

State of Iowa

1997

JOURNAL OF THE SENATE

1997

**REGULAR SESSION
SEVENTY-SEVENTH
GENERAL ASSEMBLY**

**Convened January 13, 1997
Adjourned April 29, 1997**

**Volume I
January 13 – April 17**

**MARY KRAMER, President of the Senate
RON J. CORBETT, Speaker of the House**

Published by the
STATE OF IOWA
Des Moines

SEVENTY-SEVENTH GENERAL ASSEMBLY

1997 Regular Session

OFFICERS OF THE SENATE

MARY KRAMER, <i>President</i>	West Des Moines
DON REDFERN, <i>President Pro Tempore</i>	Cedar Falls
STEWART E. IVERSON, JR., <i>Majority Leader</i>	Dows
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NANCY BOETTGER, <i>Assistant Majority Leader</i>	Harlan
MARY LOU FREEMAN, <i>Assistant Majority Leader</i>	Storm Lake
H. KAY HEDGE, <i>Assistant Majority Leader</i>	Fremont
O. GENE MADDOX, <i>Assistant Majority Leader</i>	Clive
MICHAEL E. GRONSTAL, <i>Minority Leader</i>	Council Bluffs
PATTY JUDGE, <i>Assistant Minority Leader</i>	Albia
DENNIS BLACK, <i>Assistant Minority Leader</i>	Grinnell
PATRICK J. DELUHERY, <i>Assistant Minority Leader</i>	Davenport
EUGENE S. FRAISE, <i>Assistant Minority Leader</i>	Fort Madison
STEVEN D. HANSEN, <i>Assistant Minority Leader</i>	Sioux City
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LINDA LAURENZO, <i>Senior Finance Officer</i>	Clive
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JAMES BOOSE, <i>Senior Majority Caucus Research Analyst</i>	Urbandale
MARK BRAUN, <i>Majority Caucus Research Analyst</i>	Des Moines
PAMELA DUGDALE, <i>Majority Caucus Research Analyst</i>	West Des Moines
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SUZANNE JOHNSON, <i>Senior Majority Caucus Research Analyst</i>	Des Moines
KRISTIN RIPPERGER, <i>Majority Caucus Research Analyst</i>	Des Moines
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MICHAEL ST. CLAIR, <i>Majority Caucus Research Analyst</i>	Des Moines
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JOHN CACCIATORE, <i>Minority Caucus Research Analyst</i>	Des Moines
STEPHEN CONWAY, <i>Senior Minority Caucus Research Analyst</i>	Des Moines
WILLIAM HAIGH, <i>Senior Minority Caucus Research Analyst</i>	Des Moines
THERESA L. KEHOE, <i>Senior Minority Caucus Research Analyst</i>	Des Moines
RON PARKER, <i>Minority Caucus Research Analyst</i>	Redfield
LINDA SANTI, <i>Minority Caucus Research Analyst</i>	Des Moines
ROBIN MILLS, <i>Minority Caucus Research Assistant</i>	Johnston
JON GASKILL, <i>Majority Caucus Secretary</i>	Des Moines
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JAY MOSHER, <i>Bill Clerk</i>	Milo
PAUL WHITMORE, <i>Sergeant-at-arms</i>	Des Moines
TROY BISHOP, <i>Assistant Sergeant-at-arms</i>	Des Moines
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ARNOLD BOYUM, <i>Doorkeeper</i>	Des Moines
SVEND A. CHRISTENSEN, <i>Doorkeeper</i>	Des Moines
GEORGE FINKENAUER, <i>Doorkeeper</i>	Ankeny
ROBERT LANGBEHN, <i>Doorkeeper</i>	Des Moines
E.A. SAMUELSON, <i>Doorkeeper</i>	Des Moines
KIM RUSSELL, <i>Switchboard Operator</i>	Des Moines
KANDI WESTPHAL, <i>Switchboard Operator</i>	Des Moines
ELEANOR HESSLING, <i>Postmaster</i>	West Des Moines

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

v

ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

TERRY E. BRANSTAD, <i>Governor</i>	Lake Mills
JOY CORNING, <i>Lieutenant Governor</i>	Cedar Falls
PAUL PATE, <i>Secretary of State</i>	Marion
RICHARD D. JOHNSON, <i>Auditor of State</i>	Sheldahl
MICHAEL L. FITZGERALD, <i>Treasurer of State</i>	Des Moines
DALE COCHRAN, <i>Secretary of Agriculture and Land Stewardship</i>	Eagle Grove
TOM MILLER, <i>Attorney General</i>	McGregor

JUSTICES OF THE IOWA SUPREME COURT

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

JUDGES OF THE IOWA COURT OF APPEALS

ALBERT L. HABHAB, <i>Chief Judge</i>	Des Moines
MARK S. CADY, <i>Judge</i>	Fort Dodge
TERRY L. HUITINK, <i>Judge</i>	Orange City
ROSEMARY S. SACKETT, <i>Judge</i>	Spencer
MICHAEL J. STREIT, <i>Judge</i>	Des Moines
GAYLE NELSON VOGEL, <i>Judge</i>	Knoxville

MEMBERS OF THE SENATE
SEVENTY-SEVENTH GENERAL ASSEMBLY
1997 REGULAR SESSION

JEFF ANGELO

Address..... Creston
Age..... 32
Occupation..... Broadcaster
Senatorial District..... 44-Adams, Decatur, Page, Ringgold, Taylor, Union
Former Legislative Service..... None

MERLIN E. BARTZ

Address..... Grafton
Age..... 35
Occupation..... Farmer/Laborer
Senatorial District..... 10 -Cerro Gordo, Mitchell, Worth
Former Legislative Service..... 74, 74X, 74XX, 75, 76

JERRY BEHN

Address..... Boone
Age..... 43
Occupation..... Farmer
Senatorial District..... 40-Boone, Carroll, Greene
Former Legislative Service..... None

DENNIS H. BLACK

Address..... Grinnell
Age..... 57
Occupation..... Conservationist
Senatorial District..... 29-Jasper, Mahaska, Marshall, Poweshiek
Former Legislative Service..... 70, 71, 72, 72X, 73, 74, 74X, 74XX, 75, 76

JAMES E. BLACK

Address..... Algona
Age..... 37
Occupation..... Farmer/Businessman
Senatorial District..... 8-Hancock, Humboldt, Kossuth, Winnebago, Wright
Former Legislative Service..... None

NANCY BOETTGER

Address..... Harlan
Age..... 53
Occupation..... Hospital Dir. Of Education & Resource Dev./Farmer
Senatorial District..... 41-Audubon, Harrison, Shelby
Former Legislative Service..... 76

ALLEN BORLAUG

Address..... Protivin
Age..... 55
Occupation..... Farm Owner/Insurance Agent
Senatorial District..... 15-Chickasaw, Floyd, Howard, Mitchell, Winneshiek
Former Legislative Service..... 74, 74X, 74XX, 75, 76

MIKE CONNOLLY

Address..... Dubuque
Age..... 51
Occupation..... Education Coordinator
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

DICK DEARDEN

Address..... Des Moines
Age..... 58
Occupation..... Job Developer, 5th Judicial District
Senatorial District..... 35-Polk
Former Legislative Service..... 76

PATRICK J. DELUHÉRY

Address.....Davenport
Age.....54
Occupation.....College Teacher
Senatorial District.....22-Scott
Former Legislative Service.....68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76

JOANN DOUGLAS

Address.....Adair
Age.....47
Occupation.....Farmer/Former Teacher
Senatorial District.....39-Adair, Dallas, Guthrie, Madison
Former Legislative Service.....76

RICHARD F. DRAKE

Address.....Muscatine
Age.....69
Occupation.....Farmer
Senatorial District.....24-Johnson, Louisa, Muscatine, 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

ROBERT E. DVORSKY

Address.....Coralville
Age.....48
Occupation.....Job Developer, Dept. of Correctional Services
Senatorial District.....49-Johnson, Linn
Former Legislative Service.....72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76

BILL FINK

Address.....Carlisle
Age.....41
Occupation.....Teacher
Senatorial District.....45-Marion, Warren
Former Legislative Service.....75, 76

TOM FLYNN

Address.....Epworth
Age.....41
Occupation.....Business Owner
Senatorial District.....17-Delaware, Dubuque, Jackson
Former Legislative Service.....76

EUGENE FRAISE

Address.....Fort Madison
Age.....64
Occupation.....Farming
Senatorial District.....50-Des Moines and Lee
Former Legislative Service.....71 (2nd), 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76

MARY LOU FREEMAN

Address.....Storm Lake
Age.....56
Senatorial District.....5-Buena Vista, Cherokee, Clay, O'Brien, Plymouth, Pocahontas
Former Legislative Service.....75 (2nd), 76

DONALD E. GETTINGS

Address.....Ottumwa
Age.....73
Occupation.....Retired-Deere & Co.
Senatorial District.....47-Jefferson, Van Buren and Wapello
Former Legislative Service.....67 (2nd), 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76

MEMBERS OF THE SENATE--77th GENERAL ASSEMBLY
1997 REGULAR SESSION

MICHAEL E. GRONSTAL

Address Council Bluffs
Age 46
Senatorial District 42-Pottawattamie
Former Legislative Service..... 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76

ROD HALVORSON

Address Fort Dodge
Age 47
Occupation Property Management
Senatorial District 7-Boone, Calhoun, Hamilton, Webster
Former Legislative Service..... 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76

JOHNIE HAMMOND

Address Ames
Age 64
Occupation Legislator
Senatorial District 31-Story
Former Legislative Service..... 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76

STEVEN D. HANSEN

Address Sioux City
Age 41
Occupation Consultant
Senatorial District 1-Woodbury
Former Legislative Service..... 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76

*PATRICIA M. HARPER

Address Waterloo
Age 64
Occupation Retired Educator
Senatorial District 13-Black Hawk
Former Legislative Service..... 72, 72X, 72XX, 73, 75, 76

*Elected at Special Election on 4-8-97.

H. KAY HEDGE

Address Fremont
Age 68
Occupation Grain and Livestock Farmer
Senatorial District 48-Keokuk, Mahaska, Marion, Wapello, Washington
Former Legislative Service..... 73, 74, 74X, 74XX, 75, 76

WALLY E. HORN

Address Cedar Rapids
Age 63
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

STEWART E. IVERSON, JR.

Address Dows
Age 46
Occupation Farmer
Senatorial District 9-Franklin, Hamilton, Hardin, Wright
Former Legislative Service..... 73 (2nd), 74, 74X, 74XX, 75, 76

JOHN W. JENSEN

Address Plainfield
Age 70
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

MEMBERS OF THE SENATE-77th GENERAL ASSEMBLY
1997 REGULAR SESSION-Continued

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PATTY JUDGE

Address..... Albia
Age..... 53
Occupation..... Farmer/Mediator
Senatorial District..... 46-Appanoose, Clarke, Davis, Lucas, Monroe, Van Buren, Wayne
Former Legislative Service..... 75, 76

JOHN KIBBIE

Address..... Emmetsburg
Age..... 67
Occupation..... Farmer
Senatorial District..... 4-Clay, Dickinson, Emmet, Kossuth, Palo Alto
Former Legislative Service..... 59, 60, 60X, 61, 62, 73, 74, 74X, 74XX, 75, 76

STEVE KING

Address..... Kiron
Age..... 47
Occupation..... Earthmoving Contractor
Senatorial District..... 6-Crawford, Ida, Monona, Sac, Woodbury
Former Legislative Service..... None

MARY KRAMER

Address..... West Des Moines
Age..... 61
Occupation..... Insurance Executive
Senatorial District..... 37-Polk
Former Legislative Service..... 74, 74X, 74XX, 75, 76

***JIM LIND**

Address..... Waterloo
Age..... 41
Occupation..... Service Station Owner/Operator
Senatorial District..... 13-Black Hawk
Former Legislative Service..... 71 (2nd), 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76

*Resigned 3-21-97

MARY LUNDBY

Address..... Marion
Age..... 48
Senatorial District..... 26-Linn
Former Legislative Service..... 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76

O. GENE MADDOX

Address..... Clive
Age..... 58
Occupation..... Lawyer
Senatorial District..... 38-Dallas and Polk
Former Legislative Service..... 75, 76

MATT McCOY

Address..... Des Moines
Age..... 30
Occupation..... Driver Development Manager
Senatorial District..... 34-Polk
Former Legislative Service..... 75, 76

ANDY McKEAN

Address..... Anamosa
Age..... 47
Occupation..... Lawyer/Bed and Breakfast Operator
Senatorial District..... 28-Jones and Linn
Former Legislative Service..... 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76

MEMBERS OF THE SENATE-77th GENERAL ASSEMBLY
1997 REGULAR SESSION

LARRY McKIBBEN

Address.....Marshalltown
Age.....50
Occupation.....Lawyer
Senatorial District.....32-Marshall and Story
Former Legislative Service.....None

DERRYL McLAREN

Address.....Farragut
Age.....47
Occupation.....Farmer
Senatorial District.....43-Cass, Fremont, Mills, Montgomery, Pottawattmie
Former Legislative Service.....74, 74X, 74XX, 75, 76

MARY NEUHAUSER

Address.....Iowa City
Age.....62
Occupation.....Attorney
Senatorial District.....23-Johnson
Former Legislative Service.....72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76

WILLIAM D. PALMER

Address.....Ankeny
Age.....61
Occupation.....Insurance
Senatorial District.....33-Polk
Former Legislative Service.....61, 62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76

DONALD REDFERN

Address.....Cedar Falls
Age.....51
Occupation.....Attorney
Senatorial District.....12-Black Hawk
Former Legislative Service.....75 (2nd), 76

JOHN REDWINE

Address.....Sioux City
Age.....46
Occupation.....Physician
Senatorial District.....2-Plymouth, Woodbury
Former Legislative Service.....None

KITTY REHBERG

Address.....Rowley
Age.....58
Occupation.....Farmer
Senatorial district.....14-Black Hawk, Buchanan, Delaware, Fayette
Former Legislative Service.....None

WILMER RENSINK

Address.....Sioux Center
Age.....63
Occupation.....Farmer
Senatorial District.....3-Lyon, O'Brien, Osceola, Sioux
Former Legislative Service.....70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76

JACK RIFE

Address.....Durant
Age.....53
Occupation.....Farmer
Senatorial District.....20-Cedar, Clinton, Jones, Scott
Former Legislative Service.....70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76

SHELDON RITTMER

Address..... DeWitt
Age..... 68
Occupation..... Farmer
Senatorial District..... 19-Clinton, Scott
Former Legislative Service..... 74, 74X, 74XX, 75, 76

NEAL SCHUERER

Address..... Amana
Age..... 42
Occupation..... Restaurateur
Senatorial District..... 30-Benton, Black Hawk, Iowa, Tama
Former Legislative Service..... None

ELAINE SZYMONIAK

Address..... Des Moines
Age..... 76
Occupation..... Retired
Senatorial District..... 36-Polk
Former Legislative Service..... 73, 74, 74X, 74XX, 75, 76

MAGGIE TINSMAN

Address..... Davenport
Age..... 60
Occupation..... Agri Business/Social Worker
Senatorial District..... 21-Scott
Former Legislative Service..... 73, 74, 74X, 74XX, 75, 76

TOM VILSACK

Address..... Mt. Pleasant
Age..... 45
Occupation..... Lawyer
Senatorial District..... 49-Des Moines, Henry, Lee, Washington
Former Legislative Service..... 75, 76

LYLE E. ZIEMAN

Address..... Postville
Age..... 75
Occupation..... Retired Farmer/Businessman
Senatorial District..... 16-Allamakee, Clayton, Fayette, Winneshiek
Former Legislative Service..... 75, 76

JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 13, 1997

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 1997 Regular Session of the Seventy-seventh General Assembly convened at 10:01 a.m., and the Senate was called to order by Senator Mary E. Kramer.

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

REMARKS BY THE MAJORITY LEADER

Senator Iverson addressed the Senate as follows:

Today is my first day as the Majority Leader of the Iowa Senate, and as I assume this new position, I feel a great deal of pride about the current condition of this state and this state's government.

Over the past five years, Iowa has moved from a \$400 million budget deficit to a budget surplus that is larger than any state in the nation. At the same time, we have passed tax cuts in the last two years that take important steps toward reducing property and pension taxes in Iowa. And we have made important investments in education, including a \$150 million technology fund that puts at the fingertips of Iowa's school children the resources for them to get the best education in the world.

But challenges persist. Despite our efforts over the past two years, Iowans pay more in state and local taxes than do individuals in forty other states, and working class families bear a far greater burden of the taxes than working families in states that surround us.

There's no doubt that Iowa's tax system, which requires 12% of the people to pay 50% of the taxes, is unfair. There is also no doubt that any effort we undertake to fix Iowa's tax code will be fair to all Iowans.

Our efforts to reduce taxes will benefit Iowa families not just by putting more money back in the family budget. It will also help bring even more good paying jobs to Iowa.

Cutting taxes is only one way in which we can enhance Iowa's competitiveness. We must also review how government impacts Iowa businesses. One way state government can help create new jobs is to insure that government is not doing anything to keep Iowa's entrepreneurs from expanding. I want to lead a review which takes a long-term look at Iowa's business climate.

It is important to stress that this review must be long-term. Everyone here today no doubt has an ambitious list of things they want to accomplish. But government gets in trouble when it tries to fix everything at the same time, instead of thoroughly reviewing every problem, and developing a long-term solution.

We are lucky to belong to an institution, the Iowa Senate, which has such a wonderful history of consensus building and cooperation between those of differing parties and ideologies. You have my firm commitment to continue these outstanding traditions.

Let me conclude by stressing that my door is always open to anyone and their ideas. I look forward to working with all of you to make our institution, our government, and our state a model for the nation and the world.

REMARKS BY THE MINORITY LEADER

Senator Gronstal addressed the Senate as follows:

Thank you, Madam President.

Madam President, ladies and gentlemen of the Senate:

First of all I'd like to welcome and congratulate all of you that won in last fall's election. They were hard fought and challenging elections and each of us won the honor of trying to represent our districts and make Iowa a better place.

To the new majority I sincerely wish you luck and I hope you recognize that we have left you with the largest budget surplus as a percent of total budget in the country. That surplus was created by the landmark budget reform law that the Democrats working with Republicans passed in 1992. That surplus paved the way for two of the biggest property tax cuts in the history of Iowa. That surplus has spurred the talk of more tax cuts this session and we share the belief that taxes are too high in Iowa but we also believe that taxes in Iowa are not fair. We will support efforts to create a lower, fairer tax burden for Iowa families. But we also believe its important to remember that the state's bank account was filled to overflowing by ordinary working Iowans with the sales tax -- and that is where tax cuts should be concentrated. A tax system where the top 1% pays at a rate one half of the bottom 20% is simply not fair and needs to be changed. We believe we should go back and make good on the deal we made in 1992 to fund the renters credit. There are many, many good ideas on how to make our taxes fairer. We could simply repeal the 5th cent of the sales tax or consider taking the sales tax off of residential energy bills. We hope you will be willing to listen and include our proposals.

But taxes aren't the only issue we face this session. As Governor Branstad puts the final touches on his Condition of the state address to be delivered tomorrow, I hope that he will put partisan rhetoric aside and reach out to join our efforts to solve many of Iowa's problems in a bipartisan manner.

Those efforts include:

Making sure that we pay our bills to local governments and fully fund the homestead credit and other tax credits.

Making sure that our schools are high-quality and safe. First, we must continue to recognize that education has always been a priority in Iowa and is in fact our strongest economic development tool. Second, we need to make a major commitment of state dollars to our crumbling schools—many are in such bad shape that the state fire marshal believes our children are at risk. Let's not wait for a tragedy to force us to respond.

Recognizing that higher education is increasingly out of reach for many of our children we need to insure that every Iowa student with the talent and determination can go on to higher education. For many Iowans, higher education means our community colleges. That's why we proposed last fall to increase our investment in technology at all of Iowa's community colleges and why we should guarantee two years of post secondary education at our community colleges.

Moving ahead with our initiative to give local officials more support to fight crime—including juvenile crime. We appreciate that the Governor has changed his mind on this subject and we hope he will work to convince House Republicans that local governments need more resources from the state to fight crime and make our neighborhoods safer.

Boosting our economic development efforts by increasing our investment in affordable housing. We hope the Governor has re-thought his veto of a bipartisan plan last year that took the first steps to developing a comprehensive, statewide plan to increase affordable housing.

Fulfilling our obligations to our innovative welfare reform program. In 1997, that means expanding our investment in affordable day care, high-quality job training, and creating jobs that pay living wages.

Addressing the state's growing problems in the well being of children. A new study has found that in seven of eight measures of child welfare Iowa is losing ground. Iowa's infant mortality rate has risen past the national average—which, as the study said, "should be a wake-up call for all of us."

As I said before, it is time now that we set aside the heat of the political battles of last fall and begin the important work of finding solutions to the problems that confront Iowa. In my campaign last fall, while knocking on thousands of doors, I never heard a citizen suggest that we needed Republican solutions and I also never heard one say we needed Democratic solutions. They expect us to listen to each other and recognize that neither party has all the answers and together we can find common sense solutions to the challenges that confront us.

Finally as you look around the chamber and the offices in this institution and see the changes being made to accommodate the transition to the new majority party I hope you'll recognize the countless hours of work that the staff has put into making the change as smooth as possible. I'd like to personally thank the nonpartisan senate staff who have worked so hard and often find themselves caught between our partisan differences. They have done their jobs with grace and dignity and with the single goal of making our jobs easier. They have my respect and gratitude.

Thank you, Madam President.

TEMPORARY SECRETARY

Senator Iverson moved that Mary Pat Gunderson be appointed as temporary Secretary of the Senate.

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

ADOPTION OF TEMPORARY RULES AND TEMPORARY COMPENSATION

Senator Iverson moved that the rules of the Senate and provisions for compensation of employees adopted by the 76th General Assembly be adopted as the temporary rules and temporary compensation provisions for the 1997 session of the 77th General Assembly.

The motion prevailed by a voice vote.

COMMITTEE ON CREDENTIALS

Senator Iverson moved that a committee of five be appointed as a committee on credentials.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Lind, Chair; Tinsman, Douglas, Hansen and Halvorson.

The Senate stood at ease at 10:23 a.m., until the fall of the gavel.

The Senate resumed session at 10:26 a.m., Senator Kramer presiding.

CERTIFICATION—STATE OF IOWA OFFICE OF THE SECRETARY OF STATE

To the Honorable, Secretary of the Senate:

I, Paul D. Pate, Secretary of the State of the State of Iowa, custodian of the files and records pertaining to elections in the State, do hereby certify that the State Canvassing Board has declared that at the General Election held on November 5, 1996, each of the following named persons was duly elected to the office of State Senator for the term of four years beginning on the second day of January, 1997:

Districts

Second ----- John Redwine
Fourth ----- John P. Kibbie
Sixth ----- Steve King

Eighth	James Edward Black
Tenth	Merlin E. Bartz
Twelfth	Donald B. Redfern
Fourteenth	Kitty Rehberg
Sixteenth	Lyle E. Ziemann
Eighteenth	Mike Connolly
Twentieth	Jack Rife
Twenty-second	Patrick J. Deluhery
Twenty-fourth	Richard F. Drake
Twenty-sixth	Mary A. Lundby
Twenty-eighth	Andy McKean
Thirtieth	Neal Schuerer
Thirty-second	Larry McKibben
Thirty-fourth	Matt McCoy
Thirty-sixth	Elaine Szymoniak
Thirty-eighth	O. Gene Maddox
Fortieth	Jerry Behn
Forty-second	Michael E. Gronstal
Forty-fourth	Jeff Angelo
Forty-sixth	Patty Judge
Forty-eighth	H. Kay Hedge
Fiftieth	Gene Fraise

I FURTHER CERTIFY, that the State Canvassing Board has declared that at the General Election held on November 8, 1994, each of the following named persons was duly elected to the office of State Senator for the term of four years beginning on the second day of January, 1995.

Districts

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

Forty-fifth----- Bill Fink
 Forty-seventh----- Don E. Gettings
 Forty-ninth----- Tom Vilsack

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Statehouse in Des Moines this 30th day of December, 1996.

PAUL D. PATE, Secretary of State

I hereby acknowledge receipt of the original copy of this document on December 30, 1996.

JOHN F. DWYER
 Secretary of the Senate

REPORT OF THE COMMITTEE ON CREDENTIALS

MADAM PRESIDENT: We, your committee on credentials, respectfully report that we find the persons named in the attached copy of the certification of the Secretary of State duly elected to and entitled to seats in the Senate for the 1997 Session of the Seventy-seventh General Assembly.

JIM LIND, Chair
 MAGGIE TINSMAN
 JOANN DOUGLAS
 STEVEN D. HANSEN
 ROD HALVORSON

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

Senator Maddox took the chair at 10:40 a.m.

ELECTION OF PRESIDENT

Senator Iverson placed in nomination the name of Senator Mary E. Kramer of Polk County as a candidate for the office of President of the Senate for the Seventy-seventh General Assembly.

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

Senator Maddox requested that Senators, McLaren, Rife and Redwine escort President Kramer to the rostrum.

President Kramer was administered the oath of office by Chief Justice Arthur McGovern of the Iowa Supreme Court.

President Kramer addressed the Senate as follows:

Good morning, it is indeed an auspicious day - Iowa is beginning her 151st year, and the 77th general assembly is under way.

Thanks to my colleagues for their confidence in electing me, the opportunity that has been given to lead is rare and precious - humbling - and exciting - I have been anticipating this day - and now that it is here - I find it an awesome responsibility.

What might we expect as we begin the session?

Well - probably not order! The only truly orderly places are cemeteries - my expectation is that the Iowa Senate will be a vital, moving body - some times chaotic. Chaos is often necessary for the progress of ideas. However, decorum and civility have long been valued traditions in the Chamber - and have served the process and the members well.

So if order is not an appropriate goal for us - we'll seek conflict - debate - discussion. What is?

Perhaps a more progressive agenda is seeking the common ground. Hopefully our most common ground will be our common desire to create good and thoughtful public policy - policy that moves all Iowans ahead on their journey to the future with energy and enthusiasm.

As we prepare to face challenges this year, we know that we will need new ideas and renewed determination. Another appropriate goal.

We'll confront challenges in education, our economy tax policy and the environment. Challenges in health care - from infancy to elder and long term care. We have an inventory of unfilled aspirations for families and communities... if we approach these challenges with a determination to avoid all risk, we sentence ourselves to the status quo - or worse. If we rely exclusively on old ideas, solutions, we will not deserve the leadership positions our constituents have elected us to assume. If our collective fear of failure or of taking risk - or our demands for all or nothing - immobilize us, we will achieve little.

Let me be clear - I do not recommend failure - I'm not even sure I believe failure builds character. However, a willingness to risk failure is one of the costs of leadership.

And each of us has been elected to lead - to lead not only in ways that are positive for our own constituents - but for all of Iowa.

Over one hundred years ago, President Abraham Lincoln penned some "you cannots" that are just as true today as they were when he wrote them. They provide much food for thought as we approach issues this session.

YOU CANNOT STRENGTHEN THE WEAK BY WEAKENING THE STRONG.
YOU CANNOT HELP THE WAGE EARNER BY PULLING DOWN THE WAGE PAYER.

YOU CANNOT FURTHER THE BROTHERHOOD OF MANY BY ENCOURAGING CLASS HATRED.

YOU CANNOT ESTABLISH SOUND SECURITY ON BORROWED MONEY.

One of the greatest strengths we have to build on as Iowans is our sense of "community".

We have such a strong sense of "belonging", we are ready to be involved in developing and improving that community. What will it take?

Capabilities - as leaders, we have the skills, knowledge and personal qualities for renewing and reinventing our future.

Commitment - builds when everyone has opportunity to take an active part so experiences can be shared.

Contribution - people want to contribute - especially if they think it's to something worthwhile and needed.

Continuity - those who don't learn from their history are destined to repeat it...

Collaboration - and Conscience.

We have all those qualities available to us in this body and broadly among our citizens.

Community requires the capacity for great conversations about things that matter.

The final goal - let the great conversations begin and let them begin here.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Iverson placed in nomination the name of Senator Don Redfern of Black Hawk County as a candidate for the office of President pro tempore for the Senate for the Seventy-seventh General Assembly.

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

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

President Kramer requested that Senators McKean, Drake and Rehberg escort Senator Redfern to the rostrum.

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

Following is a summary of remarks by Senator Redfern:

Senator Redfern welcomed the new members to a citizen-legislature. He noted the historical significance of legislators who continue to live and work in their communities. He told the new members that balancing their community, family, and work with legislative responsibilities would be a challenge, but they would find it a most rewarding challenge.

Senator Redfern discussed the challenges facing the concept of a citizen-legislature. He noted that in the 150 year history of our state, the executive branch of government has hired thousands of employees and has undertaken numerous programs. The number and complexity of the issues facing a citizen legislature today have increased significantly. If we are going to continue the concept of a citizen legislature, he concluded we are all going to have become better at working together in the common interest of the State.

Senator Redfern said that he would work as hard as he could as President pro tempore to help the Senate meet these challenges.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Iverson 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 Bartz, Chair; Angelo, Boettger, Deluhery and Fraise.

COMMITTEE TO NOTIFY THE HOUSE

Senator Iverson 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 Hedge, Chair; Borlaug, Zieman, McCoy and Black.

ASSIGNMENT OF SEATS IN THE PRESS GALLERY

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

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

51. DES MOINES REGISTER: David Yepsen, Thomas Fogarty, Jonathan Roos
52. THE ASSOCIATED PRESS: Mike Glover, Mary Neubauer

53. WHO-RADIO: Jeneane Beck
54. RADIO IOWA: O. Kay Henderson, Matt Kelley, Doug Cooper
55. SIOUX CITY JOURNAL: Kate Thompson
56. IOWA LEGISLATIVE NEWS SERVICE: Peter Small, Jack Hunt
57. WOI-AM: Mark Moran
58. CEDAR RAPIDS GAZETTE: Ken Sullivan, Rod Boshart, Mike Ferreter
59. LEGISWEB: Jon Neiderbach
60. LEE ENTERPRISES DM BUREAU: Kathie Obradovich, Patrick Lalley
61. DUBUQUE TELEGRAPH HERALD: Mary Rae Bragg
62. WATERLOO COURIER: Cari Noga
63. KUNI RADIO: Bill Menner
64. KCCI-TV: Martin Augustine, Todd Magel

GENERAL ASSIGNMENT

AFSCME/Council 61 News: Larry Scarpino
 AMES DAILY TRIBUNE: Marty Helle
 THE ASSOCIATED PRESS: David Speer, Tom Seery, John Gaps III, Charlie Neibergall, Kevin Wolfe
 IOWA LEGISLATIVE NEWS SERVICE: Pat Mooney
 KASI/KCCQ RADIO: Darwin Danielson
 KCCI-TV: Steve Karlin, Michelle Parker, Jeanette Trompeter, Geoff Greenwood
 KIMT-TV: Jeff Nelson, Karl Ringel, Swan Zillmer, Michelle Oshann, Brian Mastre
 DES MOINES RADIO GROUP; KIOA-KRNT-KSTZ AM/FM: Polly Carver Kimm
 KOEL RADIO: Pamela Ohrt
 KWWL-TV: Jim Talley
 OMAHA WORLD-HERALD: Jim Smiley
 PRAIRIE FIRE NEWS SERVICE: Dennis Carroll
 WHO-TV: Scott Pope, Phil Scott, Therese Thompson, Cal Woods, Lisa Brones
 WOI-TV: Lena Vanier, Tom Cox, Julie Kraft, Don Taylor, Don Schmith, Tyler Damerville, Greg Stivers

The Senate stood at ease at 11:05 a.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 11:12 a.m., President Kramer presiding.

APPOINTMENT OF PERMANENT OFFICERS AND EMPLOYEES

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

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

Secretary of the Senate -----Mary Pat Gunderson

Administrative

Confidential Secretary to the Secretary -----Lori Bristol
Administrative Secretary to the Secretary -----LuAnn Randleman
Senior Finance Officer-----Linda Laurenzo
Finance Officer I-----Lois Brownell
Recording Clerk-----Madonna Hauge
Records and Supply Clerk-----Janice Boyle

Indexing

Indexer II -----Caryll Wilbur
Indexing Assistant-----Kathleen Curoe

Journal

Senior Editor-----C.J. Kelly
Editor II -----Teri Souer
Editor I -----Linda Morrow

Legal Counsel

Assistant Secretary of the Senate -----Cynthia A. Clingan
Assistant to the Legal Counsel -----Sean Parnell

President of the Senate's Office

Administrative Assistant to Leader II -----Kaye Lozier
Administrative Assistant to Leader II -----Becky Beach

Majority Caucus

Administrative Assistant to Leader III -----Tom Cope
Administrative Assistant to Leader II -----Karen Slifka
Caucus Staff Director-----Terry Nelson
Secretary to Leader-----Jeanine Iverson
Senior Research Analyst-----James Boose
Senior Research Analyst-----Suzanne Johnson
Senior Research Analyst-----Carolann Jensen
Research Analyst III -----Pamela Dugdale
Research Analyst I-----Mark Braun
Research Analyst I-----Kristin Ripperger
Legislative Research Analyst -----Michael Savala
Legislative Research Analyst -----Michael St. Clair
Caucus Secretary-----John Gaskell

Minority Caucus

Senior Administrative Assistant to Leader-----Greg Nichols
Senior Caucus Staff Director-----Debbie O'Leary

Confidential Secretary to Leader	JoAnn Hanover
Senior Research Analyst	William Haigh
Senior Research Analyst	Theresa Kehoe
Senior Research Analyst	Steve Conway
Senior Research Analyst	Randy Bauer
Research Analyst III	John Cacciatore
Research Analyst II	Robyn Mills
Research Analyst I	Linda Santi
Research Analyst	Ronald Parker
Caucus Secretary	James Fitzgerald

Sergeant-at-arms

Sergeant-at-arms	Paul Whitmore
Assistant Sergeant-at-arms	Troy Bishop
Chief Doorkeeper	William Krieg
Doorkeeper	Svend A. Christensen
Doorkeeper	George Finkenauer
Doorkeeper	Arnold Boyum
Doorkeeper	Gaylard Parrish
Doorkeeper	Robert Langbehn
Doorkeeper	E. A. Samuelson

Services

Bill Clerk	Jay Mosher
Switchboard Operator	Kimberly Russell
Switchboard Operator	Kandi Westphal
Postmaster	Eleanor Hesselning

STEWART E. IVERSON, JR., Chair

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

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

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Bartz 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.

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

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

The report was accepted and the committee discharged.

COMMITTEE FROM THE HOUSE

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

APPOINTMENT OF SENATE SECRETARIES

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

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

ASPENGREN, MARY LOU	-----	Jim Lind
BARNHILL, ELEANOR	-----	Patty Judge
BLISS, JULIET	-----	Merlin E. Bartz
BOETTGER, DAVID	-----	Nancy Boettger
BRAUER, JOAN	-----	Matt Mccoy
CARROTHERS, MATT	-----	Kitty Rehberg
COOPER, JEAN	-----	Bill Fink
COWDEN, SUSAN	-----	Richard F. Drake
DAVIS, VICKI	-----	Jack Rife
EPLEY, DAVID	-----	Robert E. Dvorsky
FINDLEY, S. BRENNIA	-----	Jerry Behn
FOLLETT, CONNIE	-----	Elaine Szymoniak
FRAISE, FAYE	-----	Eugene S. Fraise
GALLAGHER, SALLY	-----	Tom Vilsack
GETTINGS, MARY	-----	Donald E. Gettings
GOUDY, JEAN	-----	Johnie Hammond
HALVORSON, BOB	-----	Rod Halvorson
HANOVER, JO ANN	-----	Michael E. Gronstal
HANSEN, VALERIE	-----	Joann Douglas
HEDGE, ALLEEN	-----	H. Kay Hedge
HUGHES, JANE	-----	Mary Lou Freeman
HUYSER, BRENDA	-----	PatDeluhery
IVERSON, JEANINE	-----	Stewart Iverson

JENNINGS, SUE	Mary A. Lundby
JENSEN, KIM	Allen Borlaug
JENSEN, MYRTLE	John W. Jensen
KIBBIE, KAY	John P. Kibbie
LETENDRE, KHADINE	James E. Black
LEVERICH, GAY	Andy McKean
MARTENS, MARLENE	O. Gene Maddox
NELSON, JEAN	Mary Neuhauser
PARSONS, JACOB	Dennis H. Black
PETERSON, CAROLE	Steve King
REED, MARY	Tom Flynn
RENSINK, MARILYN	Wilmer Rensink
RITTMER, ELAINE	Sheldoon Rittmer
SANDS, MARK	Jeff Angelo
SCHAEFER, CHRISTINA	Maggie Tinsman
SCHLINGER, NICOLE	Donald Redfern
SCHRAGE, DIANE	Neal Schuerer
SIMON, JULIE	Wally E. Horn
TAYS, JANE	William D. Palmer
ULLEM, MARTHA	John Redwine
WAYMAN, NANCY	Steven D. Hansen
WENGERT, JOANNE	Dick L. Dearden
WEST, JO ANN	Mike Connolly
WILDMAN, LORI	Larry McKibben
WISE, BETTY	Derryl McLaren
ZIEMAN, BEVERLY	Lyle E. Ziemann

STEWART IVERSON, JR., Chair

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

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

APPOINTMENT OF PAGES

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

MADAM PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following personnel as Pages for the Senate for the 1997 Session of the Seventy-seventh General Assembly:

Emily Beattie, Des Moines
 Denell Bundt, Glidden
 Luke Craven, Boone
 Erica Davis, Waterloo
 Danielle Host, Carlisle

Jeremy Hovda, Oskaloosa
Valerie Jensen, Red Oak
Nicole Jones, Bloomfield
Sara Lanz, Boone, Secretary of the Senate's Page
Chris Luhring, Parkersburg
Tracy Ongena, West Des Moines, President of the Senate's Page
Angel Robinson, West Des Moines
Kari Sampson, Ellsworth
Joe Schmitz, Spencer
Hope Welander, Emmetsburg
Natasha Welch, Des Moines
Blair Winkler, Schaller

STEWART IVERSON, JR., Chair

Senator Iverson 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.

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 13, 1997, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 1, a resolution that a joint convention of the two houses of the 1997 session of the Seventy-seventh General Assembly be held on Tuesday, January 14, 1997, at 10:00 a.m.

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

ADOPTION OF RESOLUTION

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

House Concurrent Resolution 1

On motion of Senator Iverson, House Concurrent Resolution 1, a resolution that a joint convention of the two houses of the 1997

session of the Seventy-seventh General Assembly be held on Tuesday, January 14, 1997, at 10:00 a.m., was taken up for consideration.

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

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 13, 1997, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 2, a resolution that a joint convention of the two houses of the 1997 session of the Seventy-seventh General Assembly be held on Wednesday, January 15, 1997, at 10:00 a.m.

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

ADOPTION OF RESOLUTION

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

House Concurrent Resolution 2

On motion of Senator Iverson, House Concurrent Resolution 2, a resolution that a joint convention of the two houses of the 1997 session of the Seventy-seventh General Assembly be held on Wednesday, January 15, 1997, at 10:00 a.m., was taken up for consideration.

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

COMMITTEE ON MILEAGE

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

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Freeman, Chair; Jensen, Gettings and Connolly.

COMMITTEE ON CHAPLAINS

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Palmer until he arrives on request of Senator Horn and Senator Rensink for the week on request of Senator Iverson.

SELECTION OF SEATS

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

Senator Iverson moved that the holdover and reelected Senators who participated in seat selection in 1996 be granted the privilege of selecting new seats in order of seniority from unassigned seats; that the reelected Senators first elected during the 1996 session be granted the privilege of selecting their seats from the unassigned seats according to their seniority; that former members of the House of Representatives be granted the privilege of selecting their seats from the unassigned seats according to seniority; that newly elected Senators be granted the privilege of selecting their seats from the unassigned seats with the order of selection being established by lot; that first, the Majority Floor Leader and the Minority Floor Leader be permitted to select their seats.

The motion prevailed by a voice vote.

Senator Horn asked and received unanimous consent that Senator Palmer retain his seat from the Seventy-sixth General Assembly.

Senator Iverson asked and received unanimous consent that Senator Rensink retain his seat from the Seventy-sixth General Assembly.

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

<u>NAME</u>	<u>SEAT NO.</u>
Angelo of Union	1
Bartz of Worth	10
Behn of Boone	12
Black of Jasper	31
Black of Kossuth	32
Boettger of Shelby	26
Borlaug of Chickasaw	46
Connolly of Dubuque	47
Dearden of Polk	25
Deluhery of Scott	45
Douglas of Adair	20
Drake of Muscatine	40
Dvorsky of Johnson	29
Fink of Warren	21
Flynn of Dubuque	15
Fraise of Lee	7
Freeman of Buena Vista	8
Gettings of Wapello	5
Gronstal of Pottawattamie	37
Halvorson of Webster	9
Hammond of Story	27
Hansen of Woodbury	11
Hedge of Mahaska	30
Horn of Linn	43
Iverson of Wright	48
Jensen of Bremer	44
Judge of Monroe	35
Kibbie of Palo Alto	39
King of Crawford	24
Kramer of Polk	3
Lind of Black Hawk	36
Lundby of Linn	6
Maddox of Polk	16
McCoy of Polk	23
McKean of Jones	14
McKibben of Marshall	19
McLaren of Fremont	34
Neuhauser of Johnson	13
Palmer of Polk	41
Redfern of Black Hawk	28
Redwine of Woodbury	2
Rehberg of Buchanan	17

Rensink of Sioux	42
Rife of Cedar	38
Rittmer of Clinton	22
Schuerer of Iowa	4
Szymoniak of Polk	49
Tinsman of Scott	50
Vilsack of Henry	33
Zieman of Allamakee	18

INTRODUCTION OF BILLS

Senate File 1, by Deluhery, a bill for an act relating to the state individual income tax by reducing the tax rates, increasing the standard deductions, increasing the amount of and eligibility for the child and dependent care credit, and providing a retroactive date provision.

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

Senate File 2, by Kibbie, 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 an effective date and the Act's applicability.

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

Senate File 3, by Black of Jasper, a bill for an act repealing the state inheritance tax, providing for the phase-out of the tax, and providing an applicability date provision.

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

Senate File 4, by McKean and Hammond, a bill for an act relating to a moratorium on licenses to conduct gambling games at pari-mutuel racetracks or on excursion boats and providing an effective date.

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

Senate File 5, by Maddox, Douglas, and Lind, a bill for an act relating to the registration fee for ex-prisoner of war motor vehicle plates.

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

Senate File 6, by McKean, a bill for an act relating to charging inmates for the costs of electricity for personal electrical appliances.

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

Senate File 7, by Black of Jasper, a bill for an act relating to establishing a demonstration project for the provision of transportation services for persons sixty years of age and older.

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

Senate File 8, by Jensen, a bill for an act relating to the offense of driving a motor vehicle when a license has been revoked or denied for driving while intoxicated, and providing for a penalty.

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

Senate File 9, by Deluhery, a bill for an act relating to the exemption of pensions, annuities, and retirement allowances received for the purposes of state individual income tax and providing a retroactive applicability date.

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

Senate File 10, by Rife, a bill for an act providing an exemption for pensions, annuities, and retirement allowances received for the purposes of state individual income tax and providing a retroactive applicability date.

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

Senate File 11, by Rittmer, a bill for an act relating to the exemption of certain retirement income received for the purposes of state individual income tax and providing a retroactive applicability date.

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

**REQUEST TO REMOVE BILLS
FROM VETO CALENDAR DEFERRED**

Senator Iverson asked unanimous consent that all bills on the Senate Veto Calendar be indefinitely postponed and that the bills be removed from the Item Veto and the Veto Calendar.

Senator Gronstal asked and received unanimous consent that action on the request by Senator Iverson be delayed for a day or two.

RECESS

On motion of Senator Iverson, the Senate recessed at 12:15 p.m., until 1:15 p.m.

AFTERNOON SESSION

The Senate resumed session at 1:25 p.m., President Kramer presiding.

APPENDIX

STANDING COMMITTEES APPOINTED

The Majority and Minority Leaders announced the following appointments to the standing committees of the Senate for the Seventy-seventh General Assembly:

*Vice Chair

**Ranking Member

AGRICULTURE—15 Members

Rensink, Chair	Bartz	Gettings	Rife
J. Black*	Behn	Hedge	Vilsack
Judge**	D. Black	Kibbie	Zieman
Angelo	Fraise	Rehberg	

APPROPRIATIONS—25 Members

McLaren	Dvorsky	Jensen	Rife
Kramer*	Freeman	Lind	Rittmer
Flynn**	Gronstal	Lundby	Tinsman
Behn	Halvorson	Maddox	Vilsack
Black	Hammond	McCoy	
Borlaug	Hedge	Neuhauser	
Douglas	Horn	Rensink	

BUSINESS AND LABOR—11 Members

Rife, Chair	Behn	Horn	Schuerer
King*	Freeman	Jensen	Zieman
Dearden**	Gettings	Palmer	

COMMERCE—15 Members

Jensen, Chair	Douglas	King	Palmer
Schuerer*	Flynn	Lundby	Redfern
Deluhery**	Gronstal	Maddox	Rife
Bartz	Hansen	McCoy	

EDUCATION—15 Members

Redfern, Chair	J. Black	Kibbie	Rensink
Rehberg*	Boettger	Lind	Szymaniak
Connolly**	Dvorsky	Neuhauser	Tinsman
Angelo	Fink	Redwine	

ETHICS-6 Members
(Statutory Committee)

Hedge, Chair	Gettings**	Neuhauser
Drake*	McKean	Szymoniak

HUMAN RESOURCES-13

Boettger, Chair	Behn	Dvorsky	Schuerer
Redwine*	J. Black	Hammond	Tinsman'
Szymoniak**	Dearden	Rensink	Vilsack
Bartz			

JUDICIARY-15 Members

McKean, Chair	Boettger	Hammond	Redfern
Maddox*	Drake	Hansen	Tinsman
Neuhauser**	Fraise	King	Vilsack
Angelo	Halvorson	McKibben	

LOCAL GOVERNMENT-13 Members

Zieman, Chair	D. Black	Connolly	McKean
Behn*	J. Black	Dearden	Redwine
Fraise**	Boettger	Hansen	Rehberg
Angelo			

NATURAL RESOURCES AND ENVIRONMENT-15 Members

Bartz, Chair	J. Black	Dvorsky	McKibben
Angelo*	Borlaug	Freeman	Rehberg
Fink**	Dearden	Hedge	Zieman
D. Black	Deluhery	Judge	

RULES AND ADMINISTRATION-11 Members

Iverson, Chair	Fink	Kibbie	Redfern
Kramer*	Jensen	Lundby	Rehberg
Gronstal**	Judge	Maddox	

SMALL BUSINESS, ECONOMIC DEVELOPMENT & TOURISM-13 Members

Rittmer, Chair	Douglas	King	Palmer
Lundby*	Flynn	Lind	Redwine
Hansen**	Hammond	McCoy	Schuerer
Boettger			

STATE GOVERNMENT-15 Members

Lind, Chair	Drake	King	Rife
Rittmer*	Fink	Lundby	Szymoniak

Kibbie**	Gronstal	McKibben	Tinsman
Deluhery	Halvorson	McLaren	

TRANSPORTATION -13 Members

Drake, Chair	Fraise	Halvorson	McKean
Borlaug*	Freeman	Jensen	McKibben
McCoy**	Gettings	Lind	Rittmer
Connolly			

WAYS AND MEANS-15 Members

Douglas, Chair	Connolly	Hedge	Redfern
McKibben*	Deluhery	Judge	Szymoniak
Palmer**	Drake	Maddox	Vilsack
Borlaug	Freeman	McLaren	

SENATE APPROPRIATIONS SUBCOMMITTEES

ADMINISTRATION AND REGULATION

Lundby, Chair	McCoy	Gettings
Bartz*	J. Black	

AGRICULTURE/NATURAL RESOURCES

Hedge, Chair	D. Black**	Dearden
Rensink*	Behn	

ECONOMIC DEVELOPMENT

Borlaug, Chair	Vilsack**	Zieman
Schuerer*	Fink	

EDUCATION

Lind, Chair	Horn**	Rehberg
McKibben*	Kibbie	

HEALTH AND HUMAN RIGHTS

Rittmer, Chair	Flynn**	Palmer
Redfern*	Jensen	

HUMAN SERVICES

Tinsman, Chair	Hammond**	Szymoniak
Boettger*	Redwine	

JUSTICE SYSTEM

Maddox, Chair	Dvorsky**	McKean
Angelo*	Fraise	

OVERSIGHT AND COMMUNICATIONS

Rife, Chair	Neuhauser**	McLaren
Kramer*	Deluhery	

TRANSPORTATION, INFRASTRUCTURE & CAPITALS

Freeman, Chair	Halvorson**	Douglas
King*	Connolly	

SENATORS AND THEIR RESPECTIVE COMMITTEES

Angelo, Jeff	Agriculture Education Judiciary Local Government Natural Resources and Environment, Vice Chair Justice System Appropriations Subcommittee, Vice Chair
Bartz, Merlin E.	Agriculture Commerce Human Resources Natural Resources and Environment, Chair Administration and Regulation Appropriations Subcommittee, Vice Chair
Behn, Jerry	Agriculture Appropriations Business and Labor Human Resources Local Government, Vice Chair Agriculture and Natural Resources Appropriations Subcommittee
Black, Dennis H.	Agriculture Appropriations Local Government Natural Resources and Environment Agriculture and Natural Resources Appropriations Subcommittee, Ranking Member
Black, James E.	Agriculture, Vice Chair Education Human Resources Local Government Natural Resources and Environment

	Administration and Regulation Appropriations Subcommittee
Boettger, Nancy	Education Human Resources, Chair Judiciary Local Government Small Business, Economic Development and Tourism Human Services Appropriations Subcommittee, Vice Chair
Borlaug, Allen	Appropriations Natural Resources and Environment Transportation, Vice Chair Ways and Means Economic Development Appropriations Subcommittee, Chair
Connolly, Michael W.	Education, Ranking Member Local Government Transportation Ways and Means Transportation, Infrastructure and Capitals Appropriations Subcommittee
Dearden, Dick L.	Business and Labor, Ranking Member Human Resources Local Government Natural Resources and Environment Agriculture and Natural Resources Appropriations Subcommittee
Deluhery, Patrick J.	Commerce, Ranking Member Natural Resources and Environment State Government Ways and Means Oversight and Communications Appropriations Subcommittee
Douglas, JoAnn	Appropriations Commerce Small Business Economic Development and Tourism Ways and Means, Chair Transportation, Infrastructure and Capitals Appropriations Subcommittee
Drake, Richard F.	Ethics, Vice Chair Judiciary State Government

	Transportation, Chair Ways and Means
Dvorsky, Robert E.	Appropriations Education Human Resources Natural Resources and Environment Justice System Appropriations Subcommittee, Ranking Member
Fink, Bill	Education Natural Resources and Environment, Ranking Member Rules and Administration State Government Economic Development Appropriations Subcommittee
Flynn, Tom	Appropriations, Ranking Member Commerce Small Business Economic Development and Tourism Health and Human Rights, Ranking Member
Fraise, Eugene	Agriculture Judiciary Local Government, Ranking Member Transportation Justice System Appropriations Subcommittee
Freeman, Mary Lou	Appropriations Business and Labor Natural Resources and Environment Transportation Ways and Means Transportation, Infrastructure and Capitals Appropriations Subcommittee, Chair
Gettings, Don E.	Agriculture Business and Labor Ethics, Ranking Member Transportation Administration and Regulation Appropriations Subcommittee
Gronstal, Michael E.	Appropriations Commerce Rules and Administration, Ranking Member State Government
Halvorson, Rod	Appropriations Judiciary

	State Government Transportation Transportation, Infrastructure and Capitals Appropriations Subcommittee, Ranking Member
Hammond, Johnie	Appropriations Human Resources Judiciary Small Business, Economic Development and Tourism Human Services Appropriations Subcommittee, Ranking Member
Hansen, Steven D.	Commerce Judiciary Local Government Small Business, Economic Development and Tourism, Ranking Member
Hedge, H. Kay	Agriculture Appropriations Ethics, Chair Natural Resources and Environment Ways and Means Agriculture and Natural Resources Appropriations, Subcommittee, Chair
Horn, Wally E.	Appropriations Business and Labor Education Appropriations Subcommittee, Ranking Member
Iverson, Stewart Jr.	Rules and Administration, Chair
Jensen, John W.	Appropriations Business and Labor Commerce, Chair Rules and Administration Transportation Health and Human Rights Appropriations Subcommittee
Judge, Patty	Agriculture, Ranking Member Natural Resources and Environment Rules and Administration Ways and Means
Kibbie, John P.	Agriculture Education Rules and Administration State Government, Ranking Member Education Appropriations Subcommittee

King, Steve	Business and Labor, Vice Chair Commerce Judiciary Small Business, Economic Development and Tourism State Government Transportation, Infrastructure and Capitals Appropriations Subcommittee, Vice Chair
Kramer, Mary E.	Appropriations, Vice Chair Rules and Administration, Vice Chair Oversight and Communications Appropriations Subcommittee, Vice Chair
Lind, Jim	Appropriations Education Small Business, Economic Development and Tourism State Government, Chair Transportation Education Appropriations Subcommittee, Chair
Lundby, Mary	Appropriations Commerce Rules and Administration Small Business, Economic Development and Tourism, Vice Chair State Government Administration and Regulation Appropriations Subcommittee, Chair
Maddox, O. Gene	Appropriations Commerce Judiciary, Vice Chair Rules and Administration Ways and Means Justice System Appropriations Subcommittee, Chair
McCoy, Matt	Appropriations Commerce Small Business, Economic Development and Tourism Transportation, Ranking Member Administration and Regulation Appropriations Subcommittee, Ranking Member
McKean, Andy	Ethics Judiciary, Chair Local Government Transportation Justice System Appropriations Subcommittee

McKibben, Larry	Judiciary Natural Resources and Environment State Government; Transportation Ways and Means, Vice Chair Education Appropriations Subcommittee, Vice Chair
McLaren, Derryl	Appropriations, Chair State Government Ways and Means Oversight and Communications Appropriations Subcommittee
Neuhauser, Mary	Appropriations Education Ethics Judiciary, Ranking Member Oversight and Communications Appropriations Subcommittee, Ranking Member
Palmer, William D.	Business and Labor Commerce Small Business, Economic Development and Tourism Ways and Means, Ranking Member Health and Human Rights Appropriations Subcommittee
Redfern, Donald	Commerce Education, Chair Judiciary Rules and Administration Ways and Means Health and Human Rights Appropriations Subcommittee, Vice Chair
Redwine, John	Education Human Resources, Vice Chair Local Government Small Business, Economic Development and Tourism Human Services Appropriations Subcommittee
Rehberg, Kitty	Agriculture Education, Vice Chair Local Government Natural Resources and Environment; Rules and Administration Education Appropriations Subcommittee
Rensink, Wilmer	Agriculture, Chair Appropriations

	<p>Education Human Resources Agriculture and Natural Resources Appropriations Subcommittee, Vice Chair</p>
Rife, Jack	<p>Agriculture Appropriations Business and Labor, Chair Commerce State Government Oversight and Communications Appropriations Subcommittee, Chair</p>
Rittmer, Sheldon	<p>Appropriations Small Business, Economic Development and Tourism, Chair State Government, Vice Chair Transportation; Health and Human Rights Appropriations Subcommittee, Chair</p>
Schuerer, Neal	<p>Business and Labor Commerce, Vice Chair Human Resources Small Business, Economic Development and Tourism Economic Development Appropriations Subcommittee, Vice Chair</p>
Szymoniak, Elaine	<p>Education Ethics Human Resources, Ranking Member State Government Ways and Means; Human Services Appropriations Subcommittee</p>
Tinsman, Maggie	<p>Appropriations Education Human Resources Judiciary State Government Human Services Appropriations Subcommittee, Chair</p>
Vilsack, Tom	<p>Agriculture Appropriations Human Resources Judiciary Ways and Means Economic Development Appropriations Subcommittee, Ranking Member</p>
Zieman, Lyle E.	<p>Agriculture Business and Labor</p>

Local Government, Chair
Natural Resources and Environment
Economic Development Appropriations
Subcommittee

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 15, 1996

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

IDALS Appropriation Expenditures Report.

August 9, 1996

MAP inc.
Midwest Assistance Program

1996 Iowa State Water Plan. A survey of public water supplies in the state of Iowa.

August 27, 1996

IOWA DEPARTMENT OF TRANSPORTATION

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

September 10, 1996

DEPARTMENT OF HUMAN SERVICES

Annual report of savings realized through use of the Iowa Communications Network and calculations which details the assumptions used to compile the figures. In accordance with Iowa Code, Chapter 8D.10.

October 1, 1996

IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Biodiesel Demonstrations Final Report.

Office of Renewable Fuels and Co.-Product Second Annual Report FY96.

October 10, 1996

IOWA DEPARTMENT OF PERSONNEL

Annual Report FY95.

October 21, 1996

OFFICE OF AUDITOR OF STATE

Iowa Lottery June 30, 1996, Audit Report. Financial Statements and Supplemental Information.

November 1, 1996

GOVERNOR'S ALLIANCE ON SUBSTANCE ABUSE

Annual Report pursuant to Chapter 80E of the Iowa Code.

IOWA DEPARTMENT OF TRANSPORTATION

Governor's Blue Ribbon Transportation Task Force Report.

DEPARTMENT OF ECONOMIC DEVELOPMENT

A report of the Microbusiness Rural Enterprise Assistance Program according to Section 15.114 of the Iowa Code.

November 14, 1996

DEPARTMENT OF HUMAN SERVICES

The annual report on Personal Assistance and Family Support Services pursuant to Section 225C.48.

November 20, 1996

IOWA DEPARTMENT OF TRANSPORTATION

The update of the Iowa Transportation Policy pursuant to Section 307.10 (1) of the Code of Iowa.

November 25, 1996

IOWA COLLEGE STUDENT AID COMMISSION

Osteopathic Scholarship and Loan Forgiveness Programs report pursuant to Iowa Code Section 7A.11 and Chapter 1215 Section 1 Subsection 2 of the 1996 Acts of the General Assembly.

IOWA UTILITIES BOARD
DEPARTMENT OF COMMERCE

The 1995 annual report of the Iowa Utilities Board required by Iowa Code 7A.1, 7A.10 and 476.16.

December 5, 1996

IOWA TELECOMMUNICATIONS & TECHNOLOGY COMMISSION

Iowa Telecommunications and Technology Commission Report, Review of Maintenance Contract Pursuant to the Code of Iowa, Chapter 8D.3(3)(g).

December 13, 1996

DEPARTMENT OF PUBLIC SAFETY

A report on Single Point of Contact for Child Abuse Registry, Dependent Adult Abuse, and Sex Offender Registry.

DEPARTMENT OF HUMAN SERVICE

A report on the progress of the Child Protective Assessment Pilot pursuant to Section 1 (8), Chapter 1175, Laws of the Seventy-Sixth General Assembly.

December 16, 1996

DEPARTMENT OF ECONOMIC DEVELOPMENT

New Jobs and Income Program Annual Report. Foreign Ownership of Farmland.

December 17, 1996

DEPARTMENT OF HUMAN SERVICES

A report on the development of a course of action to meet the goals for submission of claims and completion of cost settlement pursuant to Section 39, Chapter 1183, Laws of the Seventy-Sixth General Assembly.

The recommendation proposal to revise the manner of making appropriations to state institutions as required in SF 2442, section 28(3).

LEGISLATIVE FISCAL BUREAU

1996 Session Fiscal Report.

December 18, 1996

IOWA COLLEGE STUDENT AID COMMISSION

A report summarizing the staff's examination of a tuition grant that varies according to family resources pursuant to Iowa Code Section 7A.11 and Chapter 1215 Section 1 Subsection 2 of the 1996 GA.

December 19, 1996

IOWA DEPARTMENT OF TRANSPORTATION

Annual Report of Project Development Division Highway Research and Development in Iowa.

December 20, 1996

DEPARTMENT OF HUMAN SERVICES

Report pursuant to Senate file 2442. Definitions, analysis, and recommendations relating to nursing facility cost reporting, incentive payments, reimbursement allowances, and other nursing facility-related issues.

ANNOUNCEMENT BY THE MINORITY LEADER

The Minority Leader announced on June 26, 1996, that Senator McLaren was appointed to the Workforce Development Board.

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

The President announced the following appointments made during the 1996 legislative interim:

Economic Development Board, Code 15.103: Senator Borlaug will serve on the Board through the remainder of the 76th General Assembly. New terms will begin for the Senate appointees and new members may be appointed when the 77th General Assembly convenes.

Commission on the Status of Women, Code 216A.52: Senator Szymoniak will serve on the commission through the remainder of the 76th general assembly. A new term will begin and an appointment made when the 77th General Assembly convenes. Senator Redfern's term will run through the completion of the 77th General Assembly.

Health Data Commission, Code 145.2, Senator Giannetto will serve on the commission through the remainder of the 76th General Assembly. A new term will begin and an appointment made when the 77th General Assembly convenes. Appointments to the commission will be made annually in January.

Workforce Development Board, S.F.409, Code 84A.1A, Senator Vilsack - 7/1/96.

Innovation Zone Board, S.F. 2470, Code A.2, Senator Neuhauser, 7/1/96, will serve through the term of the 77th General Assembly.

COMMUNICATION

The following communication was received in the office of the secretary of the senate:

January 2, 1997

The Honorable Terry E. Branstad
Governor of Iowa
Statehouse
L O C A L

Dear Governor Branstad:

In accordance with Iowa Code 39.11 and 69.4(2), I am resigning my position as state senator in district 44 effective January 6, 1997.

Sincerely,

LEONARD L. BOSWELL
SENATE PRESIDENT

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MADAM PRESIDENT: Pursuant to Senate Concurrent Resolution 3, 1995 Session, the committee on Rules and Administration submits the following increases and reclassifications and the effective dates of Senate employees:

Secretary of the Senate	John F. Dwyer	Annual Salary \$68,307.20 to \$70,012.80 effective 6/16/96 terminated 1/9/97
Secretary of the Senate	Mary Pat Gunderson	Annual Salary \$70,000.00 effective 1/2/97
Assistant Secretary of the Senate III	Cynthia Clingan	Grade 38-5 to 38-6 effective 6/16/96
Sr. Research Analyst	James Boose	Step 3 to Step 4 effective 6/16/96
Admin. Assist. to Leader III to Research Analyst III	John Cacciatore	Step 1 to Step 2 effective 6/16/96 Grade 35, Step 2 effective 1/10/97
Admin. Assist. to Leader III	Stephanie Laudner	Step 1 to Step 2 effective 6/16/96 terminated 12/31/96
Confidential Secretary to Secretary	Lori Bristol	Step 5 to Step 6 effective 6/16/96

Sr. Research Analyst	Suzanne Johnson	Step 3 to Step 4 effective 8/25/96
Sr. Research Analyst	Steve Conway	Step 2 to Step 3 effective 9/8/96
Research Analyst III to Sr. Research Analyst	Randall Bauer	Grade 35-3 to 38-2 effective 8/25/96
Sr. Finance Officer	Linda Laurenzo	Step 3 to Step 4 effective 9/8/96
Finance Officer I	Lois Brownell	Step 1 to Step 2 effective 6/4/96
Sr. Research Analyst	Theresa Kehoe	Step 2 to Step 3 effective 11/17/96
Sr. Caucus Staff Director	Debbie O'Leary	Step 1 to Step 2 effective 8/25/96
Admin. Assist. to Leader II to Legislative Secretary	Julie Simon	Step 2 to Step 3 effective 10/6/96 Grade 16, Step 5 effective 1/10/97
Sr. Research Analyst	William Haigh	Step 3 to Step 4 effective 11/29/96
Journal Editor II	Teri Souer	Step 3 to Step 4 effective 1/13/97
Sr. Research Analyst	Carolann Jensen	Step 2 to Step 3 effective 3/8/97
Admin. Assist. to Leader	Mary Ann Peer	Step 3 to Step 4 effective 6/16/96 terminated 1/9/97
Confidential Secretary to Leader to Legislative Committee Secretary	Vicki Davis	Grade 18, Step 6 effective 1/13/97
Legislative Committee Secretary to Confidential Secretary to Leader	Joann Hanover	Grade 27, Step 5 P-FT effective 1/10/97
Research Assistant	L. Day Barnes	Step 3 to Step 4 effective 7/14/96 terminated 1/9/97
Research Analyst I	Kristin Ripperger	Grade 27-2 to 29-1 effective 9/8/96
Research Analyst I	Mark Braun	Grade 27-2 to 29-1 effective 10/6/96
Research Analyst to Admin. Assist. II to President	Kaye Lozier	Step 1 to Step 2 effective 10/20/95 Resigned 7/25/96 Grade 32, Step 1 effective 1/2/97
Research Analyst	Michael Savala	Step 2 to Step 3 effective 8/31/96
Research Analyst	John Poepsel	Grade 27, Step 1 effective 8/6/96 terminated 12/20/96

Research Analyst	Mike St. Clair	Grade 27, Step 1 effective 12/23/96
Research Analyst I	Ronald M. Parker	Step 1 to Step 2 effective 5/17/96
Research Analyst I	Linda Santi	Step 1 to Step 2 effective 11/1/96
Research Assistant	Robyn Mills	Re-employed Grade 24, Step 6 effective 11/13/96
Caucus Secretary	James Fitzgerald	Step 1 to Step 2 effective 8/9/96
Legislative Secretary to Caucus Secretary	Jon Gaskell	Grade 21, Step 1 effective 11/29/96
Doorkeeper	Arnold Boyum	Step 2 to Step 3 effective 4/4/97
Doorkeeper	Carl Landbehn	Step 2 to Step 3 effective 3/7/97
Sergeant-at-Arms to Chief Doorkeeper	William Krieg	Grade 12, Step 3 effective 1/13/97 Step 3 to Step 4 effective 2/7/97
Doorkeeper (Substitute)	Paul Underhill	Step 1 to Step 2 effective 2/7/97
Admin. Sec. to the Secretary	LuAnn Randleman	Step 2 to Step 3 effective 4/4/97
Assistant to Legal Counsel	Sean Parnell	Step 1 to Step 2 effective 3/7/97
Legislative Committee Secretary	Juliet Bliss	Step 1 to Step 2 effective 3/7/97
Legislative Committee Secretary	Kim Jensen	Step 2 to Step 3 effective 3/7/97
Legislative Committee Secretary	Beverly Zieman	Step 2 to Step 3 effective 4/4/97
Legislative Secretary	Eleanor Barnhill	Step 2 to Step 3 effective 4/4/97
Legislative Secretary	Mary Gettings	Step 3 to Step 4 effective 4/4/97
Legislative Secretary	Connie Follett	Step 1 to Step 2 effective 3/7/97
Legislative Secretary	Brenda Huyser	Step 3 to Step 4 effective 5/2/97
Legislative Secretary	Jean Nelson	Step 3 to Step 4 effective 2/7/97
Legislative Secretary	Diane Schrage	Step 2 to Step 3 effective 4/4/97
Legislative Secretary	Jane Tays	Step 1 to Step 2 effective 3/7/97

Legislative Secretary	Martha Ullem	Step 1 to Step 2 effective 3/7/97
Legislative Secretary	JoAnne Wengert	Step 4 to Step 5 effective 4/4/97

STEWART E. IVERSON, CHAIR

PRESENTATION OF GUESTS

President Kramer welcomed the following guests who were present in the Senate chamber:

The Honorable Charles E. Grassley, United States Senator from New Hartford, Iowa.

The Honorable Jim Nussle, United States Representative from Manchester, Iowa.

Senator Tinsman welcomed Mr. Vladimir Basis who introduced the following guests from the Ukraine who were present in the Senate chamber:

Mr. Oleksander Radvansky, Mr. Victor Horobets, Mrs. Valentina Kulahina, Mrs. Natalia Dzhuhan, Mr. Ihor Riasnoy and Mr. Ihor Hannotskyy.

The group is here to learn about how business, government and legal practices are carried out in the United States.

REPORT OF THE COMMITTEE ON MILEAGE

MADAM PRESIDENT: Pursuant to Section 2.10, Code 1997, the following mileage has been determined to be the mileage entitled to the members of the Senate for the Seventy-seventh General Assembly:

<u>NAME</u>	<u>ROUND TRIP MILES</u>
Angelo, Jeff	144
Bartz, Merlin E.	274
Behn, Jerry	94
Black, Dennis H.	104
Black, James E.	270
Boettger, Nancy	222
Borlaug, Allen	370
Connolly, Michael W.	400
Dearden, Dick L.	none
Deluhery, Patrick J.	338

Douglas, JoAnn	118
Drake, Richard F.	306
Dvorsky, Robert E.	228
Fink, Bill	28
Flynn, Tom	418
Fraise, Eugene S.	369
Freeman, Mary Lou	320
Gettings, Don E.	190
Gronstal, Michael E.	270
Halvorson, Rod	190
Hammond, Johnie	74
Hansen, Steven D.	412
Hedge, H. Kay	152
Horn, Wally E.	250
Iverson, Stewart E., Jr.	152
Jensen, John W.	290
Judge, Patty	140
Kibbie, John P.	344
King, Steve	280
Kramer, Mary E.	none
Lind, Jim	220
Lundby, Mary A.	272
Maddox, O. Gene	17
McCoy, Matt	none
McKean, Andy	304
McKibben, Larry	110
McLaren, Derryl	300
Neuhauser, Mary	228
Palmer, William D.	24
Redfern, Donald	210
Redwine, John	410
Rehberg, Kitty	272
Rensink, Wilmer	460
Rife, Jack	308
Rittmer, Sheldon	388
Schuerer, Neal	190
Szymoniak, Elaine	none
Tinsman, Maggie	360
Vilsack, Tom	260
Zieman, Lyle E.	400

STEWART IVERSON, JR., Chair

BILLS ASSIGNED TO COMMITTEE

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

S. F.	1	Ways and Means
S. F.	2	Natural Resources & Environment

S. F.	3	Ways and Means
S. F.	4	State Government
S. F.	5	Transportation
S. F.	6	Judiciary
S. F.	7	Transportation
S. F.	8	Judiciary
S. F.	9	Ways and Means
S. F.	10	Ways and Means
S. F.	11	Ways and Means

STUDY BILL RECEIVED

SSB 1 Ways and Means

Relating to the exemption from inheritance tax of property passing to certain heirs of the decedent and providing an applicability date provision.

INTRODUCTION OF BILLS

Senate File 12, by Maddox, a bill for an act relating to fees awarded to court-appointed attorneys in juvenile court proceedings.

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

Senate File 13, by Maddox, a bill for an act relating to joint billing or collection of combined service accounts for sanitary districts and a city utility or combined utility system and to discontinue service for delinquency, and providing for the establishment of benefited districts and fees from the connection of property to the sanitary facilities of a sanitary district.

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

Senate File 14, by Douglas, a bill for an act relating to the authority of the state board of educational examiners to develop a code of professional rights and responsibilities, practices, and ethics for practitioners.

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

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:27 p.m., until 9:00 a.m., Tuesday, January 14, 1997.

JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 14, 1997

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

Prayer was offered by Pastor Glenn Kappelman, pastor of the First and Vernon Lutheran Churches, Dows, Iowa.

The Journal of Monday, January 13, 1997, was approved.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Concurrent Resolutions 1 and 2** 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.

The Senate stood at ease at 9:07 a.m. for the purpose of party caucuses until 9:45 a.m. for the joint convention in the House.

JOINT CONVENTION

The joint convention convened at 9:50 a.m., President Kramer presiding.

Senator Iverson 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 Kramer declared a quorum present and the joint convention duly organized.

Senator Iverson moved that a committee of six, 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 Behn, Schuerer and Vilsack on the part of the Senate, and Representatives Thomson, Rayhons and Taylor on the part of the House.

The following guests were escorted into the House Chamber:

Congressman Greg Ganske, U.S. Representative from Iowa's fourth congressional district; Chief Justice McGiverin and Justices of the Supreme Court and Chief Judge Habhab and Judges of the Court of Appeals; Secretary of State, Paul Pate; Treasurer of State, Michael Fitzgerald; Secretary of Agriculture, Dale Cochran; State Auditor, Richard Johnson; Attorney General Tom Miller; and Lt. Governor Joy Corning.

Mrs. Chris Branstad, wife of the Governor, their daughter Allison and Dick and Clara Johnson, Mrs. Branstad's parents.

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

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

President Kramer, Speaker Corbett, Lt. Governor Corning, Chief Justice McGiverin, Justices and Judges, State Officials, Senators and Representatives, Ladies and Gentlemen.

Nineteen ninety-six was a year to remember in Iowa. Iowans young and old, in city and town, on farm and in factory, joined to salute our state's 150th birthday. As Chuck Offenburger might say -- "What a year!"

Never before have so many Iowans in so many ways commemorated their heritage. In statewide festivals, community celebrations, and neighborhood get-togethers we gained a renewed appreciation of who we are and where we came from. And always -- always -- we are left with the two essentials of Iowa: the land and the people.

The land. The richest and most productive on earth. The early Iowa immigrants, coming as they did from clay or rock filled soils of the East or Europe, stood in awe of the endless acres of lush loam. They sank their roots into that good earth and it brought both good crops and good people.

The people. What is Iowa without its people? We are a state of immigrants, hardy pioneers who braved nature's cruellest elements to build homes and farms, and raise families. Those of us who have had to do chores on a bitter cold Iowa January day can only marvel at the toughness and resilience of our parents and grandparents who faced the sting of those northwest winter winds, and never turned back.

These hardiest of souls, unfettered by excessive government restrictions, built communities, schools, and churches. Education was always first with them so that their children could have a better life. Anyone willing to work hard had a chance to do well. Justice was based on personal responsibility and common sense. And life revolved around work, family, and faith.

Hard work, education, personal responsibility, common sense, family, faith in God -- those are the gifts we have been given by our Iowa forebears.

Nineteen ninety-seven is a new beginning for Iowa. Filled with all the good granted to us by our ancestors and our creator, we face new challenges, new barriers to progress. But we do so with our cupboards full and our state stronger than ever.

Consider, for a moment:

- More people are working in Iowa today than ever before.
- The incomes of our families are rising faster than those of other American families.
- We remain a good place to live and raise a family. In 1996, we were rated as the "Most Livable State," the "Healthiest State," and the "Best State for Families and Marriage."
- Landmark legislation last year makes Iowa the nation's leader in school technology.
 - Iowa land values are continuing to climb -- up 16% in just the last year.
 - We have the soundest state budget in the country -- with the biggest surplus of any state in the nation.

