 18, 1996, 2:20 p.m.

Members Present: Deluhery, Chair; Jensen, Ranking Member; Bartz, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge and Husak.

Members Absent: Hansen, Vice Chair; Bisignano, Palmer, Priebe and Redfern (all excused).

Committee Business: Recommended passage of House File 2499.

Adjourned: 2:22 p.m.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 23rd day of April, 1996:

Senate Files 2085, 2154, 2157, 2168, 2207, 2289, 2301, 2321, 2455 and 2467.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 121

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

House File 2496

LOCAL GOVERNMENT: Judge, Chair; Sorensen and Zieman.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-five fifth grade students from Roosevelt Elementary School, Waterloo, accompanied by Tracy Hahn, Dee Fantroy, Matt Hundley and Bev Smith. Senators Lind and Redfern.

President Boswell introduced Georg and Thea Sofke and Bob and Bettie Johnson, from Oxford, Germany, who were present in the Senate chamber as his guests.

AMENDMENTS FILED

S—5828	S.F.	2245	House amendment
S—5829	S.F.	2195	Robert Dvorsky Tom Flynn Mary A. Lundby
S—5830	H.F.	2387	Bill Fink

AFTERNOON SESSION

The Senate reconvened at 3:15 p.m., Senator Banks 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 22, 1996, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2245, a bill for an act relating to public retirement systems, making appropriations, and providing effective and retroactive applicability dates (S—5828).

ALSO: That the House has on April 23, 1996, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 2486, 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.

HOUSE AMENDMENTS CONSIDERED

Senate File 2351

Senator Vilsack called up for consideration Senate File 2351, a bill for an act relating to department of economic development programs, including the workforce development fund program and the Iowa small business new jobs training Act, providing a supplemental new jobs credit from withholding, establishing a rural microbusiness assistance program, increasing the funds available for the value-added agricultural products and processes program, making an annual allocation from an appropriation, and establishing an effective date, amended by the House, and moved that the Senate concur in House amendment S—5778 filed April 15, 1996.

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. 2351) the vote was:

Ayes, 47:

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	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	Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 2195

Senator Dvorsky called up for consideration Senate File 2195, a bill for an act relating to the Iowa communications network by providing for state ownership of a Part III connection and for the connection and support of certain Part III users, making appropriations, and providing effective dates, amended by the House in House amendment S—5821 filed April 22, 1996.

Senator Dvorsky offered amendment S—5829 filed by Senators Dvorsky, Flynn and Lundby from the floor to House amendment S—5821.

Senator Dvorsky offered amendment S—5832 filed by Senators Dvorsky, McLaren and Lind from the floor to amendment S—5829 to House amendment S—5821 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5832 to amendment S—5829 to House amendment S—5821 be adopted?" (S.F. 2195) the vote was:

Ayes, 35:

Bisignano	Black	Boettger	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Horn	Husak	Judge
Kibbie	Lind	Lundby	Maddox
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	

Nays, 13:

Banks	Bartz	Bennett	Borlaug
Freeman	Hansen	Hedge	Iverson
Jensen	McKean	Rensink	Rife
Zieman			

Absent or not voting, 2:

Connolly	Kramer

Amendment S—5832 was adopted.

Senator Dvorsky offered amendment S—5833 filed by Senators Dvorsky, McLaren and Lind from the floor to amendment S—5829 to House amendment S—5821 and moved its adoption.

Amendment S—5833 was adopted by a voice vote.

Senator Dvorsky moved the adoption of amendment S—5829 as amended to House amendment S—5821, which motion prevailed 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. 2195) the vote was:

Ayes, 38:

Bartz	Bennett	Black	Boettger
Boswell	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Lundby	McLaren	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 10:

Banks	Bisignano	Borlaug	Hedge
Iverson	Jensen	Lind	Maddox
McKean	Rife		

Absent or not voting, 2:

Connolly	Kramer

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 3:56 p.m.

Senate File 2245

Senator Kibbie called up for consideration Senate File 2245, a bill for an act relating to public retirement systems, making appropriations, and providing effective and retroactive applicability dates, amended by the House in House amendment S—5828 filed April 23, 1996.

Senator Kibbie offered amendment S—5835 filed by Senators Kibbie and Gronstal from the floor to House amendment S—5828 and moved its adoption.

Amendment S—5835 was adopted by a voice vote.

Senator Kibbie 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 Kibbie 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. 2245) the vote was:

Ayes, 45:

Bartz	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 4:

Banks	Hedge	Iverson	Maddox

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.

Senate File 284

Senator Hansen called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—5817 filed April 18, 1996.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hansen 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. 284) 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.

MOTION TO RECONSIDER ADOPTED

Senator Vilsack called up the motion to reconsider Senate File 2409 filed by him on April 16, 1996, found on page 1411 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2409) 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 motion prevailed.

Senator Vilsack moved to reconsider the vote by which Senate File 2409 went to its last reading, which motion prevailed by a voice vote.

Senate File 2409

On motion of Senator Vilsack, Senate File 2409, a bill for an act relating to workforce development by establishing a workforce development department, by eliminating the department of employment services, and including workforce development programs in the new department, by providing for state privatization contracts, and by establishing a workforce development board and regional advisory boards, was taken up for reconsideration.

Senator Vilsack filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House amendment S—5677 as amended to Senate File 2409 was adopted by the Senate on April 16, 1996.

The motion prevailed by a voice vote and House amendment S—5677 as amended was taken up for reconsideration.

Senator Vilsack 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—5783 to House amendment S—5677 to Senate File 2409 was adopted by the Senate on April 16, 1996.

The motion prevailed by a voice vote and amendment S—5783 by Senators Vilsack and Borlaug to House amendment S—5677 was taken up for reconsideration.

Senator Vilsack offered amendment S—5837 filed by him from the floor to amendment S—5783 to House amendment S—5677 and moved its adoption.

Amendment S—5837 was adopted by a voice vote.

Senator Vilsack moved the adoption of amendment S—5783 as amended to House amendment S—5677, which motion prevailed by a voice vote.

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. 2409) the vote was:

Ayes, 47:

Bartz	Bennett	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, 2:

Banks Bisignano

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.

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 23, 1996, passed the following bill in which the concurrence of the House was asked:

Senate File 2357, a bill for an act relating to school finance providing for an increase in the amount certified for levy in excess of that previously authorized for bonded indebtedness repayment.

MOTION TO RECONSIDER WITHDRAWN

House File 2234

Senator Vilsack withdrew the motion to reconsider House File 2234, a bill for an act relating to exempting certain nonresident aliens from land ownership restrictions, filed by him on April 22, 1996, and found on page 1465 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **Senate Files 2245, 2399, 2409** and **House File 2234** be **immediately messaged** to the House and to send an immediate message to the House on **Senate Files 2351** and **284.**

HOUSE AMENDMENT CONSIDERED

Senate File 2372

Senator Fink called up for consideration Senate File 2372, a bill for an act relating to termination of rental agreements, the definition of notice, and notice provisions for actions to recover property, amended by the House, and moved that the Senate concur in House amendment S—5782 filed April 15, 1996.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Fink 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. 2372) the vote was:

Ayes, 42:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Boswell	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	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Tinsman	Zieman		

Nays, 7:

Bisignano	Dearden	Dvorsky	Neuhauser
Palmer	Szymoniak	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.

BUSINESS PENDING

House File 2387

The Senate resumed consideration of House File 2387, a bill for an act 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, and providing an effective date, and division S—5822D by Senator Gronstal to page 33 of the bill.

Senator Gronstal offered amendment S—5834 filed by Senators Gronstal and Drake from the floor to division S—5822D and moved its adoption.

Amendment S—5834 was adopted by a voice vote.

Senator Gronstal moved the adoption of division S—5822D as amended, which motion prevailed by a voice vote.

Senator Gronstal withdrew amendment S—5560 filed by him on March 27, 1996, to pages 7, 8, 10, 11, 22 and 32 of the bill.

Senator Fink offered amendment S—5830 filed by him from the floor to page 33 of the bill and moved its adoption.

Amendment S—5830 was adopted by a voice vote.

Senator Gronstal offered amendment S—5831 filed by him from the floor to page 33 of the bill and moved its adoption.

Amendment S—5831 was adopted by a voice vote.

Senator Gettings withdrew amendment S—5620 filed by him on April 2, 1996, to page 38 of the bill.

Senator Gettings offered amendment S—5692 filed by him on April 9, 1996, to page 38 of the bill and moved its adoption.

Amendment S—5692 was adopted by a voice vote.

Senator Dvorsky offered amendment S—5646 filed by Senators Dvorsky and Neuhauser on April 3, 1996, to page 27 of the bill and moved its adoption.

Amendment S—5646 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. 2387) the vote was:

Ayes, 48:

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, 1:

Banks

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.

ADOPTION OF RESOLUTION
(Regular Calendar)

Senate Concurrent Resolution 123

On motion of Senator Dvorsky, Senate Concurrent Resolution 123, a concurrent resolution congratulating Coach Dan Gable and

the University of Iowa Hawkeye Wrestling team for winning the National Collegiate Athletic Association's 1996 team championship, was taken up for consideration.

Senator Dvorsky moved the adoption of Senate Concurrent Resolution 123, which motion prevailed by a voice vote.

MOTION TO RECONSIDER ADOPTED

Senator Lind called up the motion to reconsider House File 428 filed by him on April 15, 1996, found on page 1390 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 428) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	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	Zieman		

Nays, none.

Absent or not voting, 4:

Bisignano	Connolly	Rittmer	Vilsack

The motion prevailed.

Senator Lind moved to reconsider the vote by which House File 428 went to its last reading, which motion prevailed by a voice vote.

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, was taken up for reconsideration.