We have already turned the corner in Iowa. From recovery to growth; from scraping by to building reserves; this state is poised for great things to come.

Iowa is a work in progress. We can -- and must -- do more. We must make this a better state. Our growth rates are still too small; too many areas are not sharing in our economic gains; too many Iowans don't make enough to adequately support a family; too many of our students are not prepared to compete in a global economy; too many Iowans fear crime in their communities and neighborhoods; and Iowans pay too much to government in taxes.

I know there are those of you who think that I've probably been around too long -- that my first name is Governor. But I'll tell you what; I'm not tired; I'm not complacent and I will pour every ounce of my energy into making this state a haven for growth and opportunity if you will help me.

We have a plan to do just that. And the first step is to make Iowa the most competitive state in America.

In the past couple of years, we have taken targeted actions designed to improve our overall competitiveness. The elimination of the property tax on machinery and equipment, improvement of our farmer-owned cooperative law, and expansion of the New Jobs and Income Program were all designed to attract capital-intensive industries and create quality jobs, increase incomes, and bring population growth to all parts of the state.

I am pleased to report to you that those actions have paid off -- in a big way. In the last year alone, over one billion dollars of capital investment has been made in Iowa because of these changes.

What we have learned is that taking bold steps to improve our competitiveness works. Being competitive means having a reputation around the world as a good place to start a business, locate a plant, raise your children, and retire. It means not penalizing growth, but rewarding it.

But being competitive requires more than bold words -- it demands bold deeds.

The Governor's Task Force on Economic Competitiveness, which completed its work in December, found that our personal income tax is the most significant barrier to bringing new business and good paying jobs to Iowa.

If we are to grow, we must attract high paying jobs. Yet the Task Force found that Iowa's high personal income tax has "a negative impact on employee recruitment and retention ..., particularly for technical and middle and upper management positions." Those are the jobs we want! We've got to change.

There is no question our personal income tax rates are too high. They stymie economic growth and impair the unbounding determination of Iowans to build a better life for ourselves and our descendants.

Just look how we compare to other states. Unfortunately, we are among the top ten states in personal income tax rates. And many of the states which share that unenviable position with us have lowered rates in the last two years. New York, Oregon, Hawaii, Delaware, Connecticut, and even so-called Taxachusetts have lowered income tax rates.

A Cato Institute study found that between 1990 and 1995, those states that cut taxes the most experienced employment growth of over 10 percent; population growth of more than 7 percent; and income growth of almost 33 percent. States that cut taxes performed much better than those that did not.

Although Iowa's economy is growing, I know -- and you know -- that we can do even better.

The time is right. We *can* cut taxes because we are in a position of financial strength. We *need* to cut taxes to make the state more competitive. We *must* cut taxes to unleash the ingenuity of Iowans to carry this state to a future of unparalleled growth and progress.

And so today, I recommend we reduce personal income tax rates across-the-board by 15 percent over the next two years. This will keep millions of hard-earned dollars in the pockets of hard-working Iowans.

The plan I am putting forth will unquestionably improve our competitiveness. It is fair and will benefit all Iowans by reducing their taxes while maintaining the current progressivity of our tax system. And most of all, it is realistic and sustainable for the long term. We have taken into account commitments already made to education and infrastructure.

Another commitment we have made is to property tax relief. This year alone, the state will be adding another \$17 million of property tax relief for mental health -- increasing our annual commitment to \$95 million.

The Competitiveness Task Force also identified residential property taxes as an impediment to growth. Iowa homeowners pay too much in property taxes. I am recommending an additional \$20 million in property tax relief directly delivered to homeowners by increasing the homestead tax credit.

Property taxes have long been a burden on our family farmers. To preserve and strengthen our family farms, we need to eliminate property taxes on agricultural buildings which are located on the family farm homestead. This is a bold move designed to give a competitive advantage to the family farmer, who embodies the true character and strength of our state.

In addition to property taxes, there is another tax which is unfair to farmers as well as small business owners, homeowners, and retirees. Our state inheritance tax punishes a family when they lose a loved one. Too many Iowa families have been forced to go into debt or sell their possessions to pay death taxes. Not only is that unfair, but it is contrary to our Iowa values. We should eliminate the inheritance tax for family members without delay.

To protect the safety of Iowa workers and improve our competitiveness, we must strengthen our workplace drug-testing law. We have the weakest law in the Midwest. From factory floor to construction site, Iowa workers are needlessly placed at risk. Employees and passengers in the trucking, railroad, and airline industries have had this protection for many years, and Iowa workers deserve the same.

Cutting income and property taxes; eliminating the inheritance tax for family members; strengthening our workplace drug-testing law. These are critical elements of our plan to make Iowa a global competitor for safe, quality jobs. They require bold action this year.

The quality of our schools has always been one of our best qualities. From the one-room schoolhouse of the 1800's to the unlimited learning possibilities of the Internet, Iowans have always put education first. Just last year, we made a \$150 million commitment to school improvement and technology. Several years ago, we had the foresight to envision what the Information Age could do for education, so we created the Iowa Communications Network.

With all that we have done, some may think we've done it all. In today's rapidly changing world, I, for one, am not satisfied. Iowa must never stop improving education.

Our challenge is to design schools that will keep Iowa at the forefront of educational excellence for the 21st century. We need to benchmark how our schools measure up to the highest levels of academic achievement in the world. To accomplish that, I will appoint a *Commission on Educational Excellence for the 21st Century*. This bipartisan group of citizens will assist us in developing a vision for strengthening Iowa's leadership in education.

From the very beginning, Iowa's enlightened leaders had a vision to lead America in literacy by giving every Iowan access to quality education. They also recognized the importance of local control and parental involvement. Building on that tradition, I am directing the Department of Education to undertake the *Iowa+ Community High Schools* program to encourage innovation and creativity and to expand community involvement in efforts to improve local schools.

Our schools are strong because of the outstanding people who have chosen to make educating our children their life's pursuit. A decade ago, we began our efforts to increase teachers' salaries in order to attract the best and brightest. In 1997, we should increase the minimum starting salaries for Iowa teachers by 10 percent.

Along with our quality public schools, our state is blessed with outstanding nonpublic schools. Thousands of Iowa parents make a financial sacrifice to send their children to the school of their choice. This year, I am recommending we double the tuition tax credit to make nonpublic schools a more affordable option for Iowa families.

Iowa has three world-renowned state universities and 15 outstanding area community colleges. The budget I am presenting includes \$5 million a year for technology investments at our Regents institutions and community colleges. I am also recommending an 8 percent increase in the Iowa Tuition Grant for needy Iowa students attending our premier independent colleges and universities. We should also fund the National Guard Tuition Assistance Program to put higher education within reach of more Iowans and to help in recruitment for our outstanding Iowa National Guard.

Iowa is a leader in distance learning. No state in America has the resource that we have with the Iowa Communications Network. We are adding well over a hundred classrooms each year and every school district will be connected by 1999. Advanced mathematics, the latest scientific research, foreign languages, and a seemingly endless flow of information will be available to Iowa students in every school district.

Distance education must now be extended to all Iowa citizens. For our workers and professionals to be competitive in the ever-changing world economy, we must make all of the opportunities of our state's higher education institutions available to all of our people, no matter where they live.

The *ACCESS Education Through Distance Learning* initiative will help us chart a course for broadening the horizons of all Iowans. Our independent colleges and universities, state universities, and community colleges all have an important role to play.

Just imagine what an asset it will be when every Iowan has access to the courses and training that are today only available on college campuses. *ACCESS Education* will be a passport to knowledge and pathway to the future for Iowans rural and urban alike.

Just as technology is widening educational possibilities for Iowans, it is transforming the face of business, government, and homes all across America. When I became governor, state government was run with typewriters, carbon paper, and stacks and stacks of file folders. Today, we use video-conferencing, e-mail, and a homepage on the Internet.

This year, I believe we must embark on a mission to ensure that every Iowa community has access to high-speed, low-cost Internet service. Currently, about 30 percent of our communities lack adequate access to the Internet and quite frankly, universal access is a necessity if Iowa is to be a global competitor in years to come.

State government must become more technology driven. The author of our Declaration of Independence, Thomas Jefferson, said, "Information is the currency of democracy." In the 21st Century, Iowans need and deserve a government that is easily accessible from their home or business.

The goal that I have set forth is for state government to have the capability by the year 2000 to complete any electronic transaction from remote locations throughout the state. That means Iowans will not have to travel to conduct business with the state. Transactions will be easier and quicker for citizens and state employees alike. Using technology more effectively will make government more efficient and save millions of tax dollars.

To achieve our technology goals, I am recommending the creation of a Department of Technology and adequate technology infrastructure funding to re-engineer state government to make information and services more accessible to all Iowans.

The marvels and wonders of technology are undeniably changing the world. At no time in our history has it been so critical for us to be on the cutting edge. Let us bring the State of Iowa fully into the Information Age and enable future generations of our people to better themselves, their communities, and our system of government by harnessing information -- Jefferson's currency of democracy.

As we look at how we deliver services, we must ensure taxpayers that state government is just as efficient as private business. Where appropriate, areas of state government should be competitively bid. State employees will be provided assistance in bidding for the work along with private sector contractors.

State employees will be empowered to rethink the way we do things, working to improve efficiencies. In our first experiment -- the Department of Transportation's highway paint striping -- the state employees won the bid and will save the state over \$300,000 a year. That is a tribute to state employees' ingenuity as well as the power of the free market.

In Iowa, we are constitutionally required to balance our budget every year. If we are to return our nation to a position of fiscal integrity, a balanced budget amendment to the United States Constitution should be passed this year. This Legislature should

adopt a resolution calling on Congress to pass the balanced budget amendment. And when it passes, we should be one of the first states to ratify.

One of the foremost responsibilities of government is to protect the safety of its citizens. We are fortunate to live in a place where the crime rate is well below the national average. But make no mistake, crime is a problem here in Iowa.

Every time we read or hear about violent crime, we should be outraged. When an innocent Iowan is struck down, stolen from, or has their life disrupted by crime, we are all victims.

Seated in the gallery today are many Iowans affected by crime. Two families among them played a key role in the program I am submitting this year. The Hallengrens of Adel lost their daughter and a good friend to a drunk driver last April and approached me with many of the components of the bold anti-drunk driving program I am offering. The Sturdys of Fontanelle had a daughter murdered in a domestic violence situation many years ago and fought for over a decade to get restitution from the murderer. My automatic restitution proposal is a result of their efforts.

These families and others have had the courage to stand up and speak out about a system which puts the rights of criminals ahead of the rights of victims. Today, I salute all victims who have the strength to stand up, speak out, and work for change.

We Iowans, known for our compassion and common sense, and being driven by disdain for violence, must act boldly. We must stand up for the rights of victims of crime. We must stand up to the criminals. Those who break our laws will pay for their actions.

The victims of crime will no longer be the forgotten ones in our criminal justice system. A thirty year era of permissiveness must end.

I am recommending we adopt a Crime Victims' Bill of Rights to our state constitution. Twenty-nine other states already provide this kind of constitutional protection for victims and it's time Iowa does as well.

We are adding 2,250 beds to our state prison system and now it's time to put the prisoners to work. Making prisoners work can increase their skills, reduce the recidivism rate, and make it possible for them to pay restitution to their victims and at least part of the cost of their imprisonment.

A vast majority of Iowans join me today in asking you to restore the death penalty. We need it to protect the innocent victims of rape and kidnapping from being murdered. It should also be available as a weapon to be used against the most violent prisoners who kill correctional officers or others.

If we are to be successful at reducing crime, one issue in particular must be addressed: juvenile crime.

One of the great mistakes that has been made in public policy over the last 30 years is that a shroud of secrecy has been created to protect juveniles from the consequences of their actions. We should allow full public access to information on juvenile crime and let them face the public scrutiny their actions deserve.

I am recommending we establish penalties for underage gambling and increase the penalties for underage drinking. The budget I am presenting also includes a 20 percent increase in funding for the successful and innovative treatment efforts already underway in Iowa communities.

Several weeks ago, I visited Lucas Elementary School, just east of the Capitol in one of Des Moines' inner city neighborhoods, to announce an ambitious prevention effort we will be undertaking this year. Iowa is blessed with thousands of retirees who regularly volunteer in their communities. There is no better way to help at-risk children than to provide for them caring, committed adult mentors who will encourage them to stay in school and succeed.

I envision a day when every at-risk child in Iowa has a senior volunteer mentor. We can truly reduce juvenile crime by helping at-risk kids at an early age. The best prevention efforts we can have are ones that channel the kindness and caring of older Iowans toward the children who need it the most. Today, I call on older Iowans to take part in making life better for children by getting involved in Iowa schools.

The strength of our state depends on the strength of our families. Last year, Lt. Governor Corning and I undertook a Campaign for the Family which has helped put more focus on the needs of Iowa families and has involved hundreds of people through community family forums all over the state.

Our goal is to make Iowa the most family-friendly state in America. In 1997, we will continue the Campaign for the Family and hold a Statewide Family Summit to involve Iowans even more in strengthening our families and children.

My program for this year includes several initiatives designed to help families be safe, stable, self-sufficient, and healthy. We need to implement a system of Learnfare to assure that the children of those on welfare are getting an education, which is their most valuable key to self-sufficiency. I am also recommending steps to enhance family foster care as well as services to the frail elderly and Alzheimer's patients. And we should also increase preschool opportunities for at-risk children, expand child care assistance, strengthen our parental notification law, and prevent teens from using tobacco.

Reducing the tax burden for Iowa families; improving our schools; making state government more technology-driven; protecting our citizens; and, strengthening families -- these are the challenges we face as we forge a new era in Iowa history. We have been given so much by those who came before us. We are grounded in the good earth with strong values and faith in God.

Our challenge is to employ these values to build a better Iowa -- to take bold steps to achieve breakthrough results.

Today, I stand before you, the people of Iowa, more excited about our prospects than at any time in my past service to you.

As we stand at the precipice of the 21st century, our place in history is not unlike that of the first settlers to this state. Before us is spread endless vistas of opportunity. It is for us to take that vista and make it our own. We have the land, we have the people. We have the resources.

It is for those in this room today to provide the bold leadership, the vision to make that future ours. As I look around this chamber, I see new faces and old friends. I know you share my enthusiasm for this state.

Let us harness that shared energy to make 1997 a year future Iowans will not forget. Let us not shrink from the daunting task before us, but rise to usher in a new era of growth and opportunity for our state.

Let us begin today.

Thank you and God bless you.

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

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

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

INTRODUCTION OF BILLS

Senate File 15, by Jensen, a bill for an act requiring an impact study prior to approval of a general permit to discharge stormwater.

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

Senate File 16, by Szymoniak, a bill for an act relating to simulated incendiary or explosive materials and establishing a penalty.

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

Senate File 17, by Rife, a bill for an act relating to liability for costs associated with a response by the state to a hazardous condition.

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

Senate File 18, by Black of Jasper, a bill for an act requiring the identification of a slot machine by affixing a percentage payout stamp.

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

Senate File 19, by Black of Jasper, 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 and **passed on file**.

RECESS

President Kramer announced that the Senate will recess at 11:13 a.m., until 1:00 p.m.

AFTERNOON SESSION

The Senate resumed session at 1:17 p.m., President Kramer presiding.

QUORUM CALL

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

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

INTRODUCTION OF BILL

Senate File 20, by Kibbie, Gettings, and Fraise, a bill for an act relating to the registration fee for ex-prisoner of war motor vehicle plates and providing effective and retroactive applicability dates.

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

INTRODUCTION OF RESOLUTIONS

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

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

Senate Concurrent Resolution 1, by committee on Rules and Administration, A Concurrent Resolution relating to the compensation of chaplains, officers and employees of the seventy-seventh general assembly.

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

COMMITTEE REPORTS

RULES AND ADMINISTRATION

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

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Iverson, Kramer, Gronstal, Fink, Jensen, Judge, Kibbie, Lundby, Maddox, Redfern and Rehberg. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 1, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-seventh general assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Iverson, Kramer, Gronstal, Fink, Jensen, Judge, Kibbie, Lundby, Maddox, Redfern and Rehberg. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION (Regular Calendar)

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

Senate Resolution 1

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

The Senate stood at ease at 1:29 p.m., until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:26 p.m., President Kramer presiding.

BUSINESS PENDING

Senate Resolution 1

The Senate resumed consideration of Senate Resolution 1, previously deferred.

Senator Neuhauser offered amendment S—3003 filed by Senators Neuhauser and Connolly from the floor to page 37 of the resolution.

Senator Neuhauser asked and received unanimous consent that action on amendment S—3003 be deferred.

Senator Connolly offered amendment S—3007 filed by Senators Connolly, et al., from the floor to page 37 of the resolution and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3007 be adopted?" (S.R. 1) the vote was:

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

Ayes, 25:

Behn	Black, D.	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Jensen
Judge	Kibbie	McCoy	McKean
Neuhauser	Redwine	Szymoniak	Tinsman
Vilsack			

Nays, 24:

Angelo	Bartz	Black, J.	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	King	Kramer

Lind	Lundby	Maddox	McKibben
McLaren	Palmer	Redfern	Rehberg
Rife	Rittmer	Schuerer	Zieman

Absent or not voting, 1:

Rensink

Amendment S—3007 was adopted.

With the adoption of amendment S—3007, the Chair ruled amendment S—3008 filed by Senator Fraise from the floor to page 37 of the resolution, out of order.

Senator Lind offered amendment S—3006 filed by him from the floor to page 46 of the resolution and moved its adoption.

Amendment S—3006 was adopted by a voice vote.

Senator Halvorson asked and received unanimous consent that action on amendment S—3004 filed by him from the floor to pages 49 and 50 of the resolution be temporarily deferred.

Senator Halvorson offered amendment S—3005 filed by him from the floor to pages 49 and 50 of the resolution and moved its adoption.

Amendment S—3005 lost by a voice vote.

Senator Kibbie offered amendment S—3009 filed by him from the floor to page 48 of the resolution and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3009 be adopted? (S.R. 1) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Szymoniak	Vilsack

Nays, 27:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lind	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Tinsman	Zieman	

Absent or not voting, 3:

Lundby	Palmer	Rensink
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Amendment S—3009 lost.

Senator Halvorson offered amendment S—3001 filed by him from the floor to page 50 of the resolution.

Senator Iverson asked and received unanimous consent that action on amendment S—3001 and **Senate Resolution 1** be deferred.

INTRODUCTION OF BILLS

Senate File 21, by McKean, a bill for an act eliminating the requirement that a nonperpetual care cemetery post a sign indicating the cemetery is a nonperpetual care cemetery.

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

Senate File 22, by Freeman, a bill for an act relating to the qualifications for the successful completion of an approved hunter safety and ethics education course.

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

Senate File 23, by Lind, a bill for an act prohibiting the issuance of a registration and certificate of title for a motor vehicle to a person under the age of sixteen years.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	12	Judiciary
S. F.	13	Local Government
S. F.	14	Education
S. F.	15	Natural Resources & Environ.
S. F.	16	Judiciary
S. F.	17	Natural Resources & Environ.

SUBCOMMITTEE ASSIGNMENT

SSB 1

WAYS AND MEANS: Borlaug, Chair; Deluhery, Douglas, McKibben and Vilsack

STUDY BILL RECEIVED

SSB 2 State Government

A joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law.

AMENDMENTS FILED

S-3001	S. R.	1	Rod Halvorson
S-3002	S. R.	1	Rod Halvorson
S-3003	S. R.	1	Mary Neuhauser Mike Connolly
S-3004	S. R.	1	Rod Halvorson
S-3005	S. R.	1	Rod Halvorson
S-3006	S. R.	1	Jim Lind

S-3007	S. R.	1	Mike Connolly Andy McKean Robert E. Dvorsky Don Gettings Mary Neuhauser Tom Flynn Patrick J. Deluhery Elaine Szymoniak Dennis H. Black Bill Fink John W. Jensen Dick L. Dearden Tom Vilsack Patty Judge John P. Kibbie Steven D. Hansen Matt McCoy Maggie Tinsman
S-3008	S. R.	1	Eugene Fraise
S-3009	S. R.	1	John P. Kibbie

INTRODUCTION OF BILL

Senate File 24, by Lundby, a bill for an act relating to street rod vehicles and making penalties applicable.

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

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 3:34 p.m., until 9:00 a.m., Wednesday, January 15, 1997.

JOURNAL OF THE SENATE

THIRD CALENDAR DAY
THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 15, 1997

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

Prayer was offered by the Reverend Keith Scott, pastor of the First United Methodist Church, Cedar Falls, Iowa.

The Journal of Tuesday, January 14, 1997, was approved.

INTRODUCTION OF BILLS

Senate File 25, by Rife, a bill for an act relating to state reimbursement for the granting of certain property tax credits and rent reimbursements and including effective and applicability date provisions.

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

Senate File 26, by Rife, a bill for an act relating to the individual income tax by extending the special method of computation of tax for value-added S corporation shareholders to all S corporation shareholders and eliminating the refund limitation and providing a retroactive applicability date provision.

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

The Senate stood at ease at 9:10 a.m., for the purpose of a party caucus until 9:45 a.m. for the joint convention in the House.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 2, duly adopted, the joint convention was called to order at 9:56 a.m., President Kramer presiding.

Senator Iverson 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 Kramer declared a quorum present and the joint convention duly organized.

Senator Iverson 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 Rittmer, Black from Kossuth and Fink on the part of the Senate, and Representatives Churchill, Dix and Thomas on the part of the House.

Senator Iverson 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 King, McKibben and Neuhauser on the part of the Senate, and Representatives Lamberti, Dinkla and Richardson on the part of the House.

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

The joint convention resumed session, President Kramer presiding.

The following guests were escorted into the House chamber:

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

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

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

Madam President, Mr. Speaker, Lieutenant Governor, Members of the General Assembly, State Officials, Judicial Colleagues and My Fellow Iowans:

It's an honor and a privilege to speak with you each year. On behalf of the Judicial Branch, I want to thank you for this opportunity to report on the condition of our court system.

I also want to extend a warm welcome to the new members of the Legislature. If you are not familiar with the operation of the Judicial Branch, I hope you will take some time from your busy schedules to become acquainted with it. One of the best ways to do that is to visit with your local district court officials -- clerks of court, magistrates, judges, juvenile court officers and others. And please feel free to drop by our offices here in the Capitol at anytime to visit. You're always welcome.

I invite all of you to join me and the other members of the judiciary, who are with us today, for refreshments and conversation downstairs in the courtroom following these remarks.

My remarks today will focus on our past successes, our present challenges, and our high hopes for the future. I promise that I will not try to do the Macarena. I will, however, try to heed the words of one of my esteemed colleagues who said, "Never exhaust the topic or the audience."

We are especially gratified to be able to report a number of successes we've had this year. Here are some of the highlights.

By this summer, every courthouse in Iowa will be linked to our statewide computer network. The last of our clerk of court offices that have been waiting in line, dependent on the paper docket books used for over 150 years, will finally join the world of automation. Our computer network will serve as a foundation for the technological improvements that will be necessary to carry us into the twenty-first century.

The benefits of our computer system extend beyond the courts. For example, we send over 1500 notices each week to the Department of Transportation so it can initiate license suspension procedures. This year, we started sending the information

electronically rather than through the mail. In addition to speeding up the process, this means less work for the Transportation Department.

We're working with the Department of Safety to create a domestic abuse registry. The registry will provide law enforcement officials with up-to-the minute information about protective orders in all ninety-nine counties. This will be a powerful weapon in Iowa's battle against domestic abuse.

We're excited about our new jury management computer software that will streamline the jury system and make jury service more convenient for the public. How will it work? Well, right now nearly all of the counties use two jury commissions, one composed of three citizens and the other composed of three local officials, to create their lists of prospective jurors. It's all done by hand with thousands of pieces of paper. In a county the size of Story County, the entire process takes over four days. With our new program, it will take only a few hours.

Also, following the recommendations of our Equality in the Courts Task Force, this new program will make jury pools more representative of a county's population and answer any claim there is subjectivity in the present system. How? Through the magic of technology, computers will sort the names and compile the lists.

This program will help make jury service more convenient. The 1-trial /1-day option, which has been used successfully in Scott County, means that persons called for jury service are obligated to serve on only one trial. Once they've served they won't be called again for two years. Or, if they come to the courthouse on the first day of service and are not picked to serve, they're relieved from jury service for two years. It's much easier than being on call for jury service for three months. Contrary to vicious rumor, this program was in place long before I was called to appear for jury duty at the Wapello County Courthouse later this month.

Our court improvement project for child in need of assistance cases, which is now in the implementation stage, will surely help brighten the future of hundreds of children and families living in limbo each year as they wait for the courts to sort out the wreckage of their lives. Six task forces are busy working on specific recommendations needed to implement this report. One of the groups is studying our juvenile laws for changes needed to improve our child in need of assistance process. We plan to present these recommendations to you next year.

We learned from the study phase of this program that our courts are doing a good job overall with these important cases. But, however well we have performed, we must find ways to do even better. We need to find more time for hearings. For instance, fifteen minutes for a non-contested case or one hour for a contested case is often not enough when the future of a child or the life of a family is on the line. At the same time, we need to bring closure to such cases sooner. Three to four years, from the time of filing a child in need of assistance petition to the time of entering an order finalizing an adoption, is simply too long. We also need to improve the quality of legal representation provided to children and families. These crucial cases call for careful preparation. An initial meeting between an attorney and clients in the courthouse hallway to discuss the case, just before a hearing, is not good enough.

Fine enforcement efforts are expanding. Last summer we started sending cases through our computer network to the Central Collection Unit of the Department of

Revenue and Finance. It's amazing how quickly people pay their delinquent fines once they've received notice that the tax collectors are involved.

Our magistrates and judges are continuing to take a tough attitude on the payment of fines and they are doing their best to crack down on scofflaws. One example of our "new attitude" comes from Lucas County where Magistrate Jim Mefferd expects defendants to pay their fines the moment it's ordered. He says the word has gotten around and it's rare when someone asks for time to pay. Naturally, some people will try to escape paying. One person told Magistrate Mefferd that he was flat broke, had no job and no job prospects. The magistrate didn't buy the story. When he explained to the gentleman the meaning of contempt of court with possible jail consequences -- a \$100 bill magically appeared and the fine was paid!

These are just a few of the many ways we're enforcing fines. The task is formidable because millions of dollars of unpaid fines are on the books and many offenders are incarcerated, or truly unable to pay. Nevertheless, we will continue to explore all avenues for improving the collection of unpaid fines.

Iowa's first computer-integrated courtroom began operating a few months ago in Polk County. During a court proceeding, a computer instantly translates a court reporter's steno strokes into English text and displays the text on computer terminals or TV monitors located around the courtroom. Another process also translates the text into Braille. These systems will allow persons who are hearing or sight impaired to actively participate in court proceedings. There's an added bonus -- the equipment can be easily transported and set up in any courtroom around the state.

Our district courts in Linn County and Polk County are using local area networks to provide judges with complete and immediate information about the criminal defendants appearing before them at arraignment or sentencing. According to District Associate Judge Michael Newmeister of Cedar Rapids, many defendants are repeat offenders who have pending matters that should be made known to the court. With the new computer networks, judges can quickly check for prior records, failures to appear to answer charges, delinquent fines, and other matters while the defendant is standing before them. These systems make it much easier for busy courts to hold offenders accountable.

A full range of language interpreter services are now available to our courts thanks to a telephone interpreter program offered by one of the telephone companies. This service provides assistance in 140 languages, 7 days a week, 24 hours a day. Prior to using this service, it was almost impossible to find qualified interpreters on short notice in most parts of the state. Fred Nydle, one of our district court administrators, described the old process this way, "A person can be a defendant one day and an interpreter the next." That was not a good way to conduct court business.

Our courts are dismantling language barriers in other ways. Tomorrow in Louisa County a group will "graduate" from the state's first program offered in Spanish for convicted drunk drivers. I want to commend District Associate Judge Thomas Brown of the Eighth District for recognizing the need for this program and for organizing it.

We're encouraged by all of this progress. However, it wouldn't be accurate for me to paint a picture of roses with no thorns. We continue to have our share of challenges. Two should be mentioned.

First--more cases are pouring into the courts and, once again, crime continues to take most of our attention and time. Indictable criminal cases shot up 20% last year, marking almost two decades of steady growth. For the first time ever, more than 100,000 indictable criminal cases were filed in our courts in one year. The tremendous burden created by our high criminal caseload cannot be ignored. It continues to drain valuable court resources.

What can be done?

First of all, I want to thank you for the help you've given us in the past. The additional judges, juvenile court staff, and other resources have taken the edge off a serious situation. We also appreciate your continued efforts to keep compensation competitive so that we can attract and retain talented people to handle the caseload. But problems remain.

Our budget request for the next fiscal year, although a modest one, has been tailored to address our most pressing problems. The details are included in the materials provided to you this morning. One request deserves your special attention -- our request for more clerk of district court staff.

Our clerks' offices are important for so many reasons. Litigants depend on them to get complete records of their cases to the judges. Our state and local governments depend on them to collect and distribute fines and fees. Crime victims depend on them to collect and disburse restitution payments. Custodial parents depend on them to collect and disburse child support payments. Businesses and property owners depend on them to keep track of liens. Everyone depends on them as the trusted gatekeepers for our justice system.

I ask that you give this request special consideration.

Second--there is one other problem you should know about. Most of our courthouses have run out of room for storing court records. This is a problem state government shares with the counties because they bear the responsibility to provide our courts with facilities. We can report some progress this year resulting from the use of CD-ROM and imaging systems to reproduce and store old court records. One compact disc can store about five or six file cabinets full of records. But even though this is an effective way to address the records storage problem, it's only a short-term solution. It's like hailing water out of a boat that has a gaping hole in the bottom. Water keeps gushing in until the hole is plugged.

The long-term solution will require electronic data management systems, commonly called EDMS. The applicability of EDMS to the courts has already been studied. Before committing scarce resources, we should study the cost of installing and operating EDMS. Our budget request includes a recommendation for such a study.

The solutions I've mentioned are not simply answers to current problems; they will help us in the future as well. This brings me to our greatest success this year.

When I addressed this assembly last year, we were eagerly awaiting the results of the first comprehensive study of our courts. The purpose of the study was to develop a long-range plan that would prepare our courts for the challenges we will face in the

next century, that is fast approaching.

I'm pleased to report that our Commission on Planning for the 21st Century, which conducted this study, submitted its report to us last summer. A copy of the report has been provided to you this morning. We now have an outstanding blueprint for a model system of justice. It will serve Iowans well into the future.

Who were the architects of this plan? They were more than sixty Iowans from many different walks of life including --farmers, a retired newspaper executive, a county supervisor, small business owners, union representatives, former and current members of the General Assembly, judges, business executives, attorneys, and heads of state agencies. And they came from every corner of the state --from Corwith to Carroll, Marathon to Bettendorf, and Burlington to Sioux City.

We, indeed all Iowans, are indebted to every member of the Commission for the commitment and talent they brought to this project. We owe special thanks to Justice Linda Neuman, who chaired the Commission, and to Justices Bruce Snell and Marsha Ternus who served with Justice Neuman on the steering committee. And, of course, we are indebted to the many individuals and groups, including the Legislature, for their financial support that helped make this all possible.

The creation of a formal planning process within the Judicial Branch is the cornerstone of the Commission's plan. With your support, we hope to add a professional planning staff this year so we can begin this important program. Because it is so obviously in the public interest, this is one of our very top budget priorities.

We have created an implementation committee to help us sift through the Commission's other recommendations. We will be coming to you in the future to help us carry out the rest of our plan.

What does the future hold in store?

Start by thinking back twenty-five years--to 1971. Back then, I was a district court judge in the old Second Judicial District that included seven counties in South Central Iowa. My court reporter was a "pen-writer." He reported the testimony with a pen using Gregg shorthand symbols. The latest technology to hit the courts was the memory typewriter. And we couldn't operate without mass quantities of carbon paper. I must confess that I understand carbon paper easier than computers.

I usually presided over a few divorce cases each month. Domestic abuse cases rarely came to the courts and were not identified as such. Unlike today, most district court judges had time to hear juvenile cases. The juveniles who came before me were usually there for petty property crimes. I don't remember a single case involving a violent juvenile during my thirteen years as a district court judge. I handled a drug case on occasion. But not many. Meth or crank didn't exist in our world then. Most of the drug cases involved marijuana. Most of the offenders inhaled!

Who would have predicted the dramatic changes we've seen in just twenty-five years? The world is vastly different now. Yet the principles upon which our justice system is based remain the same. And those principles are the foundation upon which to build a court system that will best serve Iowans in the twenty-first century.

No one can really predict the future, but with the Commission's help, we now have a

clear image of what the future can be.

Imagine a court system that has multiple access points to basic services in every county, one that is comprehensible to the average person, and offers a full range of dispute resolution options to fit different needs.

Imagine going to a city library or a shopping mall and using a kiosk or the Internet to find information about the court system, pay a fine, or electronically file a small claims action.

Imagine a court system that operates without paper. It may come to that.

Imagine court proceedings taking place over interactive video, saving litigants and witnesses the time and expense of traveling long distances.

Imagine a court system in which legal services are widely available to all who need them regardless of their income.

Just imagine the possibilities!

We have just completed a year long celebration during which we looked back -- with considerable pride -- on 150 years of Iowa's statehood. We should seize this vantage point and use the lessons of the past, as we look to our future.

Iowa can certainly claim a demonstrated ability to adapt to an ever shifting scene, as history unfolds. In exceptional times, exceptional people from all three branches of state government have done more than simply react to changed circumstances. The brightest points in our proud history have been when leaders in state government have found the vision, the courage, and the dedication to shape the future.

Let this be such a time.

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

Lieutenant Governor Joy 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 Kramer presiding.

INTRODUCTION OF BILLS

Senate File 27, by Rife, a bill for an act eliminating the state inheritance tax and providing for the Act's applicability.

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

Senate File 28, by Rife, a bill for an act relating to licenses to conduct gambling games at pari-mutuel racetracks or on excursion boats by providing a moratorium on new licenses and an effective date.

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

Senate File 29, by Maddox, a bill for an act to provide for the revocation of work release or parole for possession, consumption, or use of controlled substances, and providing for consecutive sentences for new possession convictions.

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

Senate File 30, by Iverson, a bill for an act relating to the exemption from sales, services, and use taxes of adjuvants and surfactants used to enhance the application of fertilizers, limestone, herbicides, pesticides, and insecticides in agricultural production and providing effective and retroactive applicability date provisions.

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

Senate File 31, by Tinsman, a bill for an act repealing the state inheritance tax and providing for an applicability date provision.

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

Senate File 32, by Freeman, a bill for an act relating to the operation of watercraft by persons under eighteen years of age, by creating a watercraft safety education course, by subjecting violators to an existing penalty, and by providing effective dates.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 10:54 a.m., until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:37 p.m., President Kramer presiding.

QUORUM CALL

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

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy for the remainder of the week on request of Senator Gronstal.

BILLS REMOVED FROM VETO CALENDAR

Senator Iverson asked and received unanimous consent that the following bills on the Item Veto and Veto Calendar be indefinitely postponed and that the bills be removed from the Item Veto and Veto Calendars:

Senate Files 2195, 2245, 2385, 2442, 2446, 2448, 2449, 2464 and 2470.

ADOPTION OF RESOLUTION (Regular Calendar)

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

Senate Concurrent Resolution 1

On motion of Senator Iverson, Senate Concurrent Resolution 1, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-seventh general assembly, was taken up for consideration.

President pro tempore Redfern took the chair at 3:54 p.m.

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

INTRODUCTION OF BILL

Senate File 33, by Lundby and Maddox, a bill for an act relating to runaway children, by defining when a child is a chronic runaway, authorizing county runaway treatment plans, providing for assessment and treatment procedures for chronic runaways, and making an appropriation.

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

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MADAM PRESIDENT: Pursuant to Senate Concurrent Resolution 1, your committee on rules and administration submits the following names of officers and employees of the Senate for the Seventy-seventh General Assembly, 1997 Session, and their respective classifications, grades and steps:

		Class	Grade	Step
Secretary of the Senate	Mary Pat Gunderson	P-FT	\$70,000 annual	
Assistant Secretary of the Senate III	Cynthia A. Clingan	P-FT	38	6
Caucus Staff Director	Terry Nelson	P-FT	38	3
Sr. Caucus Staff Director	Debbie O'Leary	P-FT	41	2
Sr. Administrative Assistant to Minority Leader	Gregory Nichols	P-FT	38	6
Administrative Assistant to Majority Leader III	Tom Cope	P-FT	35	3
Administrative Assistant to Majority Leader II	Karen Slifka	P-FT	32	3
Administrative Assistant to President II	Kaye Lozier	P-FT	32	1
Administrative Assistant to President II	Becky Beach	P-FT	32	2
Sr. Legislative Research Analyst	William Haigh	P-FT	38	4
Sr. Legislative Research Analyst	James Boose	P-FT	38	4
Sr. Legislative Research Analyst	Theresa Kehoe	P-FT	38	3
Sr. Legislative Research Analyst	Steve T. Conway	P-FT	38	3
Sr. Legislative Research Analyst	Suzanne Johnson	P-FT	38	4
Sr. Legislative Research Analyst	Randy Bauer	P-FT	38	2
Sr. Legislative Research Analyst	Carolann Jensen	P-FT	38	3
Legislative Research Analyst I	Mark Braun	P-FT	29	1
Legislative Research Analyst I	Kristin Ripperger	P-FT	29	1
Legislative Research Analyst I	Linda Santi	P-FT	29	2
Legislative Research Analyst I	Ronald M. Parker	P-FT	29	2
Research Assistant	Robyn Mills	P-PT	24	6
Legislative Research Analyst	Michael Savala	P-FT	27	3
Legislative Research Analyst	Michael St. Clair	P-FT	27	1
Legislative Research Analyst III	John Cacciatore	P-FT	35	2
Legislative Research Analyst III	Pamela Dugdale	P-FT	35	2
Caucus Secretary	Jon Gaskell	P-FT	21	1
Caucus Secretary	James Fitzgerald	P-FT	21	2
Secretary to Leader	Jeanine Iverson	S-O	19	3
Confidential Secretary to Leader	Jo Ann Hanover	P-FT	27	5

Confidential Secretary				
to Secretary	Lori Bristol	P-FT	27	6
Administrative Secretary				
to Secretary	LuAnn Randleman	S-O	21	2
Senior Journal Editor	Carole (CJ) Kelly	P-FT	30	6
Journal Editor II	Teri Souer	P-FT	25	4
Journal Editor I	Linda Morrow	S-O	22	3
Senior Finance Officer	Linda Laurenzo	P-FT	31	4
Finance Officer I	Lois Brownell	P-FT	24	2
Recording Clerk	Madonna Hauge	S-O	21	2
Assistant to Legal Counsel	Sean Parnell	S-O	19	1
Indexer II	Caryll Wilbur	P-FT	25	6
Indexing Assistant	Kathleen Curoe	P-FT	19	6
Records & Supply Clerk	Janice Boyle	S-O	18	1
Switchboard Operator	Kandi Westphal	S-O	14	1
Switchboard Operator	Kimberly Russell	S-O	14	2
Legislative Secretary	Eleanor Barnhill	S-O	18	2
Legislative Secretary	Joan Brauer	S-O	17	4
Legislative Secretary	Matt Carrothers	S-O	16	1
Legislative Secretary	Jean Cooper	S-O	16	2
Legislative Secretary	Faye Fraise	S-O	18	4
Legislative Secretary	Sally Gallagher	S-O	16	6+2
Legislative Secretary	David Epley	S-O	16	2
Legislative Secretary	Brenna Findley	S-O	16	1
Legislative Secretary	Connie Follett	S-O	16	1
Legislative Secretary	Mary Gettings	S-O	16	3
Legislative Secretary	Jean Goudy	S-O	16	5
Legislative Secretary	Bob Halvorson	S-O	16	3
Legislative Secretary	Brenda Huyser	S-O	18	3
Legislative Secretary	Kay Kibbie	S-O	16	3
Legislative Secretary	Khadine Letendre	S-O	16	1
Legislative Secretary	Jean Nelson	S-O	17	3
Legislative Secretary	Jake Parsons	S-O	18	1
Legislative Secretary	Carole Peterson	S-O	17	5+2
Legislative Secretary	Mary Reed	S-O	17	2
Legislative Secretary	Mark Sands	S-O	17	1
Legislative Secretary	Diane Schrage	S-O	17	2
Legislative Secretary	Julie Simon	S-O	16	5
Legislative Secretary	Jane Tays	S-O	16	1
Legislative Secretary	Martha Ullem	S-O	16	1
Legislative Secretary	Nancy Wayman	S-O	18	2
Legislative Secretary	Joanne Wengert	S-O	16	4
Legislative Secretary	Jo Ann West	S-O	16	6+2
Legislative Secretary	Lori Wildman	S-O	17	1
Legislative Committee Secretary	Mary Lou Aspengren	S-O	18	2
Legislative Committee Secretary	Juliet Bliss	S-O	18	1
Legislative Committee Secretary	David Boettger	S-O	18	1
Legislative Committee Secretary	Susan Cowden	S-O	18	2
Legislative Committee Secretary	Vicki Davis	S-O	18	6
Legislative Committee Secretary	Valerie Hansen	S-O	17	2
Legislative Committee Secretary	Allen Hedge	S-O	18	4
Legislative Committee Secretary	Jane Hughes	S-O	18	2
Legislative Committee Secretary	Sue Jennings	S-O	18	5+2
Legislative Committee Secretary	Kim Jensen	S-O	18	2
Legislative Committee Secretary	Myrtle Jensen	S-O	17	5
Legislative Committee Secretary	Gay Leverich	S-O	17	6+2
Legislative Committee Secretary	Marlene Martens	S-O	18	2
Legislative Committee Secretary	Marilyn Rensink	S-O	18	5+2
Legislative Committee Secretary	Elaine Rittmer	S-O	18	1
Legislative Committee Secretary	Christina Schaefer	S-O	17	1
Legislative Committee Secretary	Nicole Schlinger	S-O	18	1
Legislative Committee Secretary	Betty Wise	S-O	17	6+2
Legislative Committee Secretary	Beverly Ziemann	S-O	17	2
Bill Clerk	Jay Mosher	S-O	14	2
Postmaster	Eleanor Hesselung	S-O	12	3
Sergeant-at-Arms	Paul Whitmore	S-O	17	2
Assistant Sergeant-at-Arms	Troy Bishop	S-O	14	1
Chief Doorkeeper	William Krieg	S-O	12	3
Doorkeeper	Svend Christensen	S-O	11	4
Doorkeeper	George Finkenauer	S-O	11	3

Doorkeeper	Arnold Boyum	S-O	11	2
Doorkeeper	Gaylard Parrish	S-O	11	2
Doorkeeper	Robert Langbehn	S-O	11	2
Doorkeeper	E.A. Samuelson	S-O	11	5
Page	Emily Beattie	S-O	Minimum Wage	
Page	Denell Bundt	S-O	Minimum Wage	
Page	Luke Craven	S-O	Minimum Wage	
Page	Erica Davis	S-O	Minimum Wage	
Page	Danielle Host	S-O	Minimum Wage	
Page	Jeremy Hovda	S-O	Minimum Wage	
Page	Valerie Jensen	S-O	Minimum Wage	
Page	Nicole Jones	S-O	Minimum Wage	
Page	Sara Lanz	S-O	Minimum Wage	
Page	Chris Luhring	S-O	Minimum Wage	
Page	Tracy Ongena	S-O	Minimum Wage	
Page	Angel Robinson	S-O	Minimum Wage	
Page	Kari Sampson	S-O	Minimum Wage	
Page	Joe Schmitz	S-O	Minimum Wage	
Page	Hope Welander	S-O	Minimum Wage	
Page	Natasha Welch	S-O	Minimum Wage	
Page	Blair Winkler	S-O	Minimum Wage	

STEWART E. IVERSON, JR., Chair

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: January 14, 1997, 11:34 a.m.

Members Present: Douglas, Chair; McKibben, Vice Chair; Palmer, Ranking Member; Borlaug, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, Redfern and Szymoniak.

Members Absent: Connolly, McLaren and Vilsack.

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

Adjourned: 11:42.

SUBCOMMITTEE ASSIGNMENTS

Senate File 1

WAYS AND MEANS: Drake, Chair; Maddox and Palmer

Senate File 2

NATURAL RESOURCES & ENVIRON. J. Black, Chair; Angelo and D. Black

Senate File 3

WAYS AND MEANS: Borlaug, Chair; McKibben and Vilsack

Senate File 9

WAYS AND MEANS: McLaren, Chair; Hedge and Szymoniak

Senate File 10

WAYS AND MEANS: McLaren, Chair; Hedge and Szymoniak

Senate File 11

WAYS AND MEANS: McLaren, Chair; Hedge and Szymoniak

Senate File 13

LOCAL GOVERNMENT: McKean, Chair; Behn and Fraise

SSB 2

STATE GOVERNMENT: Lundby, Chair; Szymoniak and Tinsman

SSB 3

STATE GOVERNMENT: Lind, Chair; Deluhery and McLaren

STUDY BILL RECEIVED**SSB 3 State Government**

Relating to a moratorium on the issuance of new licenses to conduct gambling games and providing an effective date.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	18	State Government
S. F.	19	State Government
S. F.	20	Transportation
S. F.	21	Commerce
S. F.	22	Natural Resources & Environ.
S. F.	23	Transportation
S. F.	24	Transportation
S. F.	25	Appropriations
S. F.	26	Ways and Means
S. F.	27	Ways and Means
S. F.	28	State Government
S. F.	29	Judiciary
S. F.	30	Ways and Means
S. F.	31	Ways and Means
S. F.	32	Natural Resources & Environment

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:27 p.m., until 9:00 a.m., Thursday, January 16, 1997.

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 16, 1997

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

Prayer was offered by the Honorable H. Kay Hedge, member of the Senate from Mahaska County, Fremont, Iowa.

The Journal of Wednesday, January 15, 1997, was approved.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Concurrent Resolution 1** be immediately messaged to the House.

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

The Senate resumed session at 9:39 a.m., President Kramer presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM. PRESIDENT: I am directed to inform your honorable body that the House has on January 16, 1997, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 4, a concurrent resolution requesting the Congress of the United States to submit to the States for ratification a balanced budget amendment to the United States Constitution.

This resolution was read first time and assigned to the committee on **State Government**.

RECESS

President Kramer announced that the Senate will recess at 9:40 a.m., until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:06 p.m., President Kramer presiding.

QUORUM CALL

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

The vote revealed 36 present, 14 absent and a quorum present.

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: HOUSE CONCURRENT RESOLUTION 4, a concurrent resolution requesting the Congress of the United States to submit to the States for ratification a balanced budget amendment to the United States Constitution.

Recommendation: DO PASS.

Final Bill Action: Ayes, 14: Lind, Rittmer, Kibbie, Deluhery, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Tinsman asked and received unanimous consent to take up for consideration House Concurrent Resolution 4.

House Concurrent Resolution 4

On motion of Senator Tinsman, House Concurrent Resolution 4, a concurrent resolution requesting the Congress of the United States to

submit to the States for ratification a balanced budget amendment to the United States Constitution, with report of committee recommending passage, was taken up for consideration.

Senator Connolly withdrew amendment S—3010 filed by him from the floor to pages 1 and 3 of the resolution.

Senator Tinsman moved the adoption of House Concurrent Resolution 4, and requested a record roll call.

On the question "Shall the resolution be adopted?" (H.C.R. 4) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Drake	McCoy	Rensink
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The motion prevailed and the resolution was adopted.

Senator Iverson asked and received unanimous consent that **House Concurrent Resolution 4** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 34, by Rife, a bill for an act relating to the allocation of gambling receipts to horse race purses.

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

Senate File 35, by committee on Ways and Means, a bill for an act eliminating the inheritance tax on property passing to parents, grandparents, great-grandparents, and other lineal ascendants, children including legally adopted children and biological children entitled to inherit under the laws of this state, stepchildren, and grandchildren, great-grandchildren, and other lineal descendants of the decedent and providing an applicability date provision.

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

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate Concurrent Resolution 1, the following corrections were made:

1. Page 9, line 27, the number "3" was changed to the number "38".

2. Page 20, line 18, the words "seventy-sixth" were changed to the words "seventy-seventh".

MARY PAT GUNDERSON
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: January 15, 1997, 11:36 a.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Horn, Jensen, Lind, Lundby, Maddox, McCoy, Neuhauser, Rittmer, Tinsman and Vilsack.

Members Absent: Rensink and Rife (both excused).

Committee Business: Adopted committee rules.

Adjourned: 12:03 p.m.

BUSINESS AND LABOR

Convened: January 15, 1997, 1:20 p.m.

Members Present: Rife, Chair; King, Vice Chair; Dearden, Ranking Member; Behn, Freeman, Horn, Jensen, Palmer and Schuerer.

Members Absent: Gettings and Zieman.

Committee Business: Adopted committee rules.

Adjourned: 1:25 p.m.

EDUCATION

Convened: January 15, 1997, 1:26 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine and Tinsman.

Members Absent: Rensink and Szymoniak (both excused).

Committee Business: Adopted committee rules

Adjourned: 1:36 p.m.

JUDICIARY

Convened: January 15, 1997, 2:55 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Adopted committee rules.

Adjourned: 3:12 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: January 15, 1997, 2:00 p.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben and Rehberg.

Members Absent: Zieman.

Committee Business: Adopted committee rules.

Adjourned: 2:22 p.m.

STUDY BILLS RECEIVED

SSB 1.1 Ways & Means

An Act eliminating the inheritance tax on property passing to parents, grandparents, great-grandparents, and other lineal ascendants, children including legally adopted children and biological children entitled to inherit under the laws of this state, stepchildren, and grandchildren, great-grandchildren and other lineal descendants of the decedent and providing an applicability date provision.

SSB 4 Appropriations

Relating to and making supplemental appropriations for the fiscal year beginning July 1, 1996, and providing an effective date.

SSB 5 Appropriations

Relating to energy conservation including making appropriations of petroleum overcharge funds.

BILL ASSIGNED TO COMMITTEE

President Kramer announced that **Senate File 33** was assigned to the committee on **Judiciary**.

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE JOINT RESOLUTION 1 (SSB 2), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law.

Recommendation: APPROVED COMMITTEE BILL.

Final Bill Action: Ayes, 14: Lind, Rittmer, Kibbie, Deluhery, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

WAYS AND MEANS

Final Bill Action: SENATE FILE 35 (SSB 1.1), a bill for an act eliminating the inheritance tax on property passing to parents, grandparents, great-grandparents, and other lineal ascendants, children including legally adopted children and biological children entitled to inherit under the laws of this state, stepchildren, and grandchildren, great-grandchildren, and other lineal descendants of the decedent and providing an applicability date provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Douglas, McKibben, Palmer, Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, McLaren and Redfern. Nays, 1: Vilsack. Absent or not voting, 1: Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 36, by Iverson, a bill for an act relating to agricultural drainage wells, by restricting the emptying of surface water into the wells, providing for compliance, and providing penalties.

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

Senate Joint Resolution 1, by committee on State Government, a

senate joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law.

Read first time under Rule 28 and placed on calendar.

AMENDMENT FILED

S-3010 H. C. R. 4 Mike Connolly

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:40 p.m., until 9:00 a.m., Friday, January 17, 1997.

JOURNAL OF THE SENATE

FIFTH CALENDAR DAY
FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, January 17, 1997

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

The Journal of Thursday, January 16, 1997, was approved.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 16, 1997, 9:40 a.m.

Members Present: Lundby, Chair; Bartz, Vice Chair; McCoy, Ranking Member; J. Black and Gettings.

Members Absent: none.

Committee Business: Presentations by the secretary of state and auditor of state; adopted committee rules.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 16, 1997, 9:40 a.m.

Members Present: Hedge, Chair; D. Black, Ranking Member; Behn and Dearden.

Members Absent: Rensink, Vice Chair (excused).

Committee Business: Organizational meeting and adopted committee rules.

Adjourned: 10:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 16, 1997, 9:40 a.m.

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

Members Absent: none.

Committee Business: Organizational meeting and approved committee rules.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 16, 1997, 9:40 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: none.

Committee Business: Organizational meeting; presentations by the office of the attorney general, and the state departments of corrections, public defense and public safety.

Adjourned: 11:12 a.m.

APPROP. SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: January 16, 1997, 10:00 a.m.

Members Present: Rife, Chair; Neuhauser, Ranking Member; Deluhery and McLaren.

Members Absent: Kramer, Vice Chair.

Committee Business: Organizational meeting and adopted committee rules.

Adjourned: 10:43 a.m.

HUMAN RESOURCES

Convened: January 16, 1997, 2:20 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Schuerer, Tinsman and Vilsack,

Members Absent: Rensink (excused).

Committee Business: Organizational meeting and adopted committee rules.

Adjourned: 2:37 p.m.

LOCAL GOVERNMENT

Convened: January 16, 1997, 1:40 p.m.

Members Present: Zieman, Chair; Behn, Vice Chair; Fraise, Ranking Member; Angelo, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean, Redwine and Rehberg.

Members Absent: none.

Committee Business: Adopted committee rules; assigned bill to subcommittee.

Adjourned: 2:10 p.m.

STATE GOVERNMENT

Convened: January 16, 1996, 12:32 p.m.

Members Present: Lind, Chair; Rittmer, Vice Chair; Kibbie, Ranking Member; Deluhery, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman.

Members Absent: Drake (excused).

Committee Business: Recommended passage of H.C.R. 4; approved SSB 2 as a committee bill.

Adjourned: 1:00 p.m.

TRANSPORTATION

Convened: January 16, 1997, 2:00 p.m.

Members Present: Drake, Chair; Borlaug, Vice Chair; Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer.

Members Absent: McCoy, Ranking Member (excused).

Committee Business: Organizational meeting and adopted committee rules.

Adjourned: 2:25 p.m.

WAYS AND MEANS

Convened: January 16, 1997, 11:05 a.m.

Members Present: Douglas, Chair; McKibben, Vice Chair; Palmer, Ranking Member; Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, McLaren, Redfern and Vilsack.

Members Absent: Szymoniak.

Committee Business: Assigned bills to subcommittees; substituted SSB 1.1 for SSB 1 and approved SSB 1.1 as a committee bill.

Adjourned: 11:35 a.m.

SUBCOMMITTEE ASSIGNMENTS**Senate File 5**

TRANSPORTATION: McKibben, Chair; Borlaug and McCoy

Senate File 7

TRANSPORTATION: Jensen, Chair; Fraise and McKean

Senate File 14

EDUCATION: Boettger, Chair; Szymoniak and Tinsman

Senate File 15

NATURAL RESOURCES & ENVIRON.: Zieman, Chair; Angelo and Deluhery

Senate File 17

NATURAL RESOURCES & ENVIRON.: Hedge, Chair; Fink and McKibben

Senate File 21

COMMERCE: Schuerer, Chair; Hansen and Redfern

House Concurrent Resolution 4

STATE GOVERNMENT: Tinsman, Chair; Gronstal and King

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:03 a.m., until 1:00 p.m., Tuesday, January 21, 1997.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 21, 1997

The Senate met in regular session at 1:02 p.m., President Kramer presiding.

Prayer was offered by the Honorable John W. Jensen, member of the Senate from Bremer County, Plainfield, Iowa .

The Journal of Friday, January 17, 1997, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Deluhery and Hammond for the day on request of Senator Judge, and Senator Neuhauser for the day on request of Senator Dvorsky.

INTRODUCTION OF BILLS

Senate File 37, by Fink, a bill for an act relating to school employee sick leave.

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

Senate File 38, by Fink, a bill for an act requiring flashing amber lights on motor vehicles used for snow removal, requiring a safety study by the department of transportation, and making existing penalties applicable.

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

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:

December 24, 1996

DEPARTMENT OF INSPECTIONS AND APPEALS

A copy of the 1996 Annual Report pursuant to the Iowa Code Section 7A.11.

December 26, 1996

IOWA DEPARTMENT OF TRANSPORTATION

A report to the General Assembly designating which portions of the Commercial and Industrial Network of highways the Iowa Department of Transportation has determined to be ACCESS Iowa Highways. Mandated by Chapter 1218, Section 51(3).

IHELA

The 1996 Annual Report in compliance with Section 261A.21 of the Iowa Code.

IOWA DEPARTMENT OF PUBLIC SAFETY

1995 Rate Comparisons.

December 27, 1996

**IOWA DEPARTMENT OF PUBLIC SAFETY & IOWA BOARD OF
PHARMACY EXAMINERS**

EPHEDRINE STUDY as provided by 1996 Iowa Acts, Chapter 1164, Section 8.

December 30, 1996

DEPARTMENT OF MANAGEMENT

Targeted Small business and Contract Compliance Report for 1996 in accordance with Iowa Code 19B.7.

December 31, 1996

IOWA DEPARTMENT OF TRANSPORTATION

REPORT TO IOWA GENERAL ASSEMBLY ON THE CONSTRUCTION AREA SAFETY STUDY pursuant to Chapter 1191, Section 2.

DEPARTMENT OF CORRECTIONS

Risk Assessment Study as required by Senate File 2114, Section 6.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Semi-Annual Report to the Iowa Legislature on Value Added Agricultural Products and Processes Financial Assistance Program

January 2, 1997

CHMIS

1997 Report to the Iowa General Assembly outlining the goals of the Iowa CHMIS for the fiscal year July 1996 to June 1997.

DEPARTMENT OF HUMAN SERVICE

A report as required in Senate File 2442, section 28(4) on the study of the manner in which services and costs are combine for purposes of billing for medical assistance reimbursement.

DEPARTMENT OF PUBLIC HEALTH
DIVISION OF SUBSTANCE ABUSED AND HEALTH PROMOTION

Iowa Substance Abuse Report pursuant to Iowa Code, Ch.125.21.

IOWA DEPARTMENT OF PUBLIC HEALTH

Report on The Single Contract Project, pursuant to Chapter 1212.

1996 Annual Report pursuant to Ch.8D.10, on use of the Iowa Communications Network.

1996 Annual Report pursuant to Chapter 1212, on Public Health Nursing Program.

1996 Annual Report pursuant to Chapter 1212 on Home Care Aide/Chore Program.

January 3, 1997

DEPARTMENT OF NATURAL RESOURCES

Annual report on Household Hazardous Materials Toxic Cleanup Days Program, pursuant to Iowa Code section 455F.8.

Land Acquisition Priority Plan in accordance with Iowa Code 17.11.

January 7, 1997

DEPARTMENT OF PERSONNEL

1996 edition of Affirmative Action in Iowa in accordance with Iowa Code, chapter 19B.5

IOWA DEPARTMENT OF HUMAN RIGHTS

Annual Report on Commission of Persons With Disabilities.

IOWA SEED CAPITAL CORPORATION

1996 Annual Report.

January 8, 1997

DEPARTMENT OF HUMAN SERVICES

Section 331.438(3)(c)(13) requires an annual report concerning the committee's activities and findings for the year.

January 9, 1997

IOWA DEPARTMENT OF COMMERCE
INSURANCE DIVISION

Final Report on the Physician Utilization Study as authorized by Chapter 1219, Section 52.

DEPARTMENT OF MANAGEMENT

Pursuant to House file 2486, Section 57, a review of the level of federal policies and funding levels and their efforts on programs relating to the arts and cultural affairs.

DEPARTMENT OF HUMAN SERVICES

A report pursuant to SF 2442 on the feasibility of implementation of a pilot program to determine the effect of teleconsultive services on health care quality, access and cost.

DEPARTMENT OF PUBLIC SAFETY

Annual Report pursuant to Section 7E.3, Iowa Code 1997.

January 10, 1997

STATE BOARD OF REGENTS

Annual Report according to Chapter 263.17 (4b) of the Code of Iowa for the Center for Health effects of Environmental Contamination.

January 13, 1997

DEPARTMENT OF PUBLIC HEALTH

Annual Report for the Professional Licensing Boards in accordance with Chapter 272C.4(2)"b".

Health Promotion and Disease Prevention Goals and Action Steps in accordance with Chapter 1212.

Fetal Alcohol Syndrome Report 1997 in accordance with Chapter 1092.

DEPARTMENT OF JUSTICE

Proposals for the 1997 legislative session to focus on juvenile crime, criminal law, consumer protection and reduction of tobacco usage.

IOWA DEPARTMENT OF TRANSPORTATION

A copy of the 1997-2001 Transportation Improvement Program as required by section 307A.2(12).

COMMISSION OF VETERANS AFFAIRS

Report, Central Iowa State Veterans Cemetery.

IOWA TELECOMMUNICATIONS & TECHNOLOGY COMMISSION

Report on recommendations on communications and information police according to SF 2197, Section 4, paragraph 1.

A summary of savings associated with the Iowa Communications Network's use of the Network during 1996, per Iowa Code, chapter 8D.10.

GOVERNOR'S ALLIANCE ON SUBSTANCE ABUSE

Iowa's Drug and Violent Crime Control Strategy 1997.

January 14, 1997

DEPARTMENT OF EDUCATION

The following reports:

1. A Study of the Special Education Funding System.
2. A Study of the Means by which Student Employability Skills may be Measured.
3. Annual Report on Funds Expended and Activities Accomplished in the K-12 and Community College Management Information System.
4. A Report on the amount of State Funding Anticipated to be Needed to Fund the Department's Participation with the Center for Assessment.
5. Recommendations for a Funding Formula that Identifies and Addresses Community College Needs.
6. A Study of the Trends in the Number of Students Requiring Services to Become Proficient in the English Language.

January 15, 1997

IOWA DEPARTMENT OF NATURAL RESOURCES

Hazardous Waste Annual Report per Section 455B.425 and 455B.427.

THE STATE PSEUDORABIES ADVISORY COMMITTEE

1997 Annual Report.

STATE BOARD OF REGENTS

Board of regents 1998-1002 Five-Year Building Program, in accordance with Section 262A.3.

IOWA UTILITIES BOARD

Report pursuant to Iowa Code 476.66(6) on the status of utility customer contribution funds.

January 16, 1997

IOWA DEPARTMENT OF PUBLIC HEALTH

Decision-Making Assistance Program and Parental Notification of Intent to Terminate a Pregnancy Through Abortion. Report pursuant to Chapter 1011.

DEPARTMENT OF HUMAN SERVICES

Interim Report to the Iowa General Assembly on the Current Process Used to Establish Foster Care Parental Liability, pursuant to Chapter 1213, Section 8(10).

January 17, 1997

DEPARTMENT OF HUMAN SERVICES

1994 Annual Report.

1995 Annual Report.

IOWA'S CENTER FOR AGRICULTURAL SAFETY AND HEALTH

Annual Report 1996.

IOWA COMMUNICATIONS NETWORK

Annual Report for 1996.

INDUSTRIAL COMMISSIONER

Second Injury Fund Task Force Report.

IOWA DEPARTMENT OF HUMAN SERVICES

Annual Report.

REPORT OF COMMITTEE MEETING

COMMERCE

Convened: January 16, 1997, 2:32. p.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Deluhery, Ranking Member; Bartz, Douglas, Flynn, Gronstal, Hansen, King, Maddox, Palmer, Redfern and Rife.

Members Absent: Lundby and McCoy (both excused).

Committee Business: Organizational meeting; adopted committee rules; assigned Senate File 21 to a subcommittee.

Adjourned: 2:39 p.m.

STUDY BILLS RECEIVED

SSB 6 Natural Resources & Environment

Relating to snowmobiles and all-terrain vehicles by requiring certificates of title, and providing for point of sale registration for snowmobiles, and adopting an annual registration period and fee for all-terrain vehicles.

SSB 7 Commerce

Relating to trademarks and service marks registered with the secretary of state.

SSB 8 Commerce

Relating to the appointment and resignation of registered agents of corporations and partnerships and their registered offices.

SSB 9 Commerce

Adopting the uniform transfer on death security registration Act.

SSB 10 Agriculture

A Concurrent Resolution to request that the United States Internal Revenue Service and the United States Congress act to allow farmers to use deferred payment contracts without being subject to alternative tax liability.

SSB 11 Natural Resources

Relating to granting easements on certain property by the department of natural resources.

SSB 12 Natural Resources

Relating to the qualifications of groundwater professionals.

SSB 13 Commerce

Relating to investment guidelines for trustees and providing an applicability date.

SUBCOMMITTEE ASSIGNMENTS**Senate File 25**

APPROPRIATIONS: Douglas, Chair; Horn, Jensen, Rife and Vilsack

Senate File 26

WAYS AND MEANS: Redfern, Chair; Freeman and Vilsack

Senate File 27

WAYS AND MEANS: Borlaug, Chair; Deluhery and McKibben

Senate File 30

WAYS AND MEANS: Hedge, Chair; Connolly and Douglas

Senate File 31

WAYS AND MEANS: Borlaug, Chair; McKibben and Vilsack

SSB 4

APPROPRIATIONS: McLaren, Chair; Flynn, Kramer, Neuhauser and Rife

SSB 5

APPROPRIATIONS: Rensink, Chair; Freeman and Horn

SSB 10

AGRICULTURE: Rensink, Chair; Black and Judge

BILLS ASSIGNED TO COMMITTEE

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

S. F.	34	State Government
S. F.	36	Agriculture

S. F.	37	Education
S. F.	38	Transportation
S. F.	39	State Government
S. F.	40	Judiciary
S. F.	41	Education

COMMITTEE REPORT

TRANSPORTATION

Final Bill Action: SENATE FILE 5, a bill for an act a bill for an act relating to the registration fee for ex-prisoner of war motor vehicle plates.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Drake, Borlaug, McCoy, Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 39, by Angelo, a bill for an act relating to resident managers of public accounting offices.

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

Senate File 40, by Rensink, a bill for an act prohibiting the use of official law enforcement warning devices or signals in the attempt or commission of a public offense, and providing penalties.

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

Senate File 41, by Rehberg, a bill for an act relating to a minimum age requirement for a coaching authorization issued by the state board of educational examiners.

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

Senate File 42, by Rehberg, 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.

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

AMENDMENTS FILED

S-3011	S. F.	35	Patty Judge John P. Kibbie Tom Flynn Dennis H. Black Michael E. Gronstal Eugene S. Fraise Robert E. Dvorsky Don Gettings
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ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:10 p.m., until 9:00 a.m., Wednesday, January 22, 1997.

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 22, 1997

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

Prayer was offered by Iman Ako Abdul-Samad, of the Organization of Islamic Ummah, Des Moines, Iowa.

The Journal of Tuesday, January 21, 1997, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Vilsack until he arrives on request of Senator Black of Jasper and Senator Hedge until he arrives on request of Senator Iverson.

INTRODUCTION OF BILLS

Senate Joint Resolution 2, by Zieman, A Joint Resolution proposing an amendment to the Constitution of the State of Iowa to change the length of term of office for members of the Iowa House of Representatives.

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

Senate Joint Resolution 3, by Zieman, A Joint Resolution proposing an amendment to the Constitution of the State of Iowa to limit the years of service for members of the Senate and the House of Representatives, and to limit the years of service for Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of State, and Treasurer of State.

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

Senate File 43, by Zieman, a bill for an act setting the time for the closing of precinct polling places.

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

Senate File 44, by Zieman, a bill for an act limiting the number of terms and years of service a person may serve as Iowa secretary of agriculture and providing applicability and effective date provisions.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 9:28 a.m., until 3:00 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 14 Commerce**

Relating to the kinds of separately metered properties for which a landlord may be exempted from a lien for delinquent water services.

SSB 15 Transportation

Relating to motor vehicle operator prohibitions and restrictions including those related to intoxication or simulation of intoxication in the interior of a motor vehicle located on public roads or property, following another motor vehicle too closely, exhibition driving, littering, blood alcohol test certificates, and handicapped parking, and by establishing or making existing penalties applicable.

SSB 16 Commerce

A Concurrent Resolution encouraging the federal government to investigate the pricing of liquid propane gas and other heating fuels.

SSB 17 Judiciary

Relating to certain criminal identification and historical data, by eliminating the requirement for fingerprinting of juveniles adjudicated as operating while intoxicated first offenders, providing for retention of acquittal and dismissal information, and applying penalties.

SSB 18 Judiciary

Relating to the criteria for placement of delinquent children, for whom guardianship has been transferred to the director of human services, in certain facilities.

SSB 19 Judiciary

Relating to prisons, jails, and other correctional and juvenile detention facilities by making changes related to escape and voluntary absence from custody or a correctional facility; establishing

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

SSB 20 Judiciary

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

SSB 21 Judiciary

Relating to the imposition of consecutive sentences for escapes from or crimes committed while confined in detention facilities or penal institutions.

SSB 22 Judiciary

Relating to work programs for inmates and criminal defendants.

SSB 23 Judiciary

To establish separate recycling funds for each prison institution within the state treasury and making related changes.

SSB 24 Judiciary

To prohibit acts by inmates of correctional institutions or facilities which result in contact with bodily fluids or secretions or the casting or expelling of bodily fluids or secretions upon another, and providing penalties.

SSB 25 Judiciary

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

SSB 26 Judiciary

Eliminating the restitution limit for the offense of operating while intoxicated.

SSB 27 Judiciary

To include certain products containing ephedrine as schedule V controlled substances.

SSB 28 Commerce

Relating to the authorized use and users of the Iowa communications network and providing an effective date.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

Convened: January 16, 1997, 9:40 a.m.

Members Present: Lind, Chair; McKibben, Vice Chair; Horn, Ranking Member; Kibbie and Rehberg.

Members Absent: none.

Committee Business: Discussed governor's budget recommendations.

Adjourned: 11:07 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 16, 1997, 9:45 a.m.

Members Present: Rittmer, Chair; Redfern, Vice Chair; Flynn, Ranking Member; Jensen and Palmer.

Members Absent: none.

Committee Business: Adopted committee rules and reviewed budgets.

Adjourned: 10:30 a.m.

APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE & CAPITALS

Convened: January 16, 1997, 9:45 a.m.

Members Present: Freeman, Chair; King, Vice Chair; Halvorson, Ranking Member; Connolly and Douglas.

Members Absent: none.

Committee Business: Organizational meeting and adopted committee rules.

Adjourned: 10:20 a.m.

COMMERCE

Convened: January 21, 1997, 3:47 p.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Bartz, Douglas, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer, Redfern and Rife.

Members Absent: Deluhery, Ranking Member (excused) and Flynn

Committee Business: Presentation by the Iowa Insurance Division.

Adjourned: 4:28 p.m.

HUMAN RESOURCES

Convened: January 21, 1997, 2:18 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dearden, Schuerer, Tinsman and Vilsack.

Members Absent: Dvorsky, Hammond, Rensink (all excused).

Committee Business: Discussed video shown in accordance with Senate File 13.

Adjourned: 2:35 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 15, 1997, 2:05 p.m.

Members Present: Rittmer, Chair; Lundby, Vice Chair; Hansen, Ranking Member; Boettger, Douglas, Flynn, Hammond, King, Lind, Palmer, Redwine and Schuerer.

Members Absent: McCoy.

Committee Business: Organizational meeting and adopted committee rules.

Adjourned: 2:39 p.m.

TRANSPORTATION

Convened: January 21, 1997, 2:35 p.m.

Members Present: Drake, Chair; Borlaug, Vice Chair; McCoy, Ranking Member; Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer.

Members Absent: none.

Committee Business: Recommended passage of Senate File 5; assigned bills to subcommittees.

Adjourned: 2:53 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 6

JUDICIARY: McKean, Chair; Angelo, Fraise, Halvorson and King

Senate File 8

JUDICIARY: McKean, Chair; Boettger, Halvorson, Maddox and Neuhauser

Senate File 12

JUDICIARY: McKibben, Chair; Hansen and Maddox

Senate File 16

JUDICIARY: Drake, Chair; Halvorson and Redfern

Senate File 20

TRANSPORTATION: McKibben, Chair; Borlaug and McCoy

Senate File 23

TRANSPORTATION: Lind, Chair; Drake and Gettings

Senate File 24

TRANSPORTATION: Rittmer, Chair; Halvorson and McKean

Senate File 29

JUDICIARY: Maddox, Chair; Hammond and McKean

Senate File 33

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

Senate File 38

TRANSPORTATION: Freeman, Chair; Fraise and Jensen

Senate File 40

JUDICIARY: Drake, Chair; Fraise and King

Senate File 41

EDUCATION: Rehberg, Chair; Fink and Rensink

SSB 7

COMMERCE: Lundby, Chair; King and Palmer

SSB 8

COMMERCE: Lundby, Chair; King and Palmer

SSB 9

COMMERCE: Bartz, Chair; McCoy and Redfern

SSB 13

COMMERCE: Maddox, Chair; Douglas and Flynn

SSB 15

TRANSPORTATION: McKean, Chair; Fraise and McKibben

SSB 16

COMMERCE: Jensen, Chair; Flynn and Schuerer

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE CONCURRENT RESOLUTION 2 (SSB 10), a concurrent resolution to request that the United States Internal Revenue Service and the United States Congress act to allow farmers to use deferred payment contracts without being subject to alternative tax liability.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 14: Rensink, J. Black, Judge, Angelo, Bartz, Behn, D. Black, Fraise, Gettings, Kibbie, Rehberg, Rife, Vilsack and Zieman. Nays, none. Absent or not voting, 1: Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE CONCURRENT RESOLUTION 3 (SSB 16), a concurrent resolution encouraging the federal government to investigate the pricing of liquid propane gas and other heating fuels.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 13: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy and Redfern. Nays, none. Absent or not voting, 2: Palmer and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 3:02 p.m., President Kramer presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 4, by Angelo, a joint resolution to nullify an administrative rule of the department of corrections concerning dietary requirements in jails and providing an effective date.

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

Senate File 45, by Maddox, Dearden, Palmer, McCoy, and Szymoniak, a bill for an act relating to the office of city assessor in certain counties.

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

Senate File 46, by Hammond, a bill for an act relating to the disclosure of certain information relating to tobacco products and cigarettes sold in the state and providing a penalty.

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

Senate File 47, by Kibbie, a bill for an act increasing the compulsory school attendance age.

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

Senate File 48, by Tinsman, a bill for an act providing an exemption from state individual income tax for pensions, annuities, and retirement allowances received and providing a retroactive applicability date.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Horn until he arrives on request of Senator Judge.