Senator Lind called up the motion to reconsider the vote by which amendment S—5745 to House File 428 was adopted by the Senate on April 12, 1996, filed by him on April 15, 1996, found on page 1390 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5745 by Senators Flynn, Connolly and Lind to strike everything after the enacting clause and to the title page of the bill, was taken up for reconsideration.

Senator Lind offered amendment S—5836 filed by him from the floor to amendment S—5745 and moved its adoption.

Amendment S—5836 was adopted by a voice vote.

Senator Flynn moved the adoption of amendment S—5745 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?" (H.F. 428) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
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
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Connolly Fink

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 Concurrent Resolution 123** and **House Files 428** and **2387** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 2285** be referred from the Regular Calendar to the committee on **Ways and Means**.

HOUSE AMENDMENT CONSIDERED

Senate File 2366

Senator Gronstal called up for consideration Senate File 2366, a bill for an act relating to lease-purchase agreements, amended by the House, and moved that the Senate concur in House amendment S—5815 filed April 18, 1996.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gronstal moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2366) the vote was:

Ayes, 31:

Bennett	Black	Boettger	Boswell
Dearden	Deluhery	Douglas	Dvorsky

Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Jensen	Judge
Kibbie	Kramer	Lundby	Maddox
Neuhauser	Palmer	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	

Nays, 17:

Banks	Bartz	Borlaug	Drake
Freeman	Giannetto	Hedge	Iverson
Lind	McKean	McLaren	Murphy
Priebe	Redfern	Rensink	Rife
Zieman			

Absent or not voting, 2:

Bisignano	Connolly

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 476

On motion of Senator Gronstal, 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, with report of committee recomending passage, and placed on the Unfinished Business Calendar on April 14, 1996, 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. 476) the vote was:

Ayes, 38:

Bartz	Bennett	Black	Boettger
Borlaug	Boswell	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Gettings	Gronstal	Hammond
Hansen	Horn	Husak	Jensen
Judge	Kibbie	Kramer	Lind

Lundby	Maddox	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 10:

Banks	Douglas	Freeman	Giannetto
Halvorson	Hedge	Iverson	McKean
McLaren	Rife		

Absent or not voting, 2:

Bisignano	Connolly

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE INSISTS

House File 2486

Senator Flynn called up for consideration House File 2486, 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, amended by the Senate 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 2486** on the part of the Senate: Senators Flynn, Chair; Neuhauser, Deluhery, Banks and Hedge.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 476** be **immediately messaged** to the House and to send an immediate message to the House on **Senate File 2366**.

APPENDIX

GOVERNOR'S VETO MESSAGE

April 23, 1996

The Honorable Leonard Boswell
President of the Senate
State Capitol Building
L O C A L

Dear Mr. President:

Senate File 2385, an act relating to appointment and election of state judicial nominating commissioners and providing effective and applicability dates and transition provisions, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Among the most important decisions a Governor makes is the appointment of judges to our state's highest courts. The process as it exists in Iowa today requires the Governor to select from recommendations made by the State Judicial Nominating Commission. Broadbased and balanced representation of the members serving on the Commission is critical to assuring that nominees for the Court of Appeals and the Iowa Supreme Court are among the most experienced and best qualified persons in the state for the positions.

Since its creation in 1963, membership of the Commission has included seven public members appointed by the Governor and seven lawyer members elected by the Bar. When created, the appointment and election of members to the Commission was tied to the Congressional districts existing at the time. The statute provided that one member was to be appointed and elected from each of the seven Congressional districts.

Questions have been raised over time about the continued appointment and election of 14 members, as the number of Congressional districts have been reduced. The Attorney General addressed the issue in an opinion dated March 9, 1971, stating that the number and bounds of the Judicial Commission Districts were established to conform to the then-existing Congressional districts as a matter of convenience in order to provide geographic distribution of the membership. The opinion went on to conclude that there is no relationship whatever between the Congress and the Judicial Commission, therefore, "there is no reasons for a subsequent change in districting for one purpose to carry with it a change for the other purpose."

A reduction in the number of appointed members reduced the public's opportunity to be involved in the selection of judges to serve on the state's highest benches. These are the judges who make the final decisions concerning disputes considered by Iowa courts. Public member participation in the selection of these judges gives Iowans some assurance that their decisions will fairly reflect the view and philosophies of the people who appear before them. Reducing the number

of public members on the Commission, even though an equal number of lawyer positions are eliminated, dilutes, as well as diminishes, the citizen input so necessary to choosing the best persons to serve in these very important positions.

A better way to resolve the confusion caused by the current statute would be to set the number of appointed and elected members at seven each while eliminating all reference to congressional districts. To do so would void the need to shorten the terms of citizens presently serving on the Commission. Action similar to what I am recommending has recently been taken with respect to appointments to both the Corrections Board and Racing and Gaming Commission. This would be a much simpler and more permanent solution than that proposed in Senate File 2385.

For the above reasons, I hereby respectfully disapprove Senate File 2385.