QUORUM CALL

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

The vote revealed 38 present, 12 absent and a quorum present.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senate File 35

On motion of Senator Borlaug, Senate File 35, a bill for an act eliminating the inheritance tax on property passing to parents, grandparents, great-grandparents, and other lineal ascendants, children including legally adopted children and biological children entitled to inherit under the laws of this state, stepchildren, and grandchildren, great-grandchildren, and other lineal descendants of the decedent and providing an applicability date provision, was taken up for consideration.

The Senate stood at ease at 3:17 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:00 p.m., President Kramer presiding.

BUSINESS PENDING

Senate File 35

The Senate resumed consideration of Senate File 35.

Senator Judge offered amendment S—3011 filed by Senators Judge, et al., on January 21, 1997, to strike everything after the enacting clause and to the title page of the bill.

Senator Borlaug raised the point of order that amendment S—3011 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3011 out of order.

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

The Senate resumed session at 4:30 p.m., President Kramer presiding.

BUSINESS PENDING

Senate File 35

The Senate resumed consideration of Senate File 35.

Senator Vilsack offered amendment S—3012 filed by him from the floor to pages 1, 2 and the title page of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3012 be adopted?" (S.F. 35) the vote was:

Ayes, 19:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Horn	Judge	Kibbie	McCoy
Palmer	Szymoniak	Vilsack	

Nays, 30:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hansen	Iverson	Jensen
King	Kramer	Lind	Lundby
Maddox	McKean	McKibben	McLaren
Neuhauser	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 1:

Hedge

Amendment S—3012 lost.

Senator Kibbie offered amendment S—3018 filed by him from the floor to pages 1, 2 and the title page of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3018 be adopted?" (S.F. 35) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 28:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Iverson	Jensen	King
Kramer	Lind	Lundby	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Absent or not voting, 1:

Hedge

Amendment S—3018 lost.

Senator Hansen offered amendment S—3013 filed by him from the floor to pages 1, 2 and the title page of the bill.

Senator Bartz raised the point of order that amendment S—3013 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3013 in order.

Senator Hansen moved the adoption of amendment S—3013 and requested a record roll call.

On the question "Shall amendment S—3013 be adopted?" (S.F. 35) the vote was:

Ayes, 17:

Black, D.	Connolly	Deluhery	Dvorsky
Fink	Flynn	Fraise	Gettings

Gronstal	Halvorson	Hansen	Horn
Judge	Kibbie	McCoy	Neuhauser
Szymoniak			

Nays, 32:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Dearden	Douglas
Drake	Freeman	Hammond	Iverson
Jensen	King	Kramer	Lind
Lundby	Maddox	McKean	McKibben
McLaren	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Vilsack	Zieman

Absent or not voting, 1:

Hedge

Amendment S—3013 lost.

Senator Black of Jasper offered amendment S—3015 filed by him from the floor to pages 1, 2 and the title page of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3015 be adopted?" (S.F. 35) the vote was:

Ayes, 18:

Bartz	Black, D.	Connolly	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hansen
Horn	Judge	Kibbie	McCoy
Neuhauser	Szymoniak		

Nays, 31:

Angelo	Behn	Black, J.	Boettger
Borlaug	Dearden	Douglas	Drake
Freeman	Hammond	Iverson	Jensen
King	Kramer	Lind	Lundby
Maddox	McKean	McKibben	McLaren
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Vilsack	Zieman	

Absent or not voting, 1:

Hedge

Amendment S—3015 lost.

Senator Palmer offered amendment S—3017 filed by him from the floor to page 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3017 be adopted?" (S.F. 35) the vote was:

Ayes, 19:

Black, D.	Dearden	Deluhery	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Horn	Judge	Kibbie	McCoy
Neuhauser	Palmer	Szymoniak	

Nays, 30:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Connolly	Douglas
Drake	Freeman	Iverson	Jensen
King	Kramer	Lind	Lundby
Maddox	McKean	McKibben	McLaren
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Tinsman
Vilsack	Zieman		

Absent or not voting, 1:

Hedge

Amendment S—3017 lost.

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

On the question "Shall the bill pass?" (S.F. 35) the vote was:

Ayes, 42:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Deluhery

Douglas	Drake	Dvorsky	Fink
Flynn	Freeman	Gettings	Gronstal
Halvorson	Hansen	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Nays, 7:

Connolly	Dearden	Fraise	Hammond
Palmer	Szymoniak	Vilsack	

Absent or not voting, 1:

Hedge

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

INTRODUCTION OF BILLS

Senate Concurrent Resolution 2, by committee on Agriculture, a concurrent resolution to request that the United States Internal Revenue Service and the United States Congress act to allow farmers to use deferred payment contracts without being subject to alternative tax liability.

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

Senate Concurrent Resolution 3, by committee on Commerce, a concurrent resolution encouraging the federal government to investigate the pricing of liquid propane gas and other heating fuels.

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

Senate File 49, by Bartz, a bill for an act relating to the purchase of livestock by packers, by prohibiting price discrimination, requiring reporting, and providing criminal penalties and civil remedies.

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

Senate File 50, by Gronstal, a bill for an act defining the curricula of practitioner preparation program requirements relating to students with disabilities.

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

Senate File 51, by Gronstal, a bill for an act eliminating the prohibition on a company formed for the purpose of insurance from offering title insurance or insurance against loss or damage by reason of defective title.

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

Senate File 52, by Gronstal, a bill for an act relating to the title guaranty division by providing for the appointment of the director and establishing supervisory authority over the title guaranty program.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 35** be **immediately messaged** to the House.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SSB 17

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

SSB 18

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

SSB 19

JUDICIARY: McKean, Chair; Angelo, Fraise, Halvorson and King

SSB 20

JUDICIARY: Redfern, Chair; Tinsman and Vilsack

SSB 21

JUDICIARY: McKean, Chair; Angelo, Fraise, Halvorson and King

SSB 22

JUDICIARY: McKean, Chair; Angelo, Fraise, Halvorson and King

SSB 23

JUDICIARY: McKean, Chair; Angelo, Fraise, Halvorson and King

SSB 24

JUDICIARY: McKean, Chair; Angelo, Fraise, Halvorson and King

SSB 25

JUDICIARY: Redfern, Chair; McKibben and Neuhauser

SSB 26

JUDICIARY: McKean, Chair; Boettger, Halvorson, Neuhauser and Redfern

SSB 27

JUDICIARY: King, Chair; Angelo and Neuhauser

SSB 28

COMMERCE: Rife, Chair; Gronstal and Redfern

BILLS ASSIGNED TO COMMITTEE

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

S. F.	42	Judiciary
S. F.	43	State Government
S. F.	44	State Government
S. F.	45	Local Government
S. F.	46	Human Resources
S. F.	47	Education
S. F.	48	Ways and Means
S. J. R.	2	State Government
S. J. R.	3	State Government
S. J. R.	4	Judiciary

AMENDMENTS FILED

S-3012	S. F.	35	Tom Vilsack
S-3013	S. F.	35	Steven D. Hansen
S-3014	S. R.	1	Rod Halvorson
S-3015	S. F.	35	Dennis Black
S-3016	S. R.	1	Rod Halvorson
S-3017	S. F.	35	William D. Palmer
S-3018	S. F.	35	John P. Kibbie

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:42 p.m., until 9:00 a.m., Thursday, January 23, 1997.

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 23, 1997

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

Prayer was offered by Bishop Steve Ullestad, pastor of the Northeastern Iowa Synod of the Evangelical Church of America, Waverly, Iowa.

The Journal of Wednesday, January 22, 1997, was approved.

INTRODUCTION OF BILLS

Senate File 53, 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 54, 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**.

Senate File 55, by Kibbie, a bill for an act increasing the amount of the regular program district cost guarantee for school districts and providing an effective date.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Iverson and Hedge for the day on request of Senator Maddox; Senator McKibben for the day on request of Senator Rehberg, and Senators Hammond, Vilsack and Szymoniak for the day on request of Senator Gronstal.

RECESS

On motion of Senator Maddox, the Senate recessed at 9:18 a.m., until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:07 p.m., Senator Rittmer presiding.

INTRODUCTION OF BILLS

Senate File 56, by Kibbie, a bill for an act relating to the purposes for which the cash reserve levy for merged areas may be used.

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

Senate File 57, by Kibbie, a bill for an act establishing a community college technology improvement program and making an appropriation.

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

Senate File 58, by Borlaug, a bill for an act establishing English as the common language of the state.

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

Senate File 59, by Bartz, a bill for an act relating to the disposition of emergency medical care provider certification fees.

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

Senate File 60, by Zieman, Neuhauser, Kibbie, Jensen, Rittmer, Boettger, Bartz, Hedge, Redwine, Maddox, Tinsman, Schuerer, Szymoniak, Borlaug, and King, a bill for an act relating to a deduction for payments made for health insurance and long-term health and nursing care coverage and providing a retroactive applicability date provision.

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

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: January 22, 1997, 8:03 a.m.

Members Present: Rensink, Chair; J. Black, Vice Chair; Judge, Ranking Member; Angelo, Bartz, Behn, D. Black, Fraise, Gettings, Kibbie, Rehberg, Rife, Vilsack and Zieman.

Members Absent: Hedge (excused).

Committee Business: Approved SSB 10 as a committee resolution.

Adjourned: 8:50 a.m.

COMMERCE

Convened: January 22, 1997, 11:34 a.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Deluhery, Ranking Member; Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy and Redfern.

Members Absent: Palmer and Rife (both excused).

Committee Business: Approved SSB 16 as a committee resolution; presentation by the chair of the Iowa utilities board.

Adjourned: 12:20 p.m.

EDUCATION

Convened: January 22, 1997, 1:11 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman.

Members Absent: none.

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

Adjourned: 1:50 p.m.

JUDICIARY

Convened: January 22, 1997, 2:20 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Drake, McKibben, Redfern and Vilsack.

Members Absent: Boettger, Fraise, Halvorson, Hammond, Hansen, King and Tinsman (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:28 p.m.

RULES AND ADMINISTRATION

Convened: January 13, 1997, 11:07 a.m.

Members Present: Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Fink, Jensen, Judge, Kibbie, Lundby, Maddox, Redfern and Rehberg.

Members Absent: none.

Committee Business: Approved officers and employees of the Senate.

Recessed: 11:10 a.m.

Reconvened: January 13, 1997, 3:15 p.m.

Members Present: Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Fink, Jensen, Judge, Kibbie, Lundby, Maddox, Redfern and Rehberg.

Members Absent: none.

Committee Business: Approved S.R. 1 as a committee resolution.

Adjourned: 4:15 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 22, 1997, 1:58 p.m.

Members Present: Rittmer, Chair; Lundby, Vice Chair; Hansen, Ranking Member; Boettger, Douglas, Flynn, Hammond, King, Lind, Redwine and Schuerer.

Members Absent: McCoy and Palmer (both excused).

Committee Business: Discussed committee's legislative priorities for the session.

Adjourned: 2:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 22, 1997, 9:40 a.m.

Members Present: Lundby, Chair; Bartz, Vice Chair; McCoy, Ranking Member; J. Black and Gettings.

Members Absent: none.

Committee Business: Appointed subcommittees for inspection and appeals oversight, campaign disclosure oversight, and information technology; presentations by the legislative fiscal bureau, ethics and campaign disclosure board and department of general services.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 22, 1997, 9:45 a.m.

Members Present: Borlaug, Chair; Schuerer, Vice Chair; Fink and Zieman.

Members Absent: Vilsack, Ranking Member (excused).

Committee Business: Presentation by the legislative fiscal bureau and the department of economic development.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 22, 1997, 9:40 a.m.

Members Present: Lind, Chair; McKibben, Vice Chair; Kibbie and Rehberg.

Members Absent: Horn, Ranking Member.

Committee Business: Presentation by the governor's office regarding the state of the state on education.

Adjourned: 11:12 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH & HUMAN RIGHTS

Convened: January 22, 1997, 10:15 a.m.

Members Present: Rittmer, Chair and Palmer.

Members Absent: Redfern, Vice Chair, Jensen and Flynn (excused).

Committee Business: Budget presentation by the department for the blind at the department's office.

Adjourned: 11:08 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 22, 1997, 9:45 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: none.

Committee Business: Presentation by LFB; legislative documents and oversight; governor's recommendations; public defender - indigent defense; budget request and issues.

Adjourned: 11:31 a.m.

APPROP. SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: January 22, 1997, 9:45 a.m.

Members Present: Rife, Chair; Neuhauser, Ranking Member; Deluhery and McLaren.

Members Absent: Kramer, Vice Chair.

Committee Business: Presentations by: chief operating officer of Iowa communications network, and the chairman of the Iowa telecommunications and technology commission.

Adjourned: 11:40 a.m.

APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE & CAPITALS

Convened: January 22, 1997, 9:45 a.m.

Members Present: Freeman, Chair; King, Vice Chair; Halvorson, Ranking Member; Connolly and Douglas.

Members Absent: none.

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

Adjourned: 10:40 a.m.

STUDY BILLS RECEIVED

SSB 29 State Government

Relating to the effective date of a merger or consolidation of cooperative associations.

SSB 30 State Government

Relating to the regulation of amusement devices and casino-type gambling and subjecting violators to an existing penalty.

SSB 31 Education

Authorizing the state board of educational examiners to establish the term of a school administrator's license.

SSB 32 Education

Increasing the exceptions to the registration requirements for postsecondary schools.

SSB 33 Human Resources

Relating to fraudulent practices involving family investment and medical assistance program benefits and making penalties applicable.

SSB 34 Human Resources

Relating to the statistical reporting of terminations of pregnancy and establishing penalties.

SSB 35 Judiciary

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa to eliminate the imitation on fines for offenses which may be summarily tried without

SSB 36 Judiciary

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa to provide for certain rights for victims of crimes.

SSB 37 Judiciary

Relating to the rights of victims of certain criminal offenses, by providing for HIV-related testing of alleged sexual offenders and allowing disclosure of the results of such testing to sexual assault victims, and providing for restitution to the estate of felony victims who die as the result of the criminal acts.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 2**

STATE GOVERNMENT: Lundby, Chair; Halvorson, McLaren, Szymoniak and Tinsman

Senate Joint Resolution 3

STATE GOVERNMENT: Lundby, Chair; Halvorson, McLaren, Szymoniak and Tinsman

Senate File 4

STATE GOVERNMENT: Rife, Chair; Fink and Lind

Senate File 18

STATE GOVERNMENT: Rife, Chair; Fink and Lind

Senate File 19

STATE GOVERNMENT: Rife, Chair; Fink and Lind

Senate File 28

STATE GOVERNMENT: Rife, Chair; Fink and Lind

Senate File 34

STATE GOVERNMENT: Rife, Chair; Fink and Lind

Senate File 37

EDUCATION: J. Black, Chair; Fink and Rehberg

Senate File 39

STATE GOVERNMENT: McKibben, Chair; Lundby and Szymoniak

Senate File 43

STATE GOVERNMENT: Lind, Chair; Halvorson and Lundby

Senate File 44

STATE GOVERNMENT: Lundby, Chair; Halvorson, McLaren, Szymoniak and Tinsman

Senate File 47

EDUCATION: Angelo, Chair; Boettger and Kibbie

SSB 6

NATURAL RESOURCES & ENVIRONMENT: Bartz, Chair; Borlaug and Deluhery

SSB 10
(Revised)

AGRICULTURE: Rensink, Chair; J. Black and Judge

SSB 11

NATURAL RESOURCES & ENVIRONMENT: Bartz, Chair; Fink and McKibben

SSB 12

NATURAL RESOURCES & ENVIRONMENT: Bartz, Chair; Deluhery and Hedge

SSB 29

STATE GOVERNMENT: Lundby, Chair; Halvorson, McLaren, Szymoniak and Tinsman

SSB 30

STATE GOVERNMENT: Rife, Chair; Fink and Lind

SSB 35

JUDICIARY: Redfern, Chair; Tinsman and Vilsack

SSB 36

JUDICIARY: McKibben, Chair; Neuhauser and Tinsman

SSB 37

JUDICIARY: Boettger, Chair; Hammond and King

BILLS ASSIGNED TO COMMITTEE

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

S. F.	49	Agriculture
S. F.	50	Education
S. F.	51	Commerce
S. F.	52	Commerce
S. F.	53	Ways and Means
S. F.	54	Transportation
S. F.	55	Education
S. F.	56	Education
S. F.	57	Education
S. F.	58	State Government
S. F.	59	Human Resources
S. F.	60	Ways and Means

ADJOURNMENT

On motion of Senator McLaren, the Senate adjourned at 1:09 p.m., until 1:00 p.m., Monday, January 27, 1997.

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 27, 1997

The Senate met in regular session at 1:08 p.m., President Kramer presiding.

Prayer was offered by the Reverend Ken Meissner, pastor of the Rowley Presbyterian Church, Rowley, Iowa.

The Journal of Thursday, January 23, 1997, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Flynn until he arrives on request of Senator Gronstal, Senator McCoy until he arrives on request of Senator Dearden and Senator Hedge for the week on request of Senator Borlaug.

INTRODUCTION OF BILLS

Senate File 61, by Flynn, a bill for an act relating to the membership of a joint 911 service board.

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

Senate File 62, by Black of Jasper, a bill for an act establishing a committee to develop a long-range, comprehensive, and integrated plan for delivering support and services to senior citizens.

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

Senate File 63, by Black of Jasper, a bill for an act relating to and making an appropriation to the department of elder affairs for the operation of a statewide case management program for long-term care for the frail elderly.

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

Senate File 64, by Black of Jasper, a bill for an act providing a reduction in automobile liability premiums for certain drivers who successfully complete a safe driving course.

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

Senate File 65, by Black of Jasper, a bill for an act relating to the establishment of a pharmaceutical assistance program for the elderly, and providing a penalty.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 1:16 p.m., until 4:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****NATURAL RESOURCES & ENVIRONMENT**

Convened: January 22, 1997, 1:48 p.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben, Rehberg and Ziemann.

Members Absent: none.

Committee Business: Approved committee rules as amended.

Adjourned: 2:24 p.m.

STATE GOVERNMENT

Convened: January 23, 1997, 2:00 p.m.

Members Present: Lind, Chair; Rittmer, Vice Chair; Kibbie, Ranking Member; Deluhery, Fink, Gronstal, Halvorson, King, McKibben, and Rife.

Members Absent: Drake, Lundby, McLaren, Szymoniak and Tinsman.

Committee Business: Discussed and deferred action on SSB 3.

Adjourned: 2:45 p.m.

WAYS AND MEANS

Convened: January 23, 1997, 11:36 a.m.

Members Present: Douglas, Chair; Palmer, Ranking Member; Borlaug, Connolly, Drake, Freeman, Judge and Redfern.

Members Absent: McKibben, Vice Chair; Deluhery, Hedge, Maddox, McLaren Szymoniak and Vilsack (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 11:38 a.m.

APPROP. SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 23, 1997, 9:42 a.m.

Members Present: Lundby, Chair; Bartz, Vice Chair; McCoy, Ranking Member; J. Black and Gettings.

Members Absent: none.

Committee Business: Budget presentations by the department of revenue and finance and office of the treasurer.

Adjourned: 10:48 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 23, 1997, 9:30 a.m.

Members Present: Borlaug, Chair; Schuerer, Vice Chair; Fink and Zieman.

Members Absent: Vilsack, Ranking Member (excused).

Committee Business: Presentations by the department of management and the division of community and rural development.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH & HUMAN RIGHTS

Convened: January 23, 1997, 10:35 a.m.

Members Present: Rittmer, Chair; Redfern, Vice Chair and Flynn, Ranking Member.

Members Absent: Jensen and Palmer (both excused).

Committee Business: Budget presentation by the department of management.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 22, 1997, 9:46 a.m.

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

Members Absent: none.

Committee Business: Presentations by the department of human services and the legislative fiscal bureau on the impact of federal welfare reform.

Adjourned: 11:19 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 23, 1997, 9:39 a.m.

Members Present: Tinsman, Chair; Boettger, Vice Chair; Hammond, Ranking Member and Redwine.

Members Absent: Szymoniak (excused).

Committee Business: Subcommittee amended and approved and submitted LSB 1720 to the full Appropriations Committee.

Adjourned: 11:31 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 23, 1997, 9:39 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member and Fraise.

Members Absent: McKean (excused).

Committee Business: Budget presentations by the department of public safety and Board of Parole.

Adjourned: 11:07 a.m.

APPROP. SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: January 23, 1997, 9:40 a.m.

Members Present: Rife, Chair; Kramer, Vice Chair and Deluhery.

Members Absent: Neuhauser, Ranking Member and McLaren (excused).

Committee Business: Budget presentation by information technology services enterprise; presentation from budget management director, governor's proposed technology investment account.

Adjourned: 11:51 a.m.

APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE & CAPITALS

Convened: January 23, 1997, 9:45 a.m.

Members Present: Freeman, Chair; King, Vice Chair; Halvorson, Ranking Member; Connolly and Douglas.

Members Absent: none.

Committee Business: Overview of funding on infrastructure and capitals by LFB; governor's proposals for 1997, 1998 and 1999: rebuild Iowa infrastructure fund were distributed.

Adjourned: 11:10 a.m.

PRESENTATION OF GUEST

Senator Jensen introduced Randy Ash, the conservator who worked on the restoration of the picture "PLENTY" in the Capitol rotunda.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S-3007 to Senate Resolution 1 was adopted by the Senate on January 14, 1997.

JOHN W. JENSEN

STUDY BILLS RECEIVED**SSB 38 Business & Labor**

Relating to eligibility for unemployment compensation benefits for temporary employees of a temporary employment firm.

SSB 39 Business & Labor

Establishing a self-employment assistance program and providing an effective date and a termination date.

SSB 40 Natural Resources, Environment and Energy

Relating to the issuance of deer licenses to control deer population.

SSB 41 Natural Resources

Relating to the regulation of the use and disposal of sewage sludge and providing a penalty.

SSB 42 Natural Resources & Environment

Relating to extending the boundaries of a sanitary district.

SSB 43 Natural Resources & Environment

Relating to animal feeding operations by providing for zoning and providing for liability of members holding an interest in certain entities.

SSB 44 Natural Resources & Environment

Transferring proceeds of excise taxes on sale of snowmobile fuel to the special conservation fund.

SUBCOMMITTEE ASSIGNMENTS**Senate File 22**

NATURAL RESOURCES & ENVIRONMENT: Freeman, Chair; Dearden and McKibben

Senate File 58

STATE GOVERNMENT: King, Chair; Halvorson and McKibben

SSB 38

BUSINESS AND LABOR: Behn, Chair; Freeman and Gettings

SSB 39

BUSINESS AND LABOR: Schuerer, Chair; Dearden and Zieman

AFTERNOON SESSION

The Senate reconvened at 4:38 p.m., President Kramer presiding.

INTRODUCTION OF BILLS

Senate File 66, by Maddox, a bill for an act providing for drug testing of public safety employees and making penalties applicable.

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

Senate File 67, by Black of Jasper, a bill for an act relating to medical assistance by providing for the creation of a committee to develop a plan for the funding of services provided under the medical assistance program to be implemented if federal funding for medical assistance is reduced or provided under a block grant and by making state taxation reform contingent upon the impact of federal legislation which provides medical assistance funding.

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

Senate File 68, by Black of Jasper, a bill for an act relating to and making appropriations for programs for elderly persons to the department of elder affairs and the Iowa department of public health.

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

Senate File 69, by Tinsman, Angelo, Maddox, Freeman, Rittmer, Black of Kossuth, and Drake, a bill for an act relating to the amount of the retirement income tax exemption for purposes of state individual income taxation and providing a retroactive applicability date.

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

Senate File 70, by Dvorsky, a bill for an act providing for regulation of the sale of liquefied petroleum gas, and making penalties applicable.

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

Senate File 71, by Dvorsky, a bill for an act requiring dealers of liquefied petroleum gas to make information relating to common

purchase options available to residential customers and to offer contract purchase options to those customers.

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

Senate File 72, by Freeman, 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 **passed on file.**

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM. PRESIDENT: I am directed to inform your honorable body that the House has on January 23, 1997, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 5, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Seventy-seventh General Assembly.

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

QUORUM CALL

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

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lundby until she arrives on request of Senator Freeman.

UNFINISHED BUSINESS (Deferred January 14, 1997)

Senate Resolution 1

The Senate resumed consideration of Senate Resolution 1, a senate resolution relating to permanent rules of the senate for the seventy-

seventh general assembly and amendment S—3001 by Senator Halvorson to page 50 of the resolution, deferred January 14, 1997 (amendments S—3003 and S—3004 deferred and pending).

Senator Lind raised the point of order that amendment S—3001 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3001 in order.

Senator Halvorson moved the adoption of amendment S—3001 and requested a record roll call.

On the question “Shall amendment S—3001 be adopted?” (S.R. 1) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Iverson	Jensen	King
Kramer	Lind	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 3:

Hedge	Lundby	Rife
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Amendment S—3001 lost.

Senator Halvorson withdrew amendment S—3016 filed by him on January 14, 1997, to page 21 of the resolution.

Senator Halvorson offered amendment S—3014 filed by him on January 22, 1997, to page 34 of the resolution and moved its adoption.

Amendment S—3014 lost by a voice vote.

Senator Halvorson offered amendment S—3020 filed by him from the floor to page 21 of the resolution, moved its adoption, and requested a record roll call.

On the question "Shall amendment S—3020 be adopted?" (S.R. 1) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Iverson	Jensen	King
Kramer	Lind	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Resink	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 3:

Hedge	Lundby	Rife
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Amendment S—3020 lost.

Senator Halvorson offered amendment S—3002 filed by him on January 14, 1997, to page 50 of the resolution and moved its adoption.

Amendment S—3002 lost by a voice vote.

With the adoption of amendment S—3007 on January 14, 1997, the Chair ruled amendment S—3003 by Senators Neuhauser and Connolly to page 37 of the resolution, deferred on January 14, 1997, out of order.

The Senate resumed consideration of amendment S—3004 by Senator Halvorson to pages 49 and 50 of the resolution, deferred January 14, 1997.

Senator Halvorson moved the adoption of amendment S—3004 and requested a non record roll call.

The ayes were 21, nays 27.

Amendment S—3004 lost.

Senator Jensen called up the motion to reconsider the vote by which amendment S—3007 to Senate Resolution 1 was adopted by the Senate on January 14, 1997, filed by him on January 27, 1997, found on page 131 of the Senate Journal, moved its adoption and requested a record roll call.

On the question “Shall the motion to reconsider be adopted?” (S.R. 1) the vote was:

Ayes, 28:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Iverson	Jensen	King
Kramer	Lind	Maddox	McKean
McKibben	McLaren	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Nays, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Szymoniak	Vilsack

Absent or not voting, 2:

Hedge	Lundby
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The motion prevailed and amendment S—3007 by Senators Connolly, et al., to page 37 of the resolution was taken up for reconsideration.

Senator Connolly moved the adoption of amendment S—3007.

A record roll call was requested.

On the question "Shall amendment S—3007 be adopted?" (S.R. 1) the vote was:

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

Ayes, 24:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
Maddox	McCoy	Neuhauser	Palmer
Redwine	Szymoniak	Tinsman	Vilsack

Nays, 24:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Iverson	Jensen	King
Kramer	Lind	McKean	McKibben
McLaren	Redfern	Rehberg	Rensink
Rife	Rittmer	Schuerer	Zieman

Absent or not voting, 2:

Hedge	Lundby
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Amendment S—3007 lost.

Senator Deluhery rose on a point of parliamentary inquiry to question if the voting machine should be locked after Senate Rule 23 is invoked.

The Chair stated that the voting machine should be locked after Senate Rule 23 is invoked.

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

INTRODUCTION OF BILLS

Senate Concurrent Resolution 4, by Bartz, a concurrent resolution recognizing the importance of training for emergency medical services (EMS) dispatcher operators and identifying legislative intent.

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

Senate File 73, by Flynn, a bill for an act increasing the allowable maximum gross weight for special trucks.

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

Senate File 74, by Kibbie and Judge, a bill for an act relating to practices involving the marketing of livestock by packers, by prohibiting price discrimination, requiring reporting, and providing criminal penalties and civil remedies.

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

Senate File 75, by Committee on Natural Resources and Environment, a bill for an act relating to the qualifications of groundwater professionals.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	61	Commerce
S. F.	62	Human Resources
S. F.	63	Human Resources
S. F.	64	Transportation
S. F.	65	Human Resources
S. F.	66	Business & Labor
S. F.	67	Human Resources
S. F.	68	Human Resources
S. F.	69	Ways and Means
S. F.	70	Commerce
S. F.	71	Natural Resources & Environment
S. F.	72	Business and Labor

AMENDMENTS FILED

S-3019	S. F.	5	John P. Kibbie
S-3020	S. R.	1	Rod Halvorson
S-3021	S. R.	1	Mike Connolly
S-3022	S. R.	1	Mike Connolly

ANNOUNCEMENT OF APPOINTMENTS BY THE PRESIDENT OF THE SENATE

The President of the Senate announced the following statutory legislator appointments:

IOWA LEGISLATIVE COUNCIL MEMBERS

Mary Kramer, President
 Don Redfern, President Pro Tem
 Stewart Iverson, Jr., Majority Leader
 Mike Gronstal, Minority Leader
 Derryl McLaren, Appropriations Chair
 Tom Flynn, Ranking Appropriations Member
 John Jensen

Jerry Behn
Nancy Boettger
Rod Halvorson
Johnie Hammond
Patty Judge

IOWA LEGISLATIVE COUNCIL COMMITTEES

Administration Committee:

John Jensen
Jerry Behn
Patty Judge

Fiscal Committee:

Derryl McLaren
Stewart Iverson, Jr.
JoAnn Douglas
Tom Flynn
Bill Palmer

Legislative Capital Projects Committee:

John Jensen
Derryl McLaren
Nancy Boettger
Tom Flynn
Rod Halvorson

Service Committee:

Stewart Iverson, Jr.
Don Redfern
Mike Gronstal

Studies Committee:

Stewart Iverson, Jr.
Mary Kramer
Nancy Boettger
Johnie Hammond
Mike Gronstal

The members of the International Relations Committee will be appointed at a later date.

COMMITTEE REPORT

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: SENATE FILE 75 (SSB 12), a bill for an act relating to the qualifications of groundwater professionals.

Recommendation: APPROVED COMMITTEE BILL.

Final Bill Action: Ayes, 13; Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Judge, McKibben, Rehberg and Zieman. Nays, none. Absent or not voting, 2: Freeman and Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:37 p.m., until 9:00 a.m., January 28, 1997.

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 28, 1997

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

Prayer was offered by the Reverend Dwayne Madsen, pastor of the Methodist Church, Norwalk, Iowa.

The Journal of Monday, January 27, 1997, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Iverson until he arrives on request of Senator Boettger

RECESS

On motion of Senator Boettger, the Senate recessed at 9:10 a.m., until 4:30 p.m..

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES**

Convened: January 22, 1997, 9:45 a.m.

Members Present: Rensink, Vice Chair; D. Black, Ranking Member; Behn and Dearden.

Members Absent: Hedge, Chair (excused).

Committee Business: Presentations by the USDA on animal damage control, and the Iowa department of natural resources.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 23, 1997, 9:40 a.m.

Members Present: Rensink, Vice Chair; D. Black, Ranking Member; Behn and Dearden.

Members Absent: Hedge, Chair (excused).

Committee Business: Presentation by the department of natural resources on federal funds available; budget presentation by the DALS.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 23, 1997, 9:38 a.m.

Members Present: Lind, Chair; McKibben, Vice Chair; Horn, Ranking Member; Kibbie and Rehberg.

Members Absent: none.

Committee Business: Presentations on student financial aid by the Iowa college student aid commission, Iowa state university, central college and DMACC.

Adjourned: 11:22 a.m.

BUSINESS AND LABOR

Convened: January 27, 1997, 1:34 p.m.

Members Present: Rife, Chair; King, Vice Chair; Dearden, Ranking Member; Behn, Gettings, Horn, Palmer, Schuerer and Ziemann.

Members Absent: Freeman and Jensen.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:36 p.m.

EDUCATION

Convened: January 27, 1997, 1:36 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees and presentation on educational applications of ICN.

Adjourned: 2:43 p.m.

JUDICIARY

Convened: January 27, 1997, 4:05 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, McKibben, Redfern, Tinsman and Vilsack.

Members Absent: King (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 4:09 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 27, 1997, 2:58 p.m.

Members Present: Rittmer, Chair; Hansen, Ranking Member; Boettger, Douglas, Hammond, King, Lind, Palmer, Redwine and Schuerer.

Members Absent: Lundby, Vice Chair (excused), Flynn and McCoy (excused).

Committee Business: Presentation by the director of the department of economic development.

Adjourned: 3:45 p.m.

STUDY BILLS RECEIVED**SSB 45 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 and providing an effective date.

SSB 46 Agriculture

Modifying the holding temperature required for the storage of eggs sold at retail.

SSB 47 State Government

Relating to the practice of veterinary medicine and providing a penalty.

SSB 48 Transportation

Relating to department of transportation operations, including eliminating requirements that the department adopt administrative rules in certain instances, establishing or increasing certain fees, making technical corrections to adjust language, and establishing, reducing, or enhancing penalties.

SSB 49 Commerce

Relating to finance charges upon refinancing and consolidation of debts involving consumer credit transactions.

SSB 50 Commerce

Relating to partnerships by replacing the existing law with a uniform partnership law and providing an effective date.

SSB 51 Commerce

Relating to nonoccupational health care plan payments when an employer disputes workers' compensation liability.

SSB 52 Commerce

Allowing account maintenance fees to be charged in connection with certain consumer lines of credit accounts in certain financial institutions.

SSB 53 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 54 Commerce

Relating to the acquisition of a branch of an out-of-state state or federal savings association by a newly chartered bank and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate File 36**

AGRICULTURE: Rensink, Chair; Bartz, J. Black, D. Black and Kibbie

Senate File 48

WAYS AND MEANS: McKibben, Chair; Freeman and Judge

Senate File 49

AGRICULTURE: Bartz, Chair; Hedge and Judge

Senate File 51

COMMERCE: Jensen, Chair; Gronstal and Rife

Senate File 52

COMMERCE: Jensen, Chair; Gronstal and Rife

Senate File 53

WAYS AND MEANS: McKibben, Chair; Freeman and Judge

Senate File 54

TRANSPORTATION: Lind, Chair; Gettings and McCoy

Senate File 60

WAYS AND MEANS: Maddox, Chair; Redfern and Szymoniak

Senate File 61

COMMERCE: Jensen, Chair; Flynn and Rife

Senate File 64

TRANSPORTATION: Jensen, Chair; Halvorson and McKibben

Senate File 69

WAYS AND MEANS: McKibben, Chair; Freeman and Szymoniak

Senate File 70

COMMERCE: Jensen, Chair; King and McCoy

SSB 40

NATURAL RESOURCES & ENVIRON.: Bartz, Chair; D. Black and Zieman

SSB 41

NATURAL RESOURCES & ENVIRON.: Borlaug, Chair; Judge and Rehberg

SSB 42

NATURAL RESOURCES & ENVIRON.: Bartz, Chair; Dvorsky and McKibben

SSB 43

NATURAL RESOURCES & ENVIRON.: Bartz, Chair; J. Black, Fink, Hedge and Judge

SSB 44

NATURAL RESOURCES & ENVIRON.: Bartz, Chair; D. Black and Zieman

SSB 45

APPROPRIATIONS: Tinsman, Chair; Behn, Hammond, McCoy and Rittmer

SSB 47

STATE GOVERNMENT: McLaren, Chair; Deluhery, Drake, Fink and Rife

SSB 48

TRANSPORTATION: Borlaug, Chair; Drake, Gettings, McCoy and Rittmer

SSB 49

COMMERCE: Maddox, Chair; Palmer and Schuerer

SSB 50

COMMERCE: Maddox, Chair; Hansen and King

SSB 51

COMMERCE: Redfern, Chair; Bartz and Palmer

SSB 52

COMMERCE: Bartz, Chair; Douglas and Flynn

SSB 53

COMMERCE: Schuerer, Chair; Jensen and Palmer

SSB 54

COMMERCE: Douglas, Chair; Flynn and Jensen

AFTERNOON SESSION

The Senate reconvened at 4:38 p.m., President Kramer presiding.

QUORUM CALL

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

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

UNFINISHED BUSINESS
(Deferred January 27, 1997)

Senate Resolution 1

The Senate resumed consideration of Senate Resolution 1, a senate resolution relating to permanent rules of the senate for the seventy-seventh general assembly, deferred January 27, 1997.

With the reconsideration and defeat of amendment S—3007 on January 27, 1997, the Chair ruled that amendment S—3003 ruled out of order on January 27, 1997, and amendment S—3008 ruled out of order on January 14, 1997, were now eligible for consideration.

Senator Neuhauser asked and received unanimous consent to withdraw amendment S—3003 by her and Senator Connolly to page 37 of the resolution.

Senator Fraise moved the adoption of amendment S—3008 by him to page 37 of the resolution.

A record roll call was requested.

On the question "Shall amendment S—3008 be adopted?" (S.R. 1) the vote was:

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

Ayes, 23:

Black, D.
Dvorsky

Connolly
Fink

Dearden
Flynn

Deluhery
Fraise

Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
Lind	McCoy	Neuhauser	Palmer
Redwine	Szymoniak	Vilsack	

Nays, 25:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Iverson	Jensen	King
Kramer	Lundby	Maddox	McKean
McKibben	McLaren	Redfern	Rehberg
Rensink	Rittmer	Schuerer	Tinsman
Zieman			

Absent or not voting, 2:

Hedge Rife

Amendment S—3008 lost.

Senator Connolly offered amendment S—3021 filed by him on January 27, 1997, to page 37 of the resolution, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3021 be adopted?" (S.R. 1) the vote was:

Ayes, 23:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Redwine
Szymoniak	Tinsman	Vilsack	

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Iverson	Jensen	King
Kramer	Lind	Lundby	Maddox
McKean	McKibben	McLaren	Redfern
Rehberg	Rensink	Rife	Rittmer
Schuerer	Zieman		

Absent or not voting, 1:

Hedge

Amendment S—3021 lost.

Senator Connolly offered amendment S—3022 filed by him on January 27, 1997, to page 37 of the resolution.

Senator Connolly rose on a point of parliamentary inquiry that, pursuant to Senate Rule 36, the issue of smoking should be lifted from the rules of decorum and placed in the rules of the Senate.

The Senate stood at ease at 5:20 p.m. until the fall of the gavel.

The Senate resumed session at 5:25 p.m., President Kramer presiding.

The Chair advised that it is appropriate to lift the smoking rules from the rules of decorum and be placed in the rules of the Senate, and the determination of this matter will be decided by the outcome of the vote on amendment S—3022.

Senator Connolly moved the adoption of amendment S—3022 and requested a record roll call.

On the question "Shall amendment S—3022 be adopted?" (S.R. 1) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 28:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Iverson	Jensen	King
Kramer	Lind	Lundby	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Absent or not voting, 1:

Hedge

Amendment S—3022 lost.

Senator Iverson offered amendment S—3023 filed by Senators Iverson and Gronstal from the floor to page 37 of the resolution and moved its adoption.

Amendment S—3023 was adopted by a voice vote.

Senator Iverson moved the adoption of Senate Resolution 1.

On the question "Shall the resolution be adopted?" (S.R. 1) the vote was:

Ayes, 40:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Deluhery
Douglas	Drake	Fink	Flynn
Fraise	Freeman	Gronstal	Hansen
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lind
Lundby	Maddox	McKean	McKibben
McLaren	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Zieman

Nays, 9:

Connolly	Dearden	Dvorsky	Gettings
Halvorson	Hammond	McCoy	Neuhauser
Vilsack			

Absent or not voting, 1:

Hedge

The motion prevailed.

Senator Iverson asked and received unanimous consent that a message be sent to the House on **Senate Resolution 1** for informational purposes.

INTRODUCTION OF BILLS

Senate File 76, by Dvorsky, a bill for an act authorizing cities and counties access to the Iowa communications network, and providing an effective date.

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

Senate File 77, by Connolly, a bill for an act prohibiting the cancellation of certain warranties upon the transfer of certain property or goods.

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

Senate File 78, by Connolly, a bill for an act relating to media services programs and articulated sequential elementary-secondary guidance programs in schools and school districts.

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

Senate File 79, by committee on State Government, a bill for an act relating to a moratorium on the issuance of new licenses to conduct gambling games and providing an effective date.

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

Senate File 80, by Lundby, a bill for an act relating to police bicycles.

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

Senate File 81, by Hansen, a bill for an act relating to the filing of claims for credit or refund by retired federal employees as a result of the unconstitutional taxation of federal pensions under the state individual income tax and making an annual appropriation and providing an effective date.

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

APPENDIX

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: *SENATE FILE 82 (SSB 5), a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 24: McLaren, Kramer, Flynn, Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Horn, Jensen, Lind, Lundby, Maddox, McCoy, Neuhauser, Rensink, Rife, Rittmer, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 82 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 79 (SSB 3), a bill for an act relating to a moratorium on the issuance of new licenses to conduct gambling games and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Lind, Rittmer, Deluhery, Drake, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, 3: Kibbie, Fink and Gronstal.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	73	Transportation
S. F.	74	Agriculture
S. F.	76	State Government

S. F.	77	Commerce
S. F.	78	Education
S. F.	80	Transportation
S.C.R.	4	State Government

INTRODUCTION OF BILL

Senate File 82, by 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 calendar.**

AMENDMENTS FILED

S-3023	S. R.	1	Stewart Iverson, Jr. Michael E. Gronstal
S-3024	S. F.	22	Mary Lou Freeman
S-3025	S. C. R.	3	Robert Dvorsky
S-3026	S. F.	5	Larry McKibben Nancy Boettger O. Gene Maddox JoAnn Douglas Richard F. Drake Eugene S. Fraise Mike Connolly Jim Lind Rod Halvorson Jack Rife Don Gettings
S-3027	H.C.R.	5	Michael E. Gronstal

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:52 p.m., until 9:00 a.m., Wednesday, January 29, 1997.

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 29, 1997

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

Prayer was offered by Chaplain Colson, chaplain of the Mt. Pleasant Correctional Facility and the Iowa Medical Classification Center of Oakdale.

The Journal of Tuesday, January 28, 1997, was approved.

INTRODUCTION OF BILL

Senate File 83, by Freeman, 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.

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

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 28, 1997, adopted the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution 5, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law.

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

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

The Senate resumed session at 9:25 a.m., President Kramer presiding.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:34 a.m., until 1:00 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROP. SUBCOMMITTEE ON ADMINISTRATION AND REGULATION**

Convened: January 28, 1997, 9:40 a.m.

Members Present: Lundby, Chair; Bartz, Vice chair; McCoy, Ranking Member; J. Black and Gettings.

Committee Business: Budget presentations by the office of the governor and the department of inspections and appeals.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 28, 1997, 9:35 a.m.

Members Present: Rensink, Vice Chair; D. Black, Ranking Member; Behn and Dearden.

Members Absent: Hedge, Chair (excused).

Committee Business: Budget presentation by the director of the department of natural resources.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 28, 1997, 9:38 a.m.

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

Members Absent: none.

Committee Business: Presentation by the director of the tourism division multiple sights online with the ICN.

Adjourned: 10:58 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 28, 1997, 9:35 a.m.

Members Present: Lind, Chair; McKibben, Vice Chair; Horn, Ranking Member; Kibbie and Rehberg.

Members Absent: none.

Committee Business: Presentations on reading recovery and the vocational rehabilitation division.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 28, 1997, 9:39 a.m.

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

Members Absent: none.

Committee Business: Presentations by: chief juvenile officer, Des Moines region; acting chief juvenile court officer, superintendent of schools, human services area administrator, Sioux City region; human services area administrator, Jones and Lind County decategorization project.

Adjourned: 11:36 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 28, 1997, 9:35 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: none.

Committee Business: Budget presentation by the judicial branch.

Adjourned: 11:30 a.m.

APPROP. SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: January 28, 1997, 9:35 a.m.

Members Present: Rife, Chair; Kramer, Vice Chair; Neuhauser, Ranking Member; Deluhery and McLaren.

Members Absent: none.

Committee Business: Presentation by the ISU computations center; budget presentation by ICN.

Adjourned: 11:55 a.m.

APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE & CAPTIALS

Convened: January 28, 1997, 9:35 a.m.

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

Members Absent: Connolly (excused).

Committee Business: Budget presentation by the director of the department of transportation.

Adjourned: 10:48 a.m.

AGRICULTURE

Convened: January 28, 1997, 8:05 a.m.

Members Present: Rensink, Chair; J. Black, Vice Chair; Judge, Ranking Member; Angelo, Bartz, Behn, D. Black, Fraise, Kibbie, Rehberg, Rife, Vilsack and Zieman.

Members Absent: Gettings and Hedge (excused).

Committee Business: Assigned bills to subcommittees; informational presentation on agriculture contracts.

Adjourned: 8:44 a.m.

APPROPRIATIONS

Convened: January 28, 1997, 4:08 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Horn, Jensen, Lind, Lundby, Maddox, McCoy, Neuhauser, Rensink, Rife, Rittmer, Tinsman and Vilsack.

Members Absent: Hedge (excused).

Committee Business: Amended and approved SSB 5 as a committee bill.

Adjourned: 4:22 p.m.

LOCAL GOVERNMENT

Convened: January 28, 1997, 1:35 p.m.

Members Present: Zieman, Chair; Behn, Vice Chair; Fraise, Ranking Member; Angelo, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean, Redwine and Rehberg.

Members Absent: none.

Committee Business: Presentations by I.S.A.C. and league of cities.

Adjourned: 2:30 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: January 27, 1997, 2:48 p.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Hedge, Judge, McKibben, Rehberg and Zieman.

Members Absent: Freeman.

Committee Business: Approved SSB 12 as a committee bill.

Adjourned: 3:03 p.m.

RULES AND ADMINISTRATION

Convened: January 28, 1997, 1:12 p.m.

Members Present: Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Fink, Jensen, Judge, Kibbie, Lundby, Maddox, Redfern and Rehberg.

Members Absent: none.

Committee Business: Recommended passage of House Concurrent Resolution 5.

Adjourned: 1:25 p.m.

STATE GOVERNMENT

Convened: January 28, 1997, 1:38 p.m.

Members Present: Lind, Chair; Rittmer, Vice Chair; Kibbie, Ranking Member; Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Approved SSB 3 as a committee bill.

Adjourned: 2:05 p.m.

BILL ASSIGNED TO COMMITTEE

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 71

NATURAL RESOURCES AND ENVIRON: Dvorsky, Chair; D. Black and Rehberg

House Concurrent Resolution 5

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Kramer

SSB 31

EDUCATION: Rensink, Chair; J. Black and Dvorsky

SSB 32

EDUCATION: Tinsman, Chair; Kibbie and Redwine

SSB 33

HUMAN RESOURCES: Behn, Chair; Bartz and Szymoniak

SSB 34

HUMAN RESOURCES: Bartz, Chair; Boettger and Vilsack

SSB 46

AGRICULTURE: Rife, Chair; Behn and D. Black

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: HOUSE CONCURRENT RESOLUTION 5, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Seventy-seventh General Assembly.

Recommendation: DO PASS.

Final Bill Action: Ayes, 11: Iverson, Kramer, Gronstal, Fink, Jensen, Judge, Kibbie, Lundby, Maddox, Redfern and Rehberg. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMPANION BILL RECEIVED

On January 28, 1997, **House Joint Resolution 5** was received and attached to companion **Senate Joint Resolution 1** on the Senate calendar.

AFTERNOON SESSION

The Senate reconvened at 1:04 p.m., President Kramer presiding.

INTRODUCTION OF BILLS

Senate File 84, by Maddox, a bill for an act providing for the rendering of emergency medical care services by an emergency medical care provider outside of the geographic area for which the provider is certified.

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

Senate File 85, 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**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Kibbie and McCoy until they arrive on request of Senator Gronstal.

QUORUM CALL

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

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

ADOPTION OF RESOLUTIONS (Regular Calendar)

Senate Concurrent Resolution 2

On motion of Senator Rensink, Senate Concurrent Resolution 2, a concurrent resolution to request that the United States Internal Revenue Service and the United States Congress act to allow farmers to use deferred payment contracts without being subject to alternative tax liability, was taken up for consideration.

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

Senate Concurrent Resolution 3

On motion of Senator Jensen, Senate Concurrent Resolution 3, a concurrent resolution encouraging the federal government to investigate the pricing of liquid propane gas and other heating fuels, was taken up for consideration.

Senator Dvorsky offered amendment S—3025 filed by him on January 28, 1997, to pages 1 and 2 of the resolution and moved its adoption.

Amendment S—3025 lost by a voice vote.

Senator Jensen moved the adoption of Senate Concurrent Resolution 3 and requested a record roll call.

On the question "Shall the resolution be adopted?" (S.C.R. 3) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Iverson
Jensen	Judge	King	Kramer
Lind	Lundby	Maddox	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Hedge	Kibbie	McCoy
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The motion prevailed and the resolution was adopted.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Concurrent Resolutions 2 and 3** be **immediately messaged** to the House.

INTRODUCTION OF BILL

Senate File 86, by Rittmer, Lundby, Fraise, and Gronstal, 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 and **passed on file**.

RECESS

On motion of Senator Iverson, the Senate recessed at 1:33 p.m., until 4:30 p.m.

RECONVENED

The Senate reconvened at 4:38 p.m., President Kramer presiding.

INTRODUCTION OF BILLS

Senate File 87, by Dvorsky, Flynn, and Gronstal, a bill for an act relating to the state income tax checkoff for domestic abuse and sexual assault services, providing an appropriation, and providing a retroactive applicability date.

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

Senate File 88, by Rehberg, a bill for an act creating a deer population control council, providing for its membership, compensation, and duties, and providing for other properly related matters.

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

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS**

Convened: January 28, 1997, 9:45 a.m.

Members Present: Rittmer, Chair; Redfern, Vice Chair and Flynn, Ranking Member.

Members Absent: Jensen and Palmer (both excused).

Committee Business: Toured Iowa Veterans Home.

Adjourned: 11:35 a.m.

HUMAN RESOURCES

Convened: January 28, 1997, 2:52 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Tinsman and Vilsack.

Members Absent: Schuerer (excused).

Committee Business: The four senators that went to Texas reported on the meeting; assigned bills to subcommittees.

Adjourned: 3:35 p.m..

STUDY BILLS RECEIVED**SSB 55 Judiciary**

Relating to the designation of certain correctional facilities.

SSB 56 Judiciary

Relating to jury instructions.

SSB 57 Judiciary

Relating to nonsubstantive Code corrections.

SSB 58 Judiciary

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

SSB 59 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 60 Natural Resources

Relating to the issuance of licenses and the imposition of fees for the fishing, trapping, hunting, pursuing, catching, killing, or taking of wild animals, birds, game, or fish, providing for other properly related matters, and subjecting violators to existing penalties, and providing effective and applicability dates.

SSB 61 Natural Resources

Relating to the establishment of the drinking water facilities financing program, the drinking water treatment revolving loan fund, and the drinking water facilities administration fund.

SSB 62 Natural Resources

Relating to the operation, regulation, and equipment of watercraft, and subjecting violators to a penalty.

SSB 63 Natural Resources

Relating to snowmobiles and all-terrain vehicles by requiring certificates of title for snowmobiles, and providing for point of sale

registration for snowmobiles, and adopting an annual registration period and fee for snowmobiles and all-terrain vehicles.

SSB 64 Ways & Means

Relating to the use tax on motor vehicle leasing and providing effective and retroactive applicability date provisions.

SSB 65 Ways & Means

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

SSB 66 Ways & Means

Relating to the administration of state individual income, corporate, franchise, motor fuel, and other taxes; property taxes, property tax credits and replacement claims; sales, services, and use taxes; tax refund setoffs; and other duties of the department and director of revenue and finance; providing a penalty; and providing a retroactive applicability date provision.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 4

STATE GOVERNMENT: Tinsman, Chair; Kibbie and King

Senate Joint Resolution 4

JUDICIARY: McKean, Chair; Angelo, Fraise, Halvorson and King

Senate File 42

JUDICIARY: Redfern, Chair; McKean and Neuhauser

Senate File 76

STATE GOVERNMENT: Rife, Chair; McLaren and Szymoniak

SSB 55

JUDICIARY: Halvorson, Chair; Fraise and McKean

SSB 56

JUDICIARY: Maddox, Chair; King and Neuhauser

SSB 57

JUDICIARY: Vilsack, Chair; Boettger and Maddox

SSB 58

JUDICIARY: McKean, Chair; Angelo, Halvorson, Hammond and McKibben

SSB 59

JUDICIARY: Vilsack, Chair; Boettger and Maddox

SSB 60

NATURAL RESOURCES AND ENVIRON: D. Black, Chair; Dearden and Freeman

SSB 61

NATURAL RESOURCES AND ENVIRON: Angelo, Chair; Fink and Rehberg

SSB 62

NATURAL RESOURCES AND ENVIRON: Borlaug, Chair; Judge and McKibben

SSB 63

NATURAL RESOURCES AND ENVIRON: Bartz, Chair; Borlaug and Dearden

COMMITTEE REPORTS**COMMERCE**

Final Bill Action: SENATE FILE 21, a bill for an act eliminating the requirement that a nonperpetual care cemetery post a sign indicating the cemetery is a nonperpetual care cemetery.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Jensen, Schuerer, Bartz, Douglas, Hansen, King, Maddox, McCoy, Redfern and Rife. Nays, 2: Deluhery and Gronstal. Absent or not voting, 3: Flynn, Lundby and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F. 81 Ways and Means

S. F.	83	Ways and Means
S. F.	84	State Government
S. F.	85	State Government
S. F.	86	State Government
S. F.	87	State Government

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:40 p.m., until 9:00 a.m., Thursday, January 30, 1997.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 30, 1997

The Senate met in regular session at 9:09 a.m., President Kramer presiding.

Prayer was offered by the Reverend Dr. David Ruhe, pastor of the Plymouth Congregational Church, Des Moines, Iowa.

The Journal of Wednesday, January 29, 1997, was approved.

INTRODUCTION OF BILLS

Senate File 89, by Kibbie, Judge, and Fraise, a bill for an act relating to confinement feeding operations by providing for the siting of certain operations, and imposing requirements relating to construction permits.

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

Senate File 90, by Kibbie, a bill for an act making appropriations to the college student aid commission for payments to persons eligible for Iowa tuition grants, vocational-technical grants, and national guard tuition aid grants, and permitting the commission to carry over national guard tuition aid funds.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senate Joint Resolution 1

On motion of Senator Lundby, Senate Joint Resolution 1, a joint resolution proposing an amendment to the Constitution of the State

of Iowa relating to the equality of rights of men and women under the law, was taken up for consideration.

QUORUM CALL

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

The vote revealed 48 present, 2 absent and a quorum present.

BUSINESS PENDING

Senate Joint Resolution 1

The Senate resumed consideration of Senate Joint Resolution 1.

Senator Lundby asked and received unanimous consent that **House Joint Resolution 5** be substituted for **Senate Joint Resolution 1** and that Senate Joint Resolution 1 be withdrawn from further consideration of the Senate.

House Joint Resolution 5

On motion of Senator Lundby, House Joint Resolution 5, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy for the day on request of Senator Gronstal.

BUSINESS PENDING

House Joint Resolution 5

The Senate resumed consideration of House Joint Resolution 5.

Senator Lundby 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 5, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed.

Section 1 of Article I of the Constitution of the State of Iowa, is amended to read as follows:

RIGHTS OF PERSONS. Section 1. All men and women are, by nature, free and equal, and have certain inalienable rights - among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness.

Sec. 2. The foregoing proposed amendment, having been adopted and agreed to by the Seventy-sixth General Assembly, 1995 Session, thereafter duly published, and now adopted and agreed to by the Seventy-seventh General Assembly in this joint resolution, shall be submitted to the people of the State of Iowa at the general election in November of the year nineteen hundred ninety-eight in the manner required by the Constitution of the State of Iowa and the laws of the State of Iowa.

On the question "Shall the resolution pass?" (H.J.R. 5) the vote was:

Yeas, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg

Rensink
Szymoniak

Rife
Tinsman

Rittmer
Vilsack

Schuerer
Zieman

Nays, none.

Absent or not voting, 2:

Hedge

McCoy

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

Senator Iverson asked and received unanimous consent that **House Joint Resolution 5** be **immediately messaged** to the House.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:42 a.m., until 4:30 p.m.

**ANNOUNCEMENTS OF APPOINTMENTS
BY THE PRESIDENT OF THE SENATE**

The President of the Senate announced the following legislator appointments:

LEGISLATIVE COUNCIL, INTERNATIONAL RELATIONS COMMITTEE:

Nancy Boettger	Dennis Black
Derryl McLaren	Bill Fink
Neal Schuerer	Mary Neuhauser
Sheldon Rittmer	Elaine Szymoniak
Steve King	

LEGISLATIVE COUNCIL

Please replace Jerry Behn on the Legislative Council and the Administration Committee on the Legislative Council with Jack Rife.

INTERSTATE COOPERATION COMMISSION (Code 28B.1)

Allen Borlaug	Steve Hansen
Mary Lundby	Matt McCoy
Jerry Behn	

PUBLIC RETIREMENT SYSTEMS COMMITTEE (Code 97D.4)

Mary Lundby	Jack Kibbie
Dick Drake	Mike Connolly
Sheldon Rittmer	

REPORTS OF COMMITTEE MEETINGS

APPROP. SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 29, 1997, 9:35 a.m.

Members Present: Lundby, Chair; Bartz, Vice Chair; J. Black and Gettings.

Members Absent: McCoy (excused).

Committee Busines: Presentation by the department of commerce.

Adjourned: 10:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 29, 1997, 9:40 a.m.

Members Present: Rensink, Vice Chair; D. Black, Ranking Member; Behn and Dearden.

Members Absent: Hedge, Chair (excused).

Committee Business: Presentations by the administrator of parks, recreation and preserves division and the administrator of environmental protection division of the department of natural resources.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 29, 1997, 9:46 a.m.

Members Present: Borlaug, Chair; Schuerer, Vice Chair; Vilsack, Ranking Member; Fink and Ziemann.

Members Absent: none.

Committee Business: Presentations by the international division and business development division of the department of economic development.

Adjourned: 11:17 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 29, 1997, 9:38 a.m.

Members Present: Lind, Chair; McKibben, Vice Chair; Horn, Ranking Member; Kibbie and Rehberg.

Members Absent: none.

Committee Business: Presentation by the director of the department of education.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 29, 1997, 9:50 a.m.

Members Present: Rittmer, Chair; Redfern, Vice Chair; Flynn, Ranking Member and Jensen.

Members Absent: Palmer (excused).

Committee Business: Budget presentations by the Iowa civil rights commission, the governor's alliance on substance abuse and the department of elder affairs.

Adjourned; 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 29, 1997, 9:39 a.m.

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

Members Absent: none.

Committee business: Presentations by: adult, child and family services, juvenile justice system; Clarinda academy; president, family resources, Davenport; chief juvenile court officer, Davenport.

Adjourned: 11:56 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 29, 1997, 9:43 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: none.

Committee Business: Presentation by the judicial branch on Fine collections, ICIS update; budget presentation by the department of public defense.

Adjourned: 11:34 a.m.

APPROP. SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: January 29, 1997, 9:44 a.m.

Members Present: Rife, Chair; Neuhauser, Ranking Member and Deluhery.

Members Absent: Kramer, Vice Chair and McLaren.

Committee Business: Budget presentation by Iowa public television.

Adjourned: 11:25 a.m.

APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE & CAPITALS

Convened: January 29, 1997, 9:45 a.m.

Members Present: Freeman, Chair; King, Vice Chair; Halvorson, Ranking Member; Connolly and Douglas.

Members Absent: none.

Committee Business: Presentation on the governor's blue ribbon task force recommendations by the Iowa department of transportation; reports on the DOT utilization of FTEs' and the international super highway system.

Adjourned: 11:00 a.m.

AGRICULTURE

Convened: January 29, 1997, 8:07 a.m.

Members Present: Rensink, Chair; J. Black, Vice Chair; Judge, Ranking Member; Angelo, Bartz, Behn, Fraise, Gettings, Kibbie, Rehberg, Rife, Vilsack and Ziemann.

Members Absent: D. Black and Hedge (excused).

Committee Business: Assigned bill to subcommittee; presentation by the deputy director of the department of natural resources on confinement feeding.

Adjourned: 9:00 a.m.

COMMERCE

Convened: January 29, 1997, 11:37 a.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Deluhery, Ranking Member; Bartz, Douglas, Gronstal, Hansen, King, Maddox, Redfern and Rife.

Members Absent: Flynn, Lundby, McCoy (excused) and Palmer.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 21; discussed and deferred action on SSB 28.

Adjourned: 12:02 p.m.

EDUCATION

Convened: January 29, 1997, 1:39 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, J. Black, Boettger, Dvorsky, Fink, Lind, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman.

Members Absent: Kibbie (excused)

Committee Business: Assigned bills to subcommittees; presentation by the special education/at-risk task force.

Adjourned: 2:32 p.m.

JUDICIARY

Convened: January 29, 1997, 4:04 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 16 and 40.

Adjourned: 4:40 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: January 29, 1997, 2:48 p.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Judge, McKibben, Rehberg and Ziemann.

Members Absent: Hedge (excused).

Committee Business: Approved Senate File 2 as a committee bill.

Adjourned: 3:03 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 29, 1997, 2:50 p.m.

Members Present: Rittmer, Chair; Lundby, Vice Chair; Hansen, Ranking Member; Boettger, Douglas, Flynn, Hammond, King, Lind, Redwine and Schuerer.

Members Absent: Mc Coy and Palmer (both excused).

Committee Business: Presentations by the director of employment services and the secretary of state.

Adjourned: 4:00 p.m.

TRANSPORTATION

Convened: January 28, 1997, 2:49 p.m.

Members Present: Drake, Chair; Borlaug, Vice Chair; Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer.

Members Absent: McCoy, Ranking Member and McKean.

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:27 p.m.

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 16, a bill for an act relating to simulated incendiary or explosive materials and establishing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 40, a bill for an act prohibiting the use of official law enforcement warning devices or signals in the attempt or commission of a public offense, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Halvorson, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, 2: Fraise and Hammond.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: *SENATE FILE 95 (formerly Senate File 2), 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 an effective date and the Act's applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes 14: Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Judge, McKibben, Rehberg and Zieman. Nays, none. Absent or not voting, 1: Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on Senate File 95 and they were attached to the committee report.

STUDY BILL RECEIVED

SSB 67 Natural Resources

Relating to review and oversight of actions of the ozone transport assessment group.

SUBCOMMITTEE ASSIGNMENTS

Senate File 12
(Reassignment)

JUDICIARY: Maddox, Chair; Boettger and Hansen

Senate File 45

LOCAL GOVERNMENT: Rehberg, Chair; J. Black and Dearden

Senate File 50

EDUCATION: Angelo, Chair; Dvorsky and Redwine

Senate File 55

EDUCATION: Tinsman, Chair; Kibbie and Lind

Senate File 56

EDUCATION: Redwine, Chair; Rehberg and Szymoniak

Senate File 57

EDUCATION: Boettger, Chair; Neuhauser and Rensink

SSB 64

WAYS AND MEANS: Drake, Chair; Douglas and Vilsack

SSB 65

WAYS AND MEANS: McKibben, Chair; Connolly and Redfern

SSB 66

WAYS AND MEANS: Redfern, Chair; Freeman and Palmer

AFTERNOON SESSION

The Senate reconvened at 4:40 p.m., President Kramer presiding.

INTRODUCTION OF BILLS

Senate File 91, by Judge, a bill for an act relating to and making an appropriation to the Iowa department of public health for the center for rural health and primary care to enhance the community grant fund and expand the primary care loan repayment and community scholarship program.

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

Senate File 92, by Fraise, a bill for an act relating to issuance of motor vehicle licenses by county treasurers.

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

Senate File 93, by Rittmer and Tinsman, a bill for an act relating to information centers in rest areas on interstate or primary highways.

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

Senate File 94, by Kibbie, a bill for an act relating to animal feeding operations by regulating animal feeding operation structures.

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

Senate File 95, by committee on Natural Resources and Environment, 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 an effective date and the Act's applicability.

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

Senate File 96, by Black of Jasper, a bill for an act relating to the issuance of free deer hunting licenses to landowners.

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

Senate File 97, by Black of Jasper, a bill for an act relating to the establishment of a state long-term care ombudsman and an area long-term care ombudsman in each of the area agencies on aging planning and service areas in the state, providing for an initial demonstration program, providing for an appropriation, and providing an effective date.

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

Senate File 98, 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.**

BILLS ASSIGNED TO COMMITTEE

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

S. F.	88	Natural Resources
S. F.	89	Agriculture
S. F.	90	Education
S. F.	91	Human Resources
S. F.	92	Transportation
S. F.	93	Transportation
S. F.	94	Agriculture

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:43 p.m., until 1:00 p.m., Monday, February 3, 1997.

JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 3, 1997

The Senate met in regular session at 1:09 p.m., President Kramer presiding.

Prayer was offered by the Reverend Michael Marcum, pastor of the First Baptist Church, Elk Horn, Iowa.

The Journal of Thursday, January 30, 1997, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Flynn and Hansen for the day on request of Senator Gronstal; Senator Angelo for today and tomorrow on the request of Senator McKibben, and Senator Hedge for the week on request of Senator Iverson.

INTRODUCTION OF BILL

Senate File 99, by Maddox, a bill for an act relating to the applicability period for professional engineering and land surveyor licensure requirements.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 1:13 p.m., until 5:00 p.m.

APPENDIX

APPROP. SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 30, 1997, 9:50 a.m.

Members Present: Bartz, Vice Chair; McCoy, Ranking Member; J. Black and Gettings.

Members Absent: Lundby, Chair (excused).

Committee Business: Budget presentations by the department of management and department of personnel.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 30, 1997, 9:50 a.m.

Members Present: Rensink, Vice Chair; D. Black, Ranking Member; Behn and Dearden.

Members Absent: Hedge, Chair (excused).

Committee Business: Presentations by the director of the division of soil conservation and the director of the regulatory division of the department of agriculture and land stewardship.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 30, 1997, 9:50 a.m.

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

Members Absent: Fink (excused).

Committee Business: Presentations by the workforce development division, labor division and industrial division.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 30, 1997, 10:00 a.m.

Members Present: Lind, Chair; Kibbie and Rehberg.

Members Absent: McKibben, Vice Chair (excused) and Horn, Ranking Member.

Committee Business: Presentation by the director of the department of cultural affairs and a tour of the state historical building.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 30, 1997, 9:50 a.m.

Members Present: Rittmer, Chair; Redfern, Vice Chair and Flynn, Ranking Member.

Members Absent: Jensen and Palmer (both excused).

Committee Business: Budget presentation by the department of human rights.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 30, 1997, 9:51 a.m.

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

Members Absent: none.

Committee Business: Presentations by adult, child, and family services, Eldora state training school and Toledo juvenile home.

Adjourned: 11:37 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 30, 1997, 9:50 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: none.

Committee Business: Budget presentations by the attorney general, Iowa law enforcement academy and department of corrections.

Adjourned: 11:45 a.m.

APPROP. SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: January 30, 1997, 9:53 a.m.

Members Present: Rife, Chair; Neuhauser, Ranking Member; Deluhery and McLaren.

Members Absent: Kramer, Vice Chair.

Committee Business: Budget presentation by the legislative fiscal bureau.

Adjourned: 11:15 a.m.

HUMAN RESOURCES

Convened: January 30, 1997, 2:52 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack.

Members Absent: Dearden (excused).

Committee Business: Presentation by the policy specialist for the department of human services.

Adjourned: 3:54 p.m.

WAYS AND MEANS

Convened: January 30, 1997, 11:30 a.m.

Members Present: Douglas, Chair; McKibben, Vice Chair; Palmer, Ranking Member; Borlaug, Connolly, Deluhery, Freeman, Judge and Vilsack.

Members Absent: Drake, Hedge, Maddox, McLaren, Redfern and Szymoniak (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 11:35 a.m.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Trelley A. Crosman, Ogden - For celebrating her 100th birthday. Senator Behn (12-5-96).

Anthony J. Fesler, Danville - For achieving the rank of Eagle Scout. Senators Douglas and Rife (1-29-97).

Iowa City West High Varsity Singers - For outstanding performance at the State Capitol of Iowa on 1-13-97. Senator Dvorsky (1-23-97).

Paul and Alice Fuhrmeister, Iowa City - For celebrating their 50th wedding anniversary (Senator Dvorsky (1-22-97).

Versal Vanordstrand, Indianola - For serving as a presidential elector to the 1996 electoral college. Senator Fink (1-20-97).

Audrey Mann, Cedar Rapids - For achieving the Girl Scout Gold Award, S.V. #7 Troop #5045. Senator Horn (1-29-97).

John P. Cadogan, Clinton - For achieving the rank of Eagle Scout. Senators Rife and Rittmer (1-29-97).

STUDY BILLS RECEIVED

SSB 68 Human Resources

Relating to the local regulation of cigarettes and tobacco products including a provision for the establishment of a local fee.

SSB 69 Human Resources

Relating to child sexual abuse reporting.

SSB 70 Human Resources

Prohibiting the restriction of medical communications by health care providers and providing effective and applicability dates.

SSB 71 Human Resources

Relating to medical malpractice actions by limiting noneconomic damages and modifying the statute of limitations for minors.

SSB 72 Small Business, Economic Development & Tourism

Relating to the department of workforce development and the enforcement of employment laws concerning emergency and hazardous materials inventories, occupational safety and health, construction contractors, amusement rides, asbestos and employment agency licenses, wage assignments, and boxing and wrestling.

SSB 73 Small Business, Economic Development & Tourism

Relating to continued eligibility under the new jobs and income program concerning the ownership of land by nonresident aliens and certain capital investment and job creation provisions

SSB 74 Small Business, Economic Development & Tourism

Relating to the transfer of job training withholding payments to the workforce development fund account and providing effective and retroactive applicability date provisions.

SSB 75 Small Business, Economic Development. & Tourism

Relating to the implementation of certain assistance programs of the department of economic development.

SSB 76 Small Business, Economic Development & Tourism

Relating to an insurance premium tax credit for eligible businesses under the new jobs and income program.

SSB 77 Judiciary

Relating to the establishment of an automatic temporary restraining order against the parties to a dissolution of marriage, separate maintenance, or annulment action limiting certain actions by the parties.

SSB 78 Judiciary

Relating to civil actions and statutes of limitations in civil actions, the rate of interest on judgements and decrees, testimony by expert witnesses, procedures for furnishing patient records of plaintiffs, comparative fault in consortium claims, damages in civil actions, joint and several liability, and disclosure of psychological test material.

SUBCOMMITTEE ASSIGNMENTS**Senate File 46**

HUMAN RESOURCES: Boettger, Chair; J. Black and Dearden.

Senate File 59

HUMAN RESOURCES: Redwine, Chair; Bartz and Dearden

Senate File 63

HUMAN RESOURCES: Boettger, Chair; Dvorsky and Schuerer

Senate File 65

HUMAN RESOURCES: Boettger, Chair; Dvorsky and Schuerer

Senate File 67

HUMAN RESOURCES: Boettger, Chair; Dvorsky and Schuerer

Senate File 68

HUMAN RESOURCES: Boettger, Chair; Dvorsky and Schuerer

Senate File 84

STATE GOVERNMENT: McKibben, Chair; Drake and Szymoniak

Senate File 85

STATE GOVERNMENT: Lundby, Chair; Kibbie and King

Senate File 86

STATE GOVERNMENT: Rittmer, Chair; Gronstal and Lundby

Senate File 87

STATE GOVERNMENT: Tinsman, Chair; Gronstal and McLaren

SSB 68

HUMAN RESOURCES: Schuerer, Chair; Dearden and Tinsman

SSB 69

HUMAN RESOURCES: Tinsman, Chair; J. Black and Dearden

SSB 70

HUMAN RESOURCES: Redwine, Chair; Dvorsky and Schuerer

SSB 71

HUMAN RESOURCES: Behn, Chair; Hammond and Redwine

SSB 72

SMALL BUSINESS AND ECON. DEVELP.: Lundby, Chair; Hansen and King

SSB 73

SMALL BUSINESS AND ECON. DEVELP.: Schuerer, Chair; Boettger and Flynn

SSB 74

SMALL BUSINESS AND ECON. DEVELP.: King, Chair; Boettger and Hammond

SSB 75

SMALL BUSINESS AND ECON. DEVELP.: Douglas, Chair; Boettger and McCoy

SSB 76

SMALL BUSINESS AND ECON. DEVELP.: Redwine, Chair; Lind and Palmer

AMENDMENTS FILED

S-3028	H. C. R.	5	Rod Halvorson
S-3029	H. C. R.	5	Rod Halvorson
S-3030	S. F.	5	Larry McKibben

COMMUNICATION FROM THE MAJORITY LEADER

February 3, 1996

Mary Pat Gunderson
Secretary of the Senate
State Capitol
Des Moines, IA 50319

Dear Secretary Gunderson:

This is to notify you of the illness of Senator Kay Hedge. This illness prevents Senator Hedge from performing his duties as Chairman of the Senate Ethics Committee.

As there is business before the Ethics Committee which must be disposed of, I am making a temporary appointment of Vice-chairman Dick Drake to acting chairman of the Ethics Committee pursuant to Senate rule 34. In addition, I am making a temporary appointment of myself to the committee. These appointments will expire upon Senator Hedge's return to the Senate.

Sincerely,
STEWART IVERSON, JR.
Majority Leader

AFTERNOON SESSION

The Senate reconvened at 5:01 p.m., President Kramer presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 5, by Halvorson, a joint resolution proposing an amendment to the Constitution of the State of Iowa eliminating the office of Secretary of State.

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

Senate File 100, by Hammond, Flynn, Neuhauser, Fink, Dvorsky, Vilsack, Dearden, and Halvorson, a bill for an act prohibiting discrimination against a person by an insurer on the basis of genetic information or testing.

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

Senate File 101, by Maddox, a bill for an act relating to the practice of hypnotherapy and providing penalties.

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

Senate File 102, by Lundby, Szymoniak, Borlaug, Neuhauser, Gronstal, Connolly, Dvorsky, Horn, Freeman, Hammond, and Bartz, a bill for an act creating a board of dental hygiene examiners.

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

BILLS ASSIGNED TO COMMITTEE

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

S. F.	96	Natural Resources
S. F.	97	Human Resources
S. F.	98	Commerce
S. F.	99	State Government
S. F.	100	Human Resources
S. F.	101	State Government
S. F.	102	State Government
S. J. R.	5	State Government

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:04 p.m., until 9:00 a.m., Tuesday, February 4, 1997.

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 4, 1997

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

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

The Journal of Monday, February 3, 1997, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Flynn for the day and Senator Hansen until he arrives on request of Senator Gronstal.

INTRODUCTION OF BILLS

Senate File 103, by Dvorsky, a bill for an act relating to retirement incentive programs the board of directors of a school district may offer and the age range of the employees to whom the board may offer the program and providing an applicability provision.

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

Senate File 104, by committee on Education, a bill for an act relating to a minimum age requirement for a coaching authorization issued by the state board of educational examiners.

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

Senate File 105, by Rife, a bill for an act relating to the state individual income tax by imposing a flat rate tax and including a retroactive effective and applicability date provision.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 9:15 a.m., until 3:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: February 3, 1997, 1:34 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman.

Members Absent: Angelo (excused).

Committee Business: Assigned bills to subcommittees; presentation by the director of the department of education; approved Senate File 41 as a committee bill.

Adjourned: 2:54 p.m.

JUDICIARY

Convened: February 3, 1997, 4:07 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Drake, Fraise, Halvorson, Hammond, King, McKibben, Redfern, Tinsman and Vilsack.

Members Absent: Angelo (excused), Boettger and Hansen (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 4:15 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 3, 1997, 2:55 p.m.

Members Present: Rittmer, Chair; Lundby, Vice Chair; Hansen, Ranking Member; Boettger, Douglas, Hammond, King, Lind, McCoy, Redwine and Schuerer.

Members Absent: Flynn and Palmer (both excused).

Committee Business: Assigned bills to subcommittees and presentation by the executive director of the Iowa Finance Authority.

Adjourned: 3:30 p.m.

APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 30, 1997, 9:53 a.m.

Members Present: Freeman, Chair; King, Vice Chair; Halvorson, Ranking Member; Connolly and Douglas.

Members Absent: none.

Committee Business: Presentation by the Iowa county engineers association regarding overview of distribution of road use tax funds to counties, and summary and recommendations of the ruft allocations study.

Adjourned: 10:35 a.m.

COMMITTEE REPORT

EDUCATION

Final Bill Action: SENATE FILE 104 (formerly Senate File 41), a bill for an act relating to a minimum age requirement for a coaching authorization issued by the state board of educational examiners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Redfern, Rehberg, Connolly, J. Black, Boettger, Kibbie, Lind, Neuhauser, Redwine, Rensink and Tinsman. Nays, 3: Dvorsky, Fink and Szymoniak. Absent or not voting, 1: Angelo.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 79 Local Government

Relating to discarding solid waste and providing a penalty.

SSB 80 Local Government

Relating to the compensation of the sheriff and compensation commissioners in eminent domain proceedings.

SSB 81 Local government

Relating to the probationary period for deputy sheriffs.

SSB 82 Local Government

Relating to the determination of annual salaries for deputy sheriffs.

SSB 83 Local Government

Establishing a county issuance of motor vehicle licenses study and providing effective dates.

SSB 84 Local Government

To prohibit the disarming of a peace officer and providing penalties.

SSB 85 Local Government

Relating to fees charged by county sheriffs.

SSB 86 State Government

Relating to the maximum time for completion of certain site visits and written reviews by the department of inspections and appeals and the state fire marshal.

SSB 87 State Government

Relating to state employee pay and benefits by providing for public employee collective bargaining and state employee health benefits and providing an effective date.

SSB 88 Commerce

Relating to the procedures for disposition of the contents of a decedent's safe deposit box.

SSB 89 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 90 Commerce

Eliminating the duty of the treasurer of state to receive and publicize certain interest rate and fee information related to providers of open-end credit and credit cards.

SSB 91 Commerce

Relating to the availability of a map indicating the location of electric transmission lines related to the extension of a franchise.

SSB 92 Ethics

A Resolution to provide the senate rules governing lobbyists.

SSB 93 Ethics

A Resolution to provide for the Senate Code of ethics.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 5**

STATE GOVERNMENT: Lundby, Chair; Halvorson, McLaren, Szymoniak and Tinsman

Senate File 66

BUSINESS AND LABOR: Rife, Chair; Dearden and King

Senate File 72

BUSINESS AND LABOR: Rife, Chair; Freeman and Palmer

Senate File 73

TRANSPORTATION: Jensen, Chair; Drake and Gettings

Senate File 74

AGRICULTURE: Kibbie, Chair; Hedge and Judge

Senate File 77

COMMERCE: Rife, Chair; Palmer and Schuerer

Senate File 78

EDUCATION: Boettger, Chair; Connolly and Redwine

Senate File 80

TRANSPORTATION: Lind, Chair; Freeman and McCoy

Senate File 81

WAYS AND MEANS: Redfern, Chair; Freeman and Vilsack

Senate File 83

WAYS AND MEANS: Freeman, Chair; Douglas and Palmer

Senate File 88

NATURAL RESOURCES AND ENVIRON: Bartz, Chair; D. Black and Zieman

Senate File 92

TRANSPORTATION: Jensen, Chair; Halvorson and Lind

Senate File 93

TRANSPORTATION: Rittmer, Chair; Drake and McCoy

Senate File 98

COMMERCE: Jensen, Chair; Flynn and Rife

Senate File 99

STATE GOVERNMENT: McKibben, Chair; Lundby and Szymoniak

Senate File 101

STATE GOVERNMENT: McKibben, Chair; Lundby and Szymoniak

Senate File 102

STATE GOVERNMENT: McKibben, Chair; Lundby and Szymoniak

SSB 77

JUDICIARY: Tinsman, Chair; Angelo and Neuhauser

SSB 78

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

SSB 79

LOCAL GOVERNMENT: Redwine, Chair; Fraise and Rehberg

SSB 80

LOCAL GOVERNMENT: Angelo, Chair; Behn and Dearden

SSB 81

LOCAL GOVERNMENT: J. Black, Chair; D. Black and Redwine

SSB 82

LOCAL GOVERNMENT: Behn, Chair; Hansen and Zieman

SSB 83

LOCAL GOVERNMENT: Boettger, Chair; Connolly and Zieman

SSB 84

LOCAL GOVERNMENT: Boettger, Chair; Angelo and Dearden

SSB 85

LOCAL GOVERNMENT: J. Black, Chair; Connolly and Redwine

SSB 86

STATE GOVERNMENT: King, Chair; Szymoniak and Tinsman

SSB 87

STATE GOVERNMENT: Rife, Chair; Gronstal, Kibbie, Lind and Lundby

SSB 88

COMMERCE: Redfern, Chair; Lundby and McCoy

SSB 89

COMMERCE: Redfern, Chair; Bartz and Deluhery

SSB 90

COMMERCE: Redfern, Chair; Hansen and King

SSB 91

COMMERCE: King, Chair; Jensen and McCoy

AFTERNOON SESSION.

The Senate reconvened at 3:40 p.m., President Kramer presiding.

QUORUM CALL

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

The vote revealed 37 present, 13 absent and a quorum present.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 5

On motion of Senate McKibben, Senate File 5, a bill for an act relating to the registration fee for ex-prisoner of war motor vehicle plates, was taken up for consideration.

Senator McKibben asked and received unanimous consent to withdraw amendment S—3026 filed by Senators McKibben, et al., on January 28, 1997, to strike everything after the enacting clause and to the title page of the bill

Senator McKibben offered amendment S—3030 filed by him on February 3, 1997, to strike everything after the enacting clause and to the title page of the bill.

Senator Kibbie offered amendment S—3031 filed by him from the floor to amendment S—3030 and moved its adoption.

Amendment S—3031 was adopted by a voice vote.

Senator McKibben moved the adoption of amendment S—3030 as amended, which motion prevailed by a voice vote.

With adoption of amendment S—3030 as amended, the Chair ruled amendment S—3019 filed by Senator Kibbie on January 27, 1997, to page 1 and the title page of the bill, out of order.

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

On the question "Shall the bill pass?" (S.F. 5) the vote was:

Ayes, 45:

Bartz	Behn	Black, D.	Black, J.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Fink
Fraise	Freeman	Gettings	Gronstal
Halvorson	Hammond	Hansen	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Angelo	Dvorsky	Flynn	Hedge
Rife			

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

WITHDRAWN

Senator Kibbie asked and received unanimous consent that **Senate File 20** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 21

On motion of Senator Schuerer, Senate File 21, a bill for an act eliminating the requirement that a nonperpetual care cemetery post a sign indicating the cemetery is a nonperpetual care cemetery, with

report of committee recommending passage, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Szymoniak for the remainder of the day on request of Senator Connolly.

BUSINESS PENDING

Senate File 21

The Senate resumed consideration of Senate File 21.

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

On the question "Shall the bill pass?" (S.F. 21) the vote was:

Ayes, 40:

Bartz	Behn	Black, D.	Black, J.
Boettger	Borlaug	Dearden	Douglas
Drake	Dvorsky	Fink	Fraise
Freeman	Halvorson	Hansen	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Vilsack	Zieman

Nays, 6:

Connolly	Deluhery	Gettings	Gronstal
Hammond	Neuhauser		

Absent or not voting, 4:

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 5 and 21** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 106, by Freeman, a bill for an act relating to the exemption from the sales, services, and use taxes of heat for use in residential-type dwellings and for fuel used to provide heat for residential-type dwellings and providing an applicability date provision.

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

Senate File 107, by Kibbie, a bill for an act abolishing the county compensation board.

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

Senate File 108, by Neuhauser, a bill for an act prohibiting the restriction of medical communications between patients and health care providers.

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

Senate File 109, by King, a bill for an act relating to workers' compensation coverage for employment outside of the state.

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

Senate File 110, by Jensen, a bill for an act increasing the scheduled civil penalty for possession of tobacco, tobacco products, or cigarettes by a minor, and providing for retention of the moneys collected by the city or county enforcing the provision.

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

HOUSE MESSAGE RECEIVED

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

MADAM. PRESIDENT: I am directed to inform your honorable body that the House has on February 4, 1997, passed the following bill in which the concurrence of the House was asked:

Senate File 35, a bill for an act eliminating the inheritance tax on property passing to parents, grandparents, great-grandparents, and other lineal ascendants, children including legally adopted children

and biological children entitled to inherit under the laws of this state, stepchildren, and grandchildren, great-grandchildren, and other lineal descendants of the decedent and providing an applicability date provision.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	103	Education
S. F.	105	Ways and Means
S. F.	106	Ways and Means
S. F.	107	Local Government
S. F.	108	Human Resources
S. F.	109	Business and Labor
S. F.	110	Judiciary

COMMITTEE REPORTS

TRANSPORTATION

Final Bill Action: SENATE FILE 23, a bill for an act prohibiting the issuance of a registration and certificate of title for a motor vehicle to a person under the age of sixteen years.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3036.

Final Vote: Ayes, 10: Drake, Borlaug, Freeman, Gettings, Halvorson, Jensen, Lind, , McKean, McKibben and Rittmer. Nays, 3: McCoy, Connolly and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 80, a bill for an act relating to police bicycles.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Drake, Borlaug, Freeman, Gettings, Halvorson, Jensen, Lind, McCoy, McKean, McKibben and Rittmer. Nays, 2: Connolly and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ANNOUNCEMENT OF STATUTORY LEGISLATOR APPOINTMENTS
BY THE SENATE MAJORITY LEADER

February 4, 1997

ADMINISTRATIVE RULES REVIEW COMMITTEE (Code 17A.8)

Senator H. Kay Hedge
Senator Sheldon Rittmer
Senator Merlin Bartz
Senator John P. Kibbie
Senator Bill Palmer

Terms expire 4/30/99

AMENDMENTS FILED

S-3031	S. F.	5	John P. Kibbie
S-3032	S. F.	16	Richard F. Drake Elaine Szymoniak
S-3033	S. F.	40	Richard F. Drake Wilmer Rensink Steve King
S-3034	S. F.	79	Steven D. Hansen
S-3035	S. F.	79	Rod Halvorson
S-3036	S. F.	23	Transportation

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:10 p.m., until 9:00 a.m., Wednesday, February 5, 1997.

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 5, 1997

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

Prayer was offered by Monsignor Frank Chido, pastor of Basilica of Saint John, Des Moines, Iowa.

The Journal of Tuesday, February 4, 1997, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Flynn and Kibbie for the day on request of Senator Gronstal.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:05 a.m., until 5:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 4, 1997, 9:50 a.m.

Members Present: Rensink, Vice Chair; D. Black, Ranking Member and Dearden.

Members Absent: Hedge, Chair and Behn (both excused).

Committee Business: Presentations by: division administrator for international marketing, DED, on international trade and marketing in the agriculture industry; executive director for the Iowa agricultural development authority on funding and program development for his department.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 4, 1997, 9:40 a.m.

Members Present: Borlaug, Chair; Schuerer, Vice Chair; Vilsack, Ranking Member and Fink.

Members Absent: Zieman (excused).

Committee Business: Presentation by the Iowa Seed Capital Corporation.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 4, 1997, 9:37 a.m.

Members Present: Lind, Chair; McKibben, Vice Chair; Horn, Ranking Member; Kibbie and Rehberg.

Members Absent: none.

Committee Business: Presentation by the state fire marshal on old and new school buildings.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 4, 1997, 9:50 a.m.

Members Present: Rittmer, Chair (excused).

Members Absent: Redfern, Vice Chair; Flynn, Ranking Member; Jensen and Palmer (all excused).

Committee Business: Budget presentation by the department of public health.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 4, 1997, 9:39 a.m.

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

Members Absent: none.

Committee Business: Presentations by: DHS state hospital schools and mental health institutions; dual diagnosis unit of Mt. Pleasant; and Glenwood state hospital school.

Adjourned: 11:49 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 4, 1997, 9:43 a.m.

Members Present: Maddox, Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: Angelo, Vice Chair (excused).

Committee Business: Budget presentation by the department of corrections.

Adjourned: 11:35 a.m.

APPROP. SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 4, 1997, 9:39 a.m.

Members Present: Rife, Chair; Kramer, Vice Chair; Neuhauser, Ranking Member; Deluhery and McLaren.

Members Absent: none.

Committee Business: Presentation by information technology services and principal financial group on Year 2000.

Adjourned: 11:22 a.m.

APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE & CAPITALS

Convened: February 4, 1997, 9:46 a.m.

Members Present: Freeman, Chair; King, Vice Chair; Halvorson, Ranking Member and Connolly

Members Absent: Douglas (excused).

Committee Business: Presentations by the department of cultural affairs, department of parks and recreation, and underground storage tanks.

Adjourned: 11:30 a.m.

AGRICULTURE

Convened: February 4, 1997, 8:10 a.m.

Members Present: Rensink, Chair; J. Black, Vice Chair; Judge, Ranking Member; Bartz, Behn, D. Black, Fraise, Kibbie, Rehberg, Rife and Zieman.

Members Absent: Angelo, Gettings, Hedge and Vilsack (all excused).

Committee Business: Presentation by the DALs on the beginning farmer loan program, Iowa agriculture youth program, rural rehabilitation trust fund and other related programs.

Adjourned: 8:50 a.m.

ETHICS

Convened: February 4, 1997, 9:24 a.m.

Members Present: Drake, Acting Chair; Gettings, Ranking Member; Iverson, temporary member, McKean, Neuhauser and Szymoniak.

Members Absent: none.

Committee Business: Discussed SSBs 92 and 93.

Adjourned: 9:35 a.m.

HUMAN RESOURCES

Convened: February 4, 1997, 2:20 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dearden, Dvorsky, Rensink, Schuerer, Tinsman and Vilsack.

Members Absent: Hammond (excused).

Committee Business: Presentation by the department of human resources; SSB 33 will be discussed at next meeting.

Adjourned: 3:35 p.m.

LOCAL GOVERNMENT

Convened: February 4, 1997, 1:05 p.m.

Members Present: Zieman, Chair; Behn, Vice Chair; Fraise, Ranking Member; D. Black, J. Black, Boettger, Connolly, Redwine and Rehberg.

Members Absent: Angelo, Dearden, Hansen and McKean (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:08 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: January 29, 1997, 2:48 p.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, McKibben, Rehberg and Zieman.

Members Absent: Judge (excused).

Committee Business: Recommended passage of Senate File 2.

Adjourned: 3:03 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 3, 1997, 3:03 p.m.

Members Present: Bartz, Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Judge, McKibben, Rehberg and Zieman.

Members Absent: Angelo, Vice Chair; and Hedge (both excused)

Committee Business: Presentation on hog lagoons by the geological survey bureau in the energy and geological division of the department of natural resources.

Adjourned: 4:07 p.m.

STATE GOVERNMENT

Convened: February 4, 1997, 1:05 p.m.

Members Present: Lind, Chair; Rittmer, Vice Chair; Kibbie, Ranking Member; Drake, Fink, Gronstal, Halvorson, King and Tinsman.

Members Absent: Deluhery, Lundby, McKibben (excused), McLaren, Rife and Szymoniak (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:08 p.m.

TRANSPORTATION

Convened: February 4, 1997, 2:16 p.m.

Members Present: Drake, Chair; Borlaug, Vice Chair; McCoy, Ranking Member; Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 23 as amended; recommended passage of Senate File 80.

Adjourned: 2:49 p.m.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was temporarily absent from the Senate chamber on February 4, 1997, when the vote was taken on Senate File 5.

Had I been present, I would have voted "aye" on the bill.

ROBERT E. DVORSKY

STUDY BILLS RECEIVED

SSB 94 Appropriations Subcommittee on Human Services

Relating to appropriations for the department of human services, prevention of disabilities policy council, and state foster care review board, and including other provisions and appropriations involving human services and health care.

SSB 95 Local Government

Relating to collection of fees charged prisoners for room and board, by providing for the entry of judgment against the prisoner and enforcement of the judgment through writ of execution.

SSB 96 Local Government

Relating to state reimbursement of county costs for certain prisoners after entry of judgment in a criminal case.

SSB 97 Local Government

Raising the fee for renewing a permit to carry weapons.

SUBCOMMITTEE ASSIGNMENTS**Senate File 89**

AGRICULTURE: Rensink, Chair; Hedge and Kibbie

Senate File 91

HUMAN RESOURCES: Boettger, Chair; Dvorsky and Tinsman

Senate File 94

AGRICULTURE: Rensink, Chair; Fraise and Zieman

Senate File 97

HUMAN RESOURCES: Schuerer, Chair; Szymoniak and Tinsman

Senate File 100

HUMAN RESOURCES: Schuerer, Chair; Redwine and Vilsack

Senate File 109

BUSINESS AND LABOR: King, Chair; Dearden and Zieman

SSB 28

(Reassignment)

COMMERCE: Rife, Chair; Deluhery, Gronstal, Redfern and Schuerer

AFTERNOON SESSION

The Senate reconvened at 5:06 p.m., President Kramer presiding.

INTRODUCTION OF BILLS

Senate File 111, by Halvorson, a bill for an act relating to the state sales and use tax exemption on certain computers, machinery, and equipment and other items related to the manufacturing process.

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

Senate File 112, by McKean, a bill for an act to change the name of the Iowa state men's reformatory.

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

Senate File 113, 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**.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	111	Ways and Means
S.F.	112	Judiciary

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:08 p.m., until 9:00 a.m., Thursday, February 6, 1997.

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 06, 1997

The Senate met in regular session at 9:07 a.m., President Kramer presiding.

Prayer was offered by Father John Heman, pastor of the St. Boniface Catholic Church, Garner, Iowa.

The Journal of Wednesday, February 5, 1997, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Kibbie and Gettings for the day on request of Senator Fraise.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:21 a.m., until 1:00 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES**

Convened: February 5, 1997, 9:35 a.m.

Members Present: Rensink, Vice Chair; D. Black, Ranking Member; Behn and Dearden.

Members Absent: Hedge, Chair (excused).

Committee Business: Presentation by representatives from the agricultural and biosystems engineering department at ISU on odor control management; presentation by ISU on research regarding multiflora rose management

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 5, 1997, 9:40 a.m.

Members Present: Borlaug, Chair; Schuerer, Vice Chair and Zieman.

Members Absent: Vilsack, Ranking Member and Fink (both excused).

Committee Business: Presentation and tour of workforce development center.

Adjourned: 10:29 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 5, 1997, 9:45 a.m.

Members Present: Rittmer, Chair and Redfern, Vice Chair.

Members Absent: Flynn, Ranking Member; Jensen and Palmer (all excused).

Committee Business: Budget presentation by the director of public health.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 5, 1997, 9:41 a.m.

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

Members Absent: none.

Committee Business: Presentations by: DHS general administration; DHS field operations; human services area administrator atlantic cluster and attorney general of Iowa.

Adjourned: 11:49 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 5, 1997, 9:40 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: none.

Committee Business: Budget presentation by the department of corrections.

Adjourned: 11:31 a.m.

APPROP. SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 5, 1997, 9:45 a.m.

Members Present: Rife, Chair; Neuhauser, Ranking Member; Deluhery and McLaren.

Members Absent: Kramer, Vice Chair.

Committee Business: Budget presentation by information technology services; presentation by the editor of government technology magazine.

Recessed: 10:45 a.m.

Reconvened: February 5, 1997, 11:00 a.m.

Members Present: Rife, Chair; Neuhauser, Ranking Member; Deluvery and McLaren.

Members Absent: Kramer, Vice Chair.

Committee Business: Budget presentation by information technology services; presentation by the editor of government technology magazine.

Adjourned: 11:37 a.m.

APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE & CAPITALS

Convened: February 5, 1997, 9:40 a.m.

Members Present: Freeman, Chair; King, Vice Chair; Halvorson, Ranking Member; Connolly and Douglas.

Members Absent: none.

Committee Business: Presentation by the general manager and executive director of the Iowa state fair regarding the 5-year budget and overview of capital requirements and renovation requests of fair buildings.

Adjourned: 10:37 a.m.

AGRICULTURE

Convened: February 5, 1997, 8:05 a.m.

Members Present: Rensink, Chair; J. Black, Vice Chair; Judge, Ranking Member; Angelo, Bartz, Behn, Fraise, Gettings, Rehberg, Rife, Vilsack and Zieman.

Members Absent: D. Black, Hedge (excused) and Kibbie (excused).

Committee Business: Assigned bills to subcommittees; presentation by representatives of the agricultural and biosystems engineering department at ISU on odor control management.

Adjourned: 9:00 a.m.

COMMERCE

Convened: February 5, 1997, 4:05 p.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Deluhery, Ranking Member; Bartz, Douglas, Gronstal, Hansen, King, Lundby, Maddox, McCoy and Redfern.

Members Absent: Flynn and Palmer (both excused) and Rife.

Committee Business: Amended and approved SSB 8 as a committee bill.

Adjourned: 4:20 p.m.

EDUCATION

Convened: February 5, 1997, 3:02 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, J. Black, Boettger, Dvorsky, Fink, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman.

Members Absent: Kibbie and Lind (both excused).

Committee Business: Assigned bill to subcommittee; presentation on K-12 interactive classroom by IPTV.

Adjourned: 3:35 p.m.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was excused from the Senate on February 4, 1997, when the vote was taken on Senate File 5.

Had I been present, I would have voted "aye" on the bill.

JEFF ANGELO

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senatè 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 6th day of February, 1997:

Senate File 35.

MARY PAT GUNDERSON
Secretary of the Senate

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 21, 1997

IOWA DEPARTMENT OF TRANSPORTATION

Annual Report of the Iowa Railway Finance Authority as required in Iowa Code Section 327I.8(6).

DEPARTMENT OF HUMAN SERVICES

A report on the development of a course of action to meet the goals for submission of claims and completion of cost settlement, pursuant to Section 39, Chapter 1183.

IOWA DEPARTMENT OF TRANSPORTATION

Annual Report certifying the identified savings with the state agency's use of the ICN, pursuant to Iowa Code Section 8D.10.

January 22, 1997

DEPARTMENT OF ELDER AFFAIRS

Annual Report of the Office of the Sate Long-Term Care Ombudsman Program, in accordance with Section 213.42 of the Iowa Code.

DEPARTMENT OF GENERAL SERVICES

Informational bulletin on "Operation Bold Move".

LEGISLATIVE FISCAL BUREAU

1998 Budget and Governor's Recommendations.

DEPARTMENT OF CORRECTIONS

A report concerning the vocational offerings at each correctional facility as required by House File 2472, Section 14, unnumbered paragraph two.

January 23, 1997

IOWA HUMAN NEEDS ADVOCATES

A Budget to Meet Iowa's Human Needs in 1997-1998.

DEPARTMENT OF MANAGEMENT

Statement of Standing Appropriations report for fiscal year ending Jun 30, 1996, in accordance with Chapter 8.6(2) of the Code of Iowa.

January 15, 1997

IOWA ENERGY CENTER

Request for Proposals 97F-01. Biomass Energy Demonstration Facility.

DEPARTMENT OF NATURAL RESOURCES

Report of the state Preserves Advisory Board for the Biennium 1995-96.

January 27, 1997

IOWA STATE SHERIFF'S AND DEPUTIES' ASSOCIATION

Legislative Priorities for 1997

IOWA DEPARTMENT FOR THE BLIND

Annual Report for 1996, pursuant to Chapter 216B.7, Code of Iowa.

January 28, 1997

DEPARTMENT OF ELDER AFFAIRS

The Medicare Partners Annual Report for Fiscal Year 1996, pursuant to Iowa Code, Chapter 231.24(3).

IOWA DEPARTMENT OF PUBLIC HEALTH

Annual Report. Certificate of Need (CON) Program.

January 29, 1997

IOWA DEPARTMENT OF REVENUE AND FINANCE

1996 Annual Report.

January 30, 1997

DEPARTMENT OF CULTURAL AFFAIRS

Annual Report pursuant to Iowa Code, Chapters 7A.3 and 303.1(6)b.

LEGISLATIVE SERVICE BUREAU

Final Report. Solid Waste Reduction and Recycling Sturdy Committee.

January 31, 1997

STATE OF IOWA
OFFICE OF TREASURER OF STATE

Annual Report. Linked Investments for Tomorrow. Targeted Small Business.

February 3, 1997

IOWA DEPARTMENT OF PUBLIC HEALTH

Report on the FY96 Iowa Healthy Family Program

IOWA DEPARTMENT OF PUBLIC HEALTH

Annual Report PRIMECARRE. Pursuant to Chapter 1168, Iowa Code.

IOWA DEPARTMENT OF TRANSPORTATION

1996 Iowa Airport Sufficiency Ratings Report as required by Section 328.12(11) of the Code of Iowa.

DEPARTMENT OF HUMAN RIGHTS

25th Annual Report

February 4, 1997

IOWA DEPARTMENT OF TRANSPORTATION

Recycled Content Plastic Bag and Soy Inks Report as required in Iowa Code, Section 307.21.

February 5, 1997

DEPARTMENT OF PUBLIC HEALTH

Promoting and Protecting the Health of Iowans.

LEGISLATIVE SERVICE BUREAU

Biennial Report. JUDICIAL COMPENSATION COMMISSION

IOWA DEPARTMENT OF CORRECTIONS

Progress Report on the Implementation of HF 215.

AFTERNOON SESSION

The Senate reconvened at 1:10 p.m., President Kramer presiding.

INTRODUCTION OF BILLS

Senate File 114, by Fink, a bill for an act relating to the discarding of solid waste and providing a penalty.

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

Senate File 115, by Jensen, a bill for an act relating to guardianships and conservatorships and providing penalties.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Szymoniak until she arrives on request of Senator Fink.

QUORUM CALL

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

The vote revealed 35 present, 15 absent and a quorum present.

ADOPTION OF RESOLUTION (Regular Calendar)

House Concurrent Resolution 5

On motion of Senator Iverson, House Concurrent Resolution 5, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Seventy-seventh General Assembly, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal withdrew amendment S—3027 filed by him on January 28, 1997, to page 2 of the resolution.

Senator Halvorson offered amendment S—3028 filed by him on February 3, 1997, to page 10 of the resolution.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dearden until he arrives on request of Senator Hammond.

BUSINESS PENDING

House Concurrent Resolution 5

The Senate resumed consideration of House Concurrent Resolution 5.

Senator Halvorson moved the adoption of amendment S—3028 and requested a record roll call.

On the question "Shall amendment S—3028 be adopted?" (H.C.R. 5) the vote was:

Ayes, 17:

Black, D.	Connolly	Deluhery	Dvorsky
Fink	Flynn	Fraise	Gronstal
Halvorson	Hammond	Hansen	Horn
Judge	McCoy	Neuhauser	Palmer
Vilsack			

Nays, 28:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Iverson	Jensen	King
Kramer	Lind	Lundby	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Absent or not voting, 5:

Dearden	Gettings	Hedge	Kibbie
Szymoniak			

Amendment S—3028 lost.

Senator Halvorson offered amendment S—3029 filed by him on February 3, 1997, to pages 8 and 10 of the resolution and moved its adoption.

Amendment S—3029 lost by a voice vote.

Senator Iverson moved the adoption of House Concurrent Resolution 5, which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 75

On motion of Senator Bartz, Senate File 75, a bill for an act relating to the qualifications of groundwater professionals, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery for the remainder of the day on request of Senator Gronstal.

BUSINESS PENDING

Senate File 75

The Senate resumed consideration of Senate File 75.

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. 75) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gronstal	Halvorson	Hammond	Hansen

Horn	Iverson	Jensen	Judge
King	Kramer	Lind	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Deluhery	Gettings	Hedge	Kibbie
Szymoniak			

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 75** and **House Concurrent Resolution 5** be immediately messaged to the House.

APPENDIX**REPORT OF COMMITTEE MEETING****BUSINESS AND LABOR**

Convened: February 5, 1997, 3:03 p.m.

Members Present: Rife, Chair; King, Vice Chair; Dearden, Ranking Member; Behn, Freeman, Jensen and Schuerer.

Members Absent: Gettings, Horn, Palmer and Zieman (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:04 p.m.

SUBCOMMITTEE ASSIGNMENTS**Senate File 90**

EDUCATION: Rensink, Chair; Angelo and Kibbie

Senate File 96

NATURAL RESOURCES AND ENVIRON.: Bartz, Chair; J. Black and Zieman

Senate File 105

WAYS AND MEANS: Drake, Chair; Douglas and Palmer

Senate File 106

WAYS AND MEANS: Freeman, Chair; Deluhery and Douglas

Senate File 107

LOCAL GOVERNMENT: Behn, Chair; J. Black and Hansen

Senate File 110

JUDICIARY: Tinsman, Chair; Boettger and Hammond.

Senate File 112

JUDICIARY: Halvorson, Chair; Fraise and McKean

SSB 95

LOCAL GOVERNMENT: Zieman, Chair; J. Black and Fraise

SSB 96

LOCAL GOVERNMENT: McKean, Chair; Behn and D. Black

SSB 97

LOCAL GOVERNMENT: McKean, Chair; Boettger and Fraise

STUDY BILLS RECEIVED**SSB 98 Natural Resources & Environment**

Relating to household hazardous materials and retail labeling requirements.

SSB 99 State Government

Relating to the title guaranty division by providing for the appointment of the director and establishing supervisory authority over the title guaranty program.

SSB 100 State Government

Allowing a supervised, controlled burn for which a permit has been issued during an open burning ban.

SSB 101 State Government

Concerning eligible alternative retirement benefit systems for newly employed community college employees, and providing an applicability date.

SSB 102 State Government

Relating to mobile home tenant eviction restrictions.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	113	Local Government
S. F.	114	Natural Resources & Environ.

S. F. 115 Judiciary

COMMITTEE REPORTS

COMMERCE

Final Bill Action: *SENATE FILE 116 (SSB 8), a bill for an act relating to the appointment and resignation of registered agents of corporations and partnerships and their registered offices.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Jensen, Schuerer, Deluhery, Bartz, Douglas, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Redfern. Nays, none. Absent or not voting, 3: Flynn, Palmer and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Commerce Committee on Senate File 116 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 117 (SSB 26), a bill for an act eliminating the restitution limit for the offense of operating while intoxicated.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: McKean, Maddox, Neuhauser, Angelo, Drake, Fraise, Halvorson, Hammond, Hansen, McKibben, Redfern, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Boettger and King.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 116, by committee on Commerce, a bill for an act relating to the appointment and resignation of registered agents of corporations and partnerships and their registered offices.

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

Senate File 117, 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**.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:45 p.m., until 1:00 p.m., Monday, February 10, 1997.

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 10, 1997

The Senate met in regular session at 1:03 p.m., President Kramer presiding.

Prayer was offered by the Reverend Phillip Olson, pastor of the Ridgeway Lutheran Parish, Ridgeway, Iowa.

The Journal of Thursday, February 6, 1997, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM, PRESIDENT: I am directed to inform your honorable body that the House has on January 6, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 108, 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**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hedge for the week on request of Senator Iverson.

APPENDIX

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 10, 1997, the governor approved and transmitted to the secretary of state the following bill:

SENATE FILE 35, a bill for an act eliminating the inheritance tax on property passing to parents, grandparents, great-grandparents, and other lineal ascendants, children including legally adopted children and biological children entitled to inherit under the laws of this state, stepchildren, and grandchildren, great-grandchildren, and other lineal descendants of the decedent and providing an applicability date provision.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 61, a bill for an act relating to the membership of a joint 911 service board.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, McCoy, Redfern and Rife. Nays, none. Absent or not voting, 2: Maddox and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 98, a bill for an act relating to the willful destruction of E911 addressing signs and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, McCoy, Redfern and Rife. Nays, none. Absent or not voting, 2: Maddox and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 118 (SSB 59), 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.

Final Vote: Ayes, 13: McKean, Maddox, Neuhauser, Angelo, Drake, Fraise, Halvorson, Hammond, Hansen, McKibben, Redfern, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Boettger and King.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 103 Commerce

Eliminating the registration requirements of a nonresident issuer of credit cards issuing credit cards to residents of this state.

SSB 104 Commerce

Increasing the property damage limit for mandatory reporting of motor vehicle accidents.

SSB 105 Commerce

Relating to the regulation of municipal utilities providing telecommunications services.

SSB 106 Commerce

Relating to licensing and certification of certain occupations relating to real estate, by providing for appraiser certification, discipline of brokers and salespersons, and related matters, and making a penalty applicable..

SSB 107 Commerce

Amending the uniform securities Act relating to the registration of securities and the registration of broker-dealers and agents, establishing fees, and providing an effective date.

SSB 108 Commerce

Relating to funds held by insurance companies and providing an effective date.

SSB 109 Natural Resources and Environment

Authorizing the issuance of lifetime hunting licenses for residents who are sixty-five years of age or older.

SSB 48.1 Transportation

Relating to state department of transportation operations, including regulating hazardous materials transport, regulating motor vehicle dealers, eliminating requirements that the department adopt administrative rules in certain instances, and establishing, making applicable, or enhancing penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate File 62**

HUMAN RESOURCES: Boettger, Chair; Dearden and Schuerer

Senate File 108

HUMAN RESOURCES: Redwine, Chair; J. Black and Dvorsky

SSB 99

STATE GOVERNMENT: Lind, Chair; Gronstal and King

SSB 100

STATE GOVERNMENT: Drake, Chair; Fink and Tinsman

SSB 101

STATE GOVERNMENT: Rittmer, Chair; Drake and Kibbie

SSB 102

STATE GOVERNMENT: McLaren, Chair; Lundby and Szymoniak

SSB 103

COMMERCE: Rife, Chair; King and McCoy

SSB 104

COMMERCE: Douglas, Chair; Gronstal and Rife

SSB 105

COMMERCE: Redfern, Chair; Lundby and Palmer

SSB 106

COMMERCE: King, Chair; Douglas and McCoy

SSB 107

COMMERCE: Schuerer, Chair; Bartz and Deluhery

SSB 108

COMMERCE: Maddox, Chair; Douglas and Gronstal

PETITIONS

The following petitions by Senator Kibbie were presented and placed on file:

Six hundred eighty residents of northwest Iowa opposing legislation lowering the legal standard of intoxication from 0.10 to 0.08 blood alcohol content.

One hundred eleven residents of Clay County favoring legislation to increase by two cents per can the bottle deposit for redemption centers.

INTRODUCTION OF BILLS

Senate File 118, 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 119, by Lind, a bill for an act relating to speed zones for which the first two speeding violations are not counted for purposes of operator's license suspension or insurance costs.

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

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:10 p.m., until 9:00 a.m., Tuesday, February 11, 1997.

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 11, 1997

The Senate met in regular session at 9:14 a.m., President pro tempore Redfern presiding.

Prayer was offered by the Reverend Bruce Bronson, pastor of the Central Avenue Baptist Church, Hartley, Iowa

The Journal of Monday, February 10, 1997, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lundby until she arrives on request of Senator McKean and Senator Kramer until she arrives on request of Senator Lind.

INTRODUCTION OF BILL

Senate File 120, by Flynn, a bill for an act relating to the extension of time during which an alternative surcharge may be imposed for enhanced 911 services.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 9:25 a.m., until 3:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES**

Convened: February 6, 1997, 9:50 a.m.

Members Present: Rensink, Vice Chair; D. Black, Ranking Member; Behn and Dearden.

Members Absent: Hedge, Chair (excused).

Committee Business: Presentations by: director of the department of inspections and appeals on weights and measure activities; assistant attorney general on the expenditure limitations of the fish and game protection fund; director of the department of natural resources on REAP program and funds and information pertaining to the fish and game protection fund.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 6, 1997, 9:45 a.m.

Members Present: Borlaug, Chair; Schuerer, Vice Chair; Vilsack, Ranking Member; Fink and Ziemann.

Members Absent: none.

Committee Business: Presentation by the Iowa public employment relations board on venture capital.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 5, 1997, 9:38 a.m.

Members Present: Lind, Chair; McKibben, Vice Chair; Horn, Ranking Member and Rehberg.

Members Absent: Kibbie (excused).

Committee Business: Presentations by: president of Iowa western community college; interim president of southwestern community college; president of hawkeye community college; president of Iowa valley community college; senior vice president of academic affairs, DMACC.

Adjourned: 11:21 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 6, 1997, 9:37 a.m.

Members Present: Lind, Chair; Horn, Ranking Member and Rehberg.

Members Absent: McKibben, Vice Chair and Kibbie (both excused).

Committee Business: Presentation of slide show "To Become the Best" by the president of ISU, and recipients of the Uof I Hixson award spoke about the award.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 6, 1997, 10:10 a.m.

Members Present: Rittmer, Chair; Redfern, Vice Chair and Flynn, Ranking Member.

Members Absent: Jensen and Palmer (both excused).

Committee Business: Presentation by the department of public health on the HOPES program.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 6, 1997, 9:43 a.m.

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

Members Absent: none.

Committee Business: Presentation by the department of human services on economic assistance and child support recovery.

Adjourned: 11:31 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 6, 1997, 9:50 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: none.

Committee Business: Probation revocation pilot project; presentation by the Iowa bar association on indigent defense issues; presentation by the department of corrections on prison industries and other issues.

Adjourned: 11:32 a.m.

APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE & CAPITALS

Convened: February 6, 1997, 9:48 a.m.

Members Present: Freeman, Chair; King, Vice Chair; Halvorson, Ranking Member; Connolly and Douglas.

Members Absent: none.

Committee Business: Presentation by the director of general services on budget requests for governor's capital project recommendations, major maintenance and ongoing maintenance needs, allocation to state agencies for maintenance and parking lot improvements.

Adjourned: 11:32 a.m.

COMMERCE

Convened: February 10, 1997, 1:35 p.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Deluhery, Ranking Member; Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, McCoy, Redfern and Rife.

Members Absent: Maddox (excused) and Palmer.

Committee Business: Recommended passage of Senate Files 61 and 98.

Adjourned: 1:45 p.m.

ETHICS

Convened: February 10, 1997, 1:37 p.m.

Members Present: Drake, Temporary Chair; Gettings, Ranking Member; Iverson, temporary member; McKean, Neuhauser and Szymoniak.

Members Absent: none.

Committee Business: Approved SSB 92 as a committee bill and amended and approved SSB 93 as a committee bill.

Adjourned: 2:25 p.m.

HUMAN RESOURCES

Convened: February 6, 1997, 3:05 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Schuerer, Tinsman and Vilsack.

Members Absent: Rensink (excused).

Committee Business: Discussed and deferred action on SSB 33; assigned bills to subcommittees.

Adjourned: 3:23 p.m.

JUDICIARY

Convened: February 6, 1997, 11:44 a.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Drake, Fraise, Halvorson, Hammond, Hansen, McKibben, Redfern, Tinsman and Vilsack.

Members Absent: Boettger and King (both excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 26 and 59 as committee bills.

Adjourned: 12:00 noon.

JUDICIARY

Convened: February 10, 1997, 4:05 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Recommended passage of Senate File 33 as amended.

Adjourned: 5:05 p.m.

WAYS AND MEANS

Convened: February 6, 1997, 2:12 p.m.

Members Present: Douglas, Chair; Palmer, Ranking Member; Borlaug, Connolly, Drake, Judge, Maddox, McLaren, Redfern, Szymoniak and Vilsack.

Members Absent: McKibben, Vice Chair; Deluhery, Freeman and Hedge (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:45 p.m.

CERTIFICATES OF RECOGNITION

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

Elizabeth Reicks, Lawler – For being one of the State's top middle-level student volunteer in the Prudential Spirit of Community Awards. Senator Borlaug (2-6-97).

Justin Eveloff, Council Bluffs – For being named one of the State's top two youth volunteers in the Prudential Spirit of Community Awards. Senator Gronstal (2-11-97).

Appanoose County Water Rescue Team – For involvement and contribution to water safety. Senator Judge (2-11-97).

COMMITTEE REPORTS

ETHICS

Final Bill Action: *SENATE RESOLUTION 2 (SSB 93), a resolution to provide for the Senate Code of Ethics.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Drake, Iverson, Gettings, McKean, Neuhauser 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 Ethics Committee on Senate Resolution 2 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE RESOLUTION 3 (SSB 92), a resolution to provide the senate rules governing lobbyists.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Drake, Iverson, Gettings, McKean, Neuhauser and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3037	S. F.	104	Mike Connolly
S-3038	S. F.	104	Steven D. Hansen
S-3039	S. F.	82	Tom Vilsack
			Robert E. Dvorsky

Patty Judge
Johnie Hammond
Eugene Fraise

STUDY BILLS RECEIVED

SSB 110 Education

Relating to tuition and fees charged by public school districts and to tuition and fee waiver rules for indigent families, and providing an immediate effective date.

SSB 111 Ways & Means

Relating to taxation of the delivery and consumption of electricity and natural gas within the state of Iowa and providing for the Act's retroactive applicability, and providing penalties.

SSB 112 Commerce

Relating to the services provided through the practice of land surveying.

SUBCOMMITTEE ASSIGNMENTS

Senate File 111

WAYS AND MEANS: Douglas, Chair; Judge and McLaren

Senate File 113

LOCAL GOVERNMENT: McKean, Chair; Behn and Hansen

SSB 48.1

TRANSPORTATION: Borlaug, Chair; Drake, Gettings, McCoy and Rittmer

SSB 110

EDUCATION: Redfern, Chair; J. Black, Connolly, Redwine and Szymoniak

SSB 111

WAYS AND MEANS: Maddox, Chair; Deluhery and McLaren

AFTERNOON SESSION

The Senate reconvened at 3:36 p.m., President Kramer presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM. PRESIDENT: I am directed to inform your honorable body that the House has on February 11, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 125, a bill for an act appropriating federal block grant funds and amending appropriations from the general fund of the state to the department of human services for the state fiscal year beginning July 1, 1996, and providing an effective date.

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

House File 126, a bill for an act relating to the state sales and use tax exemption on certain computers, machinery, equipment, and fuel.

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

INTRODUCTION OF BILLS

Senate Resolution 2, by committee on Ethics, a resolution to provide for the Senate code of Ethics.

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

Senate Resolution 3, by committee on Ethics, a resolution to provide the senate rules governing lobbyists.

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

Senate File 121, by Hansen, a bill for an act authorizing certain cities to provide for the direct election of mayor and mayor pro tem.

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

Senate File 122, by Borlaug, a bill for an act relating to the penalties for possession, purchases, or attempts to purchase and the selling, giving, or supplying of certain alcoholic beverages to persons under the age of eighteen.

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

Senate File 123, by committee on Judiciary, a bill for an act relating to runaway children, by defining when a child is a chronic runaway, authorizing county runaway treatment plans, and providing for assessment and treatment procedures for chronic runaways.

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

QUORUM CALL

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

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 117.

Senate File 117

On motion of Senator McKean, Senate File 117, 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. 117) the vote was:

Ayes, 49:

Angelo
Black, J.

Bartz
Boettger

Behn
Borlaug

Black, D.
Connolly

Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Hedge

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 82

On motion of Senator Rensink, Senate File 82, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds, was taken up for consideration.

Senator Vilsack offered amendment S—3039 filed by Senators Vilsack, 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—3039 be adopted?" (S.F. 82) the vote was:

Ayes, 22:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond

Hansen	Horn	Judge	Kibbie
Lind	McCoy	Neuhauser	Palmer
Szymaniak	Vilsack		

Nays, 27:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Iverson	Jensen	King
Kramer	Lundby	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Zieman	

Absent or not voting, 1:

Hedge

Amendment S—3039 lost.

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

On the question "Shall the bill pass?" (S.F. 82) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymaniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Hedge

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 118 and 61.

Senate File 118

On motion of Senator Vilsack, Senate File 118, 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 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. 118) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Hedge

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

Senate File 61

On motion of Senator Jensen, Senate File 61, a bill for an act relating to the membership of a joint 911 service board, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **Senate File 61** be deferred.

Senate File 80

On motion of Senator Lind, Senate File 80, a bill for an act relating to police bicycles, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 80) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Hedge

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

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 98.

Senate File 98

On motion of Senator Jensen, Senate File 98, a bill for an act relating to the willful destruction of E911 addressing signs and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Hansen asked unanimous consent that Senate File 98 be referred to the committee on Judiciary.

Senator Iverson asked and received unanimous consent that **Senate File 98** be referred to the committee on **Judiciary**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 80, 82, 117 and 118** be **immediately messaged** to the House.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	119	Transportation
S. F.	120	Commerce
S. F.	121	Local Government
H. F.	108	Business and Labor
H. F.	125	Appropriations
H. F.	126	Ways and Means

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: *SENATE FILE 123 (formerly Senate File 33), a bill for an act relating to runaway children, by defining when a child is a chronic runaway,

authorizing county runaway treatment plans, and providing for assessment and treatment procedures for chronic runaways

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: McKean, Maddox, Angelo, Boettger, Drake, Halvorson, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, 3: Neuhauser, Fraise and Hammond.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 123 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 58, a bill for an act establishing English as the common language of the state.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3040.

Final Vote: Ayes, 11: Lind, Rittmer, Kibbie, Drake, Halvorson, King, Lundby, McKibben, McLaren, Rife, and Tinsman. Nays, 4: Deluhery, Fink, Gronstal and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITOR

Senator Szymoniak introduced Mrs. Kim Kee Eun, vice director of the Korea women's center for social research, and her interpreter, Hoeson Park, who were present in the Senate chamber.

AMENDMENTS FILED

S-3040 S. F. 58 State Government

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:34 p.m., until 9:00 a.m., Wednesday, February 12, 1997.

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 12, 1997

The Senate met in regular session at 9:07 a.m., President Kramer presiding.

Prayer was offered by Rabbi Fink of the Temple B'Nai Jeshurun, Des Moines, Iowa.

The Journal of Tuesday, February 11, 1997, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McKean for the day on request of Senator Rensink.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:15 a.m., until 1:00 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROP. SUBCOMMITTEE ON ADMINISTRATION AND REGULATION**

Convened: February 11, 1997, 9:45 a.m.

Members Present: Lundby, Chair; Bartz, Vice Chair; McCoy, Ranking Member; J. Black and Gettings.

Members Absent: none.

Committee Business: Discussed intent language.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 11, 1997, 9:45 a.m.

Members Present: Rensink, Vice Chair; D. Black, Ranking Member; Behn and Dearden.

Members Absent: Hedge, Chair (excused).

Committee Business: Budget presentation by the secretary of agriculture.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 11, 1997, 9:45 a.m.

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

Members Absent: none.

Committee Business: Presentation by the Iowa Finance Authority; presentation on partner states.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 11, 1997, 9:48 a.m.

Members Present: Lind, Chair; McKibben, Vice Chair; Horn, Ranking Member and Kibbie.

Members Absent: Rehberg (excused).

Committee Business: Presentation by the president of UNI and the president and students of the UNI student body.

Adjourned: 11:13 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 11, 1997, 9:45 a.m.

Members Present: Rittmer, Chair; Redfern, Vice Chair and Flynn, Ranking Member.

Members Absent: Jensen and Palmer (both excused).

Committee Business: Budget presentations by the Iowa veterans home and the commission of veterans affairs.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 11, 1997, 9:41 a.m.

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

Members Absent: none.

Committee Business: Presentations by: grin and grow, children and families of Iowa; sunshine day care, LFB, and DHS child care budget.

Adjourned: 11:41 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 11, 1997, 9:50 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member and Fraise.

Members Absent: McKean (excused).

Committee Business: Parole hearing over the ICN.

Adjourned: 11:10 a.m.

APPROP. SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 11, 1997, 9:40 a.m.

Members Present: Rife, Chair; Neuhauser, Ranking Member and Deluhery.

Members Absent: Kramer, Vice Chair and McLaren (both excused).

Committee Business: Visited the ICN offices at Camp Dodge and HUB at STARC Armory.

Adjourned: 12:20 p.m.

APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE & CAPITALS

Convened: February 11, 1997, 9:35 a.m.

Members Present: Freeman, Chair; King, Vice Chair; Halvorson, Ranking Member; Connolly and Douglas.

Members Absent: none.

Committee Business: Presentations by: Chair of the governor's committee on spending reform infrastructure; director of the department of general services on the subcommittee meeting on the infrastructure needs and priorities; management director of the state budget division of the department of management on governor's bill and recommendations on the infrastructure board.

Adjourned: 10:33 a.m.

AGRICULTURE

Convened: February 11, 1997, 8:00 a.m.

Members Present: Rensink, Chair; J. Black, Vice Chair; Judge, Ranking Member; Angelo, Bartz, Behn, D. Black, Fraise, Gettings, Kibbie, Rehberg, Rife, Vilsack and Zieman.

Members Absent: Hedge (excused).

Committee Business: Presentations by the State FFA on the FFA program, and the soil conservation division on ag drainage wells.

Adjourned: 9:10 a.m.

HUMAN RESOURCES

Convened: February 11, 1997, 2:20 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Amended and approved SSBs 33 and 34 as committee bills; recommended passage of Senate File 59.

Adjourned: 3:05 p.m.

LOCAL GOVERNMENT

Convened: February 11, 1997, 1:04 p.m.

Members Present: Ziemann, Chair; Behn, Vice Chair; Fraise, Ranking Member; Angelo, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, Redwine and Rehberg.

Members Absent: McKean (excused).

Committee Business: Presentation by the department of management; assigned bills to subcommittees.

Adjourned: 2:00 p.m.

STATE GOVERNMENT

Convened: February 11, 1997, 1:05 p.m.

Members Present: Lind, Chair; Rittmer, Vice Chair; Kibbie, Ranking Member; Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Recommended passage of Senate File 58 as amended; approved SSB 100 as a committee bill.

Adjourned: 1:36 p.m.

TRANSPORTATION

Convened: February 11, 1997, 2:21 p.m.

Members Present: Drake, Chair; Borlaug, Vice Chair; McCoy, Ranking Member; Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer.

Members Absent: none.

Committee Business: Approved SSB 48.1 as a committee bill.

Adjourned: 3:05 p.m.

WAYS AND MEANS

Convened: February 11, 1997, 11:36 a.m.

Members Present: Douglas, Chair; McKibben, Vice Chair; Palmer, Ranking Member; Borlaug, Connolly, Drake, Freeman, Judge, Maddox, Redfern, Szymoniak and Vilsack.

Members Absent: Deluhery, Hedge and McLaren. (all excused).

Committee Business: Amended and approved SSB 65 as a committee bill; assigned bills to subcommittees.

Adjourned: 11:46 a.m.

APPOINTMENTS FROM THE GOVERNOR

The following appointees were submitted by the governor to the secretary of the senate for senate confirmation:

Roger A. Halvorson, Marquette, Administrator of Professional Licensing and Regulation, 1/13/97 - 4/30/98.

Dr. LeRoy I. Strohmman, Algona, member of the Board of Dental Examiners, 8-2-96 - 4-30-97.

Shirley A. Meisenheimer, Greenfield, member of the Board of Medical Examiners, 8-2-96 - 4-30-99.

Carlton D. Peterson, Mitchellville, member of the Board of Mortuary Science Examiners, 7-10-96 - 4-30-99.

Ricard R. Porter, Hawarden, member of the Board of Mortuary Science Examiners, 7-10-96 - 4-30-98.

Arthur P. Silva, Sioux City, member of the Commission on Judicial Qualifications, 12-17-96 - 4-30-97.

Camille V. Scully, Waterloo, member of the Commission on the Status of African-Americans, 4-11-96 - 4-30-98.

Dean R. McWilliams, Montezuma, member of the Environmental Protection Commission, 8-2-96 - 4-30-99.

Rita A. Venner, Breda, member of the Environmental Protection Commission, 8-19-96 - 4-30-99.

Kim D. Schmett, Des Moines, Director of the Department of Inspections and Appeals, 7-10-96, and to serve at the pleasure of the governor.

Hugh M. Field, Waterloo, member of the Iowa Seed Capital Corporation, 10-9-96 - 4-30-97.

Mary Jean Montgomery, Spencer, member of the Iowa Telecommunications and Technology Commission, 7-1-96 - 4-30-99.

Mark J. Schouten, Orange City, member of the Iowa Telecommunications and Technology Commission, 7-1-96 - 4-30-2001.

Patricia M. Marshall, Cedar Rapids; Earnest L. Nelson, Fort Madison; Norma J. Schmoker, Fort Dodge; and Richard T. Vander Laan, Pella, members of the Iowa Workforce Development Board, 10-21-96 - 4-30-98.

Perry J. Chapin, Des Moines; Margaret A. Holmes, Ida Grove; Alan R. Kabel, Ames; Kathryn A. Murphy, Waverly; and William E. Yeager, Newton, members of the Iowa Workforce Development Board, 10-21-96 - 4-30-2000.

Kimberly K. Reynolds, Osceola, member of the Investment Board of the IPERS, 7-1-96 - 4-30-2001.

Elizabeth L. Seiser, Des Moines, member of the Public Employment Relations Board, 1-28-97 - 4-30-2000.

Mary L. Norton, Clive, member of the Renewable Fuels and Coproducts Advisory Committee, 3-28-96 - 4-30-99.

Charlene R. Fulton, Cherokee, member of the State Board of Education, 9-11-96 - 4-30-2002.

Kay E. Wagner, Bettendorf, member of the State Board of Education, 10-25-96 - 4-30-98.

James H. Arenson, Cedar Rapids, member of the State Board of Regents, 7-19-96 - 4-30-99.

Maria M. Waterman, Pleasant Valley, member of the State Board of Tax Review, 10-25-96 - 4-30-2001.

The appointments were referred to the committee on **Rules and Administration**.

COMMITTEE REPORT

HUMAN RESOURCES

Final Bill Action: SENATE FILE 59, a bill for an act relating to the disposition of emergency medical care provider certification fees.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Boettger, Redwine,; Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 1:12 p.m., Senator Lind presiding.

QUORUM CALL

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

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

President Kramer took the chair at 1:20 p.m.

CONSIDERATION OF BUSINESS
(Regular Calendar)

Senate File 104

On motion of Senator Rehberg, Senate File 104, a bill for an act relating to a minimum age requirement for a coaching authorization issued by the state board of educational examiners, was taken up for consideration.

Senator Fink offered amendment S—3041 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—3041 be adopted?" (S.F. 104) the vote was:

Ayes, 22:

Black, D.	Connolly	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Gettings	Gronstal	Halvorson
Hammond	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Rittmer
Szymoniak	Vilsack		

Nays, 25:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Freeman

Hansen	Iverson	Jensen	King
Kramer	Lind	Lundby	Maddox
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Schuerer	Tinsman
Zieman			

Absent or not voting, 3:

Hedge	McKean	Rife
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Amendment S—3041 lost.

Senator Hansen offered amendment S—3038 filed by him on February 11, 1997, to page 1 of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vilsack until he returns on request of Senator Judge.

BUSINESS PENDING

Senate File 104

The Senate resumed consideration of Senate File 104.

Senator Hansen moved the adoption of amendment S—3038 and requested a record roll call.

On the question "Shall amendment S—3038 be adopted?" (S.F. 104) the vote was:

Ayes, 19:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hansen
Horn	Judge	Kibbie	McCoy
Neuhauser	Palmer	Szymoniak	

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake

Freeman	Hammond	Iverson	Jensen
King	Kramer	Lind	Lundby
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 5:

Hedge	Maddox	McKean	Rife
Vilsack			

Amendment S—3038 lost.

Senator Connolly offered amendment S—3037 filed by him on February 11, 1997, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3037 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 104) the vote was:

Ayes, 41:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Flynn	Fraise	Freeman	Gettings
Halvorson	Hansen	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKibben	McLaren	Palmer
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Szymoniak	Tinsman
Zieman			

Nays, 5:

Dvorsky	Fink	Gronstal	Hammond
Neuhauser			

Absent or not voting, 4:

Hedge	McKean	Rife	Vilsack
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

ADOPTION OF RESOLUTIONS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Resolutions 2 and 3.

Senate Resolution 2

On motion of Senator Drake, Senate Resolution 2, a resolution to provide for the Senate Code of Ethics, was taken up for consideration.

Senator Neuhauser offered amendment S—3043 filed by her from the floor to page 5 of the resolution, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3043 be adopted?" (S.R. 2) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Horn	Judge	Kibbie	Lundby
McCoy	Neuhauser	Palmer	Szymoniak

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Deluhery	Douglas
Drake	Freeman	Iverson	Jensen
King	Kramer	Lind	Maddox
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 4:

Hedge	McKean	Rife	Vilsack
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Amendment S—3043 lost.

Senator Halvorson offered amendment S—3045 filed by him from the floor to page 6 of the resolution, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3045 be adopted?" (S.R. 2) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Iverson	Jensen	King
Kramer	Lind	Lundby	Maddox
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 4:

Hedge	McKean	Rife	Vilsack
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Amendment S—3045 lost.

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

On the question "Shall the resolution be adopted?" (S.R. 2) the vote was:

A record roll call was requested.

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly

Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Szymoniak
Tinsman	Zieman		

Nays, none.

Absent or not voting, 4:

Hedge	McKean	Rife	Vilsack
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The motion prevailed and the resolution was adopted.

Senate Resolution 3

On motion of Senator Drake, Senate Resolution 3, a resolution to provide the senate rules governing lobbyists, was taken up for consideration.

Senator Halvorson withdrew amendment S—3044 filed by him from the floor to page 6 of the resolution.

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

On the question "Shall the resolution be adopted?" (S.R 3) the vote was:

A record roll call was requested.

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson

Hammond	Hansen	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Szymoniak
Tinsman	Zieman		

Nays, none.

Absent or not voting, 4:

Hedge	McKean	Rife	Vilsack
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The motion prevailed and the resolution was adopted.

UNFINISHED BUSINESS (Deferred February 11, 1997)

Senate File 61

The Senate resumed consideration of Senate File 61, a bill for an act relating to the membership of a joint 911 service board, deferred February 11, 1997.

Senator Judge offered amendment S—3046 filed by her from the floor to page 2 and the title page of the bill and moved its adoption.

Amendment S—3046 lost by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 61) the vote was:

Ayes, 41:

Angelo	Behn	Boettger	Borlaug
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Halvorson
Hammond	Hansen	Horn	Iverson

Jensen	Kibbie	King	Kramer
Lind	Lundby	Maddox	McCoy
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Szymoniak	Tinsman
Zieman			

Nays, 4:

Black, D.	Black, J.	Gronstal	Judge
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Absent or not voting, 5:

Bartz	Hedge	McKean	Rife
Vilsack			

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 61 and 104** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 12, 1997, passed the following bill in which the concurrence of the House was asked:

Senate File 5, a bill for an act relating to the registration fee for ex-prisoner of war motor vehicle plates.

ALSO: That the House has on February 12, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 8, a bill for an act relating to the funding of state mandates.

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

House File 114, a bill for an act to legalize certain city and county deeds and conveyances.

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

INTRODUCTION OF BILLS

Senate File 124, by Hansen, a bill for an act requiring a person convicted of the offense of attempted murder to serve one hundred percent of the sentence with limited credit for good behavior.

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

Senate File 125, by Gronstal, a bill for an act requiring, for purposes of ratemaking, the allocation of pregnancy-related health expenses equally among female and male policyholders, subscribers, or enrollees of individual third-party payor medical expense contracts.

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

Senate File 126, by committee on State Government, a bill for an act allowing a supervised, controlled burn for which a permit has been issued during an open burning ban.

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

Senate File 127, by Lundby, a bill for an act establishing a wildlife damage management program, providing for increased fees for hunting and trapping licenses, making an appropriation, and providing an applicability date.

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

Senate File 128, by committee on Human Resources, a bill for an act relating to the statistical reporting of terminations of pregnancy and establishing a penalty.

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

Senate File 129, 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 and **placed on calendar**.

Senate File 130, by Lundby, a bill for an act relating to the theft of video rental property and making penalties applicable.

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

Senate File 131, by committee on Human Resources, a bill for an act relating to fraudulent practices involving family investment and medical assistance program benefits and making penalties applicable.

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

Senate File 132, by committee on Transportation, a bill for an act relating to state department of transportation operations, including regulating hazardous materials transport, regulating motor vehicle dealers, eliminating requirements that the department adopt administrative rules in certain instances, and establishing, making applicable, or enhancing penalties.

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

APPENDIX**STUDY BILLS RECEIVED****SSB 113 Judiciary**

Relating to domestic violence, including educational requirements for law enforcement officers, and seizure of weapons related to domestic abuse assault.

SSB 114 Judiciary

Relating to the validity of certain marriages.

SSB 115 Judiciary

Pertaining to court-related services, by requiring rules which provide for notification of the juvenile court of student attendance issues, and requiring that the sheriff provide bailiff and other law enforcement services to the juvenile court and involuntary hospitalization referees.

SSB 116 Judiciary

Relating to judicial administration.

SSB 117 Judiciary

Relating to reality education substance abuse prevention programs, by removing language making the program available only to certain persons under the age of twenty-one and removing a consent requirement.

SSB 118 Judiciary

Relating to the procedures and requirements relating to guardianships and conservatorships.

SSB 119 Judiciary

Relating to certain criminal identification and historical data, by eliminating the requirement for fingerprinting of juveniles

adjudicated as operating while intoxicated first offenders, providing for retention of acquittal and dismissal information, and applying penalties.

SSB 120 Human Resources

Relating to public health issues under the purview of the Iowa department of public health, including vital statistics, the board of nursing examiners, the board of dental examiners, lead poisoning, the immunization registry, the child death review team, plumbing provisions and fees, and providing a contingent effective date.

SSB 121 Human Resources

Relating to child welfare provisions involving juvenile justice dispositional orders, hearings, and placements and providing an effective date.

SSB 122 Human Resources

Relating to the establishment of a domestic abuse death review team including providing for membership, duties, immunity for members acting in their official capacity, and providing confidentiality provisions.

SSB 123 Natural Resources & Environment

Establishing a wildlife damage management program, and making an appropriation.

SUBCOMMITTEE ASSIGNMENTS

Senate File 103

EDUCATION: Tinsman, Chair; Dvorsky and Redwine

Senate File 114

NATURAL RESOURCES AND ENVIRON.: Bartz, Chair; Fink and Hedge

Senate File 115

JUDICIARY: Redfern, Chair; Boettger and Neuhauser

Senate File 120

COMMERCE: Jensen, Chair; Flynn and Rife

Senate File 121

LOCAL GOVERNMENT: Redwine, Chair; J. Black and Connolly

SSB 109

NATURAL RESOURCES AND ENVIRON.: Bartz, Chair; D. Black and Zieman

SSB 112

COMMERCE: Schuerer, Chair; Deluhery and King

SSB 113

JUDICIARY: Neuhauser, Chair; King and Redfern

SSB 114

JUDICIARY: Boettger, Chair; Halvorson and King

SSB 115

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

SSB 116

JUDICIARY: Redfern, Chair; Neuhauser and Vilsack

SSB 117

JUDICIARY: Boettger, Chair; King and Neuhauser

SSB 118

JUDICIARY: Redfern, Chair; Boettger and Neuhauser

SSB 119

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

SSB 120

HUMAN RESOURCES: Redwine, Chair; J. Black and Hammond

SSB 121

HUMAN RESOURCES: Tinsman, Chair; Behn and Hammond

SSB 122

HUMAN RESOURCES: Tinsman, Chair; Redwine and Vilsack

House File 126

WAYS AND MEANS: Drake, Chair; Connolly and Maddox

BILLS ASSIGNED TO COMMITTEE

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

S. F.	122	Judiciary
S. F.	124	Judiciary
S. F.	125	Commerce
S. F.	127	Natural Resources & Environ.
S. F.	130	Judiciary

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 128 (SSB 34), a bill for an act relating to the statistical reporting of terminations of pregnancy and establishing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Boettger, Redwine, Bartz, Behn, J. Black, Dearden, Rensink, Schuerer, Tinsman and Vilsack. Nays, 3: Szymoniak, Dvorsky and Hammond.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 128 and they were attached to the committee report

ALSO:

Final Bill Action: *SENATE FILE 131 (SSB 33), a bill for an act relating to fraudulent practices involving family investment and medical assistance program benefits and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, 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 131 and they were attached to the committee report.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 4, a resolution relating to gubernatorial appointments requiring senate confirmation.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Iverson, Kramer, Gronstal, Fink, Jensen, Judge, Kibbie, Maddox and Redfern. Nays, none. Absent or not voting, 2: Lundby and Rehberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 126 (SSB 100), a bill for an act allowing a supervised, controlled burn for which a permit has been issued during an open burning ban.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 132 (SSB 48.1), bill for an act relating to state department of transportation operations, including regulating hazardous materials transport, regulating motor vehicle dealers, eliminating requirements that the department adopt administrative rules in certain instances, and establishing, making applicable, or enhancing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Drake, Borlaug, McCoy, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer. Nays, 2: Connolly and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: *SENATE FILE 129 (SSB 65), 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, 15: Douglas, McKibben, Palmer, Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, McLaren, Redfern, Szymoniak and Vilsack. 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 Ways and Means Committee on Senate File 129 and they were attached to the committee report.

PRESENTATION OF VISITORS

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

Seven volunteers for the Living Roadway Project from Colesburg, accompanied by Mayor Fred Phelps. Senator Flynn.

AMENDMENTS FILED

S-3041	S. F.	104	Bill Fink
S-3042	S. F.	58	Michael E. Gronstal
S-3043	S. R.	2	Mary Neuhauser
S-3044	S. R.	3	Rod Halvorson
S-3045	S. R.	2	Rod Halvorson
S-3046	S. F.	61	Patty Judge
S-3047	S. F.	110	Rod Halvorson

INTRODUCTION OF RESOLUTION

Senate Resolution 4, by committee on Rules and Administration, a senate resolution relating to gubernatorial appointments requiring senate confirmation.

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

INTRODUCTION OF BILLS

Senate File 133, by Jensen, a bill for an act creating an Iowa tribute tuition grant and providing for an appropriation and an applicability date.

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

Senate File 134, by Maddox, a bill for an act appropriating funding for local housing programs from real estate transfer tax revenues.

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

Senate File 135, by Halvorson, a bill for an act relating to providing funding for roads which are part of the commercial industrial network and making appropriations.

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

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 3:50 p.m., until 9:00 a.m., Thursday, February 13, 1997.

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 13, 1997

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

Prayer was offered by the Reverend Doug Peters, pastor of the Solon United Methodist Church, Solon, Iowa.

The Journal of Wednesday, February 12, 1997, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Vilsack for the day on request of Senator Gronstal, Senators Rife and Douglas for the day and Senator Boettger until she arrives on request of Senator Iverson.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Resolution 4.

Senate Resolution 4

On motion of Senator Iverson, Senate Resolution 4, a senate resolution relating to gubernatorial appointments requiring senate confirmation, was taken up for consideration.

Senator Iverson moved the adoption of Senate Resolution 4, which motion prevailed by a voice vote.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:14 a.m., until 1:00 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROP. SUBCOMMITTEE ON ADMINISTRATION AND REGULATION**

Convened: February 12, 1997, 9:38 a.m.

Members Present: Lundby, Chair; Bartz, Vice Chair; McCoy, Ranking Member; J. Black and Gettings.

Members Absent: none.

Committee Business: Discussions by the ethics and campaign disclosure board sub-subcommittee and the department of inspections and appeals sub-subcommittee.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 12, 1997, 9:40 a.m.

Members Present: Rensink, Vice Chair; D. Black, Ranking Member; Behn and Dearden.

Members Absent: Hedge, Chair (excused).

Committee Business: Project director and chairman of LHDCA presented information on loess hills development and conservation authority; president of the Iowa league of resource conservation and development presented information on projects the RC&D is helping develop using Iowa timber.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 12, 1997, 9:45 a.m.

Members Present: Schuerer, Vice Chair; Vilsack, Ranking Member; Fink and Ziemann.

Members Absent: Borlaug, Chair (excused).

Committee Business: Presentation by the department of management on budgeting for results; workforce development discussed evaluating results.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 12, 1997, 9:40 a.m.

Members Present: Lind, Chair; McKibben, Vice Chair; Horn, Ranking Member; Kibbie and Rehberg.

Members Absent: none.

Committee Business: Presentation by the president and other representatives of U of I and university hospitals.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 12, 1997, 9:45 a.m.

Members Present: Rittmer, Chair; Redfern, Vice Chair and Palmer.

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

Committee Business: Budget presentation by the department of criminal and juvenile justice planning and case management for the frail and elderly.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 12, 1997, 9:44 a.m.

Members Present Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member and Fraise.

Members Absent: McKean (excused).

Committee Business: Budget presentation by the department of corrections.

Adjourned: 11:31 a.m.

APPROP. SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 12, 1997, 9:44 a.m.

Members Present: Kramer, Vice Chair; Neuhauser, Ranking Member and Deluhery.

Members Absent: Rife, Chair and McLaren (both excused).

Committee Business: Presentations by the chairman of the fisher commission and the director of the department of management.

Adjourned: 11:12 a.m.

APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE & CAPITALS

Convened: February 12, 1997, 9:48 a.m.

Members Present: Freeman, Chair; King, Vice Chair; Halvorson, Ranking Member; Connolly and Douglas.

Members Absent: none.

Committee Business: Presentations by: director of the department of economic development on welcome centers, ethonal, VAAPFAP and public infrastructure assistance program; representative from living history farms on a welcome center to promote tourism; chair of authority and commissioner of east Pottawattamie soil and water conservation district on a slide program regarding highly erosive soil and how drainage channels correct the problem.

Adjourned: 11:42 a.m.

COMMERCE

Convened: February 12, 1997, 4:17 p.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Deluhery, Ranking Member; Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer and Redfern.

Members Absent: Rife (excused).

Committee Business: Presentation by the superintendent of banking.

Adjourned: 4:45 p.m.

RULES AND ADMINISTRATION

Convened: February 12, 1997, 5:10 p.m.

Members Present: Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Fink, Jensen, Judge, Kibbie, Maddox and Redfern.

Members Absent: Lundby and Rehberg (both excused).

Committee Business: Approved proposed committee resolution relating to gubernatorial appointments requiring senate confirmation.

Adjourned: 5:22 p.m.

CERTIFICATE OF RECOGNITION

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

Timothy Williams, Eldora – Achieving the rank of Eagle Scout. Senator Iverson (2-12-97).

Senate File 121
(Reassignment)

LOCAL GOVERNMENT: Boettger, Chair; J. Black and Connolly

AFTERNOON SESSION

The Senate reconvened at 1:10 p.m., President Kramer presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 13, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 4, a bill for an act relating to the office of city assessor in certain counties.

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

House File 191, a bill for an act relating to the establishment of the drinking water facilities financing program, the drinking water treatment revolving loan fund, the drinking water facilities administration fund, and providing an effective date.

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

INTRODUCTION OF BILLS

Senate File 136, by Palmer, a bill for an act relating to the taxation of real property used in the operation of a racetrack or racetrack enclosure.

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

Senate File 137, by Lundby, a bill for an act relating to solid waste by removing wine and alcoholic liquor from the definition of beverage in the mandatory beverage container deposit law, allowing the allocation of landfill alternative financial assistance moneys, and making encouragement of curbside recycling a public policy of the state.

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

Senate File 138, by Szymoniak, a bill for an act providing for the continued operation of the department of human rights and including an effective date.

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

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 12, 1997:

BUSINESS AND LABOR

Perry J. Chapin, Margaret A. Holmes, Alan R. Kabela, Patricia M. Marshall, Kathryn A. Murphy, Earnest L. Nelson, Norma J. Schmoker, Richard T. Vander Laan and William E. Yeager - Iowa Workforce Development Board.

Elizabeth L. Seiser - Public Employment Relations Board.

COMMERCE

Mary Jean Montgomery and Mark J. Schouten - Iowa Telecommunications and Technology Commission.

EDUCATION

Charlene R. Fulton and Kay E. Wagner - State Board of Education.

James H. Arenson - State Board of Regents.

JUDICIARY

Arthur P. Silva - Commission on Judicial Qualifications.

NATURAL RESOURCES & ENVIRONMENT

Dean R. McWilliams and Rita A. Venner - Environmental Protection Commission.

Mary L. Norton - Renewable Fuels and Coproducts Advisory Committee.

SMALL BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

Hugh M. Field - Iowa Seed Capital Corporation.

STATE GOVERNMENT

Roger A. Halvorson - Administrator of Professional Licensing and Regulation.

Dr. LeRoy I. Strohman - Board of Dental Examiners.

Shirley A. Meisenheimer - Board of Medical Examiners.

Carlton D. Peterson and Ricard R. Porter - Board of Mortuary Science Examiners.

Camille V. Scully – Commission on the Status of African-Americans.

Kim D. Schmett – Director of the Department of Inspections and Appeals.

Kimberly K. Reynolds – Investment Board of the IPERS.