Sincerely,
TERRY E. BRANSTAD
Governor

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2195 passed the Senate on April 23, 1996.

MERLIN E. BARTZ

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2195 passed the Senate on April 23, 1996.

ROBERT E. DVORSKY

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2372 passed the Senate on April 23, 1996.

ROD HALVORSON

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: HOUSE FILE 2481, a bill for an act relating to eligibility criteria and benefits, including tax benefits to businesses under the new jobs and income program and establishing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Husak, Bennett, Deluhery, Drake, Freeman, Iverson, McLaren, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none. Absent or not voting, 3: Connolly, Hedge and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5831	H.F.	2387	Michael E. Gronstal
S—5832	S.F.	2195	Robert Dvorsky Derryl McLaren Jim Lind
S—5833	S.F.	2195	Robert Dvorsky Derryl McLaren Jim Lind
S—5834	H.F.	2387	Michael E. Gronstal Richard F. Drake
S—5835	S.F.	2245	John P. Kibbie Michael E. Gronstal
S—5836	H.F.	428	Jim Lind
S—5837	S.F.	2409	Tom Vilsack
S—5838	H.F.	2481	Tom Vilsack

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:52 p.m., until 9:00 a.m., Wednesday, April 24, 1996.

JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH CALENDAR DAY
SIXTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 24, 1996

The Senate met in regular session at 9:08 a.m., President Boswell presiding.

Prayer was offered by the Reverend Robert Connors, pastor of the Union Park Church, Des Moines, Iowa, who then sang "I Go To The Rock".

The Journal of Tuesday, April 23, 1996, 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 23, 1996, adopted the following resolutions in which the concurrence of the House was asked:

Senate Concurrent Resolution 107, a concurrent resolution urging the United States Congress to authorize construction of the Lewis and Clark rural water system.

Senate Concurrent Resolution 113, a concurrent resolution declaring Miss Iowa an official hostess for the State of Iowa.

ALSO: That the House has on April 23, 1996, 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 2399, a bill for an act relating to child protection system provisions involving the child abuse assessment pilot projects administered by the department of human services and certain multidisciplinary teams, and providing an effective date.

ALSO: That the House has on April 23, 1996, **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 2245, a bill for an act relating to public retirement systems, making appropriations, and providing effective and retroactive applicability dates.

ALSO: That the House has on April 23, 1996, passed the following bill in which the concurrence of the Senate is asked:

House File 2500, a bill for an act providing for the modification or termination of certain testamentary trusts by the court.

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.

SENATE RECEDES

Senate File 2245

Senator Kibbie called up for consideration Senate File 2245, a bill for an act relating to public retirement systems, making appropriations, and providing effective and retroactive applicability dates, amended by the House, further amended by the Senate and moved that the Senate recede from its amendment.

The motion prevailed by a voice vote and the Senate receded from its amendment.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Bisignano until he arrives on request of Senator Vilsack and Senator Banks until he arrives on request of Senator Rensink.

BUSINESS PENDING

Senate File 2245

The Senate resumed consideration of Senate File 2245.

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. 2245) the vote was:

Ayes, 48:

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, 2:

Banks	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 2245** be **immediately messaged** to the House.

MOTION TO RECONSIDER WITHDRAWN

House File 2153

Senator Murphy withdrew the motion to reconsider House File 2153, a bill for an act relating to the reinstatement to active service of members of the statewide fire and police retirement system and the public safety peace officers' retirement, accident, and

disability system upon denial of disability benefits, filed by him on March 26, 1996, and found on page 1047 of the Senate Journal.

The Senate stood at ease at 9:39 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 12:28 p.m., President Boswell presiding.

RECESS

On motion of Senator Judge, the Senate recessed at 12:29 p.m., until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:44 p.m., Senator Hansen 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.

The Senate stood at ease at 2:51 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 4:58 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.

MOTION TO RECONSIDER ADOPTED

Senator Dvorsky called up the motion to reconsider Senate File 2195 filed by him on April 23, 1996, found on page 1492 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2195) the vote was:

Ayes, 49:

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, 1:

Banks

The motion prevailed.

Senator Dvorsky moved to reconsider the vote by which Senate File 2195 went to its last reading, which motion prevailed by a voice vote.

Senate File 2195

On motion of Senator Dvorsky, Senate File 2195, a bill for an act relating to the Iowa communications network by providing for state ownership of a Part III connection and for the connection and support of certain Part III users, making appropriations, and providing effective dates, was taken up for reconsideration.

Senator Bartz filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which the Senate concurred in House amendment S—5821 as amended to Senate File 2195 on April 23, 1996.

The motion prevailed by a voice vote and House amendment S—5821 as amended was taken up for reconsideration.

Senator Bartz filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5829 as amended to House amendment S—5821 to Senate File 2195 was adopted by the Senate on April 23, 1996.

The motion prevailed by a voice vote and amendment S—5829 as amended by Senators Dvorsky, Flynn and Lundby to House amendment S—5821 was taken up for reconsideration.