WAYS AND MEANS

Maria M. Waterman – State Board of Tax Review.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	133	Education
S. F.	134	Ways and Means
S. F.	135	Appropriations
S. F.	136	Ways and Means
H.F.	4	Local Government
H.F.	114	Judiciary
H.F.	191	Appropriations

REPORT OF COMMITTEE MEETING

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 12, 1997, 9:48 a.m.

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

Members Absent: none.

Committee Business: Presentations by: Gannon center, Dubuque; merit behavioral care; DHS medicaid budget recommendations; department of elder affairs.

Adjourned: 11:54 a.m.

CERTIFICATES OF RECOGNITION

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

Christopher Berndt, Joe Haines and Chad Hollenbeck, Newton – For achieving the rank of Eagle Scout. Senator D. Black (2-14-97).

Edward Harlman, Burlington - For celebrating his 117th birthday. Senator Fraise (2-12-97).

STUDY BILLS RECEIVED

SSB 124 Education

Extending the regular program district cost guarantee for school districts for two years, and providing an effective date.

SSB 125 Appropriations

Relating to filing fees charged by county recorders and eliminating a surcharge fee.

SSB 126 Natural Resources

Relating to household hazardous materials and retail labeling requirements.

SSB 127 Human Resources

Relating to the certificate of need program.

SUBCOMMITTEE ASSIGNMENTS

SSB 124

EDUCATION: Angelo, Chair; J. Black and Kibbie

SSB 125

APPROPRIATIONS: Kramer, Chair; Behn and McCoy

House File 125

APPROPRIATIONS: Tinsman, Chair; Hammond, Horn, Lundby and Rittmer

INTRODUCTION OF BILL

Senate File 139, by Tinsman, Freeman, Neuhauser, Rittmer, Lundby, Maddox and Vilsack, a bill for an act providing immunity from civil liability for an employer or employer's representative who acts reasonably in providing information about a current or former employee of the employer.

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

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:45 p.m., until 1:00 p.m., Monday, February 17, 1997.

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 17, 1997

The Senate met in regular session at 1:10 p.m., President Kramer presiding.

Prayer was offered by the Reverend Robert Skoor, pastor of the Reformed Church of Latter Day Saints, Des Moines, Iowa.

The Journal of Thursday, February 13, 1997, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Neuhauser for the day on request of Senator Dvorsky.

INTRODUCTION OF BILLS

Senate File 140, by Fink, a bill for an act relating to the possession of curio or relic firearms by members of certain organizations.

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

Senate File 141, by Maddox, a bill for an act relating to access to information pertaining to juveniles involved in delinquent acts.

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

Senate File 142, by Szymoniak, a bill for an act relating to the grounds for termination of parental rights of a putative father.

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

Senate File 143, by Fink, a bill for an act relating to the disposition of receipts from the sale of state-owned timber.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hedge until he arrives and Senator Bartz for the day on request of Senator Iverson.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 116

On motion of Senator Lundby, Senate File 116, a bill for an act relating to the appointment and resignation of registered agents of corporations, limited liability companies, and partnerships and their registered offices, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 116) the vote was:

Ayes, 46:

Angelo	Behn	Black, D.	Black, J.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lind	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 1:

Palmer

Absent or not voting, 3:

Bartz

Hedge

Neuhauser

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

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 131.

Senate File 131

On motion of Senator Behn, Senate File 131, a bill for an act relating to fraudulent practices involving family investment and medical assistance program benefits and making penalties applicable, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 131) the vote was:

Ayes, 47:

Angelo	Behn	Black, D.	Black, J.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lind	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate Files 116 and 131 be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate Joint Resolution 6, by Halvorson, a joint resolution requesting the proposal of an amendment to the Constitution of the United States to limit the number of terms of service of members of the United States Congress.

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

Senate Joint Resolution 7, by Halvorson, a joint resolution proposing an amendment to the Constitution of the State of Iowa changing the legislative branch of state government to a unicameral system.

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

Senate File 144, by Kibbie, a bill for an act relating to publication of false or misleading information in political advertisements and applying a penalty.

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

Senate File 145, by Judge, Black of Kossuth, and Redwine, a bill for an act relating to the county mental health, mental retardation, and developmental disabilities services fund levy by providing a procedure for a county to make revisions affecting the services fund levy and other levies, and providing an effective date.

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

Senate File 146, by McCoy, a bill for an act relating to vehicles classified as school buses.

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

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROP. SUBCOMMITTEE ON ADMINISTRATION AND REGULATION**

Convened: February 13, 1997, 9:57 a.m.

Members Present: Lundby, Chair; Bartz, Vice Chair; McCoy, Ranking Member; J. Black and Gettings.

Members Absent: none.

Committee Business: Discussed budget decisions for the departments of treasurer of state, state-federal relations office, and revenue and finance.

Adjourned: 11:13 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 13, 1997, 9:50 a.m.

Members Present: Rensink, Vice Chair; D. Black, Ranking Member; Behn and Dearden.

Members Absent: Hedge, Chair (excused).

Committee Business: Discussed proposed appropriation bill.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 13, 1997, 9:50 a.m.

Members Present: Borlaug, Chair; Schuerer, Vice Chair; Fink and Zieman.

Members Absent: Vilsack, Ranking Member (excused).

Committee Business: Presentation by the DED business development division.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 13, 1997, 9:45 a.m.

Members Present: Lind, Chair; McKibben, Vice Chair; Horn, Ranking Member; Kibbie and Rehberg.

Members Absent: none.

Committee Business: Presentation by the president and executive director of the board of regents; budget presentation by representatives of IPTV; superintendent and students of Iowa braille and sight saving school reviewed the school's programs; superintendent and students of Iowa school for the deaf reviewed the school's activities.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 13, 1997, 9:59 a.m.

Members Present: Rittmer, Chair and Flynn, Ranking Member.

Members Absent: Redfern, Vice Chair; Jensen and Palmer (all excused).

Committee Business: Budgeting for results and block grants presentations.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 13, 1997, 9:54 a.m.

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

Members Absent: none.

Committee Business: Presentations by: Central point coordinators roundtable; Iowa state association of counties; state county management committee.

Adjourned: 11:42 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 13, 1997, 9:55 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorksy, Ranking Member; Fraise and McKean.

Members Absent: none.

Committee Business: D.A.R.E. program.

Adjourned: 10:41 a.m.

APPROP. SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 13, 1997, 9:55 a.m.

Members Present: Neuhauser, Ranking Member and Deluhery.

Members Absent: Rife, Chair; Kramer, Vice Chair; and McLaren (all excused).

Committee Business: Presentation on the Year 2000 and ITS structure by DHS.

Adjourned: 11:44 a.m.

APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE & CAPITALS

Convened: February 13, 1997, 9:55 a.m.

Members Present: Freeman, Chair; King, Vice Chair; Halvorson, Ranking Member and Connolly.

Members Absent: Douglas.

Committee Business: Presentations by: ISU department of civil and const. eng. state of Iowa infrastructure needs; veterans affairs commission capital projects recommendations; Iowa public employees retirement system, proposed construction of the IPERS headquarters.

Adjourned: 11:50 a.m.

EDUCATION

Convened: February 12, 1997, 3:56 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees and a presentation by Iowa future farmers of America.

Adjourned: 4:06 p.m.

JUDICIARY

Convened: February 13, 1997, 1:53 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Angelo, Drake, Fraise, Hammond, Hansen, King and Tinsman.

Members Absent: Neuhauser, Ranking Member; Boettger, Halvorson, McKibben, Redfern and Vilsack (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:58 p.m.

BILL ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bill to committee on February 12, 1997:

H.F. 8 State Government

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 17th day of February, 1997:

Senate File 5.

MARY PAT GUNDERSON
Secretary of the Senate

STUDY BILLS RECEIVED

SSB 128 Natural Resources & Environment

Relating to animal feeding operations, by providing for the application of manure and the inspection of certain animal feeding operation structures.

SSB 129 Commerce

Eliminating notice requirements relating to the location of certain electric transmission lines, wires, or cables.

SSB 130 Commerce

Relating to garnishment of employee's earnings.

SSB 131 Commerce

Relating to permissible charges which may be contracted for and received with respect to open-end credit.

SSB 132 Commerce

Relating to the review of the reorganization of a public utility and providing an effective date.

SSB 133 Agriculture

Restricting the use of spray irrigation equipment on land draining into agricultural drainage wells.

SSB 134 Transportation

Relating to the issuance of motor vehicle licenses for certain law enforcement officers and providing penalties.

SSB 135 Local Government

Relating to the qualifications for the office of county sheriff.

SSB 136 Local Government

Relating to notarial acts and the issuance of marriage licenses by county registrars.

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees to investigate the appointment of the following governor's appointees:

BUSINESS AND LABOR

(2-17-97)

Members of the Iowa Workforce Development Board:

PERRY CHAPIN: Palmer, Chair; Jensen and Schuerer

MARGARET A. HOLMES: King, Chair; Zieman and Gettings

ALAN R. KABELA: Schuerer; Chair; Behn and Horn
 PATRICIA M. MARSHALL: Horn, Chair; Freeman and Jensen
 KATHRYN A. MURPHY: Jensen, Chair; King and Dearden
 EARNEST L. NELSON: Freeman, Chair; Zieman and Gettings
 NORMA J. SCHMOKER: King, Chair; Jensen and Horn
 RICHARD T. VANDER LAAN: Zieman, Chair; Schuerer and Dearden
 WILLIAM E. YEAGER: Freeman, Chair; Behn and Palmer

Member of the Public Employment Relations Board:

ELIZABETH L. SEISER: Behn, Chair; Freeman and Dearden

COMMERCE

(2-17-97)

Members of the Iowa Telecommunications and Technology Commission:

MARY JEAN MONTGOMERY: Rife, Chair; Redfern and McCoy
 MARK J. SCHOUTEN: Rife, Chair; Redfern and McCoy

EDUCATION

(2-17-97)

Members of the State Board of Education:

CHARLENE R. FULTON: Rensink, Chair; Redwine and Kibbie
 KAY E. WAGNER: Tinsman, Chair; Neuhauser and Angelo

Members of the State Board of Regents:

JAMES H. ARENSON: Lind, Chair; Dvorsky and Rehberg

JUDICIARY

(2-13-97)

Member of the Commission on Judicial Qualifications:

ARTHUR P. SILVA: Hansen Chair; King and Tinsman

NATURAL RESOURCES AND ENVIRONMENT

(2-13-97)

Members of the Environmental Protection Commission:

DEAN R. McWILLIAMS: Dvorsky, Chair; Dearden and Zieman
 RITA A. VENNER: Deluhery, Chair; Freeman and McKibben

Member of the Renewable Fuels and Coproducts Advisory Committee:

MARY L. NORTON: Angelo, Chair; D. Black and Borlaug

STATE GOVERNMENT
(2-13-97)

Administrator of Professional Licensing and Regulation:

ROGER A. HALVORSON: Gronstal, Chair; Drake and Tinsman

Member of the Board of Dental Examiners:

DR. LeROY I. STROHMAN: Halvorson, Chair; Lundby and McKibben

Member of the Board of Medical Examiners:

SHIRLEY A. MEISENHEIMER: Szymoniak, Chair; McLaren and King

Members of the Board of Mortuary Science Examiners:

CARLTON D. PETERSON: Deluhery, Chair; Lind and Rife

RICARD R. PORTER: Deluhery, Chair; Lind and Rife

Member of the Commission on the Status of African-Americans:

CAMILLE V. SCULLY: Fink, Chair; Tinsman and Lundby

Director of the Department of Inspections and Appeals:

KIM D. SCHMETT: Szymoniak, Chair; McLaren and King

Member of the Investment Board of the IPERS:

KIMBERLY K. REYNOLDS: Kibbie, Chair; Rittmer and Lind

AMENDMENTS FILED

S-3048	S. F.	132	Allen Borlaug
S-3049	S. F.	128	Johnie Hammond
			Bill Fink
S-3050	S. F.	132	Rod Halvorson

SUBCOMMITTEE ASSIGNMENTS

Senate File 125

COMMERCE: Jensen, Chair; Douglas and Gronstal

House File 108

BUSINESS AND LABOR: Rife, Chair; Palmer and Zieman

SSB 73
(Reassigned)

SMALL BUSINESS AND ECON. DEVELOP.: Rittmer, Chair; Boettger, Flynn, McCoy and Schuerer

SSB 127

HUMAN RESOURCES: Tinsman, Chair; Boettger and Szymoniak

SSB 129

COMMERCE: King, Chair; Hansen and Lundby

SSB 130

COMMERCE: Bartz, Chair; Deluhery and Maddox

SSB 131

COMMERCE: Schuerer, Chair; Palmer and Rife

SSB 132

COMMERCE: King, Chair; Deluhery and Redfern

SSB 133

AGRICULTURE: Rensink, Chair; Bartz, J. Black, D. Black and Kibbie

SSB 134

TRANSPORTATION: Drake, Chair; Jensen and McCoy

INTRODUCTION OF BILLS

Senate File 147, by Dvorsky, a bill for an act relating to the exemption from the sales, services, and use taxes of gas and electricity for use in residential-type dwellings and providing an applicability date provision.

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

Senate File 148, by Dvorsky and Neuhauser, a bill for an act relating to school finance by providing a formula to fund costs resulting from increased student enrollment and making an appropriation.

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

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee on February 17, 1997:

S. F.	136	Ways and Means
S. F.	137	Natural Resources
S. F.	138	Human Resources
S. F.	139	Judiciary
S. F.	140	State Government
S. F.	141	Judiciary
S. F.	142	Human Resources
S. F.	143	Natural Resources
S. F.	144	State Government
S. F.	145	Local Government
S. F.	146	Education
S. F.	147	Ways and Means
S. F.	148	Education
S. J. R.	6	State Government
S. J. R.	7	State Government

SUBCOMMITTEE ASSIGNMENT FOR APPOINTMENT TO BOARD AND COMMISSION

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committee on February 17, 1997, to investigate the appointment of the following governor's appointee:

SMALL BUSINESS, ECON. DEVLPT AND TOURISM

Member of the Iowa Seed Capital Corporation:

HUGH M. FIELD: Hansen, Chair; Schuerer and King

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 2:51 p.m., until 9:00 a.m., Tuesday, February 18, 1997.

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 18, 1997

The Senate met in regular session at 9:07 a.m., President Kramer presiding.

Prayer was offered by the Reverend Leslie Borsay, pastor of the Community Church, Hudson, Iowa.

The Journal of Monday, February 17, 1997, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dearden until he arrives on request of Senator Gronstal.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 128

On motion of Senator Bartz, Senate File 128, a bill for an act relating to the statistical reporting of terminations of pregnancy and establishing a penalty, was taken up for consideration.

Senator Iverson asked and received unanimous consent that action on **Senate File 128** be **deferred**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 17, 1997, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 6, a concurrent resolution requesting that the Iowa State Fair Board establish a policy ensuring that Iowa businesses, associations, and organizations are provided with ample opportunities to showcase Iowa products and services during the Iowa State Fair.

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

ALSO: That the House has on February 17, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 92, a bill for an act relating to eligibility for receipt of moneys under the school improvement technology program.

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

House File 200, a bill for an act relating to nonsubstantive Code corrections.

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

INTRODUCTION OF BILLS

Senate File 149, by Jensen, a bill for an act establishing a senior citizen and disabled persons transportation pilot program in the state department of transportation, making an appropriation, and providing effective dates.

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

Senate File 150, by Maddox, a bill for an act relating to requirements for statements of account issued to students by each community college and institution of higher learning under the control of the state board of regents and providing an effective date.

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

Senate File 151, by Connolly, a bill for an act allowing an individual income tax deduction for certain federal taxes paid under

the Federal Insurance Contributions Act and the federal Railroad Retirement Tax Act and providing a retroactive applicability date provision.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 9:32 a.m., until 4:00 p.m.

APPENDIX

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on January 28, 1997, when the vote was taken on House Joint Resolution 5.

Had I been present, I would have voted "aye".

MATT McCOY

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: February 17, 1997, 2:55 p.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Deluhery, Ranking Member; Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer, Redfern and Rife.

Members Absent: Bartz (excused).

Committee Business: Amended and approved SSB 108 as a committee bill.

Adjourned: 3:10 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 17, 1997, 3:15 p.m.

Members Present: Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Judge, McKibben, Rehberg and Zieman.

Members Absent: Bartz, Chair; Freeman and Hedge (all excused).

Committee Business: Presentation by the Iowa bowhunters association on the deer population issue.

Adjourned: 4:00 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 17, 1997, 3:15 p.m.

Members Present: Rittmer, Chair; Lundby, Vice Chair; Hansen, Ranking Member; Boettger, Douglas, Flynn, Hammond, King, Lind, McCoy, Redwine and Schuerer.

Members Absent: Palmer (excused).

Committee Business: Reassigned study bill; assigned governor's appointee; presentation by the vice president of Alcoa on what needs to be done by the state and communities to be competitive for business expansion.

Adjourned: 4:05 p.m.

SUBCOMMITTEE ASSIGNMENT FOR APPOINTMENT TO BOARD AND COMMISSION

In accordance with Senate Rule 59, the following senators were appointed to a subcommittee of a standing committee on February 17, 1997, to investigate the appointment of the following governor's appointee:

WAYS AND MEANS

Member of the State Board of Tax Review:

MARIA M. WATERMAN: Freeman, Chair; McKibben and Judge

STUDY BILLS RECEIVED

SSB 137 Agriculture

Relating to trespassing or estray livestock and providing remedies and an effective date.

SSB 138 Education

Relating to a temporary law authorizing the director of the department of education to waive, in cases of disaster emergency, a Code provision that requires a one-hundred-eighty-day school calendar, and providing an effective date.

SSB 139 Appropriations

Relating to the amount of the state reimbursement for the homestead property tax credit and including an applicability date provision.

SSB 140 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 141 State Government

Relating to the qualifications for the director of the department of corrections.

SSB 142 State Government

Relating to the establishment of flammability standards for furniture and providing a penalty.

SSB 143 State Government

Requiring the installation of automatic sprinkler systems in certain new public and nonpublic school building construction.

SSB 144 State Government

Establishing a real estate tract system and certain registration requirements for persons preparing abstracts of title to real property, establishing a board of examiners, providing for fees and the use of those fees, and providing effective dates.

SSB 145 Agriculture

Providing for the termination of farm tenancies.

SSB 146 Agriculture

Providing authority to soil and water conservation district commissioners to allocate moneys for the emergency restoration of permanent soil and water conservation practices.

SSB 147 Agriculture

Providing for the control of soil erosion at urban construction sites and providing for penalties.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 6

STATE GOVERNMENT: Lundby, Chair; Halvorson, McLaren, Szymoniak and Tinsman

Senate Joint Resolution 7

STATE GOVERNMENT: Lundby, Chair; Halvorson, McLaren, Szymoniak and Tinsman

Senate File 135

APPROPRIATIONS: Rensink, Chair; Freeman, Halvorson, Horn and Rife

Senate File 138

HUMAN RESOURCES: Boettger, Chair; J. Black and Dearden

Senate File 140

STATE GOVERNMENT: Drake, Chair; Fink and King

Senate File 144

STATE GOVERNMENT: King, Chair; Drake, Gronstal, Kibbie and Lundby

House File 8

STATE GOVERNMENT: Rittmer, Chair; Szymoniak and Tinsman

House File 191

APPROPRIATIONS: Lundby, Chair; D. Black, Dvorsky, Jensen and Rittmer

SSB 128

NATURAL RESOURCES & ENVIRON.: Bartz, Chair; J. Black, Fink, Hedge and Judge

SSB 135

LOCAL GOVERNMENT: J. Black, Chair; Angelo and Connolly

SSB 136

LOCAL GOVERNMENT: Zieman, Chair; Dearden and Redwine

SSB 137

AGRICULTURE: Judge, Chair; Angelo and Rehberg

SSB 138

EDUCATION: Rensink, Chair; Kibbie and Redwine

SSB 139

APPROPRIATIONS: Douglas, Chair; Behn and Gronstal

SSB 140

APPROPRIATIONS: Tinsman, Chair; Behn, Hammond, McCoy and Rittmer

SSB 141

STATE GOVERNMENT: Lundby, Chair; Halvorson, McLaren, Szymoniak and Tinsman

SSB 142

STATE GOVERNMENT: Rittmer, Chair; Deluhery and Drake

SSB 143

STATE GOVERNMENT: Rittmer, Chair; Fink and Lind

SSB 144

STATE GOVERNMENT: Lundby, Chair; Fink and Rittmer

SSB 145

AGRICULTURE: Angelo, Chair; Fraise and Rife

SSB 146

AGRICULTURE: Behn, Chair; J. Black and Gettings

COMMITTEE REPORTS**COMMERCE**

Final Bill Action: *SENATE FILE 160 (SSB 108), a bill for an act relating to funds held by insurance companies and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Jensen, Schuerer, Deluhery, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer, Redfern and Rife. Nays, none. Absent or not voting, 1: Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Commerce Committee on Senate File 160 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 86, 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: DO PASS.

Final Vote: Ayes, 10: Lind, Rittmer, Kibbie, Deluhery, Fink, Gronstal, Halvorson, Lundby, McKibben and Rife. Nays, 2: King and McLaren. Absent or not voting, 3: Drake, Szymoniak and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:06 p.m., President Kramer presiding.

QUORUM CALL

Senator Iverson 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 128

The Senate resumed consideration of Senate File 128, a bill for an act relating to the statistical reporting of terminations of pregnancy and establishing a penalty, previously deferred.

Senator Hammond offered amendment S—3049 filed by Senators Hammond and Fink on February 17, 1997, to page 1 of the bill.

Senator Bartz called for a division of amendment S—3049: lines 2 and 3 as division S—3049A and lines 4-18 as division S—3049B.

Senator Hammond moved the adoption of division S—3049A, which motion prevailed by a voice vote.

Senator Hammond moved the adoption of division S—3049B and requested a non record roll call.

The ayes were 23, nays 25.

Division S—3049B lost.

Senator Bartz offered amendment S—3051 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3051 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. 128) the vote was:

Ayes, 41:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Deluhery	Douglas	Drake	Flynn
Fraise	Freeman	Gettings	Halvorson
Hansen	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lind	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Palmer
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Tinsman	Vilsack
Zieman			

Nays, 7:

Dvorsky	Fink	Gronstal	Hammond
Neuhauser	Rife	Szymoniak	

Absent or not voting, 2:

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

Senator Iverson asked and received unanimous consent that **Senate File 128** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 18, 1997, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 7, a concurrent resolution recognizing the women who served Iowa as state legislators through

Iowa's sesquicentennial year, 1996, 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 February 18, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 132, a bill for an act relating to the liability of persons involved in domesticated animal activities.

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

House File 229, a bill for an act relating to the availability of a map indicating the location of electric transmission lines related to the extension of a franchise.

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

House File 232, a bill for an act providing for court-ordered treatment of a criminal defendant judged mentally incapable of standing trial.

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

House File 233, a bill for an act relating to cooperative associations, by providing for the filing of documents and providing for the effective date of a merger or consolidation.

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

INTRODUCTION OF BILLS

Senate Resolution 5, by McCoy, a resolution demanding that Governor Arne Carlson make a public apology for defamatory comments about the city of Des Moines.

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

Senate File 152, by Szymoniak, Deluhery, Lind, Tinsman, Fink, Kibbie, Gronstal, Halvorson, Lundby, Rife, and Drake, a bill for an act

relating to the inclusion of abuse prevention language on a marriage license application form and on a marriage license.

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

Senate File 153, by Tinsman, a bill for an act relating to medical malpractice actions by modifying the statute of limitations for minors.

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

Senate File 154, by Hansen, a bill for an act relating to the compulsory school attendance age.

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

Senate File 155, by Lundby, a bill for an act relating to the taking of deer to minimize depredation of property.

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

Senate File 156, by Neuhauser, a bill for an act relating to local laws and regulations concerning smoking prohibitions and cigarettes and tobacco products.

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

Senate File 157, by Tinsman, McKean, Hammond, Vilsack, Redwine, Dvorsky, Zieman, Rehberg, McCoy, and Fink, a bill for an act relating to the application of local laws and regulations pertaining to smoking prohibitions and cigarette and tobacco products.

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

Senate File 158, by Dvorsky, a bill for an act exempting unemployment compensation from the state individual income tax and providing a retroactive applicability date provision.

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

Senate File 159, by Dvorsky and Neuhauser, a bill for an act concerning assistive devices by providing for express warranties, replacement of devices, and providing consumer remedies.

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

Senate File 160, by committee on Commerce, a bill for an act relating to funds held by life insurance companies and providing an effective date.

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

Senate File 161, by committee on Agriculture, a bill for an act modifying the holding temperature required for the storage of eggs sold at retail.

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

Senate File 162, by Douglas, a bill for an act relating to the posting of land by the owner regarding permission to hunt, fish, or trap and providing a penalty.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	149	Transportation
S. F.	150	Education
S. F.	151	Ways and Means
S. F.	152	Human Resources
S. F.	153	Human Resources
S. F.	154	Education
S. F.	155	Natural Resources
S. F.	156	Human Resources
S. F.	157	Human Resources
S. F.	158	Ways and Means
S. F.	159	State Government
H. C. R.	6	Small Business & Econ. Develop.
H. C. R.	7	State Government
H. F.	92	Education
H. F.	132	Agriculture
H. F.	200	Judiciary
H. F.	229	Commerce
H. F.	232	Judiciary
H. F.	233	State Government

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: *SENATE FILE 161 (SSB 46), a bill for an act modifying the holding temperature required for the storage of eggs sold at retail.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rensink, J. Black, Judge, Angelo, Behn, D. Black, Fraise, Gettings, Kibbie, Rehberg, Rife, Vilsack and Zieman. Nays, none. Absent or not voting, 2: D. Black and Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 161 and they were attached to the committee report.

APPROPRIATIONS

Final Bill Action: HOUSE FILE 191, a bill for an act relating to the establishment of the drinking water facilities financing program, the drinking water treatment revolving loan fund, the drinking water facilities administration fund, and providing an effective date.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote Ayes, 24: McLaren, Kramer, Flynn, Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Horn, Jensen, Lind, Lundby, Maddox, Neuhauser, Rensink, Rife, Rittmer, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 18, 1997, the governor approved and transmitted to the secretary of state the following bill:

S.F. 5 - Relating to the registration fee for ex-prisoner of war motor vehicle plates and providing an effective date and a retroactive applicability date.

AMENDMENTS FILED

S-3051	S. F.	128	Merlin E. Bartz
S-3052	S. F.	132	Rod Halvorson
S-3053	S. F.	58	Elaine Szymoniak

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:35 p.m., until 9:00 a.m., Wednesday, February 19, 1997.

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 19, 1997

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

Prayer was offered by the Reverend Mark Sherwood, pastor of the Berean Baptist Church, Perry, Iowa.

The Journal of Tuesday, February 18, 1997, was approved.

INTRODUCTION OF BILL

Senate File 163, by Boettger and Iverson, a bill for an act relating to the sale of cigarettes and tobacco products through vending machines.

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

QUORUM CALL

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

The vote revealed 37 present, 13 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 58

On motion of Senator King, **Senate File 58**, a bill for an act establishing English as the common language of the state, with report

of committee recommending amendment and passage, was taken up for consideration.

Senator Fink offered amendment S—3054 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Borlaug raised the point of order that amendment S—3054 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3054 out of order.

Senator Fink asked unanimous consent that action on Senate File 58 be deferred.

Senator Fink withdrew his request to defer.

Senator King withdrew amendment S—3055 filed by him from the floor to page 1 of the bill.

Senator Connolly withdrew amendment S—3059 filed by him from the floor to page 1 of the bill.

Senator King offered amendment S—3040 filed by the committee on State Government on February 11, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3040 was adopted by a voice vote.

Senator King offered amendment S—3060 filed by him from the floor to page 1 of the bill.

Senator Flynn asked and received unanimous consent that action on amendment S—3060 be deferred.

(Action on Senate File 58 was temporarily **deferred**.)

SPECIAL GUEST

President Kramer presented the Honorable Leonard L. Boswell, U.S. Representative from Iowa's Third District, and former member of the Iowa Senate.

Congressman Boswell remarked it was good to be back and said he had received committee assignments of Transportation and Infrastructure, and Agriculture, two committees very important to Iowa.

BUSINESS PENDING

Senate File 58

The Senate resumed consideration of Senate File 58 and amendment S—3060, previously deferred.

Senator King asked and received unanimous consent that action on amendment S—3060 continue to be deferred.

Senator Szymoniak withdrew amendment S—3053 filed by her on February 18, 1997, to page 1 of the bill.

Senator Dvorsky offered amendment S—3056 filed by him from the floor to page 1 of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vilsack until he arrives on request of Senator Judge.

BUSINESS PENDING

Senate File 58

The Senate resumed consideration of Senate File 58.

Senator Dvorsky moved the adoption of amendment S—3056 and requested a record roll call.

On the question "Shall amendment S—3056 be adopted?" (S.F. 58) the vote was:

Ayes, 23:

Black, D.
Deluhery
Fraise

Boettger
Dvorsky
Freeman

Connolly
Fink
Gettings

Dearden
Flynn
Gronstal

Halvorson	Hammond	Hansen	Horn
Judge	Kibbie	McCoy	McKean
Neuhauser	Palmer	Szymoniak	

Nays, 25:

Angelo	Bartz	Behn	Black, J.
Borlaug	Douglas	Drake	Iverson
Jensen	King	Kramer	Lind
Lundby	Maddox	McKibben	McLaren
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Tinsman
Zieman			

Absent or not voting, 2:

Hedge	Vilsack
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Amendment S—3056 lost.

Senator Iverson asked and received unanimous consent that action on **Senate File 58** be deferred.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:55 a.m., until 1:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 18, 1997, 8:35 a.m.

Members Present: Rensink, Chair; J. Black, Vice Chair; Judge, Ranking Member; Angelo, Bartz, Behn, Fraise, Gettings, Kibbie, Rehberg, Rife, Vilsack and Ziemann.

Members Absent: D. Black and Hedge (excused).

Committee Business: Approved SSB 46 as a committee bill.

Adjourned: 8:45 a.m.

APPROPRIATIONS

Convened: February 18, 1997, 2:06 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Horn, Jensen, Lind, Lundby, Maddox, Neuhauser, Rensink, Rife, Rittmer, Tinsman and Vilsack.

Members Absent: McCoy (excused).

Committee Business: Placed House File 191 on the Senate calendar without recommendation.

Adjourned: 2:25 p.m.

HUMAN RESOURCES

Convened: February 18, 1997, 3:09 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack.

Members Absent: Dearden (excused).

Committee Business: Approved SSB 69 as a committee bill; presentation by the state chief medical examiner on child death review team.

Adjourned: 4:00 p.m.

LOCAL GOVERNMENT

Convened: February 18, 1997, 1:10 p.m.

Members Present: Zieman, Chair; Behn, Vice Chair; Fraise, Ranking Member; Angelo, D. Black, J. Black, Boettger, Connolly, Hansen, McKean, Redwine and Rehberg.

Members Absent: Dearden (excused).

Committee Business: Amended and approved SSB 95 as a committee bill; assigned bills to subcommittees.

Adjourned: 1:30 p.m.

STATE GOVERNMENT

Convened: February 18, 1997, 1:05 p.m.

Members Present: Lind, Chair; Rittmer, Vice Chair; Kibbie, Ranking Member; Deluhery, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren and Rife.

Members Absent: Drake, Szymoniak (excused) and Tinsman (excused).

Committee Business: Assigned bills and governor's appointees to subcommittees; recommended passage of Senate File 86.

Adjourned: 1:15 p.m.

TRANSPORTATION

Convened: February 18, 1997, 3:05 p.m.

Members Present: Drake, Chair; Borlaug, Vice Chair; McCoy, Ranking Member; Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer.

Members Absent: none.

Committee Business: Amended and approved SSB 15 as a committee bill; speakers present to discuss reports from a workshop and study of safety in highway construction areas and the possibility of improving safety were from: associated general contractors, DOT, department of safety and DOT construction.

Adjourned: 4:00 p.m.

WAYS AND MEANS

Convened: February 18, 1997, 11:45 a.m.

Members Present: Douglas, Chair; McKibben, Vice Chair; Borlaug, Deluhery, Drake, Judge, Maddox and Redfern.

Members Absent: Palmer, Ranking Member; Connolly, Freeman, Hedge, McLaren, Szymoniak and Vilsack (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 12:25 p.m.

APPROP. SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 18, 1997, 10:27 a.m.

Members Present: Lundby, Chair; Bartz, Vice Chair; McCoy, Ranking Member; J. Black and Gettings.

Members Absent: none.

Committee Business: Discussed proposed appropriations for the departments of management and general services.

Adjourned: 11:03 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 18, 1997, 10:30 a.m.

Members Present: Rensink, Vice Chair; D. Black, Ranking Member and Behn.

Members Absent: Hedge, Chair and Dearden (both excused).

Committee Business: Discussed proposed appropriations bill draft.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 18, 1997, 10:25 a.m.

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

Members Absent: none.

Committee Business: Presentations by U of I regarding center for advanced drug development, and by UNI on the institute for decision making; follow-up on Iowa finance authority.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 18, 1997, 10:40 a.m.

Members Present: Rittmer, Chair; Redfern, Vice Chair and Flynn, Ranking Member.

Members Absent: Jensen and Palmer (both excused).

Committee Business: Presentation by the division of criminal and juvenile justice planning, DHS.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 18, 1997, 10:29 a.m.

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

Members Absent: none.

Committee Business: Discussed proposed appropriations bill draft

Adjourned: 11:41 a.m.

APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE & CAPITALS

Convened: February 18, 1997, 10:36 a.m.

Members Present: Freeman, Chair; King, Vice Chair; Halvorson, Ranking Member; Connolly and Douglas.

Members Absent: none.

Committee Business: Presentations by the presidents of U of I and ISU; presentation by the Iowa highway patrol on the equadine system, to update weather and road reports.

Adjourned: 11:49 a.m.

PRESENTATION OF VISITORS

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

Twelfth grade students from Charles City Community School, Charles City, accompanied by Chuck Redenius. Senator Borlaug.

CERTIFICATES OF RECOGNITION

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

Nick Elliott, Epworth – For achieving the rank of Eagle Scout. Senator Flynn (2-23-97).

Kyle Palmer, Manchester – For achieving the rank of Eagle Scout. Senator Rehberg (2-23-97).

SUBCOMMITTEE ASSIGNMENTS

Senate File 133

EDUCATION: Rensink, Chair; Lind and Neuhauser

Senate File 134

WAYS AND MEANS: Maddox, Chair; McKibben and Szymoniak

Senate File 136

WAYS AND MEANS: Palmer, Chair; Borlaug and Douglas

Senate File 146

EDUCATION: Rehberg, Chair; Angelo and Szymoniak

Senate File 147

WAYS AND MEANS: Freeman, Chair; Douglas and Vilsack

Senate File 148

EDUCATION: Boettger, Chair; Dvorsky and Lind

SSB 147

AGRICULTURE: Rehberg, Chair; Hedge and Vilsack

AMENDMENTS FILED

S-3054	S. F.	58	Bill Fink
S-3055	S. F.	58	Steve King
S-3056	S. F.	58	Robert Dvorsky
S-3057	S. F.	58	Robert Dvorsky
S-3058	S. F.	58	Robert Dvorsky
S-3059	S. F.	58	Mike Connolly
S-3060	S. F.	58	Steve King
S-3061	S. F.	58	Elaine Szymoniak
S-3062	S. F.	58	Michael E. Gronstal
S-3063	S. F.	58	Steve King
S-3064	S. F.	58	Robert Dvorsky

AFTERNOON SESSION

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

INTRODUCTION OF BILLS

Senate File 164, by Hansen, a bill for an act relating to transporting railroad employees and equipment and making penalties applicable.

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

Senate File 165, by McKean, a bill for an act relating to studies and reports of county land preservation and use commissions, and providing an effective date.

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

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 19, 1997, adopted the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution 10, a joint resolution proposing an amendment to the Constitution of the State of Iowa to eliminate the limitation on fines for offenses which may be summarily tried without indictment.

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

ALSO: that the House has on February 19, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 244, a bill for an act relating to the county debt service fund.

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

QUORUM CALL

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

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

BUSINESS PENDING

Senate File.58

The Senate resumed consideration of Senate File 58, a bill for an act establishing English as the common language of the state, previously deferred.

Senator Dvorsky offered amendment S—3057 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—3057 be adopted?" (S.F. 58) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Hammond	Hansen
Horn	Judge	Kibbie	McCoy
Neuhauser	Palmer	Szymoniak	Vilsack

Nays, 28:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Halvorson	Iverson	Jensen
King	Kramer	Lind	Lundby
Maddox	McKean	McKibben	McLaren
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Tinsman	Zieman

Absent or not voting, 2:

Hedge	Rife
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Amendment S—3057 lost.

Senator Dvorsky offered amendment S—3058 filed by him from the floor to page 1 of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S—3058 and **Senate File 58** be **deferred**.

RECESS

On motion of Senator Iverson, the Senate recessed at 2:00 p.m., until 4:00 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 148 Appropriations**

Relating to utilizing real estate transfer tax proceeds to fund local housing development projects.

SSB 149 Appropriations

Relating to the allowed growth factor adjustment for county mental health, mental retardation, and developmental disabilities services, making appropriations, and providing an effective date.

SSB 150 Judiciary

Relating to compensation to victims of international terrorism who are residents of Iowa and providing an effective date.

SSB 151 Judiciary

Relating to corporations by providing for the call of special meetings of shareholders, for the combination of a corporation and certain shareholders, and for certain merger and share acquisitions.

SSB 152 Judiciary

Relating to the consumer fraud law by providing limited immunity from prosecution for providing certain information, amending notice provisions, authorizing the attorney general to commence an action related to telemarketing, and authorizing the attorney general to establish and accept a civil penalty in settlement of an investigation.

SSB 153 Judiciary

Relating to operating motor vehicles and watercraft while intoxicated, and providing for civil liability and criminal penalties.

SSB 154 Judiciary

Relating to juvenile justice and youthful offenders, by making changes in provisions relating to illegal purchase or possession of alcohol and tobacco by juveniles and youthful offenders, providing for the taking of fingerprints and photographs of certain juveniles, making changes related to the supplying of alcohol to persons under the age of twenty-one, providing for sharing of information regarding delinquent juveniles and juveniles under the jurisdiction of various social services agencies, providing for shared jurisdiction between the adult and juvenile courts over youthful offenders, and authorizing school officials to conduct searches of students and their lockers and other spaces and to report possession or use of alcohol or controlled substances to law enforcement authorities.

SSB 155 State Government

Relating to the allocation of gambling receipts for horse race purses.

SSB 157 Ways & Means

Relating to the treatment of subchapter S corporation status of financial institutions for state individual income and franchise tax purposes and including a retroactive applicability date provision.

SSB 158 Ways & Means

Relating to the exemption of unassisted coin-operated motor vehicle wash, wax, and vacuum services from the state sales, services, and use taxes.

SUBCOMMITTEE ASSIGNMENTS**Senate File 119**

TRANSPORTATION: Lind, Chair; Gettings and Jensen

Senate File 145

LOCAL GOVERNMENT: J. Black, Chair; Fraise and Redwine

Senate File 159

STATE GOVERNMENT: Rittmer, Chair; Deluhery and Lundby

House Concurrent Resolution 7

STATE GOVERNMENT: Tinsman, Chair; Lundby and Szymoniak

House File 4

LOCAL GOVERNMENT: Behn, Chair; Dearden and Rehberg

House File 132

AGRICULTURE: Bartz, Chair; Kibbie and Rehberg

House File 233

STATE GOVERNMENT: Lundby, Chair; Halvorson, McLaren, Szymoniak and Tinsman

SSB 155

STATE GOVERNMENT: Rife, Chair; Fink and Lind

AMENDMENTS FILED

S-3065	S. F.	58	Elaine Szymoniak
S-3066	S. F.	58	Michael E. Gronstal
S-3067	S. F.	58	Michael E. Gronstal
S-3068	S. F.	58	Michael E. Gronstal
S-3069	S. F.	58	Michael E. Gronstal
S-3070	S. F.	58	Steven D. Hansen
			Michael E. Gronstal
			Bill Fink
			Tom Vilsack
			Eugene Fraise
			Robert Dvorsky
			Johnie Hammond
			Dick L. Dearden
			Mary Neuhauser
S-3071	S. F.	58	Tom Vilsack

RECONVENED

The Senate reconvened at 4:06 p.m., President Kramer presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 19, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 228, a bill for an act relating to permits issued to licensed automobile tire recycling dealers to own or operate a waste tire site.

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

INTRODUCTION OF BILLS

Senate Concurrent Resolution 5, by Szymoniak and Redfern, a concurrent resolution designating March 1997 as Iowa women's History Month.

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

Senate Joint Resolution 8, by Lundby and Halvorson, a joint resolution proposing an amendment to the Constitution of the State of Iowa eliminating the office of Lieutenant Governor.

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

Senate File 166, by Halvorson, a bill for an act providing for voluntary limitation of campaign expenditures and contributions for certain elective officers, providing for disclosure for candidates who do not elect to voluntarily limit campaign expenditures and contributions, and providing penalties and an effective date.

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

Senate File 167, by Connolly, Rittmer, Flynn, Black of Jasper, and Lundby, a bill for an act relating to the protection of blufflands by

creating a blufflands protection revolving fund, by empowering the soil conservation division of the department of agriculture and land stewardship to establish a blufflands protection program, by making an appropriation for the provision of loans to certain nonprofit conservation organizations, and by providing for other properly related matters.

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

Senate File 168, by Connolly and Kibbie, a bill for an act relating to school attendance and safety by providing for notification to schools by peace officers of the possession of alcohol or controlled substances by juveniles, providing that certain identifying information regarding juveniles involved in delinquent acts is a public record, relating to an extension of the compulsory school attendance age, 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, establishing a penalty for violation of the compulsory school attendance law in certain circumstances, establishing criminal penalties 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 **passed on file.**

Senate File 169, by Connolly, a bill for an act relating to legal settlement regarding community-based providers of treatment or services.

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

Senate File 170, by Connolly, a bill for an act relating to the establishment of an education technology levy, providing for an education technology purchasing pool, an education technology loan program, providing intent language relating to a mobile unit to instruct elementary and secondary teachers in education technology, and providing an effective date.

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

Senate File 171, by Palmer, a bill for an act relating to the state reimbursement to local governments for lost property taxes due to the military service tax exemption and providing an applicability date provision.

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

Senate File 172, by Szymoniak, a bill for an act relating to the consideration by the court of a pattern of domestic abuse and of the identity of the primary physical aggressor in the determination of a history of domestic abuse pertaining to the awarding of child custody.

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

Senate File 173, by Dvorsky, a bill for an act relating to establishing a prevention of domestic violence special motor vehicle registration plate and establishing fees.

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

Senate File 174, by Dearden, a bill for an act relating to the operation of motorboats on artificial lakes.

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

Senate File 175, by Flynn, a bill for an act relating to advertising devices in certain cities.

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

Senate File 176, by committee on Human Resources, a bill for an act relating to child sexual abuse reporting.

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

BILL REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **House File 191** be referred from the Appropriations Calendar to the committee on **Natural Resources.**

APPENDIX

COMMITTEE REPORT

HUMAN RESOURCES

Final Bill Action: SENATE FILE 176 (SSB 69), a bill for an act relating to child sexual abuse reporting.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Boettger, Redwine,; Szymoniak, Behn, J. Black, Dvorsky, Hammond, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 3: Bartz, Dearden and Schuerer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CERTIFICATE OF RECOGNITION

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

Sister Gwen Hennessey - For being the Peace Award recipient sponsored by The Catholic Peace Ministry. Senator Connolly (2-21-97).

BILLS ASSIGNED TO COMMITTEE

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

S. F.	162	Natural Resources
S. F.	163	Human Resources
S. F.	164	Transportation
S. F.	165	Local Government
S. F.	166	State Government
S. F.	167	Natural Resources
S. F.	168	Education
S. F.	169	Human Resources
S. F.	170	Education
S. C. R.	5	State Government
S. J. R.	8	State Government
H.F.	244	Local Government
H.J. R.	10	Judiciary

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:10 p.m., until 9:00 a.m., Thursday, February 20, 1997.

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 20, 1997

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

Prayer was offered by Dr. William Hamm, President of Waldorf College, Forest City, Iowa.

The Journal of Wednesday, February 19, 1997, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator King for the day on request of Senator Iverson.

COMMITTEE ON MEMORIALS

Senator Iverson moved that a committee of four be appointed as a committee on Memorial Resolutions to appoint committees to prepare suitable resolutions for deceased members of the Senate.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 9:30 a.m., until 1:00 p.m.

APPENDIX

PRESENTATION OF VISITORS

Senator Kibbie presented the Honorable James Schaben, former member of the Senate from Harrison County, who was present in the Senate chamber.

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

Members of the Shelby County 4-H program. Senator Boettger.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to a standing committee for investigation were placed on the En Bloc Calendar with recommendation for confirmation on February 19, 1997:

EDUCATION

Charlene R. Fulton, State Board of Education.
James H. Arenson, State Board of Regents.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 19, 1997, 8:35 a.m.

Members Present: Rensink, Chair; J. Black, Vice Chair; Judge, Ranking Member; Angelo, Bartz, Behn, D. Black, Fraise, Gettings, Kibbie, Rehberg, Rife, Vilsack and Zieman.

Members Absent: Hedge (excused).

Committee Business: Assigned bills to subcommittees; deferred action on SSB 137.

Adjourned: 9:10 a.m.

BUSINESS AND LABOR

Convened: February 19, 1997, 3:03 p.m.

Members Present: Rife, Chair; Dearden, Ranking Member; Behn, Freeman, Gettings, Horn, Palmer, Schuerer and Zieman.

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

Committee Business: Presentations regarding occupational hearing loss.

Adjourned: 4:00 p.m.

EDUCATION

Convened: February 19, 1997, 3:12 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 124 as a committee bill; recommended confirmation of governor's appointees.

Adjourned; 3:56 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 19, 1997, 10:05 a.m.

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

Members Absent: none.

Committee Business: Presentations on Iowa Business Council and apprenticeship programs.

Adjourned: 11:43 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 19, 1997, 10:25 a.m.

Members Present: Rittmer, Chair; Redfern, Vice Chair and Flynn, Ranking Member.

Members Absent: Jensen and Palmer (both excused).

Committee Business: Presentation by the department of public health regarding abstinence education.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 19, 1997, 10:16 a.m.

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

Members Absent: none.

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

Adjourned: 11:29 a.m.

APPROP. SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 19, 1997, 10:10 a.m.

Members Present: Rife, Chair; Neuhauser, Ranking Member; Deluhery and McLaren.

Members Absent: Kramer, Vice Chair (excused).

Committee Business: Presentations by: the director of employment services on the department of workforce development; the Urbandale city administrator regarding inter-governmental information technology; video on digital signatures.

Adjourned: 11:40 a.m.

APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE & CAPITALS

Convened: February 19, 1997, 10:10 a.m.

Members Present: Freeman, Chair; King, Vice Chair; Halvorson, Ranking Member; Connolly and Douglas.

Members Absent: none.

Committee Business: Subcommittee amended and approved and submitted proposed appropriations transportation bill to the full appropriations committee.

Adjourned: 11:45 a.m.

COMMITTEE REPORT

TRANSPORTATION

Final Bill Action: *SENATE FILE 177 (SSB 15), a bill for an act relating to motor vehicle operator prohibitions and restrictions including exhibition driving, littering, blood alcohol test certificates, and handicapped parking, and by establishing or making existing penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Drake, Borlaug, McCoy, Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Transportation Committee on Senate File 177 and they were attached to the committee report.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 5

STATE GOVERNMENT: Szymoniak, Chair; Lundby and Tinsman

Senate File 151

WAYS AND MEANS: Douglas, Chair; Connolly and McKibben

Senate File 158

WAYS AND MEANS: Douglas, Chair; Freeman and Judge

Senate File 166

STATE GOVERNMENT: King, Chair; Drake, Gronstal, Kibbie and Lundby

Senate Joint Resolution 8

STATE GOVERNMENT: Lundby, Chair; Halvorson, McLaren, Szymoniak and Tinsman

SSB 148

APPROPRIATIONS: Rife, Chair; Borlaug, Gronstal, Rittmer and Vilsack

SSB 149

APPROPRIATIONS: Rittmer, Chair; Flynn, Freeman, Halvorson and Tinsman

SSB 156

COMMERCE: Jensen, Chair; Douglas and Palmer

SSB 157

WAYS AND MEANS: Redfern, Chair; Douglas and Vilsack

SSB 158

WAYS AND MEANS: Borlaug, Chair; Hedge and Palmer

House File 229

COMMERCE: King, Chair; Jensen and McCoy

AFTERNOON SESSION

The Senate reconvened at 1:05 p.m., President Kramer presiding.

QUORUM CALL

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

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

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senate File 129

On motion of Senator McKibben, Senate File 129, 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 McKibben moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 129) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Hedge

King

Lundby

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 Iverson asked and received unanimous consent that **Senate File 59** be referred from the Regular Calendar to the committee on **State Government**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 129** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 20, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 81, a bill for an act relating to the qualifications for the successful completion of an approved hunter safety and ethics education course.

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

INTRODUCTION OF BILLS

Senate File 177, by committee on Transportation, a bill for an act relating to motor vehicle operator prohibitions and restrictions including exhibition driving, littering, blood alcohol test certificates, and handicapped parking, and by establishing or making existing penalties applicable.

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

Senate File 178, by Gronstal, a bill for an act to increase the penalty applicable to the selling, giving, or supplying of alcohol to persons under the age of eighteen by persons other than licensees, permittees, or minors.

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

Senate File 179, by Kibbie, a bill for an act relating to the election of county supervisors in certain counties.

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

Senate File 180, by Deluhery, 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 **passed on file**.

Senate File 181, by Rife, a bill for an act relating to applications for temporary restricted motor vehicle licenses by habitual offenders.

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

Senate File 182, by Maddox, a bill for an act relating to the membership of the county compensation board and providing an effective date.

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

Senate File 183, by Flynn, a bill for an act permitting the school budget review committee to grant transportation assistance to certain school districts and providing for an appropriation.

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

Senate File 184, by committee on Local Government, a bill for an act relating to collection of fees charged prisoners for room and board, by providing for the entry of judgment against the prisoner and enforcement of the judgment through writ of execution.

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

Senate File 185, by Rehberg, a bill for an act concerning the condemnation of private property by owners of land without a public way to the land.

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

Senate File 186, by Borlaug and Douglas, a bill for an act allowing teaching parents to provide driver's education instruction.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 18, 1997, 10:26 a.m.

Members Present: Lind, Chair; McKibben, Vice Chair; Horn, Ranking Member; Kibbie and Rehberg.

Members Absent: none.

Committee Business: Presentations by faculty and students from Wartburg College and Graceland College regarding independent colleges; presentation on cultural grants by the arts councils of Cedar Falls, Bluffs and Spencer.

Adjourned: 11:37 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 19, 1997, 10:05 a.m.

Members Present: Lind, Chair; McKibben, Vice Chair; Horn, Ranking Member; Kibbie and Rehberg.

Members Absent: none.

Committee Business: Presentations by: the department of economic development on the school to work program; the association of business and industry on the school to work program and career pathways; department of education on the integration of school to work, career pathways and workforce development.

Adjourned: 11:11 a.m.

STATE GOVERNMENT

Convened: February 19, 1997, 2:13 p.m.

Members Present: Lind, Chair; Rittmer, Vice Chair; Kibbie, Ranking Member; Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, and Tinsman.

Members Absent: Szymoniak (excused).

Committee Business: Presentations by the department of personnel and department of revenue and finance on IPERS issues; approved SSB 155 as a committee bill.

Adjourned: 3:04 p.m.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 189 (SSB 124), a bill for an act extending the regular program district costs guarantee for school districts for two years, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Redfern, Rehberg, Connolly, Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: *SENATE FILE 184 (SSB 95), a bill for an act relating to collection of fees charged prisoners for room and board, by providing for the entry of judgment against the prisoner and enforcement of the judgment through writ of execution.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zieman, Behn, Fraise, Angelo, D. Black, J. Black, Boettger, Connolly, Hansen, McKean, Redwine and Rehberg. Nays, none. Absent or not voting, 1: Dearden.

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 184 and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: *SENATE FILE 187 (SSB 60), a bill for an act relating to the issuance of licenses and the imposition of fees for the fishing, trapping, hunting, pursuing, catching, killing, or taking of wild animals, birds, game, or fish, providing for other properly related matters, and subjecting violators to existing penalties, and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Judge, McKibben, Rehberg and Zieman. Nays, none. Absent or not voting, 1: Hedge.

Fiscal Note: 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 Committee on Senate File 187 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 190 (SSB 11), a bill for an act relating to granting easements on certain property by the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Judge, McKibben, Rehberg and Zieman. Nays, none. Absent or not voting, 1: Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 188 (SSB 155), a bill for an act relating to the allocation of gambling receipts for horse race purses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Lind, Rittimer, Kibbie, Deluhery, Drake, Gronstal, King, Lundby, McKibben, McLaren, Rife and Tinsman. Nays, 1: Halvorson. Absent or not voting, 2: Fink and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 156 Commerce

Establishing requirements for utilization review of health care services conducted by third-party payors of health benefits.

SSB 159 Commerce

Relating to the regulation of telecommunications providers, including regulation of the prices to be charged between certain carriers, establishing a universal service fund, providing for local exchange service assistance, issuing certificates for providing local telecommunications services, establishing a dispute resolution mechanism, and providing for property tax assessments.

SSB 160 Commerce

Relating to an alternative price regulation plan for certain local exchange carriers, providing for related matters, and providing an effective date.

SSB 161 Natural Resources

Relating to snowmobiles by requiring title certificates, increasing snowmobile registration fees, and providing for point of sale registration.

SSB 162 Ways & Means

Relating to the exemption from the sales, services, and use taxes of building materials and supplies used in construction of new single family dwellings.

SUBCOMMITTEE ASSIGNMENTS**Senate File 98**

JUDICIARY: McKean, Chair; Hammond and Maddox

Senate File 122

JUDICIARY: McKean, Chair; Boettger, Hammond, Hansen and Tinsman

Senate File 124

JUDICIARY: Redfern, Chair; Hansen and Maddox

Senate File 130

JUDICIARY: Maddox, Chair; Hammond and King

Senate File 139

JUDICIARY: Tinsman, Chair; Maddox and Neuhauser

Senate File 141

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

Senate File 152

HUMAN RESOURCES: J. Black, Chair; Dvorsky and Tinsman

Senate File 153

HUMAN RESOURCES: Tinsman, Chair; Behn and Szymoniak

Senate File 156

HUMAN RESOURCES: Boettger, Chair; Behn and Dvorsky

Senate File 157

HUMAN RESOURCES: Boettger, Chair; Behn and Dvorsky

Senate File 163

HUMAN RESOURCES: Boettger, Chair; Hammond and Tinsman

Senate File 165

LOCAL GOVERNMENT: McKean, Chair; J. Black and Dearden

House Joint Resolution 10

JUDICIARY: Redfern, Chair; Tinsman and Vilsack

House File 114

JUDICIARY: Redfern, Chair; McKibben and Neuhauser

House File 200

JUDICIARY: Vilsack, Chair; Boettger and Maddox

House File 232

JUDICIARY: Angelo, Chair; Hammond and Redfern

House File 244

LOCAL GOVERNMENT: Rehberg, Chair; J. Black and Connolly

SSB 150

JUDICIARY: Vilsack, Chair; McKibben and Redfern

SSB 151

JUDICIARY: Redfern, Chair; Tinsman and Vilsack

SSB 152

JUDICIARY: King, Chair; Halvorson and Redfern

SSB 153

JUDICIARY: McKean, Chair; Boettger, Halvorson, Maddox and Neuhauser

SSB 154

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

SSB 159

COMMERCE: Maddox, Chair; King and McCoy

SSB 160

COMMERCE: Maddox, Chair; King and McCoy

SSB 162

WAYS AND MEANS: Freeman, Chair; Deluhery and Douglas

AMENDMENT FILED

S-3072 S. F. 132 Allen Borlaug

BILLS ASSIGNED TO COMMITTEE

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

S. F.	171	Ways and Means
S. F.	172	Judiciary
S. F.	173	Transportation
S. F.	174	Natural Resources
S. F.	175	Transportation
S. F.	178	Judiciary
S. F.	179	Local Government
S. F.	180	State Government
S. F.	181	Judiciary
S. F.	182	Local Government
S. F.	183	Education
S. F.	185	State Government
S. F.	186	Education
S. R.	5	State Government
H. F.	81	Natural Resources
H. F.	228	Natural Resources

INTRODUCTION OF BILLS

Senate File 187, by committee on Natural Resources and Environment, a bill for an act relating to the issuance of licenses and the imposition of fees for the fishing, trapping, hunting, pursuing, catching, killing, or taking of wild animals, birds, game, or fish, providing for other properly related matters, and subjecting violators to existing penalties, and providing effective and applicability dates.

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

Senate File 188, by committee on State Government, a bill for an act relating to the allocation of gambling receipts for horse race purses.

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

Senate File 189, by committee on Education, a bill for an act extending the regular program district cost guarantee for school districts for two years, and providing an effective date.

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

Senate File 190, by committee on Natural Resources and Environment, a bill for an act relating to granting easements on certain property by the department of natural resources.

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

Senate File 191, by Fink, Dvorsky, Neuhauser, Vilsack, Gronstal, Horn, Redfern, Deluhery, Kibbie, Judge, McCoy, Connolly, Palmer, Hansen, Fraise, Szymoniak, and Hammond, a bill for an act establishing an Iowa wins scholarship program and making an appropriation.

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

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 2:00 p.m., until 10:00 a.m., Monday, February 24, 1997.

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 24, 1997

The Senate met in regular session at 10:15 a.m., President Kramer presiding.

Prayer was offered by the Honorable William Fink, member of the Senate from Warren County, Carlisle, Iowa.

The Journal of Thursday, February 20, 1997, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 20, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 250, a bill for an act establishing a program in the department of natural resources to provide major maintenance and infrastructure improvements to existing state parks and other public facilities and making appropriations.

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

House File 255, a bill for an act relating to the allowed growth factor adjustment for county mental health, mental retardation, and developmental disabilities services, making appropriations, and providing an effective date.

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

INTRODUCTION OF BILL

Senate File 192, by Kibbie, a bill for an act relating to the prospective rescission of administrative rules by the administrative rules review committee.

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

QUORUM CALL

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

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Deluhery until he arrives on request of Senator Gronstal; Senator McKibben until he arrives on request of Senator Angelo; Senators McKean, McLaren, Rife, Tinsman and Hedge until they arrive, and Senator King for the day on request of Senator Iverson.

CONSIDERATION OF BILLS

(Regular Calendar)

Senate File 160

On motion of Senator Maddox, Senate File 160, a bill for an act relating to funds held by life insurance companies and providing an effective date, was taken up for consideration.

Senator Connolly asked and received unanimous consent that action on **Senate File 160** be **deferred.**

Senate File 123

On motion of Senator Maddox, Senate File 123, a bill for an act relating to runaway children, by defining when a child is a chronic runaway, authorizing county runaway treatment plans, and providing for assessment and treatment procedures for chronic runaways, was taken up for consideration.

Senator Maddox offered amendment S—3074 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3074 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. 123) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McCoy
McKean	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

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

BUSINESS PENDING

Senate File 160

The Senate resumed consideration of Senate File 160, a bill for an act relating to funds held by life insurance companies and providing an effective date, previously deferred.

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. 160) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McCoy
McKean	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 123 and 160** be **immediately messaged** to the House.

RECESS

On motion of Senator Iverson, the Senate recessed at 11:15 a.m., until 3:00 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES**

Convened: February 20, 1997, 10:10 a.m.

Members Present: Rensink, Vice Chair; D. Black, Ranking Member; Behn and Dearden.

Members Absent: Hedge, Chair (excused).

Committee Business: Presentation by CAIP representatives; discussed final proposed appropriations bill.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 20, 1997, 10:07 a.m.

Members Present: Borlaug, Chair; Schuerer, Vice Chair; Vilsack, Ranking Member; Fink and Ziemann.

Members Absent: none.

Committee Business: Budgeting for results; presentation from Iowa manufacturing technology center history and focus of center; agricultural based industrial lubricants research and development presentation.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 20, 1997, 10:10 a.m.

Members Present: Rittmer, Chair.

Members Absent: Redfern, Vice Chair;; Flynn, Ranking Member; Jensen and Palmer.

Committee Business: Approved committee minutes and adjourned to sub-subcommittee meetings.

Adjourned: 10:15 a.m.

JUDICIARY

Convened: February 20, 1997, 2:05 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Angelo, Boettger, Fraise, Halvorson, Hammond, McKibben, Redfern, Hansen, King, and Vilsack.

Members Absent: Neuhauser, Ranking Member; Drake, Hansen, King and Tinsman (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:10 p.m.

PETITIONS

The following petitions favoring legislation supporting the funding of public libraries were presented and placed on file by:

Senator Douglas from 80 residents of Adair County.

Senator Jensen from 49 residents of Grundy County.

CERTIFICATES OF RECOGNITION

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

Elmer and Jean Hahn, Solon – For celebrating your 50th wedding anniversary. Senator Dvorsky (2-13-97).

W. John and Magdalen Kasper, Iowa City – For celebrating your 50th wedding anniversary. Senator Dvorsky (2-12-97).

Anne Pitcher, Coralville – For completion of the Gold Award. Senator Dvorsky (1-31-97).

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 5

STATE GOVERNMENT: Rife, Chair; Deluhery and King

Senate File 59
(Reassigned)

STATE GOVERNMENT: Tinsman, Chair; Kibbie and Lind

Senate File 142

HUMAN RESOURCES: Schuerer, Chair; Bartz and Szymoniak

Senate File 150

EDUCATION: Lind, Chair; Neuhauser and Rehberg

Senate File 154

EDUCATION: Angelo, Chair; Boettger and Kibbie

Senate File 168

EDUCATION: Boettger, Chair; Kibbie and Tinsman

Senate File 170

EDUCATION: Rehberg, Chair; J. Black and Fink

Senate File 171

WAYS AND MEANS: Douglas, Chair; McKibben and Palmer

Senate File 179

LOCAL GOVERNMENT: J. Black, Chair; Behn and Hansen

Senate File 180

STATE GOVERNMENT: McKibben, Chair; Lundby and Szymoniak

Senate File 182

LOCAL GOVERNMENT: Behn, Chair; J. Black and Dearden

Senate File 185

STATE GOVERNMENT: Lundby, Chair; Halvorson and McLaren

House File 92

EDUCATION: Rehberg, Chair; Angelo and Connolly

AMENDMENTS FILED

S-3073	S. F.	95	John P. Kibbie James Black Merlin E. Bartz Dennis H. Black
S-3074	S. F.	123	O. Gene Maddox
S-3075	S. F.	189	Mary Neuhauser
S-3076	S. F.	189	John P. Kibbie Mike Connolly
S-3077	S. F.	184	Mike Connolly

AFTERNOON SESSION

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

QUORUM CALL

Senator Iverson 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 Dearden for the remainder of the day on request of Senator Gronstal.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 95

On motion of Senator Black of Kossuth, Senate File 95, 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 an effective date and the Act's applicability, was taken up for consideration.

Senator Kibbie offered amendment S—3073 filed by Senators Kibbie, et al., from the floor to page 1 of the bill and moved its adoption.

Amendment S—3073 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 95) the vote was:

Ayes, 48:

Angelo
Black, J.

Bartz
Boettger

Behn
Borlaug

Black, D.
Connolly

Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Dearden King

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

Senator Iverson asked and received unanimous consent that **Senate File 95** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 193, by Schuerer, a bill for an act relating to the election of trustees for special land use districts.

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

Senate File 194, by Borlaug, Fink, Maddox, McCoy, Deluhery, McKean, and Drake, 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**.

Senate File 195, by Schuerer, Rehberg, Angelo, Behn, Black of Kossuth, McKibben, Redwine, and King, a bill for an act reducing the state individual income tax rates by fifteen percent and including a retroactive applicability date provision.

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

BILL SPONSOR SUBSTITUTION
(Senate File 191)

Senator Redfern asked and received unanimous consent that Senator Flynn's name appear as a sponsor of Senate File 191 as was originally intended. Senate File 191 incorrectly listed Redfern as a sponsor due to a typographical error.

APPENDIX

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 24, 1997, when the vote was taken on Senate Files 123 and 160.

Had I been present, I would have voted "aye" on the bills.

MAGGIE TINSMAN

STUDY BILLS RECEIVED

SSB 64.1 Ways & Means

Relating to the use tax on motor vehicle leasing.

SSB 163 Education

Relating to the activities of the department of education, vocational education, community colleges, special educational programs provided by area education agencies, dual enrollment, payment of claims for nonpublic school pupil transportation, the school budget review committee, the enrollment of certain students, and annual audits of school districts.

SSB 164 Human Resources

Relating to child custody, support, and visitation, and providing penalties.

SSB 165 Human Resources

Relating to health care facility inspections and directing the department of inspections and appeals to develop and implement a risk-based inspections system for health care facilities licensed only by the state.

SSB 166 Human Resources

Concerning civil rights by modifying the elderly housing exemption to the housing discrimination law and by providing for the enforcement of civil rights commission orders.

SSB 167 Human Resources

Relating to the provision of medical services administered by the department of human services and providing a disqualification for certain services.

SSB 168 Ways & Means

Relating to the markup of the wholesale price for alcoholic liquor.

SSB 169 Human Resources

Relating to child abuse provisions involving assessments performed by the department of human services in response to reports of child abuse and providing effective dates.

SSB 170 Commerce

Relating to security interests in farm products, providing for penalties and providing an effective date.

SSB 171 Human Resources

Relating to the Iowa pharmacy practice Act by permitting qualified individuals to transport emergency medications; permitting more than one emergency drug box in a licensed health care facility; providing for electronic signatures on prescriptions; requiring the purpose of the drug on prescription drug orders; establishing programs to aid impaired pharmacists, pharmacist interns, and pharmacy technicians; providing for board investigative subpoena power; and establishing a penalty.

SUBCOMMITTEE ASSIGNMENTS**SSB 64.1**

WAYS AND MEANS: Drake, Chair; Douglas and Vilsack

SSB 163

EDUCATION: Redfern, Chair; Connolly and Rehberg

SSB 164

HUMAN RESOURCES: Bartz, Chair; J. Black and Vilsack

SSB 165

HUMAN RESOURCES: Hammond, Chair; J. Black and Tinsman

SSB 166

HUMAN RESOURCES: Schuerer, Chair; Bartz and Dearden

SSB 167

HUMAN RESOURCES: Schuerer, Chair; Behn and Dearden

SSB 169

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Tinsman

NOTICE OF HEARING

Mr. Kim D. Schmett, appointed by the governor as Director of the Department of Inspections and Appeals, will appear before the Senate State Government investigating committee on February 27, 1997, at 12:00 noon, Room 24, State Capitol Building.

ELAINE SZYMONIAK, Chair
SENATE INVESTIGATING COMMITTEE

BILLS ASSIGNED TO COMMITTEE

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

S. F.	191	Appropriations
S. F.	192	State Government
S. F.	193	Local Government
S. F.	194	Ways and Means
S. F.	195	Ways and Means
H. F.	250	Natural Resources
H. F.	255	Local Government

AMENDMENT FILED

S-3078 S. F. 132 Mary Lundby

INTRODUCTION OF BILLS

Senate File 196, by Maddox, a bill for an act to permit a victim of a crime committed by a juvenile to present an oral impact statement in juvenile delinquency proceedings.

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

Senate File 197, by Maddox, a bill for an act setting the interest rate on judgments and decrees.

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

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 3:22 p.m., until 9:00 a.m., Tuesday, February 25, 1997.

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 25, 1997

The Senate met in regular session at 9:07 a.m., President Kramer presiding.

Prayer was offered by the Reverend David Bauer, pastor of the First United Presbyterian Church, Winterset, Iowa.

The Journal of Monday, February 24, 1997, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 24, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 133, a bill for an act relating to the offering of point of service plan options in certain health benefit plans.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 9, by Halvorson, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualifications of electors.

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

Senate File 198, by Rife, a bill for an act prohibiting contributions to political campaigns by political committees and lobbyists, limiting

contributions to a candidate to those from individuals permanently residing in the candidate's district, and providing an effective date.

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

Senate File 199, by Bartz, a bill for an act requiring third-party payor coverage for diagnostic screening for prostate cancer.

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

Senate File 200, by Connolly, a bill for an act relating to safety barriers for highway construction sites.

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

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 132

On motion of Senator Borlaug, Senate File 132, a bill for an act relating to state department of transportation operations, including regulating hazardous materials transport, regulating motor vehicle dealers, eliminating requirements that the department adopt administrative rules in certain instances, and establishing, making applicable, or enhancing penalties, was taken up for consideration.

Senator Borlaug asked and received unanimous consent that action on **Senate File 132** be **deferred.**

RECESS

On motion of Senator Iverson, the Senate recessed at 9:35 a.m., until 4:00 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS**

Convened: February 24, 1997, 3:29 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Horn, Jensen, Lind, Lundby, Maddox, McCoy, Neuhauser, Rensink, Rife, Rittmer, Tinsman and Vilsack.

Members Absent: Behn and Hedge (both excused).

Committee Business: Assigned study bills to subcommittees and approved SSB 149 as a committee bill.

Adjourned: 3:50 p.m.

EDUCATION

Convened: February 24, 1997, 1:04 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointee; presentation on juvenile justice and school-based youth service programs.

Adjourned: 1:52 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 19, 1997, 11:30 a.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Judge, McKibben and Rehberg.

Members Absent: Hedge and Ziemann (both excused).

Committee Business: Amended and approved SSB 60 as a committee bill; approved SSB 11 as a committee bill.

Adjourned: 12:13 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 24, 1997, 2:05 p.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben, Rehberg and Ziemann.

Members Absent: Dearden (excused).

Committee Business: Senate File 22 failed recommendation for passage; amended and approved SSB 41 as a committee bill; recommended confirmation of governor's appointee.

Adjourned: 2:35 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

Convened: February 24, 1997, 2:05 p.m.

Members Present: Rittmer, Chair; Lundby, Vice Chair; Hansen, Ranking Member; Boettger, Douglas, Flynn, Hammond, Lind, McCoy, Palmer and Schuerer.

Members Absent: King and Redwine (both excused).

Committee Business: Approved SSB 73 as a committee bill and recommended confirmation of governor's appointee.

Adjourned: 2:38 p.m.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on February 24 and 25, 1997:

SMALL BUSINESS, ECON. DEVLPT & TOURISM

Hugh M. Field, Iowa Seed Capital Corporation.

STATE GOVERNMENT

Roger A. Halvorson, Administrator of Professional Licensing and Regulation.

Dr. LeRoy I. Strohman, Board of Dental Examiners.

Carlton D. Peterson and Ricard R. Porter, Board of Mortuary Science Examiners.

Camille V. Scully, Commission on the Status of African-Americans.

Kimberly K. Reynolds, Investment Board of the IPERS.

STUDY BILLS RECEIVED**SSB 47.1 State Government**

Relating to the practice of veterinary medicine and providing a penalty.

SSB 172 Commerce

Relating to transfers of real property by providing that certain disclosures regarding psychologically impacted property are not required and by amending the definition of transfer.

SSB 173 State Government

Relating to the state income tax checkoff for domestic abuse and sexual assault services and providing retroactive applicability dates.

SSB 174 Agriculture

Relating to cooperative associations by providing for operations and procedures of the associations.

SSB 175 Agriculture

Relating to cooperative corporations, by providing for the transfer of stock, the allocation of patronage dividends upon termination of membership, and dissolution.

SSB 176 Business & Labor

Relating to subject matter under the regulatory authority of the labor commissioner, including the construction contractors law, and making nonsubstantive Code corrections relating to the child labor law.

SSB 177 Business & Labor

Relating to the Iowa wage payment collection law.

SSB 178 Business & Labor

Relating to the department of workforce development concerning the offsetting of unemployment compensation benefits, departmental liability for the release of unemployment compensation records, the voluntary shared work program, and workforce development services employees, and providing for an effective date.

SSB 179 State Government

Relating to the provision of water service and the compensation of a water district for facilities within the annexed territory of a city.

SSB 180 State Government

Establishing an age ceiling for hiring fire fighters and peace officers.

SSB 181 State Government

Relating to licensure and certification of certain real estate-related occupations, by providing for appraiser certification, discipline of brokers and salespersons, and related matters, and making a penalty applicable.

SSB 182 Local Government

Relating to the financial and regulatory procedures of counties, cities, and drainage districts, by amending the powers and duties of county treasurers.

SSB 183 Local Government

Relating to the annexation of territory by a city.

SSB 184 Local Government

Relating to the fee charged by the county auditor for transfers of property made in the transfer records.

SSB 185 Local Government

Relating to exemptions from property taxation for improvements to residential property located in an urban revitalization area, and providing an applicability date.

SSB 186 Human Resources

Relating to the prohibited sale of home testing kits for the human immunodeficiency virus.

SSB 187 Appropriations

Relating to and making appropriations to the state department of transportation, including allocation and use of moneys from the general fund of the state, road use tax fund, and primary road fund, and establishing a toll-free road and weather reporting system.