Senator McLaren 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—5832 to amendment S—5829 to House amendment S—5821 to Senate File 2195 was adopted by the Senate on April 23, 1996.

The motion prevailed by a voice vote and amendment S—5832 by Senators Dvorsky, McLaren and Lind to amendment S—5829 to House amendment S—5821 was taken up for reconsideration.

Senator Dvorsky offered amendment S—5842 filed by Senators Dvorsky, et al., from the floor to amendment S—5829 to House amendment S—5821 and moved its adoption.

Amendment S—5842 was adopted by a voice vote.

With the adoption of amendment S—5842, the Chair ruled amendment S—5832 to amendment S—5829 to House amendment S—5821, out of order.

Senator Dvorsky moved the adoption of amendment S—5829 as amended to House amendment S—5821, which motion prevailed 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. 2195) the vote was:

Ayes, 45:

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	Jensen	Judge	Kibbie
Kramer	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 5:

Banks	Borlaug	Iverson	Lind
Rife			

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 2195** be **immediately messaged** to the House.

The motion to reconsider Senate File 2195 filed by Senator Bartz on April 23, 1996, and found on page 1492 of the Senate Journal was out of order.

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, 1996, 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 2409, a bill for an act relating to workforce development by establishing a workforce development department, by eliminating the department of employment services, and including workforce development programs in the new department, by providing for state privatization contracts, and by establishing a workforce development board and regional advisory boards.

ALSO: That the House has on April 24, 1996, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 2234, a bill for an act relating to exempting certain nonresident aliens from land ownership restrictions.

ALSO: That the House has on April 24, 1996, 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 2387, a bill for an act 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, and providing an effective date (S—5843 to H—6042).

ALSO: That the members of the **Conference Committee**, appointed April 24, 1996, on **House File 2486**, 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, on the part of the House are: The Representative from Franklin, Mr. Sukup, Chair; the Representative from Bremer, Mr. Brunkhorst; the Representative from Davis, Mr. Kreiman; the Representative from Polk, Mrs. Metcalf; the Representative from Dubuque, Mr. Murphy.

INTRODUCTION OF BILL

Senate File 2469, by Horn and Rife, a bill for an act relating to the establishment of a problem gambling treatment program and applying a penalty.

Read first time and **passed on file.**

BILLS ASSIGNED TO COMMITTEE

The Chair announced the assignment of the following bills to committee:

S.F.	2469	Human Resources
H.F.	2500	Ways and Means

The Senate stood at ease at 5:40 p.m. until the fall of the gavel.

The Senate resumed session at 5:42 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 24, 1996, adopted the conference committee report and passed **House File 2416**, 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.

CONFERENCE COMMITTEE REPORT RECEIVED
(House File 2416)

A conference committee report signed by the following Senate and House members was filed April 24, 1996, on House File 2416, 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:

On the Part of the Senate:

PATTY JUDGE, Chair
MERLIN E. BARTZ
ROD HALVORSON
MARY LUNDBY
ALBERT G. SORENSEN

On the Part of the House:

DONALD E. HANSON, Chair
MICHAEL CATALDO
CHUCK GIPP
JERRY MAIN
MATT McCOY

CONFERENCE COMMITTEE REPORT ADOPTED

House File 2416

Senator Judge called up the conference committee report on House File 2416, 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, filed on April 24, 1996, 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 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. 2416) 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	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 3:

Banks	McKean	Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

APPENDIX

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Tuesday, April 23, 1996. Had I been present, I would have voted "aye" on the following:

Senate Files 2399 and 2351; amendment S—5832 to Senate File 2195 and final passage of Senate File 2195; Senate Files 2245 and 284; motion to reconsider Senate File 2409 and final passage of Senate File 2409; Senate File 2372; House File 2387; motion to reconsider House File 428 and final passage of House File 428; Senate File 2366 and House File 476.

MIKE CONNOLLY

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 23, 1996, when the vote was taken on House File 428. Had I been present, I would have voted "aye".

BILL FINK

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 23, 1996, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 259 — Relating to the practice of mortuary science, cremation, and licensing of funeral establishments and providing penalties.

SENATE FILE 2097 — Providing a sales, services, and use tax exemption on certain packaging materials used in agricultural, livestock, or dairy production.

SENATE FILE 2114 — Relating to the amount of prison time served by persons convicted of certain forcible felonies, by limiting the reduction of sentence for certain forcible felons, providing for a sentencing task force and a departmental study, and making other related changes.

SENATE FILE 2201 — Relating to the open enrollment application and implementation process and to instructional support for reorganized school districts.

SENATE FILE 2266 — Making transportation-related code changes including providing for a temporary registration permit, increasing registration fees for certain trailers, and providing an effective date.

SENATE FILE 2294 — Creating multidisciplinary community services teams and providing a penalty.