SUBCOMMITTEE ASSIGNMENTS**Senate File 149**

TRANSPORTATION: Jensen, Chair; Drake and Halvorson

Senate File 164

TRANSPORTATION: Drake, Chair; Borlaug and Connolly

Senate File 167

NATURAL RESOURCES & ENVIRONMENT: Hedge, Chair; D. Black, Dearden, Rehberg and Zieman

Senate File 169

HUMAN RESOURCES: Boettger, Chair; Bartz and Dearden

Senate File 173

TRANSPORTATION: McKibben, Chair; Gettings and McKean

Senate File 174

NATURAL RESOURCES & ENVIRONMENT: Dearden, Chair; Angelo and Freeman

Senate File 175

TRANSPORTATION: McCoy, Chair; Freeman and Rittmer

Senate File 192

STATE GOVERNMENT: Kibbie, Chair; Drake and Rittmer

Senate File 193

LOCAL GOVERNMENT: J. Black, Chair; Behn and Dearden

House File 191

NATURAL RESOURCES & ENVIRONMENT: Angelo, Chair; Fink and Rehberg

House File 255

LOCAL GOVERNMENT: J. Black, Chair; Angelo and Connolly

SSB 47.1

STATE GOVERNMENT: McLaren, Chair; Deluhery, Drake, Fink and Rife

SSB 98

NATURAL RESOURCES & ENVIRONMENT: Rehberg, Chair; Angelo and Deluhery

SSB 170

COMMERCE: Schuerer, Chair; Deluhery and Jensen

SSB 171

HUMAN RESOURCES: Redwine, Chair; Boettger and Dvorsky

SSB 172

COMMERCE: Bartz, Chair; Palmer and Schuerer

SSB 173

STATE GOVERNMENT: Tinsman, Chair; Lundby and Szymoniak

SSB 174

AGRICULTURE: Angelo, Chair; Behn and Fraise

SSB 175

AGRICULTURE: Hedge, Chair; Kibbie and Zieman

SSB 176

BUSINESS AND LABOR: Jensen, Chair; Horn and King

SSB 177

BUSINESS AND LABOR: King, Chair; Dearden and Ziemann

SSB 178

BUSINESS AND LABOR: Freeman, Chair; Gettings and Schuerer

SSB 179

STATE GOVERNMENT: Lind, Chair; McLaren and Szymoniak

SSB 180

STATE GOVERNMENT: Rittmer, Chair; Fink and King

SSB 181

STATE GOVERNMENT: Drake, Chair; Kibbie and Rittmer

SSB 182

LOCAL GOVERNMENT: McKean, Chair; Dearden and Rehberg

SSB 183

LOCAL GOVERNMENT: J. Black, Chair; Boettger and Fraise

SSB 184

LOCAL GOVERNMENT: Behn, Chair; J. Black and Hansen

SSB 185

LOCAL GOVERNMENT: Redwine, Chair; Angelo and D. Black

SSB 186

HUMAN RESOURCES: Hammond, Chair; J. Black and Boettger

AMENDMENT FILED

S-3079 S. F. 132 Allen Borlaug

COMMITTEE REPORTS**APPROPRIATIONS**

Final Bill Action: SENATE FILE 204 (SSB 149), a bill for an act relating to the allowed growth factor adjustment for county mental health, mental retardation, and developmental disabilities services, making appropriations, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 21: McLaren, Kramer, Flynn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Horn, Jensen, Lind, Maddox, McCoy, Neuhauser, Rensink, Rife, Rittmer and Tinsman. Nays, 2: Lundby and Vilsack. Absent or not voting, 2: Behn and Hedge.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

Final Bill Action: SENATE FILE 205 (SSB 73), a bill for an act relating to continued eligibility under the new jobs and income program concerning the ownership of land by nonresident aliens and certain capital investment and job creation provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Rittmer, Lundby, Hansen, Boettger, Douglas, Flynn, Lind, McCoy, Palmer and Schuerer. Nays, 1: Hammond. Absent or not voting, 2: King and Redwine.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 83, 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.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Douglas, McKibben, Palmer, Borlaug, Drake, Freeman, Hedge, Judge, Maddox, McLaren, Redfern, Szymoniak and Vilsack. Nays, 2: Connolly and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:31 p.m., President Kramer presiding.

INTRODUCTION OF BILLS

Senate File 201, by Kibbie, a bill for an act setting limits for contributions by political committees to certain political campaigns and making penalties applicable.

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

Senate File 202, by Flynn, a bill for an act relating to election of mayors in certain cities and providing an immediate effective date.

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

Senate File 203, by Douglas, a bill for an act providing for research regarding the production and marketing of industrial hemp.

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

Senate File 204, by committee on Appropriations, a bill for an act relating to the allowed growth factor adjustment for county mental health, mental retardation, and developmental disabilities services, making appropriations, and providing an effective date.

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

Senate File 205, by committee on Small Business, Economic Development and Tourism, a bill for an act relating to continued eligibility under the new jobs and income program concerning the ownership of land by nonresident aliens and certain capital investment and job creation provisions.

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

Senate File 206, by Hansen and Black of Jasper, a bill for an act relating to the brucellosis and tuberculosis eradication fund by eliminating county tax levies as a source of support, providing for administration of the fund, and providing for state support.

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

Senate File 207, by Lind, a bill for an act to prohibit sexual exploitation by law enforcement officers and providing a penalty.

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

Senate File 208, by Gronstal, a bill for an act relating to the election of directors of local school districts, area education agencies, and merged areas, and providing an effective date and transition provisions.

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

Senate File 209, by Black of Kossuth, a bill for an act relating to animal feeding operations, by providing authority to counties and providing for nuisance suit protection.

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

Senate File 210, by Bartz, a bill for an act relating to the determination of legal settlement of a child placed in a juvenile shelter care home and the recovery of costs of care in a juvenile shelter care home.

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

Senate File 211, by Lundby and Gronstal, a bill for an act relating to licensing and certification of certain occupations relating to real estate, by providing for appraiser certification, discipline of brokers and salespersons, and related matters, and making a penalty applicable.

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

Senate File 212, by Rittmer and Redwine, a bill for an act relating to the offense of driving a motor vehicle when a license has been revoked or denied for driving while intoxicated, requiring financial liability coverage for motor vehicles in this state, providing for the seizure of motor vehicle registration plates, and providing penalties and conditional effective dates.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	196	Judiciary
S. F.	197	Judiciary
S. F.	198	State Government
S. F.	199	Human Resources
S. F.	200	Transportation
S. F.	201	State Government
S. F.	202	Local Government
S. F.	203	Agriculture
S. F.	206	Agriculture
S. F.	207	Judiciary
S. F.	208	Education
S. F.	209	Agriculture
S. F.	210	Human Resources
S. J. R.	9	State Government
H. F.	133	Commerce

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE FILE 59, a bill for an act relating to the disposition of emergency medical care provider certification fees.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McLaren, Rife, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 7, a resolution recognizing the women who served Iowa as state legislators through Iowa's sesquicentennial year, 1996, and celebrating 100 years of women elected to state legislatures.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McLaren, Rife, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 233, a bill for an act relating to cooperative associations, by providing for the filing of documents and providing for the effective date of a merger or consolidation.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McLaren, Rife, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3080	S. F.	132	Jim Lind
S-3081	S. F.	177	Richard F. Drake
S-3082	H. F.	255	Tom Vilsack
S-3083	H. F.	255	Tom Vilsack
			Steven Hansen
			Patty Judge
			Rod Halvorson
			John Kibbie
			Don Gettings
			Eugene Fraise
			Dick Dearden

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:34 p.m., until 9:00 a.m., Wednesday, February 26, 1997.

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 26, 1997

The Senate met in regular session at 9:07 a.m., President Kramer presiding.

Prayer was offered by the Reverend Roger Todd, pastor of the First Presbyterian Church, Guthrie Center, Iowa.

The Journal of Tuesday, February 25, 1997, was approved.

INTRODUCTION OF BILLS

Senate File 213, by Lind, a bill for an act prohibiting payment of driver education charges by the department of human services and eliminating a requirement that public school districts offer or make available an approved driver education course.

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

Senate File 214, by committee on Natural Resources and Environment, a bill for an act relating to the regulation of the use and disposal of sewage sludge and providing a penalty.

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

Senate File 215, by Freeman, a bill for an act relating to the issuance of a family hunting license, imposing a family hunting license fee, providing for other properly related matters, and subjecting violators to an existing penalty.

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

Senate File 216, by Gronstal, a bill for an act relating to the disclosure of certain Iowa corporate income tax information by the

department of revenue and finance in an annual report to the governor and general assembly.

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

Senate File 217, by Gronstal, a bill for an act relating to the time of the distribution of local option taxes to cities and counties and providing an effective date.

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

COMMITTEE REPORT

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 255, a bill for an act relating to the allowed growth factor adjustment for county mental health, mental retardation, and developmental disabilities services, making appropriations, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Zieman, Behn, Fraise, Angelo, J. Black, Boettger, Connolly, Dearden, Hansen, McKean, Redwine and Rehberg. Nays, none. Absent or not voting, 1: D. Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL REFERRED TO COMMITTEE

Senate Iverson asked and received unanimous consent that **House File 255** be referred from the Regular Calendar to the committee on **Appropriations.**

The Senate stood at ease at 9:22 a.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 9:35 a.m., President Kramer presiding.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: HOUSE FILE 255, a bill for an act relating to the allowed growth factor adjustment for county mental health, mental retardation, and developmental disabilities services, making appropriations, and providing an effective date.

Recommendation: DO PASS.

Final Vote Ayes, 24: McLaren, Kramer, Flynn, Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Horn, Jensen, Lind, Lundby, Maddox, McCoy, Neuhauser, Rife, Rittmer, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Rensink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House File 255.

House File 255

On motion of Senator Rittmer, House File 255, a bill for an act relating to the allowed growth factor adjustment for county mental health, mental retardation, and developmental disabilities services, making appropriations, and providing an effective date, with report of committee on Local Government recommending passage on February 25, 1997, and report of the committee on Appropriations recommending passage on February 26, 1997, was taken up for consideration.

Senator Iverson asked and received unanimous consent that action on **House File 255** be **deferred**.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:47 a.m., until 4:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES**

Convened: February 25, 1997, 10:20 a.m.

Members Present: Hedge, Chair; Rensink, Vice Chair; D. Black, Ranking Member; Behn and Dearden.

Members Absent: none.

Committee Business: Subcommittee approved and submitted proposed appropriations bill LSB 1761 to the full Appropriations Committee.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 25, 1997, 9:50 a.m.

Members Present: Borlaug, Chair; Schuerer, Vice Chair; Fink and Ziemann.

Members Absent: Vilsack, Ranking Member (excused).

Committee Business: IFA follow-up; presentations by IPRT and SBDC.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 25, 1997, 10:02 a.m.

Members Present: Tinsman, Chair; Boettger, Vice Chair and Redwine.

Members Absent: Hammond, Ranking Member and Szymoniak.

Committee Business: Discussed proposed appropriations bill.

Adjourned: 11:49 a.m.

AGRICULTURE

Convened: February 25, 1997, 8:05 a.m.

Members Present: Rensink, Chair; J. Black, Vice Chair; Judge, Ranking Member; Angelo, Bartz, Behn, D. Black, Fraise, Hedge, Kibbie, Rehberg, Rife, Vilsack and Ziemann.

Members Absent: Gettings.

Committee Business: Approved SSB 145 as a committee bill; amended and deferred action on SSB 137.

Adjourned: 8:35 a.m.

HUMAN RESOURCES

Convened: February 25, 1997, 3:09 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dearden, Hammond, Rensink, Schuerer, Tinsman and Vilsack.

Members Absent: Dvorsky (excused).

Committee Business: Amended and approved SSBs 127 and 169 as committee bills.

Adjourned: 4:05 p.m.

LOCAL GOVERNMENT

Convened: February 25, 1997, 1:05 p.m.

Members Present: Zieman, Chair; Behn, Vice Chair; Fraise, Ranking Member; Angelo, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean, Redwine and Rehberg.

Members Absent: none.

Committee Business: Approved SSBs 136 and 80 as committee bills; assigned bills to subcommittees.

Recessed: 2:00 p.m.

Reconvened: February 25, 1997, 4:15 p.m.

Members Present: Zieman, Chair; Behn, Vice Chair; Fraise, Ranking Member; Angelo, J. Black, Boettger, Connolly, Dearden, Hansen, McKean, Redwine and Rehberg.

Members Absent: D. Black.

Committee Business: Recommended passage of Senate File 145 and House File 255.

Adjourned: 4:25 p.m.

STATE GOVERNMENT

Convened: February 25, 1997, 1:07 p.m.

Members Present: Lind, Chair; Rittmer, Vice Chair; Kibbie, Ranking Member; Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McLaren, Rife, Szymoniak and Tinsman.

Members Absent: McKibben.

Committee Business: Recommended confirmation of governor's appointees; recommended House File 8 as amended; amended and approved SSB 101 and Senate File 159 as committee bills; recommended passage of Senate 59, House Concurrent Resolution 7 and House File 233.

Adjourned: 2:05 p.m.

TRANSPORTATION

Convened: February 25, 1997, 3:03 p.m.

Members Present: Drake, Chair; Borlaug, Vice Chair; McCoy, Ranking Member; Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind and Rittmer.

Members Absent: McKean and McKibben (both excused).

Committee Business: Approved SSB 134 as a committee bill and assigned bills to subcommittees.

Adjourned: 3:08 p.m.

WAYS AND MEANS

Convened: February 25, 1997, 11:48 a.m.

Members Present: Douglas, Chair; McKibben, Vice Chair; Palmer, Ranking Member; Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, McLaren, Redfern, Szymoniak and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 64.1 as a committee bill; recommended passage of Senate File 83, and recommended passage of Senate File 136 as amended.

Adjourned: 12:21 p.m.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on February 24, 1997:

EDUCATION

Kay E. Wagner, State Board of Education.

NATURAL RESOURCES

Rita A. Venner, Environmental Protection Commission.

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 219 (SSB 137), a bill for an act relating to trespassing or estray livestock and providing remedies and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rensink, J. Black, Judge, Bartz, Behn, D. Black, Fraise, Gettings, Hedge, Kibbie, Rehberg, Rife and Zieman. Nays, none. Absent or not voting, 2: Angelo and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 221 (SSB 145), a bill for an act providing for the termination of farm tenancies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Rensink, J. Black, Judge, Angelo, Bartz, Behn, D. Black, Fraise, Hedge, Kibbie, Rehberg, Rife, Vilsack and Zieman. Nays, none. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 221 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 231 (SSB 133), a bill for an act restricting the use of spray irrigation equipment on land draining into agricultural drainage wells.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rensink, J. Black, Judge, Bartz, Behn, D. Black, Fraise, Gettings, Hedge, Kibbie, Rehberg, Rife and Zieman. Nays, none. Absent or not voting, 2: Angelo and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 231 and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 230 (SSB 169), a bill for an act relating to child abuse provisions involving assessments performed by the department of human services in response to reports of child abuse and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boettger, Redwine, Szymoniak, Bartz, Behn, Dearden, Hammond, Rensink, Schuerer, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: J. Black 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 230 and they were attached to the committee report.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 145, a bill for an act relating to the county mental health, mental retardation, and developmental disabilities services fund levy by providing a procedure for a county to make revisions affecting the services fund levy and other levies, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Zieman, Behn, Fraise, Angelo, J. Black, Boettger, Connolly, Dearden, Hansen, McKean, Redwine and Rehberg. Nays, none. Absent or not voting, 1: D. Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 228 (SSB 80), a bill for an act relating to the compensation of the sheriff and compensation commissioners in eminent domain proceedings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Zieman, Behn, Fraise, Angelo, J. Black, Boettger and Dearden. Nays, 6: D. Black; Connolly, Hansen, McKean, Redwine and Rehberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 232 (SSB 136), a bill for an act relating to notarial acts and the issuance of marriage licenses by county registrars.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zieman, Behn, Fraise, Angelo, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean, Redwine and Rehberg. 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 232 and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: SENATE FILE 214 (SSB 41), a bill for an act relating to the regulation of the use and disposal of sewage sludge and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Dearden, Dvorsky, Freeman, Hedge, Judge, McKibben, Rehberg and Zieman. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 191, a bill for an act relating to the establishment of the drinking water facilities financing program, the drinking water treatment revolving loan fund, the drinking water facilities administration fund, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben and Rehberg. Nays, none. Absent or not voting, 1: Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 225 (formerly Senate File 159), a bill for an act concerning assistive devices by providing for express warranties, replacement of devices, and providing consumer remedies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McLaren, Rife, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 233 (SSB 101), a bill for an act concerning eligible alternative retirement benefit systems for newly employed community college employees, and providing an applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McLaren, Rife, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: McKibben.

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 233 and they were attached to the committee report.

TRANSPORTATION

Final Bill Action: SENATE FILE 229 (SSB 134), a bill for an act relating to the issuance of motor vehicle licenses for certain law enforcement officers and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Drake, Borlaug, McCoy, Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 136, 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-3087.

Final Vote: Ayes, 15: Douglas, McKibben, Palmer, Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, McLaren, Redfern, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 222 (SSB 64.1), a bill for an act relating to the use tax on motor vehicle leasing.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Douglas, McKibben, Palmer, Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, McLaren, Redfern, Szymoniak and Vilsack. Nays, none. Absent or not voting, 1: Vilsack.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 188 Natural Resources & Environment

Relating to the cleanup and reuse of contaminated property, environmental remediation standards and review procedures, participation in the remediation of contaminated property, liability for the voluntary cleanup of contaminated property, liability protections, and establishing a land recycling fund.

SSB 189 Commerce

Relating to the operation and regulation of certain insurance companies and mutual associations, and the regulatory authority of the insurance division of the department of commerce.

SSB 190 Education

Increasing the amount of the tuition and textbook tax credit and providing an applicability date provision.

SSB 191 Education

Relating to school attendance under the family investment program and providing an effective date.

SSB 192 State Government

Relating to the certification of plumbers and heat, ventilation, and air conditioning professionals, and establishing fees and penalties, and providing for the use of such fees.

SUBCOMMITTEE ASSIGNMENTS**Senate File 162**

NATURAL RESOURCES AND ENVIRONMENT: Hedge, Chair; Angelo and Judge

Senate File 194

WAYS AND MEANS: Borlaug, Chair; Hedge and Palmer

Senate File 195

WAYS AND MEANS: Drake, Chair; Deluhery and McLaren

Senate File 199

HUMAN RESOURCES: Bartz, Chair; Boettger and Dvorsky

Senate File 200

TRANSPORTATION: Drake, Chair; Gettings and Jensen

Senate File 202

LOCAL GOVERNMENT: Redwine, Chair; Angelo and Hansen

Senate File 203

AGRICULTURE: Behn, Chair; D. Black and Hedge

Senate File 206

AGRICULTURE: Rensink, Chair; Gettings and Zieman

Senate File 209

AGRICULTURE: Rensink, Chair; J. Black and Kibbie

House File 228

NATURAL RESOURCES AND ENVIRONMENT: J. Black, Chair; Dvorsky and McKibben

SSB 187

APPROPRIATIONS: Freeman, Chair; Douglas, Flynn, Halvorson and Rittmer

SSB 188

NATURAL RESOURCES AND ENVIRONMENT: Borlaug, Chair; Judge and McKibben

SSB 189

COMMERCE: Gronstal, Chair; Deluhery, Jensen, Redfern and Schuerer

SSB 190

EDUCATION: Connolly, Chair; Angelo, J. Black, Kibbie and Rehberg

SSB 191

EDUCATION: Tinsman, Chair; Boettger, Neuhauser, Redwine and Szymoniak

SSB 192

STATE GOVERNMENT: Lundby, Chair; Gronstal and McLaren

AFTERNOON SESSION

The Senate reconvened at 4:40 p.m., President Kramer presiding.

QUORUM CALL

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

The vote revealed 39 present, 11 absent and a quorum present.

BUSINESS PENDING

House File 255

The Senate resumed consideration of House File 255, a bill for an act relating to the allowed growth factor adjustment for county mental health, mental retardation, and developmental disabilities services, making appropriations, and providing an effective date, previously deferred.

Senator Halvorson asked and received unanimous consent that action on amendment S—3088 filed by him from the floor to page 1 of the bill be temporarily deferred.

Senator Vilsack asked and received unanimous consent that action on amendment S—3083 filed by Senators Vilsack, et al., on February 25, 1997, to page 1 of the bill be temporarily deferred.

Senator Flynn offered amendment S—3085 filed by Senators Flynn, et al., from the floor to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3085 be adopted?" (H.F. 255) the vote was:

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

Ayes, 22:

Black, D.
Dvorsky

Connolly
Fink

Dearden
Flynn

Deluhery
Fraise

Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
Lundby	McCoy	Neuhauser	Palmer
Szymoniak	Vilsack		

Nays, 28:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lind	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Amendment S—3085 lost.

Senator Connolly withdrew amendment S—3086 filed by him from the floor to page 1 of the bill.

Senator Connolly offered amendment S—3089 filed by him from the floor to page 1 of the bill.

Senator Connolly asked and received unanimous consent that action on amendment S—3089 be deferred.

Senator Lundby withdrew amendment S—3084 filed by her from the floor to pages 3 and 4 of the bill.

Senator Vilsack withdrew amendment S—3082 filed by him on February 25, 1997, to pages 5 and 6 of the bill.

Senator Halvorson withdrew amendment S—3088 to page 1 of the bill, previously deferred.

Senator Vilsack offered amendment S—3083 filed by Senators Vilsack, et al., on February 25, 1997, to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3083 be adopted?" (H.F. 255) the vote was:

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

Ayes, 21:

Bartz	Black, D.	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Gronstal	Halvorson	Hammond	Hansen
Horn	Judge	Lundby	McCoy
Neuhauser	Palmer	Rensink	Szymoniak
Vilsack			

Nays, 26:

Angelo	Behn	Black, J.	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	King
Kramer	Lind	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 3:

Fraise	Gettings	Kibbie
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Amendment S—3083 lost.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Gettings, Fraise and Kibbie for the remainder of the day on request of Senator Gronstal.

BUSINESS PENDING

House File 255

The Senate resumed consideration of House File 255.

Senator Connolly moved the adoption of amendment S—3089 to page 1 of the bill, previously deferred and requested a record roll call.

On the question "Shall amendment S—3089 be adopted?" (H.F. 255) the vote was:

Ayes, 23:

Bartz	Black, D.	Black, J.	Connolly
Dearden	Deluhery	Dvorsky	Fink

Flynn	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Lundby
McCoy	McKean	Neuhauser	Palmer
Rensink	Szymoniak	Vilsack	

Nays, 24:

Angelo	Behn	Boettger	Borlaug
Douglas	Drake	Freeman	Hedge
Iverson	Jensen	King	Kramer
Lind	Maddox	McKibben	McLaren
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Tinsman	Zieman

Absent or not voting, 3:

Fraise	Gettings	Kibbie
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Amendment S—3089 lost.

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. 255) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Freeman
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	King	Kramer	Lind
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

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

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 26, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 331, a bill for an act relating to the authorization of school officials to conduct searches of students, student protected areas, lockers, desks, and other facilities and spaces and including effective and applicability provisions.

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

INTRODUCTION OF BILLS

Senate File 218, by Gronstal, a bill for an act relating to contribution and expenditure limits in campaigns and related disclaimers on political advertising, requiring truth in statements made during campaigns, providing penalties, and providing effective dates.

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

Senate File 219, by committee on Agriculture, a bill for an act relating to trespassing or stray livestock and providing remedies and an effective date.

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

Senate File 220, by Connolly, a bill for an act relating to the establishment of a council for voluntary high standards and assessment development and to the adoption of voluntary model content standards and assessments by the state board of education and by schools and school districts, and providing for related matters.

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

Senate File 221, by committee on Agriculture, a bill for an act providing for the termination of farm tenancies.

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

Senate File 222, by committee on Ways and Means, a bill for an act relating to the use tax on motor vehicle leasing.

Read first time and **placed on Ways and Means Calendar**.

Senate File 223, by Gettings, a bill for an act relating to ethical standards for candidates for state office, by including candidates for state office within the jurisdiction of the ethics and campaign disclosure board, requiring rules to be established by the board, and making penalties applicable.

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

Senate File 224, by Borlaug, a bill for an act relating to a sales tax exemption for certain aircraft and providing an effective date.

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

Senate File 225, by committee on State Government, a bill for an act concerning assistive devices by providing for express warranties, replacement of devices, and providing consumer remedies.

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

Senate File 226, by Dvorsky, a bill for an act relating to the compensation of judicial magistrates.

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

Senate File 227, by Hansen, a bill for an act exempting from the individual and corporate taxes the capital gains for the sale or transfer during a two-year period of residential and rental residential dwellings and including a retroactive applicability date provision.

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

Senate File 228, by committee on Local Government, a bill for an act relating to the compensation of the sheriff and compensation commissioners in eminent domain proceedings.

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

Senate File 229, by committee on Transportation, a bill for an act relating to the issuance of motor vehicle licenses for certain law enforcement officers and providing penalties.

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

Senate File 230, by committee on Human Resources, a bill for an act relating to child abuse provisions involving assessments performed by the department of human services in response to reports of child abuse and providing effective dates.

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

Senate File 231, by committee on Agriculture, a bill for an act restricting the use of spray irrigation equipment on land draining into agricultural drainage wells.

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

Senate File 232, by committee on Local Government, a bill for an act relating to notarial acts and providing an effective date.

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

Senate File 233, by committee on State Government, a bill for an act concerning eligible alternative retirement benefit systems for newly employed community college employees, and providing an applicability date.

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

Senate File 234, by Judge, a bill for an act 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 penalties, and providing for an effective date.

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

Senate File 235, by committee on Agriculture, a bill for an act providing authority to soil and water conservation district commissioners to allocate moneys for the emergency restoration of permanent soil and water conservation practices.

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

Senate File 236, by committee on Human Resources, a bill for an act relating to the certificate of need program.

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

BILL REFERRED TO COMMITTEE

Senate Iverson asked and received unanimous consent that **Senate File 204** be referred from the Appropriations Calendar to the committee on **Appropriations**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House File 255** be **immediately messaged** to the House.

APPENDIX

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 235 (SSB 146), a bill for an act providing authority to soil and water conservation district commissioners to allocate moneys for the emergency restoration of permanent soil and water conservation practices.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rensink, J. Black, Judge, Bartz, Behn, D. Black, Fraise, Gettings, Hedge, Kibbie, Rehberg, Rife and Zieman. Nays, none. Absent or not voting, 2: Angelo and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Final Bill Action: HOUSE FILE 125, a bill for an act appropriating federal block grant funds and amending appropriations from the general fund of the state to the department of human services for the state fiscal year beginning July 1, 1996, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 24: McLaren, Kramer, Flynn, Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Jensen, Lind, Lundby, Maddox, McCoy, Neuhauser, Rensink, Rife, Rittmer, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 236 (SSB 127), a bill for an act relating to the certificate of need program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Boettger, Redwine, Szymoniak, Bartz, Behn, J. Black, Dearden, Hammond, Rensink, Schuerer, 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 236 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 8, a bill for an act relating to the funding of state mandates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3090.

Final Vote: Ayes, 14: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	211	State Government
S. F.	212	Commerce
S. F.	213	Human Resources
S. F.	215	Natural Resources
S. F.	216	Ways and Means
S. F.	217	Ways and Means
S. F.	218	State Government
S. F.	220	Education
S. F.	223	State Government
S. F.	224	Ways and Means
S. F.	226	Judiciary
S. F.	227	Ways and Means
S. F.	234	Agriculture
H.F.	331	Education

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on February 26, 1997:

BUSINESS AND LABOR

Perry J. Chapin, Patricia M. Marshall, Earnest L. Nelson, Richard T. Vander Laan and William E. Yeager - members of the Iowa Workforce Development Board.

AMENDMENTS FILED

S-3084	H.F.	255	Mary Lundby
S-3085	H.F.	255	Tom Flynn
			Mary Lundby
			Bill Fink
			Patty Judge
			Rod Halvorson
			Dennis Black
S-3086	H.F.	255	Mike Connolly
S-3087	S. F.	136	Ways and Means
S-3088	H.F.	255	Rod Halvorson
S-3089	H.F.	255	Mike Connolly
S-3090	H.F.	8	State Government

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:52 p.m., until 9:00 a.m., Thursday, February 27, 1997.

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 27, 1997

The Senate met in regular session at 9:08 a.m., President Kramer presiding.

Prayer was offered by Fred Lehman of the Bethel Rescue Mission, Des Moines, Iowa

The Journal of Wednesday, February 26, 1997, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy until he arrives on request of Senator Dvorsky.

INTRODUCTION OF BILL

Senate File 237, by Iverson, Kramer, McKean, Angelo, Lundby, Jensen, Boettger, Redwine, and Behn, a bill for an act relating to the possession of tobacco, tobacco products, or cigarettes by a person under eighteen years of age, and providing penalties.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 145 and 230.

Senate File 145

On motion of Senator Black of Kossuth; Senate File 145, a bill for an act relating to the county mental health, mental retardation, and

developmental disabilities services fund levy by providing a procedure for a county to make revisions affecting the services fund levy and other levies, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 145) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Jensen McCoy

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

Senate File 230

On motion of Senator Szymoniak, Senate File 230, a bill for an act relating to child abuse provisions involving assessments performed by the department of human services in response to reports of child abuse and providing effective dates, was taken up for consideration.

Senator Neuhauser asked and received unanimous consent that action on **Senate File 230** be **deferred**.

Senate File 126

On motion of Senator Drake, Senate File 126, a bill for an act allowing a supervised, controlled burn for which a permit has been issued during an open burning ban, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 126) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	McKean
McKibben	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

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

RECESS

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

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT**

Convened: February 26, 1997, 10:50 a.m.

Members Present: Borlaug, Chair; Schuerer, Vice Chair; Vilsack, Ranking Member; Fink and Ziemann.

Members Absent: none.

Committee Business: Presentations on venture capital and Fannie Mae Corp.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 20, 1997, 9:46 a.m.

Members Present: Lind, Chair; McKibben, Vice Chair; Horn, Ranking Member; Kibbie and Rehberg.

Members Absent: none.

Committee Business: Presentation on electronic data interchange by the department of education and Iowa association of community college trustees; students from DMACC were present to discuss their college.

Adjourned: 11:23 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 26, 1997, 11:10 a.m.

Members Present: Rittmer, Chair; Redfern, Vice Chair and Flynn, Ranking Member.

Members Absent: Jensen and Palmer (both excused).

Committee Business: Budget discussion.

Adjourned: 12:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 26, 1997, 11:09 a.m.

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

Members Absent: none.

Committee Business: Budget discussion.

Adjourned: 11:57 a.m.

AGRICULTURE

Convened: February 26, 1997, 8:10 a.m.

Members Present: Rensink, Chair; J. Black, Vice Chair; Judge, Ranking Member; Bartz, Behn, D. Black, Fraise, Gettings, Hedge, Kibbie, Rehberg, Rife and Ziemann.

Members Absent: Angelo (excused) and Vilsack.

Committee Business: Approved SSBs 133, 137 and 146 as committee bills.

Adjourned: 8:22 a.m.

APPROPRIATIONS

Convened: February 26, 1997, 9:25 a.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Horn, Jensen, Lind, Lundby, Maddox, McCoy, Neuhauser, Rife, Rittmer, Tinsman and Vilsack.

Members Absent: Rensink (excused).

Committee Business: Recommended passage of House File 255.

Adjourned: 9:30 a.m.

APPROPRIATIONS

Convened: February 26, 1997, 3:15 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Jensen, Lind, Lundby, Maddox, McCoy, Neuhauser, Rensink, Rife, Rittmer, Tinsman and Vilsack.

Members Absent: Horn (excused)

Committee Business: Recommended passage of House File 125 and approved SSB 140 as a committee bill.

Adjourned: 4:22 p.m.

BUSINESS AND LABOR

Convened: February 26, 1997, 1:08 p.m.

Members Present: Rife, Chair; King, Vice Chair; Dearden, Ranking Member; Behn, Freeman, Gettings, Horn, Jensen, Palmer, Schuerer and Zieman.

Members Absent: none.

Committee Business: Presentations regarding occupational hearing loss; recommended confirmation of five governor's appointees; assigned study bills to subcommittees.

Adjourned: 2:45 p.m.

COMMERCE

Convened: February 26, 1997, 11:45 a.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, Palmer and Rife.

Members Absent: Deluhery, Ranking Member; McCoy and Redfern (all excused).

Committee Business: Amended and approved SSBs 9 and 88 as committee bills.

Adjourned: 12:11 p.m.

EDUCATION

Convened: February 26, 1997, 1:04 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink and Tinsman.

Members Absent: Szymoniak (excused).

Committee Business: Assigned study bills to subcommittees and presentation on at-risk programs.

Adjourned: 1:59 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 26, 1997, 2:10 p.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben and Rehberg

Members Absent: Zieman (excused)

Committee Business: Assigned bills to subcommittees; amended and approved SSB 161 as a committee bill; recommended passage of Senate Files 17 and 174 as amended; recommended passage of House File 191.

Adjourned: 3:10 p.m.

RULES AND ADMINISTRATION

Convened: February 26, 1997, 12:35 p.m.

Members Present: Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Fink, Lundby, Maddox and Rehberg.

Members Absent: Jensen, Judge, Kibbie and Redfern (all excused).

Committee Business: Approved usage of the Senate chamber for a public hearing on 2-26-97.

Adjourned: 12:45 p.m.

CERTIFICATES OF RECOGNITION

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

Max and Virginia Miltner, Solon - For celebrating your 50th wedding anniversary. Senator Dvorsky (2-17-97).

John O'Neill, Iowa City - For 31 years of service as the Johnson County Recorder. Senators Dvorsky and Neuhauser (3-31-97).

Jeffrey Vogler, Dubuque - For achieving the rank of Eagle Scout. Senator Flynn (3-23-97).

Ruth Little Crispin, Tipton - For celebrating your 100th birthday. Senator Kramer (2-27-97).

Jeannette Neumann, Des Moines - For first place in "Write Women Back Into History" contest. Senator Kramer (2-27-97).

Bob Tuttle, Des Moines - For day in the Iowa Senate. Senator Kramer (2-27-97).

David White, Des Moines - For receiving the Edith Rose Murphy Sackett Award. Senator Kramer (2-27-97).

STUDY BILLS RECEIVED

SSB 193 Judiciary

Requiring future damages in personal injury actions to be adjusted according to present value.

SSB 194 Judiciary

Relating to criminal justice, by providing for enhanced punishment for manufacturing methamphetamine in the presence of minors, providing restrictions on public nudity and actual or simulated public performance of sex acts in certain establishments, providing for abatement of nuisance created by certain establishments which allow or permit public nudity or actual or simulated public performances of sex acts in their establishment, making changes relating to permits and rights to carry and acquire weapons, providing for hormonal intervention therapy for persons convicted of certain sex offenses, authorizing probation supervision and revocation by administrative parole, and probation judges in the sixth judicial district, and providing penalties and an effective date.

SSB 195 Judiciary

Relating to estate issues by modifying the warranty by a trustee, exemptions from execution and beneficiary designations and transfer-upon-death provisions related to pension and retirement accounts, jurisdiction of the probate court, fees payable on certain trusts, claims against estates for medical assistance payments, notice provisions relating to claims against estates, termination of conservatorships, and disclaimers made by beneficiaries.

SSB 196 State Government

Relating to the habitat of the species of wild bird classified as *tyrannus verticalis*.

SSB 197 State Government

Restricting the provision of child day care in gambling establishments, making penalties applicable, and providing an effective date.

SSB 198 State Government

Relating to providing individual income tax returns to the legislative fiscal bureau for statistical purposes.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 9

STATE GOVERNMENT: Lundby, Chair; Halvorson and McLaren

Senate File 172

JUDICIARY: Boettger, Chair; Drake and Hammond

Senate File 178

JUDICIARY: McKean, Chair; Boettger, Hammond, Hansen and Tinsman

Senate File 181

JUDICIARY: McKean, Chair; Hammond and Redfern

Senate File 183

EDUCATION: Tinsman, Chair; Lind and Neuhauser

Senate File 186

EDUCATION: Redwine, Chair; Kibbie and Tinsman

Senate File 196

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

Senate File 197

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

Senate File 198

STATE GOVERNMENT: Lundby, Chair; Halvorson and King

Senate File 201

STATE GOVERNMENT: King, Chair; Kibbie and Lundby

Senate File 207

JUDICIARY: McKean, Chair; Halvorson and Redfern

Senate File 208

EDUCATION: Rensink, Chair; Dvorsky and Rehberg

Senate File 211

STATE GOVERNMENT: Lundby, Chair; Gronstal and Lind

Senate File 215

NATURAL RESOURCES & ENVIRON. Hedge, Chair; Bartz and Fink

Senate File 218

STATE GOVERNMENT: Lundby, Chair; Gronstal and King

Senate File 223

STATE GOVERNMENT: Lundby, Chair; Halvorson and King

Senate File 234

AGRICULTURE: Rensink, Chair; Behn and Judge

SSB 172

COMMERCE: Bartz, Chair; Palmer and Schuerer

SSB 193

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

SSB 194

JUDICIARY: McKibben, Chair; Boettger and Hansen

SSB 195

JUDICIARY: Redfern, Chair; McKibben and Vilsack

SSB 196

STATE GOVERNMENT: Rife, Chair; Kibbie and Lind

SSB 197

STATE GOVERNMENT: Lind, Chair; Fink and Rife

SSB 198

STATE GOVERNMENT: Lind, Chair; Kibbie and McLaren

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 240 (SSB 140), 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: APPROVED COMMITTEE BILL.

Final Vote Ayes, 24: McLaren, Kramer, Flynn, Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Jensen, Lind, Lundby, Maddox, McCoy, Neuhauser, Rensink, Rife, Rittmer, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: *SENATE FILE 238 (SSB 88), 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, 11 Jensen, Schuerer, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Palmer and Redfern. Nays, none. Absent or not voting, 4: Deluhery, Maddox, McCoy and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Commerce Committee on Senate File 238 and they were attached to the committee report.

AMENDMENTS FILED

S-3091	S. F.	132	Allen Borlaug
S-3092	S. F.	132	Jim Lind

AFTERNOON SESSION

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

INTRODUCTION OF BILLS

Senate File 238, by committee on Commerce, a bill for an act repealing the procedures for disposition of the contents of a decedent's safe deposit box and providing an effective date.

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

Senate File 239, by Judge, a bill for an act relating to swine confinement feeding operations, by providing for separation distance requirements, providing for the applicability of penalties, and providing for an effective date.

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

Senate File 240, by committee on Appropriations, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

Read first time and **placed on Appropriations Calendar**.

Senate File 241, 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**.

Senate File 242, by Hansen, a bill for an act relating to the newspaper publication of notices, proceedings, ordinances, or other matters in the English language.

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

QUORUM CALL

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

The vote revealed 39 present, 11 absent and a quorum present.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate Files 126 and 145 be immediately messaged to the House.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Connolly and Vilsack for the remainder of the day on request of Senator Gronstal; Senator Lundby for the remainder of the day on request of Senator McKean and Senator Freeman until she returns on request of Senator Bartz.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 59

On motion of Senator Redwine, Senate File 59, a bill for an act relating to the disposition of emergency medical care provider certification fees, with report of committee on Human Resources recommending passage on February 12, 1997, and report of committee on State Government recommending passage on February 25, 1997, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 59) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lind	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink

Rife
Tinsman

Rittmer
Zieman

Schuerer

Szymoniak

Nays, none.

Absent or not voting, 4:

Connolly

Freeman

Lundby

Vilsack

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

Senate File 188

On motion of Senator Rife, Senate File 188, a bill for an act relating to the allocation of gambling receipts for horse race purses, was taken up for consideration.

Senator McCoy withdrew amendment S—3095 filed by him from the floor to page 1 of the bill.

Senator Black of Jasper offered amendment S—3097 filed by him from the floor to page 2 of the bill.

Senator Rife raised the point of order that amendment S—3097 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3097 out of order.

Senator Dearden asked and received unanimous consent that action on **Senate File 188** be deferred for the preparation of a fiscal note.

BUSINESS PENDING

Senate File 230

The Senate resumed consideration of Senate File 230, a bill for an act relating to child abuse provisions involving assessments performed by the department of human services in response to

reports of child abuse and providing effective dates, previously deferred.

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. 230) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lind	Maddox	McCoy	McKean
McKibben	McLaren	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Zieman			

Nays, 1:

Neuhauser

Absent or not voting, 4:

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

CONSIDERATION OF BILL (Regular Calendar)

Senate File 161

On motion of Senator Rife, Senate File 161, a bill for an act modifying the holding temperature required for the storage of eggs sold at retail, was taken up for consideration.

Senator Rife offered amendment S—3098 filed by Senators Rife and Bartz from the floor to page 1 of the bill and moved its adoption.

Amendment S—3098 was adopted by a voice vote.

Senator Iverson asked and received unanimous consent that **Senate File 161** be referred to the committee on **Appropriations**.

UNFINISHED BUSINESS CALENDAR
(Deferred January 25, 1997)

Senate File 132

The Senate resumed consideration of Senate File 132, a bill for an act relating to state department of transportation operations, including regulating hazardous materials transport, regulating motor vehicle dealers, eliminating requirements that the department adopt administrative rules in certain instances, and establishing, making applicable, or enhancing penalties, deferred February 25, 1997.

Senator Iverson asked and received unanimous consent to withdraw amendment S—3078 filed by Senator Lundby on February 24, 1997, to pages 1, 7 and the title page of the bill.

Senator Lind withdrew amendment S—3080 filed by him on February 25, 1997, to page 1 of the bill.

Senator Lind offered amendment S—3092 filed by him from the floor to pages 1 and 3 of the bill and moved its adoption.

Amendment S—3092 was adopted by a voice vote.

Senator Borlaug offered amendment S—3048 filed by him on February 17, 1997, to page 2 of the bill and moved its adoption.

Amendment S—3048 was adopted by a voice vote.

Senator Halvorson withdrew amendment S—3050 filed by him on February 17, 1997, to pages 10 and 11 of the bill.

Senator Halvorson withdrew amendment S—3052 filed by him on February 18, 1997, to pages 10 and 11 of the bill.

Senator Borlaug offered amendment S—3091 filed by him from the floor to pages 10 and 11 of the bill and moved its adoption.

Amendment S—3091 was adopted by a voice vote.

Senator Borlaug withdrew amendment S—3079 filed by him on February 25, 1997, to page 11 of the bill.

Senator Borlaug withdrew amendment S—3072 filed by him on February 20, 1997, to page 15 of the bill.

Senator Borlaug offered amendment S—3096 filed by him from the floor to page 11 of the bill and moved its adoption.

Amendment S—3096 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 132) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lind	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Zieman		

Nays, none.

Absent or not voting, 4:

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 205.

Senate File 205

On motion of Senator Rittmer, Senate File 205, a bill for an act relating to continued eligibility under the new jobs and income program concerning the ownership of land by nonresident aliens and certain capital investment and job creation provisions, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **Senate File 205** be **deferred**.

Senate File 16

On motion of Senator Drake, Senate File 16, a bill for an act relating to simulated incendiary or explosive materials and establishing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Drake offered amendment S—3032 filed by Senators Drake and Szymoniak on February 4, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3032 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 16) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings

Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lind	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Zieman		

Nays, none.

Absent or not voting, 4:

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

Senate File 177

On motion of Senator McKean, Senate File 177, a bill for an act relating to motor vehicle operator prohibitions and restrictions including exhibition driving, littering, blood alcohol test certificates, and handicapped parking, and by establishing or making existing penalties applicable, was taken up for consideration.

Senator Drake offered amendment S—3081 filed by him on February 25, 1997, to page 2 of the bill and moved its adoption.

Amendment S—3081 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 177) the vote was:

Ayes, 44:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings

Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lind	Maddox	McCoy	McKean
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Zieman

Nays, none.

Absent or not voting, 6:

Connolly	Freeman	Lundby	McKibben
McLaren	Vilsack		

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 16, 59, 132, 177 and 230** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 243, by Kibbie, a bill for an act relating to provisions in contracts for the sale of grain executed by agricultural producers and grain dealers.

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

Senate File 244, by Kibbie, a bill for an act appropriating moneys for educational programs involving agricultural production and marketing contracts.

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

Senate File 245, by Boettger, a bill for an act relating to the sale, lease, or other disposition of property belonging to a school district or area education agency and providing an immediate effective date.

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

Senate File 246, by committee on Natural Resources and Environment, a bill for an act relating to snowmobiles and all-terrain vehicles by requiring title certificates, increasing snowmobile and all-terrain vehicle registration fees, and providing for point of sale registration.

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

Senate File 247, by McKean, a bill for an act relating to health care facilities by requiring criminal and child and dependent adult abuse records checks of prospective licensees and employees.

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

Senate File 248, by Tinsman, a bill for an act establishing a limitation on noneconomic damages in an action alleging medical malpractice.

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

Senate File 249, by King, a bill for an act abolishing the county compensation board and transferring its duties to the board of supervisors.

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

APPENDIX

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on February 27 1997:

JUDICIARY

Arthur P. Silva, Commission on Judicial Qualifications.

STATE GOVERNMENT

Shirley A. Meisenheimer, Board of Medical Examiners.

GOVERNOR'S APPOINTEE PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointee assigned to a standing committee for investigation was placed on the Individual Confirmation Calendar with recommendation for confirmation on February 27 1997:

Kim D. Schmelt, Director of the Department of Inspections and Appeals.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: *SENATE FILE 241 (SSB 9), a bill for an act adopting the uniform transfer on death security registration Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10 Jensen, Schuerer, Bartz, Douglas, Gronstal, Hansen, King, Lundby, Palmer and Redfern. Nays, none. Absent or not voting, 5: Deluhery, Flynn, Maddox, McCoy and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Commerce Committee on Senate File 241 and they were attached to the committee report.

JUDICIARY

Final Bill Action: HOUSE JOINT RESOLUTION 10, 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, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: SENATE FILE 17, a bill for an act relating to liability for costs associated with a response by the state to a hazardous condition.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3094.

Final Vote: Ayes, 13: Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Dearden, Deluhery, Freeman, Hedge, Judge, McKibben and Rehberg. Nays, 1: Dvorsky. Absent or not voting, 1: Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 174, a bill for an act relating to the operation of motorboats on artificial lakes.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3093.

Final Vote: Ayes, 12: Bartz, Angelo, Fink, J. Black, Borlaug, Dearden, Deluhery, Freeman, Hedge, Judge, McKibben and Rehberg. Nays, 2: D. Black and Dvorsky. Absent or not voting, 1: Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 246 (SSB 161), a bill for an act relating to snowmobiles by requiring title certificates, increasing snowmobile registration fees, and providing for point of sale registration.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Bartz, Angelo, Fink, J. Black, Borlaug, Dearden, Deluhery, Freeman, Hedge, Judge, McKibben and Rehberg. Nays, 2: D. Black and Dvorsky. 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 Natural Resources Committee on Senate File 246 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 5, a concurrent resolution designating March 1997 as Iowa Women's History Month.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	237	Human Resources
S. F.	239	Agriculture
S. F.	242	State Government
S. F.	243	Agriculture
S. F.	244	Appropriations
S. F.	245	Education

AMENDMENTS FILED.

S-3093	S. F.	174	Natural Resources & Environ.
S-3094	S. F.	17	Natural Resources & Environ.
S-3095	S. F.	188	Matt McCoy
S-3096	S. F.	132	Allen Borlaug
S-3097	S. F.	188	Dennis Black
S-3098	S. F.	161	Jack Rife
			Merlin E. Bartz

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:12 p.m., until 1:00 p.m., Monday, March 3, 1997.

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 3, 1997

The Senate met in regular session at 1:10 p.m., President Kramer presiding.

Prayer was offered by the Reverend Douglas Darnold, pastor of the First Presbyterian Church, Sibley, Iowa.

The Journal of Thursday, February 27, 1997, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 27, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 299, a bill for an act concerning drug and alcohol testing of private sector employees and prospective employees and providing remedies and an effective date.

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

INTRODUCTION OF BILLS

Senate File 250, by committee on Human Resources, a bill for an act relating to public health issues under the purview of the Iowa department of public health, including vital statistics, the board of nursing examiners, the board of dental examiners, lead poisoning, the immunization registry, the child death review team, plumbing provisions and fees, and providing a contingent effective date.

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

Senate File 251, by committee on Judiciary, a bill for an act relating to compensation to victims of international terrorism who are residents of Iowa and providing an effective date.

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

Senate File 252, by committee on State Government, a bill for an act relating to the habitat of the species of wild bird classified as tyrannus verticalis.

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

Senate File 253, by committee on State Government, a bill for an act relating to the practice of veterinary medicine and providing a penalty.

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

Senate File 254, by Kibbie, a bill for an act prohibiting certain contracts for the delayed delivery and pricing of grain by agricultural producers and grain dealers.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 1:25 p.m., until 3:30 p.m.

APPENDIX

PETITIONS

The following petitions supporting the funding of public libraries throughout Iowa were presented and placed on file by:

Senator Douglas from 352 residents of Adair, Guthrie and Madison Counties.

Senator Dvorsky from 655 residents of Cedar, Linn, Iowa, Johnson and Washington Counties.

Senator Gronstal from 112 residents of Pottawattamie County.

Senator Hedge from 25 residents of Keokuk and Wapello Counties.

Senator Jensen from 508 residents of Bremer, Butler and Grundy Counties.

Senator Kibbie from 120 residents of Dickinson and Kossuth Counties.

Senator McLaren from 407 residents of Cass, Mills and Montgomery Counties.

Senator Rensink from 459 residents of Lyon, O'Brien, Osceola and Sioux Counties.

The following petition was presented and placed on file by:

Senator Douglas from 9 residents of Madison County opposing legislation reinstating the death penalty.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 27, 1997, 10:40 a.m.

Members Present: Borlaug, Chair; Schuerer, Vice Chair; Vilsack, Ranking Member; Fink and Ziemann.

Members Absent: none.

Committee Business: Presentation on venture capital; discussion of ICN meeting; discussed proposed appropriations bill.

Adjourned: 11:47 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 27, 1997, 10:38 a.m.

Members Present: Lind, Chair; McKibben, Vice Chair; Horn, Ranking Member; Kibbie and Rehberg.

Members Absent: none.

Committee Business: Discussed priorities for FY 1998 budget and requests from the committee for additional presentations.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 27, 1997, 11:10 a.m.

Members Present: Rittmer, Chair; Redfern, Vice Chair; Flynn Ranking Member; Jensen and Palmer.

Members Absent: none.

Committee Business: Discussed department budget requests.

Adjourned: 11:55 a.m.

APPROP. SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 27, 1997, 10:35 a.m.

Members Present: Rife, Chair; Kramer, Vice Chair; Neuhauser, Ranking Member; Deluhery and McLaren.

Members Absent: none.

Committee Business: Presentation by the division administrator of the department of education regarding area education agencies.

Adjourned: 11:45 a.m.

APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE & CAPITALS

Convened: February 27, 1997, 10:37 a.m.

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

Members Absent: Connolly.

Committee Business: Presentation by UNI president and UNI student body president on lang hall regarding renovation of the old building constructed in 1900.

Adjourned: 11:30 a.m.

HUMAN RESOURCES

Convened: February 27, 1997, 1:04 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Amended and approved SSB 120 as a committee bill; recommended passage of Senate File 163 as amended.

Adjourned: 2:19 p.m.

JUDICIARY

Convened: February 27, 1997, 2:05 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Joint Resolution 10; amended and deferred action on SSB 36; approved SSB 150 as a committee bill; recommended confirmation of governor's appointee.

Adjourned: 2:45 p.m.

STATE GOVERNMENT

Convened: February 27, 1997, 3:05 p.m.

Members Present: Lind, Chair; Rittmer, Vice Chair; Kibbie, Ranking Member; Deluhery, Drake, Fink, Gronstal, Halvorson, King, McKibben, McLaren, Rife, Szymoniak and Tinsman.

Members Absent: Lundby (excused).

Committee Business: Recommended confirmation of two governor appointees; approved SSBs 47.1 and 196 as committee bills; recommended passage of Senate Concurrent Resolution 5.

Adjourned: 3:20 p.m.

STUDY BILLS RECEIVED

SSB 199 Business & Labor

Relating to the general operation of corporations, partnerships, and associations, including provisions relating to certain filings made by corporations and associations, the filing of biennial reports by certain corporations and cooperative associations, and establishing fees.

SSB 200 Natural Resources and Environment

Relating to the management and hunting of deer by providing for the issuance of nonresident deer hunting passports and establishing the deer damage control fund, relating to the discharge of firearms in state parks, making an appropriation, subjecting violators to an existing penalty, and providing an effective date.

SSB 201 Business & Labor

Relating to the individual income tax by extending the special method of computation of tax for value-added S corporation shareholders to all S corporation shareholders and eliminating the refund limitation and providing a retroactive applicability date provision.

SSB 202 Small Business, Economic Development & Tourism

Relating to investments in counties and cities by providing for the establishment of enterprise zones in areas of counties and cities for which tax incentives and assistance are available for eligible businesses locating or located in the enterprise zone.

SSB 204 Appropriations

Relating to and making an appropriation to the Iowa department of public health for the Iowa healthy family program and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate File 191

APPROPRIATIONS: McLaren, Chair; Hammond, Lind, Maddox and Neuhauser

Senate File 204

APPROPRIATIONS: Rittmer, Chair; Flynn, Freeman, Halvorson and Tinsman

Senate File 210

HUMAN RESOURCES: Bartz, Chair; J. Black and Dearden

Senate File 216

WAYS AND MEANS: McKibben, Chair; Deluhery and Douglas

Senate File 217

WAYS AND MEANS: Hedge, Chair; Deluhery and Douglas

Senate File 224

WAYS AND MEANS: Borlaug, Chair; Connolly and Douglas

Senate File 227

WAYS AND MEANS: McKibben, Chair; Drake and Judge

Senate File 239

AGRICULTURE: Rensink, Chair; Hedge and Judge

Senate File 243

AGRICULTURE: Kibbie, Chair; Behn and Ziemann

SSB 188

(Reassigned)

NATURAL RESOURCES & ENVIRONMENT: Borlaug, Chair; Bartz, D. Black, Judge and McKibben

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 163, a bill for an act relating to the sale of cigarettes and tobacco products through vending machines.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3102.

Final Vote: Ayes, 9: Boettger, Redwine Szymoniak, Dearden, Dvorsky, Hammond, Rensink, Tinsman and Vilsack. Nays, 4: Bartz, Behn, J. Black and Schuerer.

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 163 and they were attached to the committee report.

ALSO;

Final Bill Action: *SENATE FILE 250 (SSB 120), a bill for an act relating to public health issues under the purview of the Iowa department of public health, including vital statistics, the board of nursing examiners, the board of dental examiners, lead poisoning, the immunization registry, the child death review team, plumbing provisions and fees, and providing a contingent effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boettger, Redwine, Szymoniak, Behn, J. Black, Dearden, Dvorsky, Hammond, Schuerer and Vilsack. Nays, none. Absent or not voting, 2: Bartz 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 250 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 251 (SSB 150), a bill for an act relating to compensation to victims of international terrorism who are residents of Iowa and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 252 (SSB 196), a bill for an act relating to the habitat of the species of wild bird-classified as tyrannus verticalis.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, McLaren, Rife and Tinsman. Nays, 5: Gronstal, Halvorson, King, McKibben and Szymoniak. Absent or not voting, 1: Lundby.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 253 (SSB 47.1), a bill for an act relating to the practice of veterinary medicine and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3099	S. F.	58	Mary Neuhauser
S-3100	S. F.	58	Mary Neuhauser
S-3101	S. F.	252	Michael E. Gronstal
S-3102	S. F.	163	Human Resources

AFTERNOON SESSION

The Senate reconvened at 3:44 p.m., President Kramer presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 3, 1997, passed the following bill in which the concurrence of the House was asked:

Senate File 145, a bill for an act relating to the county mental health, mental retardation, and developmental disabilities services fund levy by providing a procedure for a county to make revisions affecting the services, fund levy and other levies, and providing an effective date.

ALSO: That the House has on March 3, 1997, adopted the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 10, a house concurrent resolution relating to a biennial memorial session.

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

House Concurrent Resolution 11, a house concurrent resolution relating to Pioneer Lawmakers.

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

ALSO: That the House has on March 3, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 82, 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 275, a bill for an act relating to trademarks and service marks registered with the secretary of state.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 10, by Halvorson, a joint resolution requesting the proposal of an amendment to the Constitution of the United States to allow Congress and the states to set expenditure and contribution limits for political campaigns.

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

Senate File 255, by Szymoniak, a bill for an act establishing a task force on interpretive services for deaf and hard-of-hearing individuals.

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

Senate File 256, by Iverson and Judge, a bill for an act relating to veterans' benefits, veterans preference, veterans' claims, and providing a penalty.

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

Senate File 257, by Flynn, a bill for an act relating to requirements for certain professional and nontraditional staff who provide disability services to persons with mental illness.

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

Senate File 258, by Maddox, a bill for an act relating to city civil service and providing an effective date.

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

Senate File 259, by Deluhery, a bill for an act relating to the disposition of certain lost property.

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

Senate File 260, by Black of Jasper, a bill for an act establishing an office of veterans advocate.

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

Senate File 261, by Connolly, a bill for an act relating to deducting a set amount from federal adjusted gross income before deducting net operating loss in computing state net income under the state individual income tax and including a retroactive applicability date provision.

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

Senate File 262, by Connolly, a bill for an act permitting the transfer of campaign funds after a candidate has not served in public office for more than five years.

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

Senate File 263, by Connolly, a bill for an act relating to four-year competitive demonstration grants for certain school districts for the establishment of alternative education programs for certain at-risk students and making an appropriation.

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

Senate File 264, by Connolly, a bill for an act eliminating a component from an alternative to the annual achievement evaluations required to assess the academic progress of children receiving private instruction.

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

Senate File 265, by Connolly, a bill for an act relating to qualifications for participation in the postsecondary enrollment options program.

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

QUORUM CALL

Senator Iverson 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)

House File 191

On motion of Senator Angelo, House File 191, a bill for an act relating to the establishment of the drinking water facilities financing program, the drinking water treatment revolving loan fund, the drinking water facilities administration fund, and providing an effective date, with report of committee on Appropriations without recommendation on February 18, 1997, and report of committee on Natural Resources recommending passage on February 26, 1997, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 191) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Black, J.	Lind	Lundby	Rife
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

Senate File 58

The Senate resumed consideration of Senate File 58, a bill for an act establishing English as the common language of the state, and amendment S—3058 by Senator Dvorsky to page 1 of the bill, deferred February 19, 1997 (amendment S—3060 pending).

Senator Dvorsky moved the adoption of amendment S—3058 and requested a record roll call.

On the question "Shall amendment S—3058 be adopted?" (S.F. 58) the vote was:

Ayes, 26:

Black, D.	Connolly	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Gronstal
Halvorson	Hammond	Hansen	Horn
Judge	Kibbie	Lind	McCoy
Neuhauser	Palmer	Redfern	Rife
Szymoniak	Vilsack		

Nays, 22:

Angelo	Bartz	Behn	Boettger
Borlaug	Douglas	Hedge	Iverson
Jensen	King	Kramer	Maddox
McKean	McKibben	McLaren	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 2:

Black, J.	Lundby
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Amendment S—3058 was adopted.

Senator Szymoniak offered amendment S—3061 filed by her on February 19, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3061 was adopted by a voice vote.

Senator Dvorsky offered amendment S—3064 filed by him on February 19, 1997, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3064 be adopted?" (S.F. 58) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Hammond	Hansen
Horn	Judge	Kibbie	McCoy
Neuhauser	Palmer	Rittmer	Szymoniak
Vilsack			

Nays, 27:

Angelo	Bartz	Behn	Boettger
Borlaug	Douglas	Drake	Freeman
Halvorson	Hedge	Iverson	Jensen
King	Kramer	Lind	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rife
Schuerer	Tinsman	Zieman	

Absent or not voting, 2:

Black, J. Lundby

Amendment S—3064 lost.

Senator Gronstal offered amendment S—3066 filed by him on February 19, 1997, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3066 be adopted?" (S.F. 58) the vote was:

Ayes, 22:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Judge

Kibbie Szymoniak	McCoy Vilsack	Neuhauser	Palmer
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Nays, 24:

Angelo	Bartz	Behn	Boettger
Borlaug	Douglas	Drake	Hedge
Iverson	Jensen	King	Kramer
Lind	Maddox	McKean	McKibben
McLaren	Redfern	Redwine	Rehberg
Rensink	Schuerer	Tinsman	Zieman

Absent or not voting, 4:

Black, J.	Lundby	Rife	Rittmer
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Amendment S—3066 lost.

Senator Gronstal offered amendment S—3067 filed by him on February 19, 1997, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 18.

Amendment S—3067 was adopted.

Senator Gronstal offered amendment S—3068 filed by him on February 19, 1997, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3068 be adopted?" (S.F. 58) the vote was:

Ayes, 22:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Judge
Kibbie	McCoy	Neuhauser	Palmer
Szymoniak	Vilsack		

Amendment S—3069 lost.

Senator Szymoniak offered amendment S—3065 filed by her on February 19, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3065 lost by a voice vote.

Senator Gronstal offered amendment S—3042 filed by him on February 12, 1997, to page 1 and the title page of the bill.

Senator Borlaug raised the point of order that amendment S—3042 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3042 out of order.

Senator Vilsack offered amendment S—3071 filed by him on February 19, 1997, to page 1 of the bill, moved its adoption and requested a non record roll call.

A record roll call was requested.

On the question "Shall amendment S—3071 be adopted?" (S.F. 58) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 26:

Angelo	Bartz	Behn	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	King
Kramer	Lind	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 3:

Black, J. Lundby Rife

Amendment S—3071 lost.

Senator Neuhauser offered amendment S—3105 filed by Senators Neuhauser and Hammond from the floor to page 1 of the bill and moved its adoption.

Amendment S—3105 lost by a voice vote.

Senator Hansen offered amendment S—3103 filed by him from the floor to page 1 of the bill.

Senator Borlaug raised the point of order that amendment S—3103 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3103 out of order.

Senator Hansen offered amendment S—3070 filed by Senators Hansen, et al., on February 19, 1997, to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3070 be adopted?" (S.F. 58) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Hammond	Hansen
Horn	Judge	Kibbie	McCoy
Neuhauser	Palmer	Szymoniak	Vilsack

Nays, 27:

Angelo	Bartz	Behn	Boettger
Borlaug	Douglas	Drake	Freeman
Halvorson	Hedge	Iverson	Jensen
King	Kramer	Lind	Maddox
McKean	McKibben	McLaren	Redfern

Redwine
Schuerer

Rehberg
Tinsman

Rensink
Zieman

Rittmer

Absent or not voting, 3:

Black, J.

Lundby

Rife

Amendment s—3070 lost.

The Chair stated that amendment S—3060 by Senator King to page 1 of the bill, deferred February 19, 1997, and amendment S—3063 filed by Senator King on February 19, 1997, to page 1 of the bill, were out of order.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Black of Kossuth and Lundby for the day on request of Senator Iverson.

BUSINESS PENDING

Senate File 58

The Senate resumed consideration of Senate File 58.

Senator Gronstal offered amendment S—3062 filed by him on February 19, 1997, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3062 be adopted?" (S.F. 58) the vote was:

Ayes, 24:

Black, D.

Boettger

Connolly

Dearden

Deluhery

Dvorsky

Fink

Flynn

Fraise

Freeman

Gettings

Gronstal

Halvorson

Hammond

Hansen

Horn

Judge

Kibbie

Lind

McCoy

Neuhauser

Palmer

Szymoniak

Vilsack

Nays, 24:

Angelo	Bartz	Behn	Borlaug
Douglas	Drake	Hedge	Iverson
Jensen	King	Kramer	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Absent or not voting, 2:

Black, J. Lundby

Amendment S—3062 lost.

Senator Neuhauser offered amendment S—3099 filed by her 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—3099 be adopted?" (S.F. 58) the vote was:

Ayes, 23:

Black, D.	Connolly	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Gronstal
Hammond	Hansen	Horn	Judge
Kibbie	McCoy	Neuhauser	Palmer
Rife	Szymoniak	Vilsack	

Nays, 25:

Angelo	Bartz	Behn	Boettger
Borlaug	Douglas	Halvorson	Hedge
Iverson	Jensen	King	Kramer
Lind	Maddox	McKean	McKibben
McLaren	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Tinsman
Zieman			

Absent or not voting, 2:

Black, J. Lundby

Amendment S—3099 lost.

Senator Neuhauser offered amendment S—3100 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—3100 was adopted by a voice vote.

Senator Rittmer filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3062 to Senate File 58 failed to pass the Senate on March 3, 1997.

A non record roll call was requested.

The ayes were 26, nays 21.

The motion prevailed and amendment S—3062 by Senator Gronstal to page 1 of the bill was taken up for reconsideration.

Senator Gronstal asked unanimous consent that action on amendment S—3062 and Senate File 58 be deferred.

Senator Gronstal withdrew his request to defer.

Senator Gronstal moved the adoption of amendment S—3062, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 58) the vote was:

Ayes, 36:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Douglas	Drake
Flynn	Fraise	Freeman	Gettings
Halvorson	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Maddox

McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rittmer
Schuerer	Tinsman	Vilsack	Zieman

Nays, 12:

Connolly	Dearden	Deluhery	Dvorsky
Fink	Gronstal	Hammond	McCoy
Neuhauser	Palmer	Rife	Szymoniak

Absent or not voting, 2:

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

INTRODUCTION OF BILLS

Senate File 266, by Tinsman, Boettger, Szymoniak, Bartz, and Behn, a bill for an act establishing a domestic abuse death review team and providing for membership, duties, immunity for members acting in their official capacity, and confidentiality.

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

Senate File 267, by Hammond and Dearden, a bill for an act requiring rest breaks during work for certain employees and providing penalties.

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

Senate File 268, by Judge, a bill for an act relating to the taxation of certain mobile homes, and specifying effective and applicability dates.

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

Senate File 269, by Rittmer, a bill for an act relating to the health care provider determination of need for the issuance of handicapped special plates and making a civil penalty applicable.

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

Senate File 270, by Rife, a bill for an act relating to establishing higher education savings accounts to be used for higher education expenses, providing an income tax deduction for contributions to the accounts and income tax exemptions for earnings of the account until withdrawn, and including an effective and retroactive applicability date provision.

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

Senate File 271, by Maddox, a bill for an act relating to the confidentiality of information regarding a juvenile who has escaped from a detention facility.

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

Senate File 272, by committee on Small Business, Economic Development and Tourism, a bill for an act relating to the implementation of certain assistance programs of the department of economic development.

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

Senate File 273, by Gronstal, a bill for an act relating to the ownership of patient records maintained by health care providers and facilities and making a penalty applicable.

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

Senate File 274, by Gronstal, a bill for an act relating to the appointment of a consumer advocate on insurance.

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

Senate File 275, by Gronstal, a bill for an act establishing a disabled veterans special motor vehicle registration plate.

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

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****Senate File 127**

NATURAL RESOURCES & ENVIRON.: Bartz, Chair; D. Black and Zieman

Senate File 155

NATURAL RESOURCES & ENVIRONMENT: Bartz, Chair; D. Black and Zieman

Senate File 161

APPROPRIATIONS: Rife, Chair; D. Black and Rensink

Senate File 213

HUMAN RESOURCES: Schuerer, Chair; Behn and Dvorsky

Senate File 237

HUMAN RESOURCES: Boettger, Chair; Hammond and Tinsman

Senate File 244

APPROPRIATIONS: McLaren, Chair; Rensink and Vilsack

House File 81

NATURAL RESOURCES & ENVIRON.: Freeman, Chair; Dearden and McKibben

House File 250

NATURAL RESOURCES & ENVIRON.: Bartz, Chair; Borlaug and Judge

SSB 199

BUSINESS AND LABOR: Jensen, Chair; Horn and King

SSB 200

NATURAL RESOURCES & ENVIRONMENT: Bartz, Chair; D. Black and Zieman

SSB 201

BUSINESS AND LABOR: Rife, Chair; Horn and Zieman

SSB 204

APPROPRIATIONS: Behn, Chair; Neuhauser and Rensink

AMENDMENTS FILED

S-3103	S. F.	58	Steven D. Hansen
S-3104	S. F.	246	Bill Fink
S-3105	S. F.	58	Mary Neuhauser Johnie Hammond
S-3106	S. F.	246	Merlin E. Bartz Patty Judge

BILLS ASSIGNED TO COMMITTEE

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

S. F.	247	Human Resources
S. F.	248	Judiciary
S. F.	249	Local Government
S. F.	254	Agriculture
S. F.	255	Human Resources
S. F.	256	State Government
S. F.	257	Human Resources
S. F.	258	Local Government
S. F.	259	Commerce
S. F.	260	State Government
S. F.	261	Ways and Means
S. F.	262	State Government
S. F.	263	Education
S. F.	264	Education
S. F.	265	Education
S. F.	266	Human Resources
S. F.	267	Business and Labor
S. J. R.	10	State Government
H.C.R.	10	State Government
H.C.R.	11	State Government
H.F.	82	Commerce
H.F.	275	Commerce

COMMITTEE REPORT

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 272 (SSB 75), a bill for an act relating to the implementation of certain assistance programs of the department of economic development.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Rittmer, Hansen, Douglas, Flynn, Hammond, King, McCoy, Palmer, Redwine and Schuerer. Nays, none. Absent or not voting, 3: Lundby, Boettger and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 7:21 p.m., until 9:00 a.m., Tuesday, March 4, 1997.

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 4, 1997

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

Prayer was offered by the Reverend Celine A. Burke, pastor of St. John's Episcopal Church, Clinton, Iowa.

The Journal of Monday, March 3, 1997, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Fink and Szymoniak until they arrive on request of Senator Gronstal; Senators Black of Kossuth and Lundby until they arrive on request of Senator Iverson, and Senator McLaren until he arrives on request of Senator Rife.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 58** and **House File 191** be **immediately messaged** to the House.

ADOPTION OF RESOLUTION (Regular Calendar)

House Concurrent Resolution 7

On motion of Senator Tinsman, House Concurrent Resolution 7, a concurrent resolution recognizing the women who served Iowa as state legislators through Iowa's sesquicentennial year, 1996, and celebrating 100 years of women elected to state legislatures, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman moved the adoption of House Concurrent Resolution 7, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 176

On motion of Senator Tinsman, Senate File 176, a bill for an act relating to child sexual abuse reporting, was taken up for consideration.

Senator Flynn asked and received unanimous consent that action on **Senate File 176** be **deferred**.

Senate File 214

On motion of Senator Borlaug, Senate File 214, a bill for an act relating to the regulation of the use and disposal of sewage sludge and providing a penalty, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 214) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Flynn	Fraise	Freeman	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lind	Maddox	McCoy	McKean
McKibben	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Black, J.	Fink	Lundby	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 Iverson asked and received unanimous consent that **Senate File 214** and **House Concurrent Resolution 7** be immediately messaged to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Maddox until he returns on request of Senator Bartz.

BUSINESS PENDING

Senate File 176

The Senate resumed consideration of Senate File 176, a bill for an act relating to child sexual abuse reporting, previously deferred.

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

On the question "Shall the bill pass?" (S.F. 176) the vote was:

Ayes, 44:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Flynn	Fraise	Freeman	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lind	McCoy	McKean	McKibben
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 6:

Black, J.	Fink	Lundby	Maddox
McLaren	Szymoniak		

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

Senator Iverson asked and received unanimous consent that **Senate File 176** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 4, 1997, passed the following bill in which the concurrence of the House was asked:

Senate File 59, a bill for an act relating to the disposition of emergency medical care provider certification fees.

ALSO: That the House has on March 4, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 142, a bill for an act relating to the hunting of deer with a pistol or revolver and providing a penalty.

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

House File 373, a bill for an act to legalize certain unified law enforcement district tax levies and providing an effective date.

This bill was read first time and assigned to the committee on **Local Government**.

INTRODUCTION OF BILLS

Senate File 276, by Kibbie, a bill for an act to prohibit new campaign advertising within five days of an election, and applying penalties.

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

Senate File 277, by Douglas, a bill for an act relating to the criteria for issuance of handicapped special plates and making a civil penalty applicable.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 9:50 a.m., until 3:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: March 3, 1997, 12:05 p.m.

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

Members Absent: none.

Committee Business: Approved and submitted proposed appropriations bill to the full Appropriations Committee.

Adjourned: 1:10 p.m.

JUDICIARY

Convened: March 3, 1997, 2:45 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Approved SSB 116 and Senate File 139 as committee bills.

Adjourned: 3:36 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 3, 1997, 1:40 p.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben, Rehberg and Zieman.

Members Absent: J. Black (excused).

Committee Business: Assigned bills to subcommittees; amended and approved SSBs 98 and 67 as committee bills; deferred action on SSB 200.

Adjourned: 2:29 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 3, 1997, 1:45 p.m.

Members Present: Rittmer, Chair; Hansen, Ranking Member; Douglas, Flynn, Hammond, King, McCoy, Palmer, Redwine and Schuerer.

Members Absent: Lundby, Vice Chair; Boettger (excused) and Lind.

Committee Business: Approved SSB 75 as a committee bill and assigned study bill to subcommittee.

Adjourned: 1:50 p.m.

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate on February 27, 1997, when the votes were taken on the following:

Had I been present, I would have voted "aye" on Senate Files 59, 230, 132, 177 and 16.

MIKE CONNOLLY

COMMITTEE REPORTS

EDUCATION

Final Bill Action: HOUSE FILE 92, a bill for an act relating to eligibility for receipt of moneys under the school improvement technology program.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3109.

Final Vote: Ayes, 11: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Kibbie, Neuhauser, Redwine, Rensink and Tinsman. Nays, none. Absent or not voting, 4: J. Black, Fink, Lind and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 280 (formerly Senate File 139), a bill for an act providing immunity from civil liability for an employer or employer's representative who acts reasonably in providing information about a current or former employee of the employer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14 McKean, Maddox, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, 1: Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 281 (SSB 116), a bill for an act relating to judicial administration.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14 McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: SENATE FILE 284 (SSB 67), a bill for an act relating to review and oversight of actions of the ozone transport assessment group.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bartz, Angelo, Fink, D. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben, Rehberg and Zieman. Nays, none. Absent or not voting, 1: J. Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 285 (SSB 98), a bill for an act relating to household hazardous materials and retail labeling requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Bartz, Angelo, Borlaug, Freeman, Hedge, Judge, McKibben, Rehberg and Zieman. Nays, 5: Fink, D. Black, Dearden, Deluhery and Dvorsky. Absent or not voting, 1: J. Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 203 Human Resources

Revising provisions of the family investment and job opportunities and basic skills programs administered by the department of human services, amending certain child support provisions, providing for fraudulent practices, and providing an effective date.

SSB 205 State Government

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa requiring the maintenance of a cash reserve fund and an economic emergency fund.

SSB 206 State Government

Relating to the adoption of the interstate emergency management assistance compact.

SSB 207 Natural Resources

Relating to refunds for tonnage fees paid by operators of sanitary landfills.

SSB 208 Education

Establishing the enrich Iowa program for eligible public libraries and making an appropriation.

SSB 209 Judiciary

Relating to limited partnerships and the rights and duties of limited partners, partnership agreements, duties of the secretary of state with respect to limited partnerships, and other related matters affecting foreign and domestic limited partnerships, and establishing fees and penalties.

SSB 210 Natural Resources

Relating to the measurement of waste streams for purposes of waste volume reduction.

SSB 211 State Government

Providing for the qualifications of certain members of the investment board of the Iowa public employees' retirement system.

SSB 212 Local Government

Relating to factory built homes and mobile home parks.

SSB 213 State Government

Relating to the state workers' compensation coverage for students participating in school-to-work programs and providing for related matters.

SSB 214 Agriculture

Relating to animal feeding operations by providing for the regulation of multiple facilities as a single operation.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 10**

STATE GOVERNMENT: Lundby, Chair; Halvorson and King

Senate File 220

EDUCATION: J. Black, Chair; Angelo and Fink

Senate File 242

STATE GOVERNMENT: King, Chair; Halvorson and McKibben

Senate File 245

EDUCATION: Boettger, Chair; Fink and Rehberg

Senate File 247

HUMAN RESOURCES: J. Black, Chair; Dearden and Tinsman

Senate File 249

LOCAL GOVERNMENT: Behn, Chair; D. Black and Redwine

Senate File 254

AGRICULTURE: Kibbie, Chair; Behn and Zieman

Senate File 255

HUMAN RESOURCES: Schuerer, Chair; Behn and Dvorsky

Senate File 256

STATE GOVERNMENT: Lind, Chair; Szymoniak and Tinsman

Senate File 257

HUMAN RESOURCES: Redwine, Chair; Behn and Dvorsky

Senate File 258

LOCAL GOVERNMENT: J. Black, Chair; Fraise and Rehberg

Senate File 260

STATE GOVERNMENT: Drake, Chair; Halvorson and Lundby

Senate File 261

WAYS AND MEANS: McKibben, Chair; Connolly and Douglas

Senate File 262

STATE GOVERNMENT: Lundby, Chair; Gronstal and King

Senate File 266

HUMAN RESOURCES: Tinsman, Chair; Boettger and Szymoniak

Senate File 267

BUSINESS AND LABOR: Dearden, Chair; Behn and Freeman

House Concurrent Resolution 6

SMALL BUSINESS AND ECON. DEVELOPMT: Schuerer, Chair; Hammond and King

House Concurrent Resolution 10

STATE GOVERNMENT: Kibbie, Chair; Lind and Rittmer

House Concurrent Resolution 11

STATE GOVERNMENT: Kibbie, Chair; Lind and Rittmer

House File 331

EDUCATION: Redwine, Chair; Neuhauser and Rehberg

House File 373

LOCAL GOVERNMENT: Angelo, Chair; Connolly and Redwine

SSB 203

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

SSB 205

STATE GOVERNMENT: McLaren, Chair; Kibbie and Lind

SSB 206

STATE GOVERNMENT: Drake, Chair; Kibbie and Lind

SSB 207

NATURAL RESOURCES & ENVIRONMENT: Judge, Chair; Deluhery and Rehberg

SSB 208

EDUCATION: Rensink, Chair; Dvorsky and Tinsman

SSB 210

NATURAL RESOURCES & ENVIRONMENT: Judge, Chair; D. Black and Rehberg

SSB 211

STATE GOVERNMENT: Rittmer, Chair; Kibbie and Lind

SSB 212

LOCAL GOVERNMENT: Boettger, Chair; Dearden and Redwine

SSB 213

STATE GOVERNMENT: Lind, Chair; Kibbie and Szymoniak

AMENDMENTS FILED

S-3107	S. F.	229	Richard F. Drake
S-3108	S. F.	237	Richard F. Drake
			Stewart Iverson, Jr.
			Don Gettings
			Eugene Fraise
			Jack Rife
			Elaine Szymoniak
S-3109	H.F.	92	Education

AFTERNOON SESSION

The Senate reconvened at 3:44 p.m., President Kramer presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 11, by Black of Jasper and Schuerer, a joint resolution proposing an amendment to the Constitution of the State of Iowa granting home rule power and authority to local school districts.

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

Senate File 278, by Neuhauser and McKibben, a bill for an act relating to the right of crime victims to be present at all public proceedings where the accused or convicted persons have the right to be present, and providing a notification procedure.

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

Senate File 279, by Kibbie, a bill for an act relating to the sale of oxygenated gasoline, making a penalty applicable, and providing an effective date.

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

Senate File 280, by committee on Judiciary, a bill for an act providing immunity from civil liability for an employer or employer's representative who acts reasonably in providing information about a current or former employee of the employer.

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

Senate File 281, by committee on Judiciary, a bill for an act relating to judicial administration.

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

Senate File 282, by Flynn, a bill for an act providing for the civil liability of certain persons who knowingly fail to report child abuse or a sexual crime against a child.

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

Senate File 283, by Szymoniak, a bill for an act creating a commission of Asian-Pacific persons within the department of human rights.

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

Senate File 284, by committee on Natural Resources and Environment, a bill for an act relating to review and oversight of actions of the ozone transport assessment group.

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

Senate File 285, by committee on Natural Resources and Environment, a bill for an act relating to household hazardous materials and retail labeling requirements.

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

Senate File 286, by Neuhauser, a bill for an act relating to requests for polygraphs from sexual abuse victims or witnesses.

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

Senate File 287, by Drake and Lind, a bill for an act relating to school finance, providing for payment of an open enrollment state aid amount per pupil to an open enrollment receiving district, and providing an applicability provision.

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

Senate File 288, by Neuhauser, a bill for an act relating to driver's license issuance and surrender when a person is under age eighteen and fails to attend school or possess a high school diploma or its equivalent.

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

BILL REFERRED TO COMMITTEE

Senate Iverson asked and received unanimous consent that **Senate File 225** be referred from the Regular Calendar to the committee on **Judiciary.**

QUORUM CALL

Senator Iverson 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 (Ways and Means Calendar)

Senate File 83

On motion of Senator Freeman, Senate File 83, 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, 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?" (S.F. 83) the vote was:

Ayes, 38:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Flynn	Fraise	Freeman	Gettings
Jronstal	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Maddox
McCoy	McKibben	McLaren	Palmer
Medfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Szymoniak	Tinsman
Wilsack	Zieman		

Nays, 10:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Halvorson	Hammond	Lundby
McKean	Neuhauser		

Absent or not voting, 2:

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

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 184

On motion of Senator Zieman, Senate File 184, a bill for an act relating to collection of fees charged prisoners for room and board, by providing for the entry of judgment against the prisoner and enforcement of the judgment through writ of execution, was taken up for consideration.

Senator Connolly offered amendment S—3077 filed by him on February 24, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3077 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 184) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Fink

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 222

On motion of Senator Drake, Senate File 222, a bill for an act relating to the use tax on motor vehicle leasing, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 222) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Fink

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

ADOPTION OF RESOLUTION
(Regular Calendar)

Senate Concurrent Resolution 5

On motion of Senator Szymoniak, Senate Concurrent Resolution 5, a concurrent resolution designating March 1997 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 5, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 219

On motion of Senator Judge, Senate File 219, a bill for an act relating to trespassing or stray livestock and providing remedies and an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 219) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen.	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Fink

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

Senate File 233

On motion of Senator Rittmer, Senate File 233, a bill for an act concerning eligible alternative retirement benefit systems for newly employed community college employees, and providing an applicability date, 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?" (S.F. 233) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Fink

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

Senate File 229

On motion of Senator Drake, Senate File 229, a bill for an act relating to the issuance of motor vehicle licenses for certain law enforcement officers and providing penalties, was taken up for consideration.

Senator Drake offered amendment S—3107 filed by him from the floor to page 2 and the title page of the bill and moved its adoption.

Amendment S—3107 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 229) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Fink

Rife

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

Senate File 231

On motion of Senator Rensink, Senate File 231, a bill for an act restricting the use of spray irrigation equipment on land draining into agricultural drainage wells, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 231) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Fink Rife

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

Senate File 235

On motion of Senator Behn, Senate File 235, a bill for an act providing authority to soil and water conservation district commissioners to allocate moneys for the emergency restoration of permanent soil and water conservation practices, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 235) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Fink

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

Senate File 238

On motion of Senator Redfern, Senate File 238, a bill for an act repealing the procedures for disposition of the contents of a decedent's safe deposit box and providing an effective 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. 238) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Flynn	Fraise	Freeman

Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Fink

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate Files 83, 184, 219, 222, 229, 231, 233, 235 and 238 and Senate Concurrent Resolution 5 be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 289, by Gronstal, a bill for an act relating to annually reporting all economic support given by state, county, and city governments.

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

Senate File 290, by Gronstal, a bill for an act providing for the compilation of information relating to and creating cost effectiveness analysis of economic development programs.

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

Senate File 291, by committee on Agriculture, a bill for an act relating to provisions in contracts for the sale of grain executed by agricultural producers and grain dealers.

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

Senate File 292, by committee on Agriculture, a bill for an act relating to cooperative corporations, by providing for the transfer of stock, the allocation of patronage dividends upon termination of membership, and dissolution.

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

Senate File 293, by committee on Commerce, a bill for an act increasing the property damage limit for mandatory reporting of motor vehicle accidents.

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

Senate File 294, by committee on Education, a bill for an act authorizing the state board of educational examiners to establish the term of a school administrator's license.

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

Senate File 295, by committee on Commerce, a bill for an act relating to finance charges upon refinancing and consolidation of debts involving consumer credit transactions.

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

APPENDIX**GOVERNOR'S APPOINTEES PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointees assigned to a standing committee for investigation were placed on the Individual Confirmation Calendar with recommendation for confirmation on March 4, 1997:

COMMERCE

Mary Jean Montgomery and Mark J. Schouten as members of the Iowa Telecommunications and Technology Commission.

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 291 (formerly Senate File 243), a bill for an act relating to provisions in contracts for the sale of grain executed by agricultural producers and grain dealers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Rensink, Judge, Angelo, Bartz, Behn, D. Black, Fraise, Gettings, Hedge, Kibbie, Rehberg, Rife, Vilsack and Ziemann. Nays, none. Absent or not voting, 1: J. Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 292 (SSB 175), a bill for an act relating to cooperative corporations, by providing for the transfer of stock, the allocation of patronage dividends upon termination of membership, and dissolution.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Rensink, Judge, Angelo, Bartz, Behn, D. Black, Fraise, Gettings, Hedge, Kibbie, Rehberg, Rife, Vilsack and Ziemann. Nays, none. Absent or not voting, 1: J. 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 Agriculture Committee on Senate File 292 and they were attached to the committee report.

COMMERCE

Final Bill Action: SENATE FILE 293 (SSB 104), a bill for an act increasing the property damage limit for mandatory reporting of motor vehicle accidents.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Jensen, Schuerer, Deluhery, Douglas, Flynn, Gronstal, Hansen, King, Maddox, McCoy, Palmer, Redfern and Rife. Nays, none. Absent or not voting, 2: Bartz and Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 295 (SSB 49), a bill for an act relating to finance charges upon refinancing and consolidation of debts involving consumer credit transactions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Jensen, Schuerer, Douglas, Flynn, Gronstal, Hansen, King, Maddox, McCoy, Palmer, Redfern and Rife. Nays, 1: Deluhery. Absent or not voting, 2: Bartz and Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 296 (SSB 51), a bill for an act relating to nonoccupational health care plan payments when an employer disputes workers' compensation liability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Jensen, Schuerer, Deluhery Douglas, Flynn, Gronstal, Hansen, King, Maddox, McCoy, Palmer, Redfern and Rife. Nays, none. Absent or not voting, 2: Bartz and Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 294 (SSB 31), a bill for an act authorizing the state board of educational examiners to establish the term of a school administrator's license.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Kibbie, Lind, Neuhauser, Redwine, Rensink, and Tinsman. Nays, none. Absent or not voting, 3: J. Black, Fink and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 153, a bill for an act relating to medical malpractice actions by modifying the statute of limitations for minors.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3111.

Final Vote: Ayes, 9: Boettger, Redwine, Szymoniak, Bartz, Behn, J. Black, Rensink, Schuerer and Tinsman. Nays, 4: Dearden, Dvorsky, Hammond and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 153 and they were attached to the committee report.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 373, a bill for an act to legalize certain unified law enforcement district tax levies and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Zieman, Behn, Fraise, Angelo, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean, Redwine and Rehberg. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	268	Ways and Means
S. F.	269	Transportation
S. F.	270	Ways and Means
S. F.	271	Judiciary
S. F.	273	Human Resources
S. F.	274	Commerce
S. F.	275	Transportation
S. F.	276	State Government
S. F.	277	Transportation
S. F.	278	Judiciary
S. F.	279	Agriculture
S. F.	282	Human Resources
S. F.	283	State Government

S. F.	286	Judiciary
S. F.	287	Education
S. F.	288	Transportation
S. J. R.	11	Education
H. F.	142	Natural Resources

INTRODUCTION OF BILLS

Senate File 296, by committee on Commerce, a bill for an act relating to nonoccupational health care plan payments when an employer disputes workers' compensation liability.

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

Senate File 297, by Tinsman, a bill for an act relating to highway construction worker safety.

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

AMENDMENTS FILED

S-3110	S. F.	252	Michael E. Gronstal
S-3111	S. F.	153	Human Resources
S-3112	S. F.	188	Jim Lind

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:11 p.m., until 9:00 a.m., Wednesday, March 5, 1997.

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 5, 1997

The Senate met in regular session at 9:16 a.m., President pro tempore Redfern presiding.

Prayer was offered by the Honorable Allen Borlaug, member of the Senate from Chickasaw County, Protivin, Iowa.

SPECIAL GUEST

Senator McLaren presented Vice Minister Wan BouwRay of the Chinese Ministry of Agriculture. Vice Minister Wan is the highest ranking Chinese agricultural official to make a public appearance in the State of Iowa. The Vice Minister brought with him several Deputy Directors and other personnel from his ministry to assist him in his research into the U.S. marketing system and the organization and operation of our cooperative system.

The Vice Minister addressed the Senate through an interpreter with brief remarks about the partnership between China and the U.S. He expressed his gratitude for the warm hospitality received from Iowa and its people and his wish that the cooperative partnership between the two countries continues to grow.

Senator McLaren presented Vice Minister BouwRay with a friendship gift of a walnut box bearing the image of the State Capitol on the lid.

Vice Minister BouwRay presented the Senate with a decorative Chinese brocade table cover.

The Journal of Tuesday, March 4, 1997, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 4, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 388, a bill for an act reducing the state individual income tax rates by fifteen percent and including an effective date provision.

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

INTRODUCTION OF BILL

Senate File 298, by Angelo, a bill for an act providing for the amount of a surety bond required to be executed by a treasurer of an extension council.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 9:41 a.m. until 1:00 p.m.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Matt Anderson, Shenandoah - For winning the State high school wrestling tournament Class 2-A championship at 140 lbs. Senator Angelo (3-1-97).

Justin Riddle, Clarinda - For winning the State high school wrestling tournament Class 2-A championship at 103 lbs. Senator Angelo (3-1-97).

Alison Henderson, Council Bluffs - For being a winner in the "Write Women Back into History" contest. Senator Gronstal (3-3-97).

Matt McLaren, Farragut - For being elected vice president of the student body at Iowa State University. Senator McLaren (3-4-97).

Amanda Pierce, Atlantic - For winning 1st place in the individual regional MATHCOUNTS competition. Senator McLaren (3-6-97).

Scott Eddy, Independence - For winning the State high school wrestling tournament heavyweight division. Senator Rehberg (3-1-97).

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 4, 1997, 8:02 a.m.

Members Present: Rensink, Chair; Judge, Ranking Member; Angelo, Bartz, Behn, D. Black, Fraise, Gettings, Hedge, Kibbie, Rehberg, Rife, Vilsack and Zieman.

Members Absent: J. Black, Vice Chair (excused).

Committee Business: Approved SSB 175 and Senate File 243 as committee bills.

Adjourned: 8:25 a.m.

COMMERCE

Convened: March 4, 1997, 11:10 a.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Deluhery, Ranking Member; Douglas, Flynn, Gronstal, Hansen, King, Maddox, McCoy, Palmer, Redfern and Rife.

Members Absent: Bartz and Lundby (both excused).

Committee Business: Approved SSBs 49, 51 and 104 as committee bills; placed governor's appointees on individual confirmation calendar with recommendation for confirmation.

Adjourned: 11:34 a.m.

EDUCATION

Convened: March 4, 1997, 10:38 a.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Kibbie, Lind, Neuhauser, Redwine, Rensink and Tinsman.

Members Absent: J. Black, Fink and Szymoniak (all excused).

Committee Business: Recommended passage of House File 92 as amended; amended and approved SSB 32 as a committee bill; approved SSB 31 as a committee bill.

Adjourned: 10:52 a.m.

HUMAN RESOURCES

Convened: March 4, 1997, 2:24 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Recommended passage of Senate File 153 as amended and approved SSB 186 as a committee bill.

Adjourned: 3:16 p.m.

LOCAL GOVERNMENT

Convened: March 4, 1997, 1:18 p.m.

Members Present: Zieman, Chair; Behn, Vice Chair; Fraise, Ranking Member; Angelo, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean, Redwine and Rehberg.

Members Absent: none.

Committee Business: Recommended passage of House File 373; approved SSBs 81, 82 and 84 and Senate File 165 as committee bills.

Adjourned: 2:10 p.m.

STATE GOVERNMENT

Convened: March 4, 1997, 1:25 p.m.

Members Present: Lind, Chair; Rittmer, Vice Chair; Kibbie, Ranking Member; Deluhery, Gronstal, Halvorson, King, McKibben, McLaren, Szymoniak and Tinsman.

Members Absent: Drake, Fink (excused), Lundby (excused) and Rife.

Committee Business: Approved SSB 173 as a committee bill.

Adjourned: 1:43 p.m.

TRANSPORTATION

Convened: March 4, 1997, 2:35 p.m.

Members Present: Drake, Chair; Borlaug, Vice Chair; McCoy, Ranking Member; Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer.

Members Absent: none.

Committee Business: Assigned bill to subcommittee; presentation by the director and members of the DOT on future plans and goals of various programs.

Adjourned: 3:35 p.m.

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 4, 1997, when the votes were taken on the following bills. Had I been present, I would have voted "aye" on the bills:

Senate Files 83, 176, 184, 214, 219, 222, 233, 229, 231, 235, 238, Senate Concurrent Resolution 5 and House Concurrent Resolution 7.

BILL FINK

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: *SENATE FILE 299 (SSB 174), a bill for an act relating to cooperative associations by providing for operations and procedures of the associations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Rensink, J. Black, Judge, Angelo, Bartz, Behn, D. Black, Fraise, Hedge, Kibbie, Rehberg, Rife, Vilsack and Zieman. Nays, none. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 299 and they were attached to the committee report.

EDUCATION

Final Bill Action: *SENATE FILE 301 (SSB 32), a bill for an act increasing the exceptions to the registration requirements for postsecondary schools.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Kibbie, Lind, Neuhauser, Redwine, Rensink and Tinsman. Nays, none. Absent or not voting, 3: J. Black, Fink 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 301 and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 300 (SSB 186), a bill for an act relating to the prohibited sale of home testing kits for the human immunodeficiency virus.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 5th day of March, 1997:

Senate File 145.

MARY PAT GUNDERSON
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENT

SSB 214

AGRICULTURE: Rensink, Chair; Bartz, J. Black, D. Black and Kibbie

AFTERNOON SESSION

The Senate reconvened at 1:28 p.m., President Kramer presiding.

LEAVES OF ABSENCE

Leave of absences were granted as follows:

Senator Horn until he arrives on request of Senator Hansen and Senator McCoy until he arrives on request of Senator Dvorsky.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

House Joint Resolution 10

On motion of Senator Redfern, House Joint Resolution 10, 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.

Senator Redfern 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.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

House Joint Resolution 10, 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.

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 proposed amendment to the Constitution of the State of Iowa, having been adopted and agreed to by the Seventy-sixth General Assembly, 1996 Session, thereafter duly published, and now adopted and agreed to by the Seventy-seventh General Assembly in this Joint Resolution, shall be submitted to the people of the State of Iowa at the general election in November of the year nineteen hundred ninety-eight in the manner required by the Constitution and laws of the State of Iowa.

On the question "Shall the resolution pass?" (H.J.R. 10) the vote was:

Yeas, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Horn McCoy

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

QUORUM CALL

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

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

CONSIDERATION OF BILL

(Regular Calendar)

Senate File 189

On motion of Senator Angelo, Senate File 189, a bill for an act extending the regular program district cost guarantee for school districts for two years, and providing an effective date, was taken up for consideration.

Senator Neuhauser offered amendment S—3075 filed by her on February 24, 1997, to page 1 and the title page of the bill.

Senator Angelo raised the point of order that amendment S—3075 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3075 out of order.

Senator Lundby asked and received unanimous consent that action on **Senate File 189** be **deferred**.

CONSIDERATION OF BILL

(Appropriations Calendar)

House File 125

On motion of Senator Tinsman, House File 125, a bill for an act appropriating federal block grant funds and amending appropriations from the general fund of the state to the department of human services for the state fiscal year beginning July 1, 1996, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 125) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Horn

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House File 125** and **House Joint Resolution 10** be **immediately messaged** to the House.

APPENDIX
STUDY BILLS RECEIVED

SSB 215 Ways & Means

Relating to regulation of food establishments and providing for fees and penalties.

SSB 216 State Government

Relating to the administration of state government, by providing for the practices of the department of general services, state procurement, motor vehicles, and state printing.

SSB 217 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.

SSB 218 Commerce

Relating to the acquisition of a branch of a savings association by a newly chartered bank and providing an effective date.

SSB 219 State Government

Relating to the attempt to purchase, purchase, or possession of an alcoholic beverage by a person under legal age, and providing penalties.

SSB 220 State Government

Relating to pari-mutuel racing and excursion boat gambling, and providing penalties and an effective date.

SSB 221 State Government

Relating to continuing education requirements of real estate appraisers.

SSB 222 Education

Relating to a requirement that schools and school districts provide media services programs and articulated sequential elementary-secondary guidance programs.

SSB 223 Agriculture

Prohibiting the construction of earthen manure storage basins and anaerobic lagoons within agricultural drainage well areas, and making penalties applicable.

SSB 224 Business & Labor

Relating to membership on the workforce development board and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate File 263**

EDUCATION: Redfern, Chair; Connolly and Rehberg

Senate File 264

EDUCATION: Connolly, Chair; Kibbie and Lind

Senate File 265

EDUCATION: Connolly, Chair; J. Black and Redwine

Senate File 276

STATE GOVERNMENT: Lundby, Chair; Kibbie and King

Senate File 279

AGRICULTURE: Hedge, Chair; Kibbie and Zieman

Senate File 283

STATE GOVERNMENT: Rittmer, Chair; McKibben and Szymoniak

House File 142

NATURAL RESOURCES & ENVIRONMENT: Dearden, Chair; Angelo and Bartz

SSB 215

WAYS AND MEANS: Redfern, Chair; Deluhery and McKibben

SSB 216

STATE GOVERNMENT: Lind, Chair; Halvorson and Lundby

SSB 217

STATE GOVERNMENT: Lundby, Chair; Gronstal and Rittmer

SSB 218

COMMERCE: Jensen, Chair; Douglas and Flynn

SSB 219

STATE GOVERNMENT: Lind, Chair; Fink and McLaren

SSB 220

STATE GOVERNMENT: Lind, Chair; Fink and Rife

SSB 221

STATE GOVERNMENT: Lind, Chair; Szymoniak and Tinsman

SSB 223

AGRICULTURE: Rensink, Chair; Bartz, J. Black, D. Black and Kibbie

BILLS ASSIGNED TO COMMITTEE

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

S. F.	289	Small Business & Econ. Develop.
S. F.	290	Small Business & Econ. Develop.
S. F.	297	Transportation
S. F.	298	Local Government
S. F.	302	Ways and Means
S. F.	303	Education
S. F.	304	Business and Labor
S. F.	305	State Government
S. F.	306	Small Business & Econ. Develop.
S. F.	307	State Government
S. F.	308	Agriculture

S. F.	309	Natural Resources
S. F.	310	Transportation
H. F.	299	Judiciary
H. F.	388	Ways and Means

COMMITTEE REPORTS

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 315 (SSB 84), a bill for an act to prohibit the disarming of a peace officer and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zieman, Behn, Fraise, Angelo, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean, Redwine and Rehberg. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 316 (SSB 81), a bill for an act relating to the probationary period for deputy sheriffs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zieman, Behn, Fraise, Angelo, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean, Redwine and Rehberg. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 317 (SSB 82), a bill for an act relating to the determination of annual salaries for deputy sheriffs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Zieman, Behn, Fraise, Angelo, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean, Redwine and Rehberg. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 318 (SSB 173), a bill for an act relating to the state income tax checkoff for domestic abuse and sexual assault services and providing retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Lind, Rittmer, Kibbie, Deluhery, Gronstal, Halvorson, King, McKibben, McLaren, Szymoniak and Tinsman. Nays, none. Absent or not voting, 4: Drake, Fink, Lundby and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on March 5, 1997:

BUSINESS AND LABOR

Margaret A. Holmes, Alan R. Kabela, Kathryn A. Murphy and Norma J. Schmoker, Iowa Workforce Development Board.

Elizabeth L. Seiser, Public Employment Relations Board.

AMENDMENTS FILED

S-3113	S. F.	205	Tom Vilsack
S-3114	S. F.	281	Mary Neuhauser Donald B. Redfern

INTRODUCTION OF BILLS

Senate Concurrent Resolution 6, by Vilsack, a concurrent resolution urging action by the federal government to protect workers from repetitive stress injuries.

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

Senate File 299, by committee on Agriculture, a bill for an act relating to cooperative associations and corporations by providing for operations and procedures, including providing for mergers, and providing an effective date.

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

Senate File 300, by committee on Human Resources, a bill for an act relating to the prohibited sale of home testing kits for the human immunodeficiency virus.

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

Senate File 301, by committee on Education, a bill for an act increasing the exceptions to the registration requirements for postsecondary schools, and eliminating an exemption for nondegree specialty vocational training programs from the accreditation requirement for postsecondary schools.

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

Senate File 302, by Hansen, a bill for an act extending the child and dependent care credit to certain taxpayers for purposes of the individual income tax and including a retroactive applicability date provision.

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

Senate File 303, by Hansen, a bill for an act relating to an individual income tax credit for amounts paid for tuition and textbooks for dependents at certain higher education institutions and including a retroactive applicability date provision.

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

Senate File 304, by King, a bill for an act relating to unemployment compensation benefits concerning proof of whether a person has voluntarily quit employment.

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

Senate File 305, by King, a bill for an act limiting the amount of contributions a candidate for office may accept from sources outside the candidate's elective district, and providing a penalty.

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

Senate File 306, by Gronstal, a bill for an act relating to required eligibility criteria for economic development assistance programs.

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

Senate File 307, by Gronstal, a bill for an act relating to declaration of political party affiliation, or declaration of no party

affiliation on voter registration forms.

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

Senate File 308, by Black of Kossuth, a bill for an act relating to animal feeding operations by eliminating nuisance suit protection.

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

Senate File 309, by Black of Kossuth, a bill for an act relating to the construction of earthen manure storage basins and anaerobic lagoons by prohibiting their construction within an agricultural drainage well basin or certain drainage districts, and making penalties applicable.

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

Senate File 310, by Black of Jasper, a bill for an act eliminating fees for certain special license plates.

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

Senate File 311, by Rife, a bill for an act relating to depositing gambling and lottery revenues in the rebuild Iowa infrastructure fund.

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

Senate File 312, by Maddox, a bill for an act relating to consortium claims under comparable fault.

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

Senate File 313, by Hammond, a bill for an act providing that financial records of foundations established pursuant to state direction are available for public examination and reproduction.

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

Senate File 314, by Lundby, a bill for an act establishing the senior conservation and outdoor recreation employment program under the administration of the department of workforce

development and providing for a related matter.

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

Senate File 315, by committee on Local Government, a bill for an act to prohibit the disarming of a peace officer and providing penalties.

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

Senate File 316, by committee on Local Government, a bill for an act relating to the probationary period for deputy sheriffs.

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

Senate File 317, by committee on Local Government, a bill for an act relating to the determination of annual salaries for deputy sheriffs.

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

Senate File 318, by committee on State Government, a bill for an act relating to the state income tax checkoff for domestic abuse and sexual assault services and providing retroactive applicability dates.

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

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on March 5, 1997:

NATURAL RESOURCES

Dean R. McWilliams, Environmental Protection Commission.

Mary L. Norton, Renewable Fuels and Coproducts Advisory Committee.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 2:06 p.m., until 9:00 a.m., Thursday, March 6, 1997.

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 6, 1997

The Senate met in regular session at 9:09 a.m., President Kramer presiding.

Prayer was offered by the Reverend Paul Schaedig, pastor of the Bremwood Lutheran Home, Waverly, Iowa.

The Journal of Wednesday, March 5, 1997, was approved.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 5, 1997, passed the following bill in which the concurrence of the House was asked:

Senate File 160, a bill for an act relating to funds held by life insurance companies and providing an effective date.

INTRODUCTION OF BILLS

Senate File 319, by Kibbie, a bill for an act requiring a person to have liability insurance before the person's vehicle registration may be renewed.

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

Senate File 320, by Gronstal, a bill for an act relating to fees assessed by a financial institution against such institution's customers or members for a transaction involving the use of a satellite terminal.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy until he arrives on request of Senator Palmer.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:15 a.m., until 4:00 p.m.

APPENDIX

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 5, 1997, when the vote was taken on House Joint Resolution 10.

Had I been present, I would have voted "aye" on the bill.

MATT McCOY

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 5, 1997, 8:35 a.m.

Members Present: Rensink, Chair; J. Black, Vice Chair; Judge, Ranking Member; Angelo, Bartz, Behn, D. Black, Fraise, Hedge, Kibbie, Rehberg, Rife, Vilsack and Zieman.

Members Absent: Gettings.

Committee Business: Recommended passage of Senate File 203 as amended; amended and approved SSB 174 and Senate File 254 as committee bills.

Adjourned: 8:55 a.m.

BUSINESS AND LABOR

Convened: March 5, 1997, 2:15 p.m.

Members Present: Rife, Chair; King, Vice Chair; Dearden, Ranking Member; Behn, Freeman, Gettings, Jensen, Palmer and Schuerer.

Members Absent: Horn (excused) and Zieman.

Committee Business: Recommended confirmation of governor's appointees and discussed and deferred action on Senate File 267.

Adjourned: 2:36 p.m.

COMMERCE

Convened: March 5, 1997, 11:36 a.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Deluhery, Ranking Member; Bartz, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer and Redfern.

Members Absent: Douglas and Rife.

Committee Business: Approved SSB 53 as a committee bill; amended and approved SSBs 172, 14 and 105 as committee bills.

Adjourned: 12:27 p.m.

EDUCATION

Convened: March 5, 1997, 2:14 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentation by representatives of East Union schools and Moulton school district on at-risk and year-long schooling programs; approved SSB 190 as a committee bill.

Adjourned: 3:07 p.m.

JUDICIARY

Convened: March 5, 1997, 4:07 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; amended and approved SSBs 36 and 58; recommended passage of House File 114.

Adjourned: 5:25 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 5, 1997, 3:10 p.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben and Rehberg.

Members Absent: Zieman (excused).

Committee Business: Recommended confirmation of governor's appointees and approved SSB 200 as a committee bill.

Adjourned: 4:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: March 5, 1997, 10:15 a.m.

Members Present: Rittmer, Chair; Redfern, Vice Chair; Flynn, Ranking Member; Jensen and Palmer.

Members Absent: none.

Committee Business: Discussed proposed appropriations bill.

Adjourned: 11:05 a.m.

CERTIFICATES OF RECOGNITION

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

Kyle Hansen, Wilton - For winning the 1997 State high school wrestling tournament Class 1-A championship at 160 lbs. Senator Drake (3-6-97).

Rob Hoback, Columbus Junction - For winning 2nd place in the 1997 State high school wrestling tournament Class 2-A championship at 135 lbs. Senator Drake (3-6-97).

Nick Marolf, Columbus Junction - For winning 2nd place in the 1997 State high school wrestling tournament Class 2-A championship at 112 lbs. Senator Drake (3-6-97).

Matt Pasvogel, Wilton - For winning the 1997 State high school wrestling tournament Class 1-A championship at 103 lbs. Senator Drake (3-6-97).

Jason Payne, Columbus Junction - For winning the 1997 State high school wrestling tournament Class 2-A championship at 189 lbs. Senator Drake (3-6-97).

J.D. Pugh, Columbus Junction - For winning the 1997 State high school wrestling tournament Class 2-A championship at 119 lbs. Senator Drake (3-6-97).

David Reid, Wapello - For winning the 1997 State high school wrestling tournament Class 1-A championship at 189 lbs. Senator Drake (3-6-97).

Ben Shirk, Wilton - For winning the 1997 State high school wrestling tournament Class 1-A championship at 140 lbs. Senator Drake (3-6-97).

Justin Stanley, Wilton - For winning the 1997 State high school wrestling tournament Class 1-A championship at 112 lbs. Senator Drake (3-6-97).

Columbus Junction High School wrestling team and Coach Bill Plein - For winning the 1997 State high school wrestling tournament Class 2-A championship. Senator Drake (3-6-97).

Wapello High School wrestling team and Coach Gavin Hjerleid - For winning 2nd place in the Class 1-A 1997 State high school wrestling tournament. Senator Drake (3-6-97).

Wilton High School wrestling team and Coach Steve Shirk - For winning the 1997 State high school wrestling tournament Class 1-A championship. Senator Drake (3-6-97).

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 340 (formerly Senate File 203), a bill for an act providing for research regarding the production and marketing of industrial hemp.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rensink, J. Black, Judge, Angelo, Bartz, Behn, D. Black, Fraise, Hedge, Kibbie, Rehberg, Vilsack and Zieman. Nays, 1: Rife. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 341 (formerly Senate File 254), a bill for an act prohibiting certain contracts for the delayed delivery and pricing of grain by agricultural producers and grain dealers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rensink, J. Black, Judge, Angelo, Bartz, Behn, D. Black, Fraise, Hedge, Kibbie, Rehberg, Rife and Vilsack. Nays, 1: Zieman. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 339 (SSB 53), a bill for an act relating to the delay of the repeal for the exemption of certain multiple employer welfare arrangements from regulation by the insurance division and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Jensen, Schuerer, Deluhery, Bartz, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy and Redfern. Nays, none. Absent or not voting, 3: Douglas, Palmer and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 114, a bill for an act to legalize certain city and county deeds and conveyances.

Recommendation: DO PASS.

Final Vote: Ayes, 14 McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, 1: Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 336 (formerly Senate File 165), a bill for an act relating to studies and reports of county land preservation and use commissions, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Zieman, Behn, Fraise, Angelo, D. Black, Boettger, Connolly, Hansen and McKean. Nays, 4: J. Black, Dearden, Redwine and Rehberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 30, a bill for an act relating to the exemption from sales, services, and use taxes of adjuvants and surfactants used to enhance the application of fertilizers, limestone, herbicides, pesticides, and insecticides in agricultural production and providing effective and retroactive applicability date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Douglas, McKibben, Palmer, Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, McLaren, Redfern, Szymoniak and Vilsack. Nays, none. Absent or not voting, 3: Judge, Szymoniak and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED**SSB 225 Agriculture**

Relating to statutory references to the Iowa beef industry council and increasing an excise tax on beef cattle upon a referendum.

SSB 226 State Government

Relating to public retirement systems by 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 providing for the exclusion of certain publicly elected officials from membership, and the calculation of dividends for certain retirees, under the Iowa public employees' retirement system.

SSB 227 Local Government

Relating to the definition and location of a land-leased community.

SSB 228 Local Government

Authorizing county treasurers to retain a portion of the contributions to the anatomical gift public awareness and transplantation fund.

SSB 229 Agriculture

Prohibiting a habitual violator or person charged with violation from constructing or expanding a confinement feeding operation structure.

SSB 230 Commerce

Relating to the establishment of an E911 commission and establishing a surcharge.

SUBCOMMITTEE ASSIGNMENTS**Senate File 225**

JUDICIARY: Angelo, Chair; Boettger and Halvorson

Senate File 226

JUDICIARY: King, Chair; Angelo and Fraise

Senate File 248

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

Senate File 259

COMMERCE: Deluhery, Chair; King and Lundby

Senate File 268

WAYS AND MEANS: Douglas, Chair; Connolly and Freeman

Senate File 269

TRANSPORTATION: Rittmer, Chair; Gettings and Jensen

Senate File 270

WAYS AND MEANS: McKibben, Chair; Connolly and Drake

Senate File 271

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

Senate File 274

COMMERCE: Schuerer, Chair; Hansen and Maddox

Senate File 275

TRANSPORTATION: Rittmer, Chair; Gettings and Jensen

Senate File 277

TRANSPORTATION: Gettings, Chair; Jensen and Rittmer

Senate File 278

JUDICIARY: McKibben, Chair; Neuhauser and Tinsman

Senate File 288

TRANSPORTATION: Drake, Chair; Borlaug and Fraise

Senate File 297

TRANSPORTATION: Drake, Chair; Gettings and Jensen

Senate File 298

LOCAL GOVERNMENT: Angelo, Chair; Fraise and Rehberg

Senate File 302

WAYS AND MEANS: McKibben, Chair; Freeman and Vilsack

Senate File 305

STATE GOVERNMENT: King, Chair; Halvorson and Lundby

Senate File 307

STATE GOVERNMENT: Lundby, Chair; Drake and Gronstal

Senate File 309

NATURAL RESOURCES & ENVIRON.: Bartz, Chair; J. Black, Fink, Hedge and Judge

Senate File 310

TRANSPORTATION: Drake, Chair; Gettings and Jensen

House File 275

COMMERCE: Lundby, Chair; King and Palmer

House File 388

WAYS AND MEANS: Drake, Chair; Douglas, McKibben, Palmer and Vilsack

SSB 209

JUDICIARY: Redfern, Chair; Tinsman and Vilsack

SSB 222

EDUCATION: Lind, Chair; Dvorsky and Rensink

SSB 224

BUSINESS AND LABOR: Freeman, Chair; Behn and Gettings

SSB 225

AGRICULTURE: Rehberg, Chair; Judge and Rife

SSB 226

STATE GOVERNMENT: Rittmer, Chair; Kibbie and McKibben

SSB 227

LOCAL GOVERNMENT: Fraise, Chair; McKean and Rehberg

SSB 228

LOCAL GOVERNMENT: J. Black, Chair; Behn and Fraise

SSB 229

AGRICULTURE: Rensink, Chair; Bartz, J. Black, D. Black and Kibbie

SSB 230

COMMERCE: King, Chair; Flynn and Jensen

GOVERNOR'S APPOINTEE PLACED ON EN BLOC CALENDAR

The following appointee assigned to a standing committee for investigation was placed on the En Bloc Calendar with recommendation for confirmation on March 6, 1997:

WAYS AND MEANS

Maria M. Waterman, State Board of Tax Review.

AMENDMENTS FILED

S-3115	S. F.	136	William D. Palmer JoAnn Douglas
S-3116	S. F.	221	Jeff Angelo
S-3117	S. F.	317	Dick L. Dearden

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Roger A. Halvorson as Administrator of Professional Licensing and Regulation be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar.

DENNIS BLACK

AFTERNOON SESSION

The Senate reconvened at 4:15 p.m., President Kramer presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 5, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 212, 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**.

ALSO: That the House has on March 6, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 226, a bill for an act relating to computation of time by which criminal sentences may be reduced for good behavior and providing for limited retroactive applicability.

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

House File 227, a bill for an act relating to the designation of certain correctional facilities.

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

House File 307, a bill for an act relating to the definition of an owner of a mercantile establishment for purposes of recovery of merchandise or damages.

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

INTRODUCTION OF BILLS

Senate File 321, by Fraise, a bill for an act relating to the reimbursement of clinical social workers under a policy or contract providing for third-party payment or prepayment of health or medical expenses.

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

Senate File 322, by Neuhauser, a bill for an act concerning gender balance for appointive committees of political subdivisions of the state.

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

Senate File 323, by Maddox, a bill for an act requiring trains operating in this state to be equipped with at least one toilet.

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

Senate File 324, by Maddox, a bill for an act relating to notification of school officials of persons under the age of eighteen who are identified as having possession of alcohol.

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

Senate File 325, by Maddox, a bill for an act relating to the modification of domestic abuse no-contact orders.

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

Senate File 326, by Szymoniak, a bill for an act providing coverage for certain dental-related expenses under a policy or contract providing for third-party payment or prepayment of health or medical expenses.

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

Senate File 327, by Szymoniak, a bill for an act requiring registration of family day care homes, providing a penalty, and providing an effective date.

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

Senate File 328, by Tinsman, a bill for an act relating to health care facilities by requiring employment checks of health care facility employees and providing for a registry of persons who are certified as a nurse aide or medication aide.

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

Senate File 329, by Tinsman, a bill for an act relating to the offense of driving a motor vehicle when a license has been revoked or denied for driving while intoxicated, financial liability coverage and registration requirements for motor vehicles in this state, providing for the seizure of motor vehicle registration plates, and providing penalties and conditional effective dates.

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

Senate File 330, by Tinsman, a bill for an act relating to payment of restitution for the cost of emergency response services by persons convicted of a violation of operating a motor vehicle while intoxicated.

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

Senate File 331, by Lundby, a bill for an act relating to mobile home park regulations, restrictions, and landlord and tenant relations.

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

Senate File 332, by McKean and Halvorson, a bill for an act prohibiting gambling licensees from allowing the loaning of money by credit card or other electronic means for gambling purposes.

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

Senate File 333, by Neuhauser, Fraise, Halvorson, Hammond, Hansen, Vilsack, and Dvorsky, a bill for an act relating to the community grant program to address juvenile crime and making an appropriation.

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

Senate File 334, by Lind, a bill for an act regulating and making penalties applicable to certain pistols as dangerous weapons.

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

Senate File 335, by Lind, a bill for an act relating to highway construction area safety.

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

Senate File 337, by Lundby, a bill for an act providing for mandatory licensure for marital and family therapists and mental health counselors.

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

Senate File 338, by Hansen, a bill for an act relating to the elimination of the Iowa lottery by providing for the disposition of Iowa lottery property, the transfer or layoff of employees, and other properly related matters, and providing an effective date.

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

Senate File 342, by Freeman, a bill for an act relating to establishing the access Iowa highway system.

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

Senate File 343, by Flynn, a bill for an act relating to the establishment of an E911 commission and establishing a surcharge.

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

Senate File 344, by Rehberg, a bill for an act providing for state payment of the nonfederal share of medical assistance costs for certain services provided to children requiring special education.

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

Senate File 345, 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.**

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McKean for the remainder of the day on request of Senator Hedge.

QUORUM CALL

Senator Hedge 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

In accordance with Senate Rule 59, Senator Iverson called up the following eligible appointees on the En Bloc Confirmation Calendar:

Dr. Leroy I. Strohman, Board of Dental Examiners.

Shirley A. Meisenheimer, Board of Medical Examiners.

Carlton D. Peterson and Ricard R. Porter, Board of Mortuary Science Examiners.

Arthur P. Silva, Commission on Judicial Qualifications.

Camille V. Scully, Commission on the Status of African-Americans.

Rita A. Venner, Environmental Protection Commission.

Hugh M. Field, Iowa Seed Capital Corporation.

Perry Chapin, Patricia M. Marshall, Earnest L. Nelson, Richard T. Vander Laan and William E. Yeager: Iowa Workforce Development Board.

Kimberly K. Reynolds, Investment Board of the IPERS.

Charlene R. Fulton and Kay E. Wagner, State Board of Education.

James H. Arenson, State Board of Regents.

Senator Iverson moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Iverson
Jensen	Kibbie	King	Kramer
Lind	Lundby	Maddox	McCoy
McKibben	McLaren	Neuhausser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Horn	Judge	McKean
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The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Horn for the remainder of the day on request of Senator Gronstal.

CONSIDERATION OF BILL (Regular Calendar)

House File 373

On motion of Senator Angelo, House File 373, a bill for an act to legalize certain unified law enforcement district tax levies and providing an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 373) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Iverson
Jensen	Kibbie	King	Kramer
Lind	Lundby	Maddox	McCoy
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Judge until she returns on request of Senator Gronstal.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 232

On motion of Senator Zieman, Senate File 232, a bill for an act relating to notarial acts and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 232) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Iverson
Jensen	Kibbie	King	Kramer
Lind	Lundby	Maddox	McCoy
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

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

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 136

On motion of Senator Palmer, Senate File 136, 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—3115 filed by Senators Palmer and Douglas from the floor to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—3115 was adopted by a voice vote.

The Chair ruled amendment S—3087 filed by the committee on Ways and Means on February 26, 1997, to page 1 of the bill, out of order.

Senator Palmer asked and received unanimous consent that **House File 212** be **substituted** for **Senate File 136** as amended.

Senator Rife asked and received unanimous consent that action on **House File 212** be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 253

On motion of Senator McLaren, Senate File 253, a bill for an act relating to the practice of veterinary medicine and providing a penalty, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 253) the vote was:

Ayes, 45:

Angelo	Behn	Black, D.	Black, J.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Iverson	Jensen
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Bartz	Horn	Judge	Lind
McKean			

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

Senate File 251

On motion of Senator Vilsack, Senate File 251, a bill for an act relating to compensation to victims of international terrorism who are residents of Iowa and providing an effective date, 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. 251) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Iverson
Jensen	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House File 373** and **Senate Files 232, 251 and 253** be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 336, by committee on Local Government, a bill for an act relating to studies and reports of county land preservation and use commissions, making an appropriation, and providing an effective date.

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

Senate File 339, by committee on Commerce, a bill for an act relating to the delay of the repeal for the exemption of certain multiple employer welfare arrangements from regulation by the insurance division and providing an effective date.

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

Senate File 340, by committee on Agriculture, a bill for an act providing for research regarding the production and marketing of industrial hemp.

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

Senate File 341, by committee on Agriculture, a bill for an act prohibiting certain contracts for the delayed delivery and pricing of grain by agricultural producers and grain dealers.

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

Senate File 346, by Flynn and Rehberg, a bill for an act relating to family and group day care homes and providing effective dates.

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

Senate File 347, by Angelo, a bill for an act relating to the disposal of public nuisances seized by the department of natural resources.

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

Senate File 348, by Gronstal and Kibbie, a bill for an act establishing voluntary expenditure and contribution limits for political campaigns for candidates for the general assembly and a tax credit for qualified contributions.

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

Senate File 349, by Deluhery, a bill for an act relating to the disclosure of violations and final findings following inspections of health care facilities.

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

Senate File 350, by Neuhauser, a bill for an act relating to the implementation of a court-annexed family mediation pilot project and providing for an appropriation.

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

Senate File 351, by Deluhery, a bill for an act to require the state audit of certain intergovernmental entities.

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

Senate File 352, by Deluhery, a bill for an act relating to confinement swine feeding operations by providing for county zoning.

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

Senate File 353, by Neuhauser, Dearden, Dvorsky, Connolly, Hammond, Black of Jasper, Fraise, Gronstal, Judge, Gettings, Kibbie, Horn, Deluhery, Halvorson, and Flynn, a bill for an act relating to the establishment of a class size reduction weighting program and increasing the physical plant and equipment levy limit for eligible school districts.

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

Senate File 354, by committee on Commerce, a bill for an act relating to the kinds of city utility or enterprise services for which a

landlord may be exempted from a lien for delinquent payments by a tenant.

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

Senate File 355, by McKibben and Black of Jasper, a bill for an act exempting certain rural water districts from provisions regarding the state tax imposed on sales and services.

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

Senate File 356, by Bartz, a bill for an act providing a system for the establishment, assessment, and collection of civil penalties imposed on grain dealers and warehouse operators.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	311	Ways and Means
S. F.	312	Judiciary
S. F.	313	State Government
S. F.	314	Business and Labor
S. F.	319	Commerce
S. F.	320	Commerce
S. F.	321	Commerce
S. F.	322	State Government
S. F.	323	Transportation
S. F.	324	Judiciary
S. F.	325	Judiciary
S. F.	326	Commerce
S. F.	327	Human Resources
S. F.	328	Human Resources
S. F.	329	Commerce
S. F.	330	Judiciary
S. F.	331	State Government
S. F.	333	Appropriation
S. F.	334	Judiciary
S. F.	335	Transportation
S. F.	337	State Government
S. F.	338	State Government
S. F.	342	Transportation
S. F.	343	Commerce
S. F.	344	Appropriations
S. F.	345	State Government
S. F.	346	Human Resources
S. F.	347	Natural Resources
S. F.	348	State Government
S. F.	349	State Government
S. F.	350	Judiciary
S. F.	351	State Government
S. F.	352	Agriculture
S. F.	353	Education
S. C. R.	6	Business and Labor

H.F.	226	Judiciary
H.F.	227	Judiciary
H.F.	307	Judiciary

COMMITTEE REPORTS

COMMERCE

Final Bill Action: *SENATE FILE 354 (SSB 14), a bill for an act relating to the kinds of separately metered properties for which a landlord may be exempted from a lien for delinquent water services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Jensen, Schuerer, Bartz, Flynn, Hansen, King, Lundby, Maddox, McCoy, Palmer and Redfern. Nays, 2: Deluhery and Gronstal. Absent or not voting, 2: Douglas and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Commerce Committee on Senate File 354 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: HOUSE CONCURRENT RESOLUTION 10, a concurrent resolution relating to a biennial memorial session.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak. Nays, none. Absent or not voting, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 11, a concurrent resolution relating to Pioneer Lawmakers.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak. Nays, none. Absent or not voting, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3118	S. F.	280	Tom Vilsack
S-3119	H. F.	212	Jim Lind

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:09 p.m., until 1:00 p.m., Monday, March 10, 1997.

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 10, 1997

The Senate met in regular session at 1:10 p.m., President Kramer presiding.

Prayer was offered by the Reverend Mike Hovda, pastor of the Fellowship Bible Church, Oskaloosa, Iowa

The Journal of Thursday, March 6, 1997, was approved.

INTRODUCTION OF BILLS

Senate File 357, by committee on State Government, a bill for an act relating to the regulation of amusement devices and casino-type gambling and subjecting violators to an existing penalty.

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

Senate File 358, by committee on State Government, a bill for an act relating to the adoption of the interstate emergency management assistance compact.

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

Senate File 359, by committee on State Government, a bill for an act relating to the qualifications for the director of the department of corrections.

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

Senate File 360, by committee on Commerce, a bill for an act authorizing the utilities board to issue certificates of public convenience and necessity to municipal telecommunications utilities,

regulating certain municipal utilities as competitive local exchange service providers, and including effective date and retroactive applicability provisions.

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

Senate File 361, by committee on State Government, a bill for an act relating to the state workers' compensation coverage for students participating in school-to-work programs and providing for related matters.

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

Senate File 362, by committee on Natural Resources and Environment, a bill for an act establishing a wildlife depredation unit within the department of natural resources, allowing the discharge of firearms in state parks for certain purposes, providing for the issuance of additional free deer hunting licenses, subjecting violators to an existing penalty, and providing an effective date.

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

Senate File 363, by committee on Transportation, a bill for an act establishing a senior citizen and disabled persons transportation pilot program in the state department of transportation, making an appropriation, and providing effective dates.

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

Senate File 364, by committee on Education, a bill for an act increasing the amount of the tuition and textbook tax credit and providing an applicability date provision.

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

Senate File 365, by committee on Judiciary, a bill for an act applying the death penalty or life imprisonment, by establishing the offense of capital murder, by providing a minimum age for imposition of a death sentence, by providing for review of death sentences, by providing for execution by lethal injection, by amending the rules of criminal procedure, and by providing for the Act's effectiveness and applicability.

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

Senate File 366, by Judge, a bill for an act relating to insurance coverage and registration requirements for motor vehicles in this state, providing for the seizure of motor vehicle registration plates, and providing penalties and conditional effective dates.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 1:31 p.m., until 4:30 p.m.

APPENDIX

PETITIONS

The following petitions supporting the state funding of public libraries throughout Iowa were presented and placed on file by:

Senator Connolly from 448 residents of Dubuque County.

Senator Drake from 446 residents of Johnson County.

Senator Freeman from 1100 residents of Buena Vista, Cherokee and O'Brien Counties.

Senator Kibbie from 253 residents of Clay, Emmet and Palo Alto Counties.

Senator Maddox from 73 residents of Dallas County.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 6, 1997, the governor approved and transmitted to the secretary of state the following bill:

S.F. 145 - Relating to the county mental health, mental retardation, and developmental disabilities services fund levy by providing a procedure for a county to make revisions affecting the services fund levy and other levies, and providing an effective date.

STUDY BILLS RECEIVED

SSB 231 Small Business, Economic Development and Tourism

Relating to establishing a capital investment board, tax credits, termination of the Iowa seed capital corporation, establishing a capital transition board, and providing an effective date.

SSB 232 Human Resources

Relating to support of children and grandchildren and providing a penalty.

SSB 233 Appropriations

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, providing an exemption from sales, services, and use taxes on the sale of personal property to certain leasing businesses, and other properly related matters, and providing effective and retroactive applicability date provisions.

SSB 234 Agriculture

Relating to milk and milk products, providing for the issuance of licenses and permits, fees, and providing penalties.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS**

Convened: March 6, 1997, 2:10 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Lind, Lundby, Maddox, McCoy, Neuhauser, Rensink, Rife, Rittmer, Tinsman and Vilsack.

Members Absent: D. Black, Horn and Jensen (all excused).

Committee Business: Approved SSB 187 as a committee bill.

Adjourned: 2:45 p.m.

HUMAN RESOURCES

Convened: March 6, 1997, 1:05 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack.

Members Absent: Dearden (excused).

Committee Business: Amended and approved Senate File 237 as a committee bill and deferred action on Senate Files 199 and 142.

Adjourned: 2:05 p.m.

STATE GOVERNMENT

Convened: March 6, 1997, 3:05 p.m.

Members Present: Lind, Chair; Rittmer, Vice Chair; Kibbie, Ranking Member; Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Recommended passage of H.C.R. 10 and H.C.R. 11; amended and approved S.F. 101 as a committee bill; approved SSBs 206, 141, 144, 205, 180, 211, 30 and 213 as committee bills.

Adjourned: 3:50 p.m.

TRANSPORTATION

Convened: March 6, 1997, 1:06 p.m.

Members Present: Drake, Chair; Borlaug, Vice Chair; Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer.

Members Absent: McCoy, Ranking Member (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of S.F. 149; recommended passage of S.F. 54 as amended.

Adjourned: 1:20 p.m.

WAYS AND MEANS

Convened: March 6, 1997, 11:40 a.m.

Members Present: Douglas, Chair; McKibben, Vice Chair; Palmer, Ranking Member; Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Maddox, McLaren, Redfern, Szymoniak and Vilsack.

Members Absent: Judge.

Committee Business: Assigned bills to subcommittees; recommended passage of S.F. 30; recommended confirmation of governor's appointee.

Adjourned: 11:53 a.m.

APPROP. SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: March 6, 1997, 9:55 a.m.

Members Present: Rife, Chair; Neuhauser, Ranking Member; Deluhery and McLaren.

Members Absent: Kramer, Vice Chair.

Committee Business: Presentation by the director of general services on capitol restoration contracting, and presentation by the Year 2000 project coordinator on Year 2000 assessment report.

Adjourned: 11:15 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 6

BUSINESS AND LABOR: Behn, Chair; Gettings and Horn

Senate File 212

COMMERCE: Maddox, Chair; Douglas and Palmer

Senate File 273

HUMAN RESOURCES: Boettger, Chair; J. Black and Dvorsky

Senate File 289

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Lundby, Chair; Hansen and Redwine

Senate File 290

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Lundby, Chair; Hansen and Redwine

Senate File 304

BUSINESS AND LABOR: King, Chair; Jensen and Palmer

Senate File 306

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Lundby, Chair; Hansen and Redwine

Senate File 314

BUSINESS AND LABOR: Freeman, Chair; Palmer and Ziemann

Senate File 319

COMMERCE: Douglas, Chair; Gronstal and Redfern

Senate File 320

COMMERCE: Douglas, Chair; Gronstal and Redfern

Senate File 321

COMMERCE: Jensen, Chair; Deluhery and Lundby

Senate File 323

TRANSPORTATION: Drake, Chair; Gettings and Jensen

Senate File 326

COMMERCE: Jensen, Chair; Deluhery and Lundby

Senate File 327

HUMAN RESOURCES: J. Black, Chair; Behn and Tinsman

Senate File 328

HUMAN RESOURCES: Tinsman, Chair; Behn and Schuerer

Senate File 329

COMMERCE: Douglas, Chair; McCoy and Redfern

Senate File 335

TRANSPORTATION: Drake, Chair; Gettings and Jensen

Senate File 342

TRANSPORTATION: Drake, Chair; McCoy and Rittmer

Senate File 343

COMMERCE: Flynn, Chair; Bartz and King

Senate File 346

HUMAN RESOURCES: J. Black, Chair; Behn and Tinsman

Senate File 347

NATURAL RESOURCES & ENVIRONMENT: Angelo, Chair; Dvorsky and McKibben

House File 82

COMMERCE: Maddox, Chair; Hansen and Schuerer

SSB 232

HUMAN RESOURCES: Boettger, Chair; Behn and Szymoniak

SSB 233

APPROPRIATIONS: Lundby, Chair; McCoy and McLaren

SSB 234

AGRICULTURE: Zieman, Chair; Gettings and Rife

COMMITTEE REPORTS**BUSINESS AND LABOR**

Final Bill Action: SENATE FILE 109, a bill for an act relating to workers' compensation coverage for employment outside of the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Rife, King, Behn, Freeman, Horn, Jensen, Palmer, Schuerer and Zieman. Nays, none. Absent or not voting, 2: Dearden and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: *SENATE FILE 360 (SSB 105), a bill for an act relating to the regulation of municipal utilities providing telecommunications services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Jensen, Schuerer, Deluhery, Bartz, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer and Redfern. Nays, none. Absent or not voting, 2: Douglas and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Commerce Committee on Senate File 360 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 367 (SSB 172), a bill for an act relating to transfers of real property by providing that certain disclosures regarding psychologically impacted property are not required and by amending the definition of transfer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Jensen, Schuerer, Bartz, Flynn, Gronstal, Hansen, King, Lundby, Maddox, and Redfern. Nays, 3: Deluhery, McCoy and Palmer. Absent or not voting, 2: Douglas and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Commerce Committee on Senate File 367 and they were attached to the committee report.

EDUCATION

Final Bill Action: SENATE FILE 364 (SSB 190), a bill for an act increasing the amount of the tuition and textbook tax credit and providing an applicability date provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Redfern, Rehberg, Connolly, Angelo, J. Black, Boettger, Kibbie, Lind, Redwine and Rensink. Nays, 5: Dvorsky, Fink, Neuhauser, Szymoniak and Tinsman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: *SENATE JOINT RESOLUTION 12 (SSB 36), a joint resolution proposing an amendment to the Constitution of the State of Iowa to provide for certain rights for victims of crimes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, 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 Judiciary Committee on Senate Joint Resolution 12 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 365 (SSB 58), a bill for an act applying the death penalty or life imprisonment, by establishing the offense of capital murder, by providing a minimum age for imposition of a death sentence, by providing for review of death sentences, by providing for execution by lethal injection, by amending the rules of criminal procedure, and by providing for the Act's effectiveness and applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: McKean, Maddox, Angelo, Boettger, Drake, King, McKibben and Redfern. Nays, 7: Neuhauser, Fraise, Halvorson, Hammond, Hansen, Tinsman and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 365 and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: *SENATE FILE 362 (SSB 200), a bill for an act establishing a wildlife depredation unit within the department of natural resources, allowing the discharge of firearms in state parks for certain purposes, providing for the issuance of additional free deer hunting licenses, subjecting violators to an existing penalty, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben and Rehberg. 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 Natural Resources and Environment Committee on Senate File 362 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 357 (SSB 30), a bill for an act relating to the regulation of amusement devices and casino-type gambling and subjecting violators to an existing penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 358 (SSB 206), a bill for an act relating to the adoption of the interstate emergency management assistance compact.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife and Szymoniak. Nays, none. Absent or not voting, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 359 (SSB 141), a bill for an act relating to the qualifications for the director of the department of corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, 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 Judiciary Committee on Senate File 359 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 361 (SSB 213), a bill for an act relating to the state workers' compensation coverage for students participating in school-to-work programs and providing for related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13 Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, McKibben, Rife, Szymoniak and Tinsman. Nays, none. Absent or not voting, 2: Lundby and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE JOINT RESOLUTION 14 (SSB 205), a joint resolution proposing an amendment to the Constitution of the State of Iowa requiring the maintenance of a cash reserve fund and an economic emergency fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 363 (formerly Senate File 149), a bill for an act establishing a senior citizen and disabled persons transportation pilot program in the state department of transportation, making an appropriation, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Drake, Borlaug, Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer. Nays, none. Absent or not voting, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:42 p.m., President pro tempore Redfern presiding.

QUORUM CALL

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

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senators McKibben and Kramer until they return on request of Senator Iverson and Senator Gettings until he returns on request of Senator Gronstal.

BILLS REFERRED TO COMMITTEE

Senate Iverson asked and received unanimous consent that **Senate Files 336, 340, 363** be referred from the Regular Calendar to the committee on **Appropriations**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 299.

Senate File 299

On motion of Senator Angelo, Senate File 299, a bill for an act relating to cooperative associations and corporations by providing for operations and procedures, including providing for mergers, and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 299) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen,	Judge	Kibbie	King
Lind	Lundby	Maddox	McCoy
McKean	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

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

ADOPTION OF RESOLUTIONS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House Concurrent Resolutions 10 and 11.

House Concurrent Resolution 10

On motion of Senator Kibbie, House Concurrent Resolution 10, a house concurrent resolution relating to a biennial memorial session, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie moved the adoption of House Concurrent Resolution 10, which motion prevailed by a voice vote.

House Concurrent Resolution 11

On motion of Senator Kibbie, House Concurrent Resolution 11, a house concurrent resolution relating to Pioneer Lawmakers, with

report of committee recommending passage, was taken up for consideration.

Senator Kibbie moved the adoption of House Concurrent Resolution 11, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 299** and **House Concurrent Resolutions 10** and **11** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 10, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 330, a bill for an act relating to the state income tax checkoff for domestic abuse services and providing a retroactive applicability date.

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

House File 383, a bill for an act relating to information centers and rest areas on interstate or primary highways and providing effective and retroactive applicability dates.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 12, by committee on Judiciary, a joint resolution proposing an amendment to the Constitution of the State of Iowa to provide for certain rights for victims of crimes.

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

Senate Joint Resolution 13, by Halvorson, a joint resolution proposing amendments to the Constitution of the State of Iowa to limit the terms and years of service for members of the Senate and the House of Representatives, and to limit the terms and years of service for Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of State, and Treasurer of State, and to limit the terms and years of service for Supreme Court Justices, Judges of the Court of Appeals, and District Court Judges.

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

Senate Joint Resolution 14, by committee on State Government, a joint resolution proposing an amendment to the Constitution of the State of Iowa requiring the maintenance of a cash reserve fund and an economic emergency fund.

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

Senate File 367, by committee on Commerce, a bill for an act relating to transfers of real property by providing that certain disclosures regarding psychologically impacted property are not required and by amending the definition of transfer.

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

Senate File 368, by Neuhauser and Dvorsky, a bill for an act relating to making the state individual income tax a percent of the federal income tax liability with certain adjustments and including effective and applicability date provisions.

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

Senate File 369, by Lind and Rehberg, a bill for an act relating to child day care provision involving registered group day care homes.

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

Senate File 370, by Hansen, a bill for an act concerning the manufacture of beer for family or personal use.

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

Senate File 371, by Szymoniak, a bill for an act providing for the establishment of a healthy opportunities for parents to experience success-healthy families Iowa program by the Iowa department of public health.

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

Senate File 372, by Hammond, a bill for an act relating to the establishment of a gambling treatment program, creating an advisory committee, and applying a penalty.

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

Senate File 373, by Maddox, a bill for an act relating to the workers' compensation law by providing for criminal penalties for certain violations and misrepresentations.

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

Senate File 374, by Maddox, a bill for an act abolishing the county compensation board.

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

Senate File 375, by committee on State Government, a bill for an act establishing an age ceiling for hiring fire fighters and peace officers.

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

Senate File 376, by Halvorson and Neuhauser, a bill for an act allowing certain elections to be conducted by mail ballots and providing penalties.

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

APPENDIX

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 377 (formerly Senate File 237), a bill for an act relating to the possession of tobacco, tobacco products, or cigarettes by a person under eighteen years of age, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Boettger, Redwine, Bartz, Behn, J. Black, Schuerer and Tinsman. Nays, 4: Szymoniak, Dvorsky, Hammond and Rensink. Absent or not voting, 2: Dearden and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 377 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 375 (SSB 180), a bill for an act establishing an age ceiling for hiring fire fighters and peace officers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Lind, Rittmer, Kibbie, Deluhery, Drake, Gronstal, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, 2: Fink and Halvorson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 378 (SSB 211), a bill for an act providing for the qualifications of certain members of the investment board of the Iowa public employees' retirement system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, McKibben, Rife, Szymoniak and Tinsman. 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 State Government Committee on Senate File 378 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 380 (formerly Senate File 101), a bill for an act relating to the practice of hypnotherapy and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, 1: King

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: *SENATE FILE 379 (formerly Senate File 54), a bill for an act providing for maintenance and repair of out-of-state commercial vehicles and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Drake, Borlaug, Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer. Nays, none. Absent or not voting, 1: McCoy.

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 379 and they were attached to the committee report.

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 6, 1997.

Had I been present, I would have voted "aye" on House File 373, Senate Files 232, 253 and 251 and the En Bloc Confirmation Calendar.

PATY JUDGE

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 10th day of March, 1997:

Senate File 160.

MARY PAT GUNDERSON
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

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

S. F.	332	Judiciary
S. F.	355	Ways and Means
S. F.	356	Agriculture
S. F.	366	Commerce
S. F.	368	Ways and Means
S. F.	369	Human Resources
S. F.	370	State Government
S. F.	371	Human Resources
S. F.	372	Human Resources
S. F.	373	Judiciary
S. F.	374	Local Government
S. J. R.	13	State Government
H.F.	383	Transportation

INTRODUCTION OF BILLS

Senate File 377, by committee on Human Resources, a bill for an act relating to privileges and prohibitions for certain persons including those relating to motor vehicle licenses and to the regulation of tobacco, tobacco products, or cigarettes, and providing penalties.

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

Senate File 378, by committee on State Government, a bill for an act providing for the qualifications of certain members of the investment board of the Iowa public employees' retirement system.

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

Senate File 379, by committee on Transportation, a bill for an act providing for maintenance and repair of out-of-state commercial vehicles and providing an effective date.

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

Senate File 380, by committee on State Government, a bill for an act relating to the practice of hypnotherapy and providing penalties.

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

Senate File 381, by Redfern, a bill for an act to provide that an armed person accompany regents institution security officers who are handling situations involving armed and dangerous persons.

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

Senate File 382, by Tinsman, a bill for an act prohibiting the possession or distribution of gamma-hydroxybutyric acid under certain circumstances, and providing a penalty.

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

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:06 p.m., until 9:00 a.m., Tuesday, March 11, 1997.

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 11, 1997

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

Prayer was offered by the Reverend Bob David, pastor of the First Presbyterian Church of Ely, Ely, Iowa.

The Journal of Monday, March 10, 1997, was approved.

INTRODUCTION OF BILL

Senate File 383, by McCoy, a bill for an act relating to reimbursement of residents who are eligible for medical assistance payment of the costs of services provided in a health care facility and making penalties applicable.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gettings until he arrives on request of Senator Fraise.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:33 a.m., until 5:00 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****BUSINESS AND LABOR**

Convened: March 10, 1997, 1:40 p.m.

Members Present: Rife, Chair; King, Vice Chair; Behn, Freeman, Horn, Jensen, Palmer, Schuerer and Ziemann.

Members Absent: Dearden, Ranking Member and Gettings (excused).

Committee Business: Recommended passage of Senate File 109; approved SSBs 178 and 201 as committee bills; deferred action on Senate File 304; assigned bills to subcommittees.

Adjourned: 1:56 p.m.

COMMERCE

Convened: March 10, 1997, 3:36 p.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Deluhery, Ranking Member; Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer, Redfern and Rife.

Members Absent: none.

Committee Business: Approved SSBs 107, 131, 218 and Senate File 259 as committee bills.

Adjourned: 4:30 p.m.

EDUCATION

Convened: March 10, 1997, 1:37 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink and Tinsman.

Members Absent: Szymoniak (excused).

Committee Business: Approved SSB 208 as a committee bill and recommended passage of Senate File 245 as amended.

Adjourned: 1:58 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 10, 1997, 2:40 p.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Deluhery, Dvorsky, Freeman, Hedge, Judge, Rehberg and Zieman.

Members Absent: Dearden and McKibben.

Committee Business: Assigned bills to subcommittees; approved Senate File 32 and SSB 207 as committee bills; presentation by a representative of the Izaak Walton League.

Adjourned: 3:25 p.m.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: *SENATE FILE 391 (SSB 187), 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 of the state, road use tax fund, and primary road fund, and establishing a toll-free road and weather reporting system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote Ayes, 22: McLaren, Kramer, Flynn, Behn, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Lind, Lundby, Maddox, McCoy, Neuhauser, Rensink, Rife, Rittmer, Tinsman and Vilsack. Nays, none. Absent or not voting, 3: D. Black, Horn and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 391 and they were attached to the committee report.

BUSINESS AND LABOR

Final Bill Action: SENATE FILE 392 (SSB 201), a bill for an act relating to the individual income tax by extending the special method of computation of tax for value-added S corporation shareholders to all S corporation shareholders and eliminating the refund limitation and providing a retroactive applicability date provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Rife, King, Behn, Freeman, Horn, Jensen, Palmer, Schuerer and Zieman. Nays, none. Absent or not voting, 2: Dearden and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 395 (SSB 178), a bill for an act relating to the department of workforce development concerning the offsetting of unemployment compensation benefits, departmental liability for the release of unemployment compensation records, the voluntary shared work program, and workforce development services employees, and providing for an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Rife, King, Behn, Freeman, Horn, Jensen, Palmer, Schuerer and Zieman. Nays, none. Absent or not voting, 2: Dearden and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 393 (SSB 107), a bill for an act amending the uniform securities Act relating to the registration of securities and the registration of broker-dealers and agents, establishing fees, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Hansen, King, Lundby, Palmer and Redfern. Nays, none. Absent or not voting, 4: Gronstal, Maddox, McCoy and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 394 (SSB 131), a bill for an act relating to permissible charges which may be contracted for and received with respect to open-end credit.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Jensen, Schuerer, Bartz, Douglas, Flynn, King, Lundby, Maddox, Redfern and Rife. Nays, 4: Deluhery, Hansen, McCoy and Palmer. Absent or not voting, 1: Gronstal.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 397 (SSB 218), a bill for an act relating to the acquisition of a branch of a savings association by a newly chartered bank and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Jensen, Schuerer, Bartz, Flynn, Hansen, King, Lundby, Palmer and Rife. Nays, 5: Deluhery, Douglas, Maddox, McCoy and Redfern. Pass, 1: Gronstal.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 398 (formerly Senate File 259), a bill for an act relating to the disposition of certain lost property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer, Redfern and Rife. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 390 (SSB 207), a bill for an act relating to refunds for tonnage fees paid by operators of sanitary landfills.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Freeman, Hedge, Judge, Rehberg and Ziemann. Nays, 1: Dvorsky. Absent or not voting, 3: Dearden, Deluhery and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: *SENATE FILE 396 (SSB 144), a bill for an act establishing a real estate tract system and certain registration requirements for persons preparing abstracts of title to real property, establishing a board of examiners, providing for fees and the use of those fees, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, 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 State Government Committee on Senate File 396 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE JOINT RESOLUTION 9, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualifications of electors.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 188.1 Natural Resources & Environment

Relating to the cleanup and reuse of contaminated property, environmental remediation standards and review procedures, participation in the remediation of contaminated property, liability for the voluntary cleanup of contaminated property, liability protections, and establishing a land recycling fund.

SSB 235 Education

Relating to written complaints filed with the state board of educational examiners.

SSB 236 Education

Relating to school districts and area education agencies by modifying the time guidelines concerning bargaining by certain employees, and changing dates relating to budget certification and notice of teacher termination for school districts.

SSB 237 State Government

Relating to occupational safety and health concerning the employment of certain personnel and establishing an office of occupational safety and health counsel.

SSB 238 State Government

Relating to the regulation of the practice of respiratory care.

SSB 239 Natural Resources

A senate resolution to request that the legislative council establish a study committee to examine the effectiveness of manure application requirements including manure management plans.

SSB 240 Natural Resources

Relating to animal feeding operations, by providing for the inspection of certain animal feeding operation structures.

SSB 241 Agriculture

Requiring owners of agricultural drainage wells to prevent surface water intake into the wells, providing for the closure of certain wells and the construction of alternative drainage systems, providing state assistance for closing agricultural drainage wells, prohibiting the construction and use of certain structures located in agricultural drainage well areas, providing penalties, and providing an effective date.

SSB 242 Education

Providing for the creation of an Iowa educational savings plan trust, addressing tax aspects, and containing applicability provisions.

SSB 243 Transportation

Relating to the information to be displayed on motor vehicle licenses and nonoperator identification cards.

SSB 244 Education

Relating to the increase in the physical plant and equipment levy.

SSB 245 State Government

Relating to state programs dealing with citizen and consumer protection and advocacy.

SSB 246 State Government

Abolishing county compensation boards and the state commission on compensation, expenses, and salaries for elected state officials.