SENATE FILE 2413 — Relating to judicial administration, including the definition of a judicial officer, the administrative authority of certain judges within a district, and the retirement age of an associate juvenile judge and associate probate judge.

SENATE FILE 2422 — Removing the requirement that a corporation which has adopted a corporate seal affix the seal to all documents affecting real estate executed by the corporation.

SENATE FILE 2453 — Relating to boilers and unfired steam pressure vessels by providing for the inspection of certain unfired steam pressure vessels, the procedure for adopting rules, and providing an effective date.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing the Senate amendment to the House amendment to Senate File 2195, the following corrections were made:

1. Page 5, line 20, the word and letter "paragraph "c"" were changed to the word and letter "paragraph "d"".

2. Page 5, line 26, the word and number "Section 7" were changed to the word and number "Section 6".

JOHN F. DWYER
Secretary of the Senate

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE RESOLUTION 120, a senate resolution urging the Commission of Veterans Affairs to provide for the establishment of a state veterans' cemetery in central Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Rittmer, Bennett, Drake, Fink, Giannetto, Halvorson, Lind, McLaren and Sorensen. Nays, none. Absent or not voting, 4: Bisignano, Connolly, Dearden amd Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5839	S.F.	2468	Dennis H. Black
S—5840	S.F.	2468	Dennis H. Black
S—5841	S.F.	2468	Berl E. Priebe
S—5842	S.F.	2195	Robert Dvorsky Merlin E. Bartz Derryl McLaren Tom Flynn
S—5843	H.F.	2387	House amendment

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:05 p.m., until 9:30 a.m., Thursday, April 25, 1996.

JOURNAL OF THE SENATE

ONE HUNDRED NINTH CALENDAR DAY
SIXTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 25, 1996

The Senate met in regular session at 9:39 a.m., President pro tempore Bisignano presiding.

Prayer was offered by Senate Page, Amy Longwill and her sister Brianna, from Adams County, Nodaway, Iowa, who sang "Ave Verum".

The Journal of Wednesday, April 24, 1996, 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.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator McLaren for the day and Senator Tinsman until she arrives on request of Senator Rife.

UNFINISHED BUSINESS
(Deferred April 26, 1995)

House File 560

The Senate resumed consideration of 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, deferred April 26, 1995.

Senator Priebe offered amendment S—5734 filed by Senators Priebe, et al., on April 11, 1996, to page 1 of the bill and moved its adoption.

Amendment S—5734 was adopted by a voice vote.

The Chair ruled the motion to reconsider the vote by which amendment S—3545 failed to be adopted by the Senate on April 26, 1995, filed by Senator Bartz on April 26, 1995, and found on page 1424 of the 1995 Senate Journal, out of order.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Kramer until she arrives on request of Senator Borlaug and Senator Boettger until she returns on request of Senator Bartz.

BUSINESS PENDING

House File 560

The Senate resumed consideration of House File 560.

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. 560) 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	Lind
Lundby	Maddox	McKean	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Kramer McLaren Tinsman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 22, 1996)

Senate File 2370

The Senate resumed consideration of Senate File 2370, a bill for an act relating to energy efficiency and alternate energy programs, electric and gas public utility energy efficiency mandates, and the Iowa energy center and the center for global and regional environmental research and requiring the location of a principal office within the state and providing an effective date and providing an applicability provision, House amendment S—5818 and amendment S—5826 by Senators Freeman, et al., to House amendment S—5818, deferred April 22, 1996.

Senator Husak called up the motion to reconsider the vote by which amendment S—5825 to House amendment S—5818 to Senate File 2370 was adopted by the Senate on April 22, 1996, filed by him on April 22, 1996, found on page 1465 of the Senate Journal.

The Senate stood at ease at 10:18 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 10:55 a.m., Senator Hansen presiding.

RECESS

On motion of Senator Horn, the Senate recessed at 11:15 a.m., until 2:30 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

STATE GOVERNMENT

Convened: April 24, 1996, 6:08 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Drake, Fink, Giannetto, Halvorson, Lind, McLaren and Sorensen.

Members Absent: Bisignano, Connolly, Dearden and Lundby.

Committee Business: Recommended passage of Senate Resolution 120.

Adjourned: 6:10 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2469

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Hammond

House Concurrent Resolution 125

AGRICULTURE: Fraise, Chair; Husak and Zieman

House File 555

WAYS AND MEANS: Palmer, Chair; Bennett and Connolly

House File 2480

WAYS AND MEANS: Palmer, Chair; Bennett and Connolly

House File 2487

WAYS AND MEANS: Palmer, Chair; Bennett and Connolly

House File 2493

WAYS AND MEANS: Palmer, Chair; Bennett and Connolly

House File 2494

WAYS AND MEANS: Palmer, Chair; Bennett and Connolly

House File 2495

WAYS AND MEANS: Palmer, Chair; Bennett and Connolly

House File 2500

WAYS AND MEANS: Szymoniak, Chair; Iverson and Palmer

LSB 4465

AGRICULTURE: Fraise, Chair; Husak and Zieman

LSB 4473

AGRICULTURE: Fraise, Chair; Husak and Zieman

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 24, 1996, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2154 — Relating to certain drug offenses and penalties by increasing the penalties for certain offenses involving methamphetamine, creating new offenses involving ephedrine, and expanding the types of real property within one thousand feet of which a person who unlawfully possesses a substance is subject to an increased penalty.

SENATE FILE 2157 — Relating to postsecondary educational programs, the duties of the college student aid commission in administering the Iowa guaranteed loan program, creating a chiropractic loan revolving fund, providing for matters related to the chiropractic graduate student forgivable loan program, modifying the registration requirements for postsecondary schools, and increasing registration fees.

SENATE FILE 2168 — Updating the Iowa code references to the internal revenue code and providing a retroactive applicability date and an effective date.

SENATE FILE 2207 — Relating to the reimbursement of jurors and witnesses for transportation and mileage expenses.

SENATE FILE 2289 — Relating to the department of corrections, including operating while intoxicated violator facilities, reimbursement by parole violators, tort claims protection for certain persons, and inmate accounts.

SENATE FILE 2301 — Relating to lead abatement and inspection, training and certification requirements, providing penalties, and providing a contingent effective date.

SENATE FILE 2321 — Relating to the nonconfidentiality of information regarding the qualifications of interpreters for the deaf services division of the department of human rights.

SENATE FILE 2455 — Relating to the administration of taxes; electronic filing of tax returns and payments; imposition of the penalty for willfully filing a false claim for refund; low income, elderly, and disabled property tax credit filing and certification dates; computation of the real estate transfer tax; repeal of obsolete property tax provision; and providing effective and retroactive applicability dates.

ALSO: That on April 25, 1996, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2085 — Relating to handicapped parking and providing a penalty.

SENATE FILE 2467 — Increasing the nonpublic school tax credit and eliminating the nonpublic school tax deduction for amounts paid for tuition and textbooks for nonpublic elementary and secondary schools under the state individual income tax and providing effective and applicability date provisions.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty-one sixth grade students from Manson Middle School, Barnum, accompanied by Marilyn Moeding. Senator Halvorson.

The following visitors were present in the Senate gallery:

Twenty-six third grade students from United Community Elementary School, Boone, accompanied by Tricia Oxley. Senator Sorensen.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE RESOLUTION 122 (LSB 4465), a senate resolution requesting the Attorney General to investigate diesel fuel prices.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Priebe, Judge, Black, Fraise, Giannetto, Husak, Sorensen and Zieman. Nays, none. Absent or not voting, 7: Banks, Boswell, Douglas, Hedge, Lundby, McLaren and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 123 (LSB 4473), a senate resolution to urge that Ms. Oprah Winfrey retract negative comments regarding the safety of cattle herds in this country and the integrity of beef products consumed by the public, and to encourage the public to protest sponsors supporting her program.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Priebe, Judge, Black, Fraise, Giannetto, Husak, Sorensen and Zieman. Nays, none. Absent or not voting, 7: Banks, Boswell, Douglas, Hedge, Lundby, McLaren and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 2500, a bill for an act providing for the modification or termination of certain testamentary trusts by the court.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Palmer, Husak, Bennett, Deluhery, Drake, Freeman, Hedge, Iverson, Szymoniak and Vilsack. Nays, none. Absent or not voting, 5: Connolly, McLaren, Murphy, Neuhauser and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5844	S.F.	2370	Rod Halvorson
S—5845	S.F.	2370	Rod Halvorson
S—5846	S.F.	2370	Rod Halvorson
S—5847	S.F.	2370	Rod Halvorson
S—5848	S.F.	2370	Bill Fink
S—5849	S.F.	2370	Bill Fink Mary Lou Freeman Mary A. Lundby Dennis H. Black
S—5850	S.F.	2147	Michael E. Gronstal Robert Dvorsky

AFTERNOON SESSION

The Senate reconvened at 2:33 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 25, 1996, 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 2195, a bill for an act relating to the Iowa communications network by providing for state ownership of a Part III connection and for the connection and support of certain Part III users, making appropriations, and providing effective dates.

ALSO: That the House has on April 25, 1996, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 128, a concurrent resolution honoring the seventy-fifth anniversary of the Division of Criminal Investigation of the Iowa Department of Public Safety.

This resolution was read first time and **passed on file.**

INTRODUCTION OF RESOLUTIONS

Senate Resolution 122, by committee on Agriculture, a senate resolution requesting the Attorney General to investigate diesel fuel prices.

Read first time and **placed on calendar.**

Senate Resolution 123, by committee on Agriculture, a senate resolution to urge that Ms. Oprah Winfrey retract negative comments regarding the safety of cattle herds in this country and the integrity of beef products consumed by the public, and to encourage the public to protest sponsors supporting her program.

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 31 present, 19 absent and a quorum present.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2458

Senator Hansen called up for consideration House File 2458, a bill for an act relating to the right to appointed counsel or a public defender, by relating to the eligibility for certain indigents, the recovery of defense costs, and by restricting the right to counsel for certain parents in child in need of assistance cases, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5816 to Senate amendment H—5922 filed April 18, 1996.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment to the Senate amendment.

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 120.

Senate Resolution 120

On motion of Senator Kibbie, Senate Resolution 120, a senate resolution urging the Commission of Veterans Affairs to provide for the establishment of a state veteran's cemetery in central Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie moved the adoption of Senate Resolution 120, which motion prevailed by a voice vote.

The Senate stood at ease at 2:45 p.m. until the fall of the gavel.

The Senate resumed session at 2:50 p.m., President Boswell presiding.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 2458** be **immediately messaged** to the House.

The Senate stood at ease at 2:51 p.m. until the fall of the gavel.

The Senate resumed session at 5:50 p.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 April 25, 1996, **insisted on** its amendment to **House File 2458**, a bill for an act relating to the right to appointed counsel or a public defender, by relating to the eligibility for certain indigents, the recovery of defense costs, and by restricting the right to counsel for certain parents in child in need of assistance cases, and that the members of the **Conference Committee** on part of the House are: The Representative from Guthrie, Mr. Dinkla, Chair; the Representative from Polk, Mr. Lamberti; the Representative from Johnson, Ms. Mascher; the Representative from Wapello, Mr. Moreland; the Representative from Marion, Mr. Van Maanen.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the assignment of the following conference committee on **House File 2458** on the part of the Senate: Senators Hansen, Chair; Giannetto, Vilsack, Maddox and Drake.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 106, a senate concurrent resolution commemorating the veterans of the United States armed forces who fought and won the Battle of the Bulge during World War II.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Horn, Boswell, Rife, Bisignano, Gettings, Husak, Kramer and Lind. Nays, none. Absent or not voting, 1: Gronstal.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S—5851	S.F.	2370	Bill Fink Mary Lou Freeman Mary A. Lundby Dennis H. Black

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:56 p.m., until 8:45 a.m., Friday, April 26, 1996.

JOURNAL OF THE SENATE

ONE HUNDRED TENTH CALENDAR DAY
SIXTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 26, 1996

The Senate met in regular session at 8:55 a.m., President Boswell presiding.

Prayer was offered by the Honorable Eugene Fraise, member of the Senate from Lee County, Fort Madison, Iowa.

The Journal of Thursday, April 25, 1996, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Flynn until he arrives on request of Senator Dearden.

REAPPOINTMENTS OF CONFERENCE COMMITTEE
(House File 2486)

President Boswell announced that due to the necessary absence of Senator Flynn from the Senate for part of April 26, 1996, Senator Neuhauser was appointed temporary co-chair and Senator Connolly appointed as a temporary member of the conference committee on House File 2486.

President Boswell announced that Senator Judge will permanently replace Senator Deluhery as a member of the conference committeee on House File 2486 due to scheduling conflicts with another conference committee.

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.

RECESS

On motion of Senator Horn, the Senate recessed at 9:26 a.m., until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:05 p.m., President Boswell presiding.

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 26th day of April, 1996:

Senate Files 2351, 2357, 2366 and 2399.

JOHN F. DWYER
Secretary of the Senate

COMMITTEE REPORT

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2469, a bill for an act relating to the establishment of a problem gambling treatment program and applying a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5852.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer and Neuhauser. Nays, none. Absent or not voting, 2: Tinsman and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 25, 1996, 11:17 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Black, Douglas, Fraise, Giannetto, Hedge, Husak, Sorensen and Zieman.

Members Absent: Banks, Ranking Member; Boswell, Lundby, McLaren and Palmer.

Committee Business: Approved LSBs 4473 and 4465 as committee bills.

Adjourned: 11:19 a.m.

HUMAN RESOURCES

Convened: April 25, 1996, 2:55 p.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Kramer and Neuhauser.

Members Absent: Tinsman and Vilsack.

Committee Business: Recommended passage of Senate File 2469 as amended.

Adjourned: 3:00 p.m.

RULES AND ADMINISTRATION

Convened: April 25, 1996, 2:45 p.m.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Bisignano, Gettings, Husak, Kramer and Lind.

Members Absent: Gronstal (excused).

Committee Business: Recommended passage of Senate Concurrent Resolution 106.

Adjourned: 2:46 p.m.

WAYS AND MEANS

Convened: April 25, 1996, 1:05 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Freeman, Hedge, Iverson, Szymoniak and Vilsack.

Members Absent: Connolly, McLaren, Murphy, Neuhauser and Priebe (all excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House File 2500.

Adjourned: 1:10 p.m.

AMENDMENTS FILED

S—5852	S.F.	2469	Human Resources
S—5853	S.F.	2147	Michael E. Gronstal Robert Dvorsky

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 1:12 p.m., until 10:00 a.m., Monday, April 29, 1996.