SSB 247 Natural Resources

Relating to disposal, collection, and recycling of waste oil filters.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 11**

EDUCATION: Tinsman, Chair; Boettger and Dvorsky

Senate Joint Resolution 13

STATE GOVERNMENT: Lundby, Chair; Halvorson and Tinsman

Senate File 282

HUMAN RESOURCES: Vilsack, Chair; Redwine and Tinsman

Senate File 287

EDUCATION: Redfern, Chair; Fink and Lind

Senate File 308

AGRICULTURE: Rensink, Chair; J. Black and Vilsack

Senate File 311

WAYS AND MEANS: Douglas, Chair; McKibben and Palmer

Senate File 313

STATE GOVERNMENT: Halvorson, Chair; McLaren and Tinsman

Senate File 322

STATE GOVERNMENT: Szymoniak, Chair; Lundby and Tinsman

Senate File 327

(Reassigned)

HUMAN RESOURCES: Bartz, Chair; Behn and Dearden

Senate File 331

STATE GOVERNMENT: McLaren, Chair; Halvorson and Lundby

Senate File 337

STATE GOVERNMENT: Lundby, Chair; Szymoniak and Tinsman

Senate File 338

STATE GOVERNMENT: Gronstal, Chair; Fink and Lind

Senate File 345

STATE GOVERNMENT: Rittmer, Chair; Kibbie and Lind

Senate File 346
(Reassigned)

HUMAN RESOURCES: Bartz, Chair; Behn and Dearden

Senate File 348

STATE GOVERNMENT: Lundby, Chair; Halvorson and King

Senate File 349

STATE GOVERNMENT: Deluhery, Chair; King and Szymoniak

Senate File 351

STATE GOVERNMENT: Deluhery, Chair; King and Szymoniak

Senate File 352

AGRICULTURE: Rensink, Chair; Gettings and Zieman

Senate File 356

AGRICULTURE: Bartz, Chair; Behn and Fraise

Senate File 366

COMMERCE: Douglas, Chair; McCoy and Redfern

Senate File 369

HUMAN RESOURCES: Bartz, Chair; Behn and Dearden

Senate File 370

STATE GOVERNMENT: Deluhery, Chair; McKibben and McLaren

Senate File 371

HUMAN RESOURCES: Tinsman, Chair; Schuerer and Szymoniak

Senate File 374

LOCAL GOVERNMENT: Behn, Chair; Hansen and Rehberg

House File 82
(Reassigned)

COMMERCE: Lundby, Chair; Maddox and McCoy

House File 383

TRANSPORTATION: Rittmer, Chair; Fraise and McKean

SSB 228
(Reassigned)

LOCAL GOVERNMENT: Angelo, Chair; Behn and Fraise

SSB 235

EDUCATION: Redfern, Chair; Neuhauser and Rensink

SSB 236

EDUCATION: Redfern, Chair; Connolly and Rehberg

SSB 237

STATE GOVERNMENT: Lind, Chair; Halvorson and McLaren

SSB 238

STATE GOVERNMENT: Tinsman, Chair; McLaren and Szymoniak

SSB 241

AGRICULTURE: Rensink, Chair; Hedge and Judge

SSB 242

EDUCATION: Rehberg, Chair; J. Black and Dvorsky

SSB 243

TRANSPORTATION: Drake, Chair; Gettings and Jensen

SSB 245

STATE GOVERNMENT: Tinsman, Chair; Rittmer and Szymoniak

SSB 246

STATE GOVERNMENT: Tinsman, Chair; Lind and Szymoniak

AFTERNOON SESSION

The Senate reconvened at 5:16 p.m., President Kramer presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 11, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 309, a bill for an act relating to review and oversight of actions of the ozone transport assessment group.

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

House File 335, a bill for an act relating to public health issues under the purview of the Iowa department of public health, including vital statistics, the board of nursing examiners, the board of dental examiners, lead poisoning, the immunization registry, the child death review team, plumbing provisions and fees, and providing a penalty and a contingent effective date.

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

House File 416, a bill for an act relating to regulation of trucks and certain other large motor vehicles, including maximum vehicle weights, defining terms, providing effective dates, and making penalties applicable.

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

INTRODUCTION OF BILLS

Senate File 384, by McCoy, a bill for an act providing for the administration of controlled substances to persons experiencing intractable pain.

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

Senate File 385, by Maddox, a bill for an act permitting a business establishment or educational institution to designate a location on its premises for service of process on its employees or students.

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

Senate File 386, by Connolly, a bill for an act relating to advanced placement award programs and providing for appropriations.

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

Senate File 387, by Fink, Lundby, Hammond, Tinsman, Dvorsky, and Flynn, a bill for an act relating to sexual harassment as an unfair employment practice under the jurisdiction of the civil rights commission.

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

Senate File 388, by Neuhauser, a bill for an act providing for a pregnant and parenting minors program, and providing an appropriation.

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

Senate File 389, by Fink, a bill for an act exempting from the state sales, services, and use taxes the sales of tangible property and services furnished to privately owned or operated hospitals.

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

Senate File 390, by committee on Natural Resources and Environment, a bill for an act relating to refunds for tonnage fees paid by operators of sanitary landfills.

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

Senate File 391, by committee on Appropriations, a bill for an act relating to and making appropriations to the state department of transportation, including allocation and use of moneys from the general fund of the state, road use tax fund, and primary road fund, providing for the nonreversion of certain moneys, establishing a toll-free road and weather reporting system, eliminating the motor

vehicle use tax as the funding source for the value-added agricultural products and processes financial assistance program and the renewable fuels and coproducts fund, and providing for the designation of access Iowa highways, and providing effective dates.

Read first time and **placed on Appropriations Calendar.**

Senate File 392, by committee on Business and Labor, a bill for an act relating to the individual income tax by extending the special method of computation of tax for value-added S corporation shareholders to all S corporation shareholders and eliminating the refund limitation and providing a retroactive applicability date provision.

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

Senate File 393, by committee on Commerce, a bill for an act amending the uniform securities Act relating to the registration of securities and the registration of broker-dealers and agents, establishing fees, and providing an effective date.

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

Senate File 394, by committee on Commerce, a bill for an act relating to permissible charges which may be contracted for and received with respect to open-end credit.

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

Senate File 395, by committee on Business and Labor, a bill for an act relating to the department of workforce development concerning the offsetting of unemployment compensation benefits, departmental liability for the release of unemployment compensation records, the voluntary shared work program, and workforce development services employees, and providing for an effective date.

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

Senate File 396, by committee on State Government, a bill for an act establishing a real estate tract system and certain registration requirements for persons preparing abstracts of title to real property, providing for fees and the use of those fees, and providing an effective date.

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

Senate File 397, by committee on Commerce, a bill for an act relating to the acquisition of a branch of a savings association by a newly chartered bank and providing an effective date.

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

Senate File 398, by committee on Commerce, a bill for an act relating to the disposition of certain lost property.

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

Senate File 399, by Kibbie, a bill for an act relating to the formation of a bipartisan commission to recommend reforms in the laws relating to the financing of political campaigns.

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

Senate File 400, by committee on Education, a bill for an act establishing the enrich Iowa program for eligible public libraries and making an appropriation.

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

Senate File 401, by committee on Education, a bill for an act relating to the authority of the state board of educational examiners to develop a code of professional rights and responsibilities, practices, and ethics for practitioners.

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

Senate File 402, by Gronstal, a bill for an act to establish a truth in campaign advertising advisory board.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	376	State Government
S. F.	381	Judiciary
S. F.	382	Judiciary
S. F.	383	Human Resources
S. F.	384	State Government
S. F.	385	Business and Labor
S. F.	386	Education
S. F.	387	Human Resources
S. F.	388	Human Resources
S. F.	389	Ways and Means
S. F.	399	State Government
H. F.	416	Transportation
H. F.	330	Ways and Means

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 400 (SSB 208), a bill for an act establishing the enrich Iowa program for eligible public libraries and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Redfern, Rehberg, Connolly, Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink and Tinsman. Nays, none. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 401 (formerly Senate File 14), a bill for an act relating to the authority of the state board of educational examiners to develop a code of professional rights and responsibilities, practices, and ethics for practitioners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Redfern, Rehberg, Angelo, J. Black, Boettger, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman. Nays, 2: Connolly and Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 403, by Neuhauser, a bill for an act to establish statewide peer review courts for youthful offenders and providing an appropriation.

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

Senate File 404, by Fraise, Neuhauser, Halvorson, Hansen, and Vilsack, a bill for an act authorizing a request for proposals concerning the construction of a supermaximum security correctional facility at Fort Madison.

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

Senate File 405, by Hammond, Halvorson, Gronstal, Dvorsky, Neuhauser, and Horn, a bill for an act to permit candidates for legislative office to make voluntary pledges to engage in fair campaign practices and to limit campaign expenditures.

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

Senate File 406, by Angelo and Boettger, a bill for an act providing state aid for school district transportation costs and providing an appropriation.

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

Senate File 407, by Judge, a bill for an act relating to costs associated with certain property acquired by tax deed.

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

AMENDMENT FILED

S-3120

S. F.

228

James Black

ADJOURNMENT

On motion of Senator Freeman, the Senate adjourned at 5:24 p.m., until 9:30 a.m., Wednesday, March 12, 1997.

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 12, 1997

The Senate met in regular session at 9:38 a.m., President Kramer presiding.

Prayer was offered by Brother Paul Goossen of the Amana Community Church of the Amana Colonies in Iowa.

The Journal of Tuesday, March 11, 1997, was approved.

SPECIAL GUESTS

Senator Black of Jasper presented "Verbena", a Bandura Trio from Cherkasy Oblast, Ukraine. Members of the group, Olga Kaluna, Ludmila Larikov and Lidiia Zainchivska, were to perform in the Capitol rotunda later in the morning.

Victor Sobchenko, director of the Culture Department, Cherkasy Oblast, spoke to the Senate through an interpreter.

The group's trip to Iowa was sponsored by the Organization Promoting Everlasting Neighbors (O.P.E.N.), Newton's sister city organization in conjunction with Iowa sister states and Oskaloosa sister city community.

Accompanying the group from the Newton organization was Jane Ann Colton, O.P.E.N. chair; Marvin Campbell, project chair; and Maurice Phillips and Sandra Haines.

INTRODUCTION OF BILLS

Senate File 408, by King, a bill for an act relating to the selection of newspapers in which official proceedings of counties shall be published.

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

Senate File 409, by Gronstal, a bill for an act exempting nonprofit hospitals from the state sales, services, and use taxes.

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

Senate File 410, by Tinsman, a bill for an act relating to the Iowa higher education loan authority by eliminating the limit on the amount of its obligations that may be outstanding for purposes of funding capital projects and allowing the authority to issue tuition anticipation notes and obligations to finance projects to be leased to an institution.

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

Senate File 411, by committee on Education, a bill for an act relating to the sale, lease, or other disposition of property belonging to a school district or area education agency and providing an immediate effective date.

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

Senate File 412, by Connolly, a bill for an act relating to the operation of bingo games.

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

Senate File 413, by Connolly, a bill for an act relating to the establishment of a middle school youth services grant program and making an appropriation.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gettings for the day on request of Senator Fraise.

RECESS

On motion of Senator Iverson, the Senate recessed at 10:02 a.m., until 1:00 p.m.

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

Convened: March 11, 1997, 8:39 a.m.

Members Present: Rensink, Chair; J. Black, Vice Chair; Judge, Ranking Member; Angelo, Bartz, Behn, D. Black, Fraise, Hedge, Kibbie, Rehberg, Rife, Vilsack and Ziemann.

Members Absent: Gettings (excused).

Committee Business: Discussed and deferred action on SSB 241.

Adjourned: 9:15 a.m.

HUMAN RESOURCES

Convened: March 11, 1997, 3:05 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Approved SSB 171 and Senate File 199 as committee bills.

Adjourned: 4:01 p.m.

JUDICIARY

Convened: March 11, 1997, 4:05 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; amended and approved SSBs 113, 117, 152, 55 and 77; recommended passage of Senate File 130 as amended; approved SSB 151 as a committee bill; recommended passage of Senate Files 172 and 278; SSB 17 failed committee approval as amended.

Adjourned: 5:16 p.m.

LOCAL GOVERNMENT

Convened: March 11, 1997, 1:10 p.m.

Members Present: Zieman, Chair; Behn, Vice Chair; Fraise, Ranking Member; Angelo, D. Black, J. Black, Boettger, Dearden, Hansen, McKean, Redwine and Rehberg.

Members Absent: Connolly (excused).

Committee Business: Assigned and reassigned bills to subcommittees; approved SSBs 228, 298, 85, 227, 83, and Senate Files 113 and 179 as committee bills.

Adjourned: 1:55 p.m.

STATE GOVERNMENT

Convened: March 11, 1997, 1:09 p.m.

Members Present: Lind, Chair; Rittmer, Vice Chair; Kibbie, Ranking Member; Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Amended and approved SSBs 226 and 197 as committee bills; approved Senate Files 192, 276, 185 and 307 as committee bills; recommended passage of Senate Joint Resolution 9.

Adjourned: 2:30 p.m.

TRANSPORTATION

Convened: March 11, 1997, 3:02 p.m.

Members Present: Drake, Chair; McCoy, Ranking Member; Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer.

Members Absent: Borlaug, Vice Chair. (excused).

Committee Business: Assigned bills to subcommittees and approved SSB 243 and Senate Files 175 and 277 as committee bills.

Adjourned: 3:17 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 302

WAYS AND MEANS: McKibben, Chair; Freeman and Vilsack

Senate File 312

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

Senate File 324

JUDICIARY: Maddox, Chair; Boettger, Halvorson, Hammond and Tinsman

Senate File 325

JUDICIARY: Maddox, Chair; McKibben and Vilsack

Senate File 330

JUDICIARY: McKean, Chair; Boettger, Halvorson, Maddox and Neuhauser

Senate File 332

JUDICIARY: McKean, Chair; Halvorson and Redfern

Senate File 333

APPROPRIATIONS: Maddox, Chair; Dvorsky, Lind, McCoy and Tinsman

Senate File 334

JUDICIARY: Boettger, Chair; Hansen and McKibben

Senate File 336

APPROPRIATIONS: Rensink, Chair; D. Black, Flynn, Hedge and Rife

Senate File 340

APPROPRIATIONS: Hedge, Chair; D. Black, Douglas, Neuhauser and Rensink

Senate File 344

APPROPRIATIONS: Lind, Chair; Borlaug, Hammond, Horn and Rittmer

Senate File 350

JUDICIARY: Redfern, Chair; McKibben and Neuhauser

Senate File 355

WAYS AND MEANS: McKibben, Chair; Deluhery and Hedge

Senate File 363

APPROPRIATIONS: McLaren, Chair; Borlaug, Freeman, Halvorson and Hammond

Senate File 368

WAYS AND MEANS: Drake, Chair; Douglas and Palmer

Senate File 373

JUDICIARY: King, Chair; Halvorson and Maddox

Senate File 376

STATE GOVERNMENT: King, Chair; Lundby and Szymoniak

Senate File 381

JUDICIARY: Redfern, Chair; Angelo and Neuhauser

Senate File 382

JUDICIARY: Tinsman, Chair; Hammond and King

Senate File 384

STATE GOVERNMENT: Tinsman, Chair; McLaren and Szymoniak

Senate File 385

BUSINESS AND LABOR: Schuerer, Chair; Palmer and Zieman

Senate File 399

STATE GOVERNMENT: King, Chair; Drake and Fink

House File 226

JUDICIARY: Angelo, Chair; Halvorson and Maddox

House File 227

JUDICIARY: Angelo, Chair; Halvorson and Maddox

House File 299

JUDICIARY: King, Chair; Halvorson and Maddox

House File 307

JUDICIARY: Boettger, Chair; Fraise and Redfern

SSB 247

NATURAL RESOURCES AND ENVIRONMENT: Freeman, Chair; Fink and McKibben

CERTIFICATE OF RECOGNITION

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

Ben McConville, Pella - Achieving the rank of Eagle Scout. Senator Hedge (3-9-97).

COMMITTEE REPORT

EDUCATION

Final Bill Action: *SENATE FILE 411 (formerly Senate File 245), a bill for an act relating to the sale, lease, or other disposition of property belonging to a school district or area education agency and providing an immediate effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Redfern, Rehberg, Connolly, Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink, and Tinsman. Nays, none. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Education Committee on Senate File 411 and they were attached to the committee report.

AMENDMENTS FILED

S-3121	S. F.	293	JoAnn Douglas
S-3122	S. F.	129	House amendment

AFTERNOON SESSION

The Senate reconvened at 1:10 p.m., President Kramer presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 12, 1997, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 129, 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—3122)

ALSO: That the House has on March 12, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 178, a bill for an act relating to joint billing or collection of combined service accounts for sanitary districts and a city utility or combined utility system and to discontinue service for delinquency, and providing for the establishment of benefited districts and fees from the connection of property to the sanitary facilities of a sanitary district.

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

House File 265, a bill for an act relating to the affirmation and reenactment of certain provisions affecting the criminal and juvenile laws, and providing an effective date.

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

House File 354, a bill for an act relating to activities of a foreign corporation which do not constitute doing business in or deriving income from the state for state tax purposes and including effective and retroactive applicability date provisions.

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

INTRODUCTION OF BILLS

Senate File 414, by Hansen, a bill for an act authorizing a request for proposals concerning the construction of a supermaximum security correctional facility.

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

Senate File 415, by Hansen, a bill for an act increasing the amount of the dependent credit for state individual income tax purposes and providing a retroactive applicability date-provision.

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

Senate File 416, by committee on Local Government, a bill for an act establishing a county issuance of motor vehicle licenses study and providing effective dates.

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

Senate File 417, by committee on Local Government, a bill for an act providing for the amount of a surety bond required to be executed by a treasurer of an extension council.

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

BILL REFERRED TO COMMITTEE

Senate Iverson asked and received unanimous consent that **Senate File 318** be referred from the Regular Calendar to the committee on **Ways and Means**.

APPENDIX

COMMITTEE REPORTS

EDUCATION

Final Bill Action: *SENATE FILE 437 (formerly Senate File 50), a bill for an act defining the curricula of practitioner preparation program requirements relating to students with disabilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Redfern, Rehberg, Connolly, Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, 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 437 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 418 (SSB 151), a bill for an act relating to corporations by providing for the call of special meetings of shareholders, for the combination of a corporation and certain shareholders, and for certain merger and share acquisitions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, 1: Halvorson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 421 (formerly Senate File 278), a bill for an act relating to the right of crime victims to be present at all public proceedings where the accused or convicted persons have the right to be present, and providing a notification procedure.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 435 (formerly Senate File 172), a bill for an act relating to the consideration by the court of a pattern of domestic abuse and of the identity of the primary physical aggressor in the determination of a history of domestic abuse pertaining to the awarding of child custody.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 436 (SSB 117), a bill for an act relating to reality education substance abuse prevention programs, by removing language making the program available only to certain persons under the age of twenty-one and removing a consent requirement.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, 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 Judiciary Committee on Senate File 436 and they were attached to the committee report.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 416 (SSB 83), a bill for an act establishing a county issuance of motor vehicle licenses study and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zieman, Behn, Fraise, Angelo, D. Black, J. Black, Boettger, Dearden, Hansen, McKean, Redwine and Rehberg. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 417 (formerly Senate File 298), a bill for an act providing for the amount of a surety bond required to be executed by a treasurer of an extension council.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zieman, Behn, Fraise, Angelo, D. Black, J. Black, Boettger, Dearden, Hansen, McKean, Redwine and Rehberg. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 426 (SSB 228), a bill for an act authorizing county treasurers to retain a portion of the contributions to the anatomical gift public awareness and transplantation fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zieman, Behn, Fraise, Angelo, D. Black, J. Black, Boettger, Dearden, Hansen, McKean, Redwine and Rehberg. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 427 (formerly Senate File 179), a bill for an act relating to the election of county supervisors in certain counties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zieman, Behn, Fraise, Angelo, D. Black, J. Black, Boettger, Dearden, Hansen, McKean, Redwine and Rehberg. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 432 (formerly Senate File 113), a bill for an act relating to the disposition of private property condemned under eminent domain.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zieman, Behn, Fraise, Angelo, D. Black, J. Black, Boettger, Dearden, Hansen, McKean, Redwine and Rehberg. 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 Local Committee on Senate File 432 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 433 (SSB 227), a bill for an act relating to the definition and location of a land-leased community.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Zieman, Behn, Fraise, Angelo, D. Black, Boettger, Dearden, Hansen, McKean, Redwine and Rehberg. Nays, 1: J. Black. 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 Local Government Committee on Senate File 433 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 434 (SSB 85), a bill for an act relating to fees charged by county sheriffs.

Final Vote: Ayes, 12: Zieman, Behn, Fraise, Angelo, D. Black, J. Black, Boettger, Dearden, Hansen, McKean, Redwine and Rehberg. 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 Local Government Committee on Senate File 434 and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: *SENATE FILE 429 (formerly Senate File 32), a bill for an act relating to the operation of watercraft by persons under eighteen years of age, by creating a watercraft safety education course, by subjecting violators to an existing penalty, and by providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Deluhery, Dvorsky, Freeman, Hedge, Judge, Rehberg and Zieman. Nays, none. Absent or not voting, 2: Dearden and McKibben.

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 and Environment Committee on Senate File 429 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 99, a bill for an act relating to the applicability period for professional engineering and land surveyor licensure requirements.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Lind, Rittmer, Kibbie, Deluhery, Drake, Gronstal, Halvorson, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, 1: King. Absent or not voting, 1: Fink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 422 (formerly Senate File 307), a bill for an act relating to declaration of political party affiliation, or declaration of no party affiliation on voter registration forms.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 423 (formerly Senate File 192), a bill for an act relating to the prospective rescission of administrative rules by the administrative rules review committee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 424 (formerly Senate File 276), a bill for an act to prohibit new campaign advertising within five days of an election, and applying penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, 3: Lind, King and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 425 (formerly Senate File 185), a bill for an act concerning the condemnation of private property by owners of land without a public way to the land.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 430 (SSB 197), a bill for an act restricting the provision of child day care in gambling establishments, making penalties applicable, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Lind, Rittmer, Drake, Halvorson, King, McKibben, Rife and Tinsman. Nays, 6: Kibbie, Deluhery, Fink, Gronstal, Lundby and Szymoniak. Absent or not voting, 1: 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 State Government Committee on Senate File 430 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 431 (SSB 226), a bill for an act relating to public retirement systems by 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 providing for the exclusion of certain publicly elected officials from membership, and the calculation of dividends for certain retirees, under the Iowa public employees' retirement system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, 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 State Government Committee on Senate File 431 and they were attached to the committee report.

TRANSPORTATION

Final Bill Action: SENATE FILE 419 (formerly Senate File 175), a bill for an act relating to advertising devices in certain cities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Drake, Borlaug, McCoy, Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 420 (SSB 243), a bill for an act relating to the information to be displayed on motor vehicle licenses and nonoperator identification cards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Drake, Borlaug, McCoy, Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 438 (formerly Senate File 277), a bill for an act relating to the criteria for issuance of handicapped special plates and making a civil penalty applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Drake, Borlaug, McCoy, Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKean, McKibben and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 303

EDUCATION: Rehberg, Chair; Dvorsky and Rensink

Senate File 318

WAYS AND MEANS: McKibben, Chair; Freeman and Judge

Senate File 353

EDUCATION: Rensink, Chair; Angelo and Neuhauser

Senate File 389

WAYS AND MEANS: Drake, Chair; McKibben and Szymoniak

House File 330

WAYS AND MEANS: McKibben, Chair; Freeman and Judge

BILLS ASSIGNED TO COMMITTEE

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

S. F.	402	State Government
S. F.	403	Judiciary
S. F.	404	Judiciary
S. F.	405	State Government
S. F.	406	Education
S. F.	407	Local Government
S. F.	408	Local Government
S. F.	409	Ways and Means
S. F.	410	Ways and Means
S. F.	412	State Government
S. F.	413	Education
S. F.	414	Judiciary
S. F.	415	Ways and Means
H.F.	178	Local Government
H.F.	265	Judiciary
H.F.	354	Ways and Means

INTRODUCTION OF BILLS

Senate File 418, by committee on Judiciary, a bill for an act relating to corporations by providing for the call of special meetings of shareholders, for the combination of a corporation and certain shareholders, and for certain merger and share acquisitions.

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

Senate File 419, by committee on Transportation, a bill for an act

relating to advertising devices in certain cities.

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

Senate File 420, by committee on Transportation, a bill for an act relating to the information to be displayed on motor vehicle licenses and nonoperator identification cards.

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

Senate File 421, by committee on Judiciary, a bill for an act relating to the right of crime victims to be present at all public proceedings where the accused or convicted persons have the right to be present, and providing a notification procedure.

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

Senate File 422, by committee on State Government, a bill for an act relating to declaration of political party affiliation, or declaration of no party affiliation on voter registration forms.

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

Senate File 423, by committee on State Government, a bill for an act relating to the prospective rescission of administrative rules by the administrative rules review committee.

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

Senate File 424, by committee on State Government, a bill for an act to prohibit new campaign advertising within five days of an election, and applying penalties.

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

Senate File 425, by committee on State Government, a bill for an act concerning the condemnation of private property by owners of land without a public way to the land.

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

Senate File 426, by committee on Local Government, a bill for an

act authorizing county treasurers to retain a portion of the contributions to the anatomical gift public awareness and transplantation fund.

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

Senate File 427, by committee on Local Government, a bill for an act relating to the election of county supervisors in certain counties.

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

Senate File 428, by Lundby, a bill for an act relating to payment of costs of performing a chemical test related to arrests for public intoxication.

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

Senate File 429, by committee on Natural Resources and Environment, a bill for an act relating to the operation, regulation, and equipment of watercraft, and subjecting violators to a penalty.

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

Senate File 430, by committee on State Government, a bill for an act restricting the provision of child day care in gambling establishments, making penalties applicable, and providing an effective date.

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

Senate File 431, by committee on State Government, a bill for an act relating to public retirement systems by 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 providing for the exclusion of certain publicly elected officials from membership, and the calculation of dividends for certain retirees, under the Iowa public employees' retirement system.

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

Senate File 432, by committee on Local Government, a bill for an

act relating to the disposition of private property condemned under eminent domain.

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

Senate File 433, by committee on Local Government, a bill for an act relating to the definition and location of a land-leased community.

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

Senate File 434, by committee on Local Government, a bill for an act relating to fees charged by county sheriffs.

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

Senate File 435, by committee on Judiciary, a bill for an act relating to the consideration by the court of a pattern of domestic abuse and of the identity of the primary physical aggressor in the determination of a history of domestic abuse pertaining to the awarding of child custody.

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

Senate File 436, by committee on Judiciary, a bill for an act relating to reality education substance abuse prevention programs, by removing language making the program available only to certain persons under the age of twenty-one and removing a consent requirement.

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

Senate File 437, by committee on Education, a bill for an act defining the curricula of practitioner preparation program requirements relating to students with disabilities.

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

Senate File 438, by committee on Transportation, a bill for an act relating to the criteria for issuance of handicapped special plates and making a civil penalty applicable.

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

Senate File 439, by Gronstal, Dearden, Connolly, Hammond, Szymoniak, Vilsack, and Hansen, a bill for an act requiring certain departments to submit to the general assembly biennial reports on expenditures for economic development programs.

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

AMENDMENT FILED

S-3123 S. F. 362 Merlin E. Bartz

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:17 p.m., until 9:00 a.m., Thursday, March 13, 1997.

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 13, 1997

The Senate met in regular session at 9:28 a.m., President Kramer presiding.

Prayer was offered by Paul von Ebers of Churches United of Des Moines, Iowa.

The Journal of Wednesday, March 12, 1997, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Black of Kossuth for the day on request of Senator Rensink and Senator Gettings until he arrives on request of Senator Hansen.

INTRODUCTION OF BILLS

Senate File 440, by Connolly, a bill for an act establishing a biological diversity program.

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

Senate File 441, by Freeman, a bill for an act relating to economic development block grants and establishing a revolving loan fund.

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

Senate File 442, by committee on Judiciary, a bill for an act relating to the designation of certain correctional facilities.

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

Senate File 443, by committee on Judiciary, a bill for an act relating to creation of a task force on domestic violence.

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

Senate File 444, by Deluhery, a bill for an act establishing a funding formula for the state to assume the costs for qualified mental health, mental retardation, and developmental disabilities services provided by counties for adults.

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

Senate File 445, by Lundby, a bill for an act relating to the budgets of county emergency management agencies and providing an applicability date.

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

COMPANION BILL RECEIVED

On March 11, 1997, **House File 335** was received and attached to companion **Senate File 250** on the Senate calendar.

BILLS REFERRED TO COMMITTEE

Senate Iverson asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S. F.	153	Judiciary
S. F.	187	Ways and Means
S. F.	250	State Government
S. F.	315	Judiciary
S. F.	377	Human Resources
S. F.	392	Ways and Means
S. F.	400	Appropriations
S. F.	416	Transportation

RECESS

On motion of Senator Iverson, the Senate recessed at 9:40 a.m., until 4:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 12, 1997, 8:00 a.m.

Members Present: Rensink, Chair; J. Black, Vice Chair; Judge, Ranking Member; Angelo, Bartz, Behn, D. Black, Fraise, Hedge, Kibbie, Rehberg, Rife, Vilsack and Zieman.

Members Absent: Gettings (excused).

Committee Business: Amended and approved SSBs 241, 229, 225, 234 and Senate File 356 as committee bills.

Adjourned: 9:00 a.m.

BUSINESS AND LABOR

Convened: March 12, 1997, 2:40 p.m.

Members Present: Rife, Chair; King, Vice Chair; Dearden, Ranking Member; Behn, Freeman, Gettings, Horn, Jensen, Palmer, Schuerer and Zieman.

Members Absent: none.

Committee Business: Assigned a bill to subcommittee; approved LSB 2710 and SSBs 38 and 224 as committee bills; amended and approved Senate Files 314 and 304 as committee bills.

Adjourned: 3:15 p.m.

COMMERCE

Convened: March 12, 1997, 11:37 a.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Deluhery, Ranking Member; Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer, Redfern and Rife.

Members Absent: none.

Committee Business: Amended and approved SSBs 28, 52, and 160 as committee bills.

Recessed: 1:05 p.m.

Reconvened: March 12, 1997, 4:44 p.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Deluhery, Ranking Member; Bartz, Douglas, Flynn, Gronstal, Hansen, King, Maddox, McCoy, Palmer, Redfern and Rife.

Members Absent: Lundby.

Committee Business: Amended and approved SSB 132 as a committee bill; approved SSBs 130 and 230 as committee bills; recommended passage of Senate File 329 as amended.

Adjourned: 5:45 p.m.

EDUCATION

Convened: March 11, 1997, 10:35 a.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; amended and approved SSB 191 and Senate Files 14 and 50 as committee bills.

Adjourned: 11:28 a.m.

EDUCATION

Convened: March 12, 1997, 2:41 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees and amended and approved SSB 110 as a committee bill.

Recessed: 3:30 p.m.

Reconvened: March 12, 1997, 5:35 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Amended and approved SSB 244 and Senate File 264 as committee bills; approved Senate Files 133 and 186 and SSB 222 as committee bills.

Adjourned: 6:11 p.m.

HUMAN RESOURCES

Convened: March 12, 1997, 1:23 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Approved Senate Files 266, 210, 142, 282 and SSBs 167, 203 and 164 as committee bills

Adjourned: 2:32 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 12, 1997, 3:45 p.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben, Rehberg and Ziemann.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; amended and approved Senate File 167 as a committee bill; discussed and deferred action on SSB 188.1.

Recessed: 4:44 p.m.

Reconvened: March 12, 1997, 6:15 p.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben, Rehberg and Ziemann.

Members Absent: none.

Committee Business: Approved SSBs 188.1, 240 and 247 as committee bills.

Adjourned: 7:35 p.m.

STATE GOVERNMENT

Convened: March 12, 1997, 10:10 a.m.

Members Present: Lind, Chair; Rittmer, Vice Chair; Kibbie, Ranking Member; Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Recommended passage of Senate File 99; amended and approved Senate File 102 as a committee bill; approved SSBs 245 and 217 as committee bills; amended and approved SSBs 246 and 220 as committee bills.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: March 12, 1997, 7:50 a.m.

Members Present: Rittmer, Chair; Redfern, Vice Chair; Flynn, Ranking Member; Jensen and Palmer.

Committee Business: Subcommittee amended, approved and submitted proposed appropriations bill to the full Appropriations committee.

Adjourned: 9:10 a.m.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 13, 1997, the governor approved and transmitted to the secretary of state the following bill:

S.F. 160 - Relating to funds held by life insurance companies and providing an effective date.

CERTIFICATES OF RECOGNITION

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

Brynne Leah Howard, Van Meter - For winning the Edith Rose Murphy Sackett Award. Senator Douglas (3-13-97).

Abby Cox, Sidney - For winning 1st place in the "Write Women Back Into History" contest. Senator McLaren (3-13-97).

Amanda Jo Miller, Red Oak - For being a winner in the "Write Women Back Into History" contest. Senator McLaren (3-13-97).

SIMILAR BILL RECEIVED

On March 11, 1997, **House File 309** was received and attached to similar **Senate File 284** on the Senate calendar.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: *SENATE FILE 451 (SSB 234), a bill for an act relating to milk and milk products, providing for the issuance of licenses and permits, fees, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Rensink, J. Black, Judge, Angelo, Bartz, Behn, D. Black, Fraise, Hedge, Kibbie, Rehberg, Rife, Vilsack and Zieman. Nays, none. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 451 and they were attached to the committee report.

BUSINESS AND LABOR

Final Bill Action: SENATE FILE 458 (LSB 2710), a bill for an act concerning drug and alcohol testing of private sector employees and prospective employees and providing remedies and a penalty and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Rife, Freeman, Gettings, Horn, Jensen, Palmer and Zieman. Nays, 3: King, Dearden and Behn. Absent or not voting, 1: Schuerer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 460 (SSB 224), a bill for an act relating to membership on the workforce development board and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Rife, King, Dearden, Behn, Freeman, Gettings, Jensen, Palmer, Schuerer and Zieman. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 467 (SSB 38), a bill for an act relating to eligibility for unemployment compensation benefits for temporary employees of a temporary employment firm.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Rife, King, Behn, Freeman, Horn, Jensen, Schuerer and Ziemann. Nays, 3: Dearden, Gettings and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 329, a bill for Senate File 329, a bill for an act relating to the offense of driving a motor vehicle when a license has been revoked or denied for driving while intoxicated, financial liability coverage and registration requirements for motor vehicles in this state, providing for the seizure of motor vehicle registration plates, and providing penalties and conditional effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3125.

Final Vote: Ayes, 12: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, McCoy, Palmer and Redfern. Nays, 1: Rife. Absent or not voting, 2: Lundby and Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 465 (SSB 130), a bill for an act relating to garnishment of employee's earnings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Jensen, Schuerer, Bartz, Douglas, Flynn, King, Maddox, Palmer and Rife. Nays, 4: Deluhery, Gronstal, Hansen and McCoy. Absent or not voting, 2: Lundby and Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 469 (SSB 230), a bill for an act relating to the establishment of an E911 commission and establishing a surcharge.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Jensen, Schuerer, Bartz, Douglas, Flynn, King, Maddox and Redfern. Nays, 3: Hansen, McCoy and Rife. Pass, 2: Deluhery and Gronstal. Absent, 2: Lundby and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: *SENATE FILE 453 (SSB 191), a bill for an act relating to school attendance under the family investment program and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Redfern, Rehberg, Connolly, Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, 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 453 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 464 (formerly Senate File 186), a bill for an act allowing teaching parents to provide driver's education instruction.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Redfern, Rehberg, Angelo, Boettger, Lind, Redwine, Rensink and Szymoniak. Nays, 7: Connolly, J. Black, Dvorsky, Fink, Kibbie, Neuhauser and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 470 (SSB 222), a bill for an act relating to a requirement that schools and school districts provide media services programs and articulated sequential elementary-secondary guidance programs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Redfern, Connolly, Angelo, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Szymoniak and Tinsman. Nays, 5: Rehberg, J. Black, Boettger, Redwine and Rensink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 450 (formerly Senate File 210), a bill for an act relating to the determination of legal settlement of a child placed in a juvenile shelter care home and the recovery of costs of care in a juvenile shelter care home.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Boettger, Szymoniak, Bartz, Dearden, Dvorsky, Rensink and Vilsack. Nays, 6: Redwine, Behn, J. Black, Hammond, Schuerer and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 457 (SSB 171), a bill for an act relating to the Iowa pharmacy practice Act by permitting qualified individuals to transport emergency medications; permitting more than one emergency drug box in a licensed health care facility; providing for electronic signatures on prescriptions; establishing programs to aid impaired pharmacists, pharmacist interns, and pharmacy technicians; providing for board investigative subpoena power; and establishing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Boettger, Redwine,; Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, 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 457 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 459 (formerly Senate File 266), a bill for an act establishing a domestic abuse death review team and providing for membership, duties, immunity for members acting in their official capacity, and confidentiality.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Boettger, Redwine,; Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 461 (SSB 167), a bill for an act relating to the provision of medical services administered by the department of human services and providing a disqualification for certain services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Boettger, Redwine,; Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: *SENATE FILE 442 (SSB 55), a bill for an act relating to the designation of certain correctional facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, King, McKibben, Redfern, Tinsman and Vilsack. 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 442 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 443 (SSB 113), a bill for an act relating to domestic violence, including educational requirements for law enforcement officers, and seizure of weapons related to domestic abuse assault.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: McKean, Maddox, Neuhauser, Angelo, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben and Redfern. Nays, none. Absent or not voting, 3: Boettger, Tinsman and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 443 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 455 (SSB 77), a bill for an act relating to the establishment of an automatic temporary restraining order against the parties to a dissolution of marriage, separate maintenance, or annulment action limiting certain actions by the parties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: McKean, Maddox, Neuhauser, Angelo, Boettger, Fraise, Halvorson, Hammond, King, McKibben, Redfern and Tinsman. Nays, 1: Vilsack. Absent or not voting, 2: Drake and Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 455 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 466 (formerly Senate File 130), a bill for an act relating to the theft of video rental property and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, 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 Judiciary Committee on Senate File 466 and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: SENATE FILE 468 (SSB 240), a bill for an act relating to animal feeding operations, by providing for the inspection of certain animal feeding operation structures.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben, Rehberg and Zieman. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 471 (SSB 247), a bill for an act relating to disposal, collection, and recycling of waste oil filters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14 Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Dearden, Deluhery, Freeman, Hedge, Judge, McKibben, Rehberg and Zieman. Nays, none. Absent or not voting, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 448 (SSB 217), 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: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 449 (SSB 245), a bill for an act relating to state programs dealing with citizen and consumer protection and advocacy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 153

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

Senate File 387

HUMAN RESOURCES: Boettger, Chair; Dearden and Redwine

Senate File 392

WAYS AND MEANS: McKibben, Chair; Drake and Vilsack

Senate File 402

STATE GOVERNMENT: Lundby, Chair; Gronstal and King

Senate File 405

STATE GOVERNMENT: Lundby, Chair; Halvorson and King

Senate File 407

LOCAL GOVERNMENT: Redwine, Chair; Behn and Dearden

Senate File 408

LOCAL GOVERNMENT: Rehberg, Chair; Behn and Connolly

Senate File 409

WAYS AND MEANS: McKibben, Chair; Hedge and Szymoniak

Senate File 410

WAYS AND MEANS: Redfern, Chair; Connolly and McKibben

Senate File 412

STATE GOVERNMENT: Halvorson, Chair; Fink and Lind

Senate File 415

WAYS AND MEANS: Drake, Chair; Douglas and Judge

House File 178

LOCAL GOVERNMENT: McKean, Chair; Behn and Fraise

House File 354

WAYS AND MEANS: Hedge, Chair; Borlaug and Palmer

House File 416

TRANSPORTATION: McCoy, Chair; Drake and McKibben

SSB 202

SMALL BUSINESS AND ECON. DEVELOP.: Rittmer, Chair; Boettger, Douglas, McCoy and Palmer

AMENDMENTS FILED

S-3124	S. F.	429	Tom Flynn
S-3125	S. F.	329	Commerce
S-3126	S. F.	417	Jeff Angelo

AFTERNOON SESSION

The Senate reconvened at 4:40 p.m., President Kramer presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 13, 1997, passed the following bill in which the concurrence of the House was asked:

Senate File 82, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds.

ALSO: That the House has on March 13, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 320, a bill for an act increasing the exceptions to the registration requirements for postsecondary schools, and eliminating an exemption for nondegree specialty vocational training programs from the accreditation requirement for postsecondary schools.

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

House File 370, a bill for an act relating to workers' compensation benefits for professional athletes and providing an effective date.

This bill was read first time and **passed on file**.

House File 384, a bill for an act to include certain products containing ephedrine as schedule V controlled substances.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 446, by Deluhery, a bill for an act relating to and providing funds for housing development programs in the Iowa finance authority.

Read first time and **passed on file**.

Senate File 447, by Connolly, a bill for an act limiting the civil liability of bowling center operators who post notices and comply with certain safety standards.

Read first time and **passed on file**.

Senate File 448, by committee on State Government, 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.

Read first time and **placed on calendar**.

Senate File 449, by committee on State Government, a bill for an act relating to state programs dealing with citizen and consumer protection and advocacy.

Read first time and **placed on calendar**.

Senate File 450, by committee on Human Resources, a bill for an act relating to the determination of legal settlement of a child placed in a juvenile shelter care home and the recovery of costs of care in a juvenile shelter care home.

Read first time and **placed on calendar**.

Senate File 451, by committee on Agriculture, a bill for an act relating to milk and milk products, providing for the issuance of licenses and permits, fees, and providing penalties.

Read first time and **placed on calendar**.

Senate File 452, by Connolly, a bill for an act relating to school infrastructure funding, providing an income tax exemption for the interest earned on certain bonds, and making an appropriation.

Read first time and **passed on file**.

Senate File 453, by committee on Education, a bill for an act relating to school attendance and interagency efforts to address children's problems by applying school attendance requirements

under the family investment program, providing for interagency agreements and attendance teams, and providing a civil penalty for truancy.

Read first time and **placed on calendar.**

Senate File 454, by McKean, Neuhauser, Maddox, Hammond, Dvorsky, Flynn, and Rehberg, a bill for an act relating to regulation of public statements made about candidates, by establishing a truth in campaign practices board, providing for the investigation of complaints and issuance of advisory and regulatory opinions by the board, regulating the manner in which negative statements about candidates or candidates' immediate family members may be made, providing for retractions or explanations of untruthful or deliberately misleading statements, and providing remedies and penalties.

Read first time and **passed on file.**

Senate File 455, by committee on Judiciary, a bill for an act relating to the establishment of an automatic temporary stay against the parties to a dissolution of marriage, separate maintenance, or annulment action limiting certain actions relating to assets of the parties.

Read first time and **placed on calendar.**

Senate File 456, by Kibbie, a bill for an act establishing a community college tuition credit program.

Read first time and **passed on file.**

Senate File 457, by committee on Human Resources, a bill for an act relating to the Iowa pharmacy practice Act by permitting qualified individuals to transport emergency medications; permitting more than one emergency drug box in a licensed health care facility; providing for electronic signatures on prescriptions; establishing programs to aid impaired pharmacists, pharmacist interns, and pharmacy technicians; providing for board investigative subpoena power; and establishing a penalty.

Read first time and **placed on calendar.**

Senate File 458, by committee on Business and Labor, a bill for an act concerning drug and alcohol testing of private sector employees and prospective employees and providing remedies and a penalty and an effective date.

Read first time and **placed on calendar**.

Senate File 459, by committee on Human Resources, a bill for an act establishing a domestic abuse death review team and providing for membership, duties, immunity for members acting in their official capacity, and confidentiality.

Read first time and **placed on calendar**.

Senate File 460, by committee on Business and Labor, a bill for an act relating to membership on the workforce development board and providing an effective date.

Read first time and **placed on calendar**.

Senate File 461, by committee on Human Resources, a bill for an act relating to the provision of medical services administered by the department of human services and providing a disqualification for certain services.

Read first time and **placed on calendar**.

Senate File 462, by Halvorson, a bill for an act relating to speed limits and speeding violations for license suspension and insurance purposes.

Read first time and **passed on file**.

Senate File 463, by Halvorson, a bill for an act relating to the statutory duties of the office of secretary of state and lieutenant governor, and providing effective date and implementation provisions.

Read first time and **passed on file**.

Senate File 464, by committee on Education, a bill for an act allowing teaching parents to provide driver's education instruction.

Read first time and **placed on calendar.**

Senate File 465, by committee on Commerce, a bill for an act relating to garnishment of employee's earnings.

Read first time and **placed on calendar.**

Senate File 466, by committee on Judiciary, a bill for an act relating to the theft of video rental property and making penalties applicable.

Read first time and **placed on calendar.**

Senate File 467, by committee on Business and Labor, a bill for an act relating to eligibility for unemployment compensation benefits for temporary employees of a temporary employment firm.

Read first time and **placed on calendar.**

Senate File 468, by committee on Natural Resources and Environment, a bill for an act relating to animal feeding operations, by providing for the inspection of certain animal feeding operation structures.

Read first time and **placed on calendar.**

Senate File 469, by committee on Commerce, a bill for an act relating to the establishment of an E911 commission and establishing a surcharge.

Read first time and **placed on calendar.**

Senate File 470, by committee on Education, a bill for an act relating to a requirement that schools and school districts provide media services programs and articulated sequential elementary-secondary guidance programs.

Read first time and **placed on calendar.**

Senate File 471, by committee on Natural Resources and Environment, a bill for an act relating to disposal, collection, and recycling of waste oil filters.

Read first time and **placed on calendar.**

Senate File 472, by committee on Agriculture, a bill for an act prohibiting a habitual violator or person charged with violation from constructing or expanding an animal feeding operation structure.

Read first time and **placed on calendar**.

APPENDIX**COMMITTEE REPORTS****AGRICULTURE**

Final Bill Action: *SENATE FILE 472 (SSB 229), a bill for an act prohibiting a habitual violator or person charged with violation from constructing or expanding a confinement feeding operation structure.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Rensink, J. Black, Judge, Angelo, Bartz, Behn, D. Black, Fraise, Hedge, Kibbie, Rehberg, Rife, Vilsack and Zieman. Nays, none. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 472 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 473 (SSB 241), a bill for an act requiring owners of agricultural drainage wells to prevent surface water intake into the wells, providing for the closure of certain wells and the construction of alternative drainage systems, providing state assistance for closing agricultural drainage wells, prohibiting the construction and use of certain structures located in agricultural drainage well areas, providing for the assessment and collection of certain drainage district expenses, providing penalties, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Rensink, J. Black, Judge, Angelo, Bartz, Behn, D. Black, Fraise, Hedge, Kibbie, Rehberg, Rife, Vilsack and Zieman. Nays, none. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 473 and they were attached to the committee report.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 193, a bill for an act relating to the election of trustees for special land use districts.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Ziemann, Behn, Fraise, Angelo, D. Black, Boettger, Dearden, McKean, Redwine and Rehberg. Nays, none. Absent or not voting, 3: J. Black, Connolly and Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 256, a bill for an act relating to veterans' benefits, veterans preference, veterans' claims, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 322, a bill for an act concerning gender balance for appointive committees of political subdivisions of the state.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Halvorson, Lundby, McKibben, Rife, and Szymoniak. Nays, 1: King. Absent or not voting, 3: Gronstal, McLaren and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 337, a bill for an act providing for mandatory licensure for marital and family therapists and mental health counselors.

Recommendation: DO PASS.

Final Vote: Ayes, 14 Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, Rife, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 474 (SSB 246), a bill for an act abolishing county compensation boards and the state commission on compensation, expenses, and salaries for elected state officials.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13 :Lind, Kibbie, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, 2: Rittmer and Deluhery.

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 474 and they were attached to the committee report.

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

S. F.	428	Judiciary
S. F.	439	Small Business & Econ. Dev.
S. F.	440	Natural Resources
S. F.	441	Small Business & Econ. Dev.
S. F.	444	Appropriations
S. F.	445	Ways and Means
S. F.	446	Small Business & Econ. Dev.
S. F.	447	State Government
S. F.	452	Education
S. F.	454	State Government
S. F.	456	Ways and Means
S. F.	462	Transportation
S. F.	463	State Government
H.F.	370	Business and Labor
H.F.	384	Judiciary

INTRODUCTION OF BILLS

Senate File 473, by committee on Agriculture, a bill for an act requiring owners of agricultural drainage wells to prevent surface water intake into the wells, providing for the closure of certain wells and the construction of alternative drainage systems, providing state assistance for closing agricultural drainage wells, prohibiting the construction and use of certain structures located in agricultural drainage well areas, providing for the assessment and collection of certain drainage district expenses, providing penalties, and providing an effective date.

Read first time under Rule 28 and **placed on calendar.**

Senate File 474, by committee on State Government, a bill for an act abolishing county compensation boards and the state commission on compensation, expenses, and salaries for elected state officials.

Read first time under Rule 28 and **placed on calendar**.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:45 p.m., until 1:00 p.m., Monday, March 17, 1997.

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 17, 1997

The Senate met in regular session at 1:20 p.m., President Kramer presiding.

Prayer was offered by Kelly R. Barry from Woodbine, Iowa who sang "Rise Again".

The Journal of Thursday, March 13, 1997, was approved.

INTRODUCTION OF BILLS

Senate File 475, by committee on Natural Resources and Environment, a bill for an act relating to the cleanup and reuse of contaminated property, environmental remediation standards and review procedures, participation in the remediation of contaminated property, liability for the voluntary cleanup of contaminated property, liability protections, and establishing a land recycling fund.

Read first time and **placed on calendar**.

Senate File 476, by committee on Judiciary, a bill for an act requiring a person convicted of the offense of attempted murder to serve one hundred percent of the sentence with limited credit for good behavior.

Read first time and **placed on calendar**.

Senate File 477, by committee on State Government, a bill for an act establishing a board of dental health professions examiners and dental, dental hygiene, and dispute resolution panels.

Read first time and **placed on calendar**.

Senate File 478, by committee on Human Resources, a bill for an act relating to the grounds for termination of parental rights of a putative father.

Read first time and **placed on calendar**.

Senate File 479, by committee on Human Resources, a bill for an act relating to child custody, support, and visitation, and providing penalties.

Read first time and **placed on calendar**.

Senate File 480, by committee on Education, a bill for an act relating to tuition and fees charged by public school districts and providing an immediate effective date.

Read first time and **placed on calendar**.

Senate File 481, by committee on Business and Labor, a bill for an act establishing the senior conservation and outdoor recreation employment program under the administration of the department of workforce development, providing for a related matter, and providing an appropriation.

Read first time and **placed on calendar**.

Senate File 482, by committee on Education, a bill for an act relating to the increase in the physical plant and equipment levy.

Read first time and **placed on calendar**.

Senate File 483, by committee on Education, a bill for an act eliminating an alternative to the annual achievement evaluations required to assess the academic progress of children receiving private instruction.

Read first time and **placed on calendar**.

Senate File 484, by committee on Agriculture, a bill for an act providing for the regulation of grain dealers.

Read first time and **placed on calendar**.

Senate File 485, by committee on Education, a bill for an act creating an Iowa tribute tuition grant and providing for an appropriation and an applicability date.

Read first time and **placed on calendar**.

Senate File 486, by committee on State Government, a bill for an act concerning the manufacture of beer for family or personal use.

Read first time and **placed on calendar**.

Senate File 487, by committee on Judiciary, a bill for an act relating to the implementation of a court-annexed family mediation pilot project and providing for an appropriation.

Read first time and **placed on calendar**.

Senate File 488, by committee on Natural Resources and Environment, a bill for an act relating to the protection of blufflands by creating a blufflands protection revolving fund, by empowering the soil conservation division of the department of agriculture and land stewardship to establish a blufflands protection program, by making an appropriation for the provision of loans to certain nonprofit conservation organizations, and by providing for other properly related matters.

Read first time and **placed on calendar**.

Senate File 489, by committee on Human Resources, a bill for an act requiring third-party payor coverage for diagnostic screening for prostate cancer.

Read first time and **placed on calendar**.

QUORUM CALL

Senator Iverson requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

BILL REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **Senate File 364** be referred from the Regular Calendar to the committee on **Ways and Means**.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 293

On motion of Senator Douglas, Senate File 293, a bill for an act increasing the property damage limit for mandatory reporting of motor vehicle accidents, was taken up for consideration.

Senator Douglas offered amendment S—3121 filed by her on March 12, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3121 was adopted by a voice vote.

Senator Douglas moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 293) the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 280

On motion of Senator Tinsman, Senate File 280, a bill for an act providing immunity from civil liability for an employer or employer's representative who acts reasonably in providing information about a

current or former employee of the employer, was taken up for consideration.

Senator Vilsack offered amendment S—3118 filed by him on March 6, 1997, to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3118 be adopted?" (S.F. 280) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 29:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lind	Lundby
Maddox	McKean	McKibben	McLaren
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Tinsman
Zieman			

Amendment S—3118 lost.

Senator Vilsack asked and received unanimous consent that action on **Senate File 280** be deferred.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 240

On motion of Senator Tinsman, Senate File 240, 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, was taken up for consideration.

Senator Flynn asked and received unanimous consent that action on **Senate File 240** be deferred.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 354

On motion of Senator King, Senate File 354, a bill for an act relating to the kinds of city utility or enterprise services for which a landlord may be exempted from a lien for delinquent payments by a tenant, was taken up for consideration.

Senator King moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 354) the vote was:

Ayes, 39:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Douglas	Drake	Fink	Flynn
Freeman	Halvorson	Hansen	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lind
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Palmer	Redfern
Redwine	Rehberg	Rensink	Rittmer
Schuerer	Tinsman	Zieman	

Nays, 10.

Connolly	Deluhery	Dvorsky	Fraise
Gettings	Gronstal	Hammond	Neuhauser
Szymoniak	Vilsack		

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.

INTRODUCTION OF BILLS

Senate File 490, by committee on Judiciary, a bill for an act relating to the consumer fraud law by providing limited immunity from prosecution for providing certain information, authorizing the attorney general to commence an action related to telemarketing, and authorizing the attorney general to establish and accept a civil penalty in settlement of an investigation.

Read first time and **placed on calendar**.

Senate File 491, by committee on Judiciary, a bill for an act relating to limited partnerships and the rights and duties of limited partners, partnership agreements, duties of the secretary of state with respect to limited partnerships, and other related matters affecting foreign and domestic limited partnerships, and establishing fees and penalties.

Read first time and **placed on calendar**.

Senate File 492, by committee on Business and Labor, a bill for an act relating to unemployment compensation benefits concerning proof of whether a person has voluntarily quit employment.

Read first time and **placed on calendar**.

Senate File 493, by committee on Judiciary, a bill for an act relating to the procedures and requirements relating to guardianships and conservatorships.

Read first time and **placed on calendar**.

Senate File 494, by committee on State Government, a bill for an act relating to the regulation of the practice of respiratory care.

Read first time and **placed on calendar**.

Senate File 495, by committee on Judiciary, a bill for an act prohibiting gambling licensees from allowing the loaning of money by credit card or other electronic means for gambling purposes.

Read first time and **placed on calendar**.

Senate File 496, by committee on Judiciary, a bill for an act relating to the modification of domestic abuse no-contact orders.

Read first time and **placed on calendar**.

Senate File 497, by committee on Judiciary, a bill for an act prohibiting the possession or distribution of gamma-hydroxybutyric acid under certain circumstances, and providing a penalty.

Read first time and **placed on calendar**.

Senate File 498, by committee on State Government, a bill for an act relating to the disclosure of violations and final findings following inspections of health care facilities.

Read first time and **placed on calendar**.

Senate File 500, by committee on State Government, a bill for an act relating to pari-mutuel racing and excursion boat gambling, and providing penalties and an effective date.

Read first time and **placed on calendar**.

Senate File 501, by committee on Small Business, Economic Development and Tourism, a bill for an act relating to the department of workforce development and the enforcement of employment laws concerning emergency and hazardous materials inventories, construction contractors, amusement rides, asbestos and employment agency licenses, wage assignments, and boxing and wrestling.

Read first time and **placed on calendar**.

Senate File 502, by committee on Agriculture, a bill for an act relating to statutory references to the Iowa beef industry council and increasing an excise tax on beef cattle upon a referendum.

Read first time and **placed on calendar.**

Senate File 503, by committee on Judiciary, a bill for an act relating to criminal justice, by providing for enhanced punishment for manufacturing methamphetamine in the presence of minors, providing restrictions on public nudity and actual or simulated public performance of sex acts in certain establishments, providing for abatement of nuisance created by certain establishments which allow or permit public nudity or actual or simulated public performances of sex acts in their establishment, making changes relating to permits and rights to carry and acquire weapons, providing for hormonal intervention therapy for persons convicted of certain sex offenses, authorizing probation supervision and revocation by administrative parole and probation judges in the sixth judicial district, providing restitution for death of a victim of a crime, and providing penalties and an effective date.

Read first time and **placed on calendar.**

CONSIDERATION OF BILL
(Regular Calendar)

Senate Joint Resolution 9

On motion of Senator Lundby, Senate Joint Resolution 9, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualifications of electors, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that action on **Senate Joint Resolution 9** be deferred.

UNFINISHED BUSINESS CALENDAR
(Deferred February 27, 1997)

Senate File 205

The Senate resumed consideration of Senate File 205, a bill for an act relating to continued eligibility under the new jobs and income program concerning the ownership of land by nonresident aliens and certain capital investment and job creation provisions, deferred February 27, 1997.

Senator Vilsack offered amendment S—3113 filed by him on March 5, 1997, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3113 be adopted?" (S.F. 205) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Hammond	Hansen
Hedge	Horn	Judge	Kibbie
McCoy	McKean	Neuhauser	Palmer
Szymoniak	Vilsack		

Nays, 28:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Halvorson	Iverson	Jensen
King	Kramer	Lind	Lundby
Maddox	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Amendment S—3113 lost.

Senator Gronstal asked and received unanimous consent that action on **Senate File 205** be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 40

On motion of Senator Drake, Senate File 40, a bill for an act prohibiting the use of official law enforcement warning devices or signals in the attempt or commission of a public offense, and

providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Drake offered amendment S—3033 filed by Senators Drake, Rensink and King on February 4, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3033 was adopted by a voice vote.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 40) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 1.

Hammond

Absent or not voting, 1.

Redwine

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 292

On motion of Senator Hedge, Senate File 292, a bill for an act relating to cooperative corporations; by providing for the transfer of

stock, the allocation of patronage dividends upon termination of membership, and dissolution, was taken up for consideration.

Senator McLaren offered amendment S—3132 filed by Senators McLaren, Kibbie and Rensink from the floor to page 1 of the bill and moved its adoption.

Amendment S—3132 was adopted by a voice vote.

Senator Hedge moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 292) the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	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 280

The Senate resumed consideration of Senate File 280, a bill for an act providing immunity from civil liability for an employer or employer's representative who acts reasonably in providing information about a current or former employee of the employer, previously deferred.

Senator Vilsack offered amendment S—3134 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3134 lost by a voice vote.

Senator Gronstal rose on a point of order that the subject matter of Senate File 280 came under the jurisdiction of the Business and Labor Committee and should be referred to the Business and Labor Committee.

The Chair stated that it is the President's responsibility to assign bills to committee, and that she stands by the assignment of Senate File 280 to the committee on Judiciary.

Senator Vilsack asked and received unanimous consent that action on **Senate File 280** be **deferred**.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 236

On motion of Senator Tinsman, Senate File 236, a bill for an act relating to the certificate of need program, was taken up for consideration.

Senator Freeman withdrew amendment S—3131 filed by her from the floor to pages 1 and 6 of the bill.

Senator Freeman withdrew amendment S—3130 filed by her from the floor to page 2 of the bill.

Senator Redwine offered amendment S—3127 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3127 was adopted by a voice vote.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 236) the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	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 205

The Senate resumed consideration of Senate File 205, a bill for an act relating to continued eligibility under the new jobs and income program concerning the ownership of land by nonresident aliens and certain capital investment and job creation provisions, previously deferred.

Senator Gronstal offered amendment S—3137 filed by Senators Gronstal and Rittmer on March 17, 1997, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3137 be adopted?" (S.F. 205) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly

Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Zieman

Nays, none.

Absent or not voting, 2:

Rehberg Vilsack

Amendment S—3137 was adopted.

With the adoption of amendment S—3137, the Chair ruled amendment S—3136 filed by Senator Gronstal from the floor to page 1 of the bill, out of order.

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. 205) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Freeman
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lind	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Zieman	

Nays, 2:

Fraise Gettings

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 300

On motion of Senator Hammond, Senate File 300, a bill for an act relating to the prohibited sale of home testing kits for the human immunodeficiency virus, 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. 300) the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	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 316

On motion of Senator Black of Kossuth, Senate File 316, a bill for an act relating to the probationary period for deputy sheriffs, was taken up for consideration.

Senator Black of Kossuth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 316) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Lundby
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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.

Senate File 379

On motion of Senator Lind, Senate File 379, a bill for an act providing for maintenance and repair of out-of-state commercial vehicles and providing an effective date, was taken up for consideration.

Senator Lind offered amendment S—3135 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3135 was adopted by a voice vote.

Senator Lind moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 379) the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	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 30

On motion of Senator Hedge, Senate File 30, a bill for an act relating to the exemption from sales, services, and use taxes of adjuvants and surfactants used to enhance the application of fertilizers, limestone, herbicides, pesticides, and insecticides in agricultural production and providing effective and retroactive

applicability date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Hedge moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F.:30) the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 296

On motion of Senator Redfern, Senate File 296, a bill for an act relating to nonoccupational health care plan payments when an employer disputes workers' compensation liability, was taken up for consideration.

Senator Dearden asked and received unanimous consent that action on **Senate File 296** be deferred.

Senate File 301

On motion of Senator Tinsman, Senate File 301, a bill for an act increasing the exceptions to the registration requirements for postsecondary schools, and eliminating an exemption for nondegree specialty vocational training programs from the accreditation requirement for postsecondary schools, was taken up for consideration.

Senator Tinsman asked and received unanimous consent that **House File 320 be substituted for Senate File 301.**

Senator Gronstal raised the point of order that House File 320 was not eligible for debate under Joint Rule 20.

Senator Tinsman asked and received unanimous consent that action on **House File 320 be deferred.**

BUSINESS PENDING**Senate File 240**

The Senate resumed consideration of Senate File 240, 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 Iverson asked and received unanimous consent that action on **Senate File 240 be deferred.**

BUSINESS PENDING**Senate File 280**

The Senate resumed consideration of Senate File 280, a bill for an act providing immunity from civil liability for an employer or employer's representative who acts reasonably in providing

information about a current or former employee of the employer, previously deferred.

Senator Vilsack offered amendment S—3140 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3140 was adopted by a voice vote.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 280) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Deluhery
Douglas	Drake	Dvorsky	Flynn
Fraise	Freeman	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 5:

Connolly	Dearden	Fink	Gettings
Gronstal			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate Joint Resolution 9

The Senate resumed consideration of Senate Joint Resolution 9, a joint resolution proposing an amendment to the Constitution of the

State of Iowa relating to the qualifications of electors, previously deferred.

Senator Deluhery offered amendment S—3142 filed by Senators Deluhery, et al., on March 17, 1997, to page 1 of the resolution and moved its adoption.

Amendment S—3142 was adopted by a voice vote.

Senator Lundby moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

Senate Joint Resolution 9, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualifications of electors.

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 5 of Article II of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof:

DISQUALIFIED PERSONS. Sec. 5. A person adjudged mentally incompetent or convicted of any felony shall not be entitled to the privilege of an elector.

Sec. 2. The foregoing amendment to the Constitution of the State of Iowa is referred to the General Assembly to be chosen at the next general election for members of the General Assembly, and the Secretary of State is directed to cause the same to be published for three consecutive months previous to the date of that election as provided by law.

On the question "Shall the resolution pass?" (S.J.R. 9) the vote was:

Yeas, 50:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake

Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 30, 40, 205, 236, 280, 292, 293, 300, 316, 354, 379** and **Senate Joint Resolution 9** be immediately messaged to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 17, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 167, a bill for an act relating to eligibility requirements for workers' compensation.

This bill was read first time and **passed on file**.

House File 218, a bill for an act relating to service of notices of appraisal of property for state inheritance tax purposes.

This bill was read first time and **passed on file**.

House File 308, a bill for an act relating to notification requirements for communications between a debt collector and a debtor.

This bill was read first time and **passed on file.**

House File 313, a bill for an act requiring criminal and child abuse record checks of persons receiving state funding for providing child day care, and making a penalty applicable.

This bill was read first time and **passed on file.**

House File 368, a bill for an act relating to the establishment of the entrepreneurial ventures assistance program and allocating funds from the Iowa strategic investment fund for the administration and operation of the program.

This bill was read first time and **passed on file.**

House File 371, a bill for an act relating to the issuing of temporary orders for support, custody, or visitation of a child born outside of marriage.

This bill was read first time and **passed on file.**

House File 398, a bill for an act relating to subject matter under the regulatory authority of the labor commissioner, including the construction contractors law, and making nonsubstantive Code corrections relating to the child labor law.

This bill was read first time and **passed on file.**

House File 399, a bill for an act relating to inspections of unfired steam pressure vessels.

This bill was read first time and **passed on file.**

House File 495, a bill for an act relating to certain machinery, equipment, and computers for purposes of property taxation and providing an applicability date.

This bill was read first time and **passed on file.**

House File 545, a bill for an act relating to the criteria for placement of delinquent children, for whom guardianship has been transferred to the director of human services, in certain facilities.

This bill was read first time and **passed on file.**

House File 552, a bill for an act eliminating notice requirements relating to the location of certain electric transmission lines, wires, or cables.

This bill was read first time and **passed on file.**

House File 553, a bill for an act amending the uniform securities Act relating to the registration of securities and the registration of broker-dealers and agents, establishing fees, and providing an effective date.

This bill was read first time and **passed on file.**

INTRODUCTION OF BILLS

Senate File 499, by Iverson, a bill for an act relating to privileges and prohibitions for certain persons including those relating to motor vehicle licenses and to the regulation of tobacco, tobacco products, or cigarettes, and providing penalties.

Read first time and **passed on file.**

Senate File 504, by Deluhery, 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 and **passed on file.**

Senate File 505, by Freeman, a bill for an act relating to the allocation of the state franchise tax revenues and providing an applicability date provision.

Read first time and **passed on file.**

Senate File 506, by Szymoniak, a bill for an act relating to child welfare by providing for review of child deaths, providing for the use

of certain forfeited property, planning for a family needs assessment and services program, and providing penalties.

Read first time and **passed on file**.

Senate File 507, by Lundby, a bill for an act relating to a property tax exemption for certain soldiers, sailors, marines, or nurses who are discharged under honorable conditions from the United States armed forces.

Read first time and **passed on file**.

Senate File 508, by committee on Commerce, a bill for an act allowing account maintenance fees to be charged in connection with certain consumer lines of credit accounts in certain financial institutions.

Read first time and **placed on calendar**.

Senate File 509, by committee on State Government, a bill for an act limiting the amount of contributions a candidate for office may accept from outside the candidate's elective district, and providing a penalty.

Read first time and **placed on calendar**.

Senate File 510, by committee on Small Business, Economic Development and Tourism, a bill for an act relating to investments in counties and cities by providing for the establishment of enterprise zones in areas of counties and cities for which tax incentives and assistance are available for eligible businesses locating or located in the enterprise zone.

Read first time and **placed on calendar**.

Senate File 511, by committee on Human Resources, a bill for an act providing for the liability of a person with supervisory or other administrative responsibilities over an individual who the person knew or suspected committed abuse of a child.

Read first time and **placed on calendar**.

Senate File 512, by committee on Judiciary, a bill for an act relating to estate issues by modifying the warranty by a trustee, exemptions from execution and beneficiary designations and transfer-upon-death provisions related to pension and retirement accounts, jurisdiction of the probate court, fees payable on certain trusts, claims against estates for medical assistance payments, notice provisions relating to claims against estates, termination of conservatorships, and disclaimers made by beneficiaries.

Read first time and placed on calendar.

APPENDIX**COMMITTEE REPORTS****AGRICULTURE**

Final Bill Action: *SENATE FILE 484 (formerly Senate File 356), a bill for an act providing a system for the establishment, assessment, and collection of civil penalties imposed on grain dealers and warehouse operators.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Rensink, J. Black, Judge, Angelo, Bartz, Behn, D. Black, Fraise, Hedge, Kibbie, Rehberg, Rife, Vilsack and Zieman. Nays, none. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

* *Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 484 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 502 (SSB 225), a bill for an act relating to statutory references to the Iowa beef industry council and increasing an excise tax on beef cattle upon a referendum.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Rensink, J. Black, Judge, Angelo, Bartz, Behn, D. Black, Hedge, Rehberg, Rife, Vilsack and Zieman. Nays, 2: Fraise and Kibbie. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

* *Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 502 and they were attached to the committee report.

BUSINESS AND LABOR

Final Bill Action: *SENATE FILE 481 (formerly Senate File 314), a bill for an act establishing the senior conservation and outdoor recreation employment program under the administration of the department of workforce development and providing for a related matter.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Rife, King, Dearden, Behn, Freeman, Gettings, Horn, Jensen, Palmer, Schuerer 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 Business and Labor Committee on Senate File 481 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 492 (formerly Senate File 304), a bill for an act relating to unemployment compensation benefits concerning proof of whether a person has voluntarily quit employment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Rife, King, Behn, Freeman, Jensen, Schuerer and Zieman. Nays 4: Dearden, Gettings, Horn and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Business and Labor Committee on Senate File 492 and they were attached to the committee report.

COMMERCE

Final Bill Action: *SENATE FILE 508 (SSB 52), a bill for an act allowing account maintenance fees to be charged in connection with certain consumer lines of credit accounts in certain financial institutions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Jensen, Schuerer, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Redfern and Rife. Nays, 2: Deluhery 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 508 and they were attached to the committee report.

EDUCATION

Final Bill Action: *SENATE FILE 480 (SSB 110), a bill for an act relating to tuition and fees charged by public school districts and to tuition and fee waiver rules for indigent families, and providing an immediate effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Bill Action: Ayes, 10: Redfern, Rehberg, Angelo, J. Black, Boettger, Lind, Redwine, Rensink, Szymoniak and Tinsman. Nays, 5: Connolly, Dvorsky, Fink, Kibbie and Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Education Committee on Senate File 480 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 482 (SSB 244), a bill for an act relating to the increase in the physical plant and equipment levy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Redfern, Rehberg, Angelo, J. Black, Boettger, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman. Nays, 1: Connolly. 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 Education Committee on Senate File 482 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 483 (formerly Senate File 264), a bill for an act eliminating a component from an alternative to the annual achievement evaluations required to assess the academic progress of children receiving private instruction.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Redfern, Connolly, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Szymoniak and Tinsman. Nays, 6: Rehberg, Angelo, J. Black, Boettger, Redwine 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 Education Committee on Senate File 483 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 485 (formerly Senate File 133), a bill for an act creating an Iowa tribute tuition grant and providing for an appropriation and a applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Kibbie, Lind, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman. Nays, 1: J. Black. 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 Education Committee on Senate File 485 and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 478 (formerly Senate File 142), a bill for an act relating to the grounds for termination of parental rights of a putative father.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, 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 478 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 479 (SSB 164), a bill for an act relating to child custody, support, and visitation, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, 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 479 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 489 (formerly Senate File 199), a bill for an act requiring third-party payor coverage for diagnostic screening for prostate cancer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Bartz, Dearden, Dvorsky, Hammond, Rensink, Tinsman and Vilsack. Nays, 6: Boettger, Redwine, Szymoniak, Behn, J. Black and Schuerer.

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 489 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 511 (formerly Senate File 282), a bill for an act providing for the civil liability of certain persons who knowingly fail to report child abuse or a sexual crime against a child.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Boettger, Redwine,; Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, 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 511 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 225, a bill for an act concerning assistive devices by providing for express warranties, replacement of devices, and providing consumer remedies.

Recommendation: DO PASS.

Final Vote: Ayes, 13: McKean, Maddox, Neuhauser, Angelo, Boettger, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Drake and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 476 (formerly Senate File 124), a bill for an act requiring a person convicted of the offense of attempted murder to serve one hundred percent of the sentence with limited credit for good behavior.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: McKean, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 487 (formerly Senate File 350), a bill for an act relating to the implementation of a court-annexed family mediation pilot project and providing for an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: McKean, Maddox, Neuhauser, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, McKibben, Redfern, Tinsman and Vilsack. Nays, 2: Angelo and King.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 490 (SSB 152), a bill for an act relating to the consumer fraud law by providing limited immunity from prosecution for providing certain information, authorizing the attorney general to commence an action related to telemarketing, and authorizing the attorney general to establish and accept a civil penalty in settlement of an investigation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, 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 Judiciary Committee on Senate File 490 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 491 (SSB 209), a bill for an act relating to limited partnerships and the rights and duties of limited partners, partnership agreements, duties of the secretary of state with respect to limited partnerships, and other related matters affecting foreign and domestic limited partnerships, and establishing fees and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 493 (SSB 118), a bill for an act relating to the procedures and requirements relating to guardianships and conservatorships.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: McKean, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 495 (formerly Senate File 332), a bill for an act prohibiting gambling licensees from allowing the loaning of money by credit care or other electronic means for gambling purposes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: McKean, Maddox, Neuhauser, Angelo, Boettger, Halvorson, Hammond, Hansen, King, Redfern and Tinsman. Nays, 2: Fraise and McKibben. Absent or not voting, 2: Drake and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 496 (formerly Senate File 325), a bill for an act relating to the modification of domestic abuse no-contact orders.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: McKean, Maddox, Neuhauser, Angelo, Boettger, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern and Tinsman. Nays, none. Absent or not voting, 2: Drake and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 497 (formerly Senate File 382), a bill for an act prohibiting the possession or distribution of gamma-hydroxybutyric acid under certain circumstances, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 503 (SSB 194), a bill for an act relating to criminal justice, by providing for enhanced punishment for manufacturing methamphetamine in the presence of minors, providing restrictions on public nudity and actual or simulated public performance of sex acts in certain establishments, providing for abatement of nuisance created by certain establishments which allow or permit public nudity or actual or simulated public performances of sex acts in their establishment, making changes relating to permits and rights to carry and acquire weapons, providing for hormonal intervention therapy for persons convicted of certain sex offenses, authorizing probation supervision and revocation by administrative parole and probation judges in the sixth judicial district, providing restitution for death of a victim of a crime, and providing penalties and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, 1: Hammond.

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 503 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 512 (formerly SSB 195), a bill for an act relating to estate issues by modifying the warrant by a trustee, exemptions from execution and beneficiary designations and transfer-upon-death provisions related to pension and retirement accounts, jurisdiction of the probate court, fees payable on certain trusts, claims against estates for medical assistance payments, notice provisions relating to claims against estates, termination of conservatorships, and disclaimers made by beneficiaries.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, 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 Judiciary Committee on Senate File 512 and they were attached to the committee report.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 475 (formerly SSB 188.1), a bill for an act relating to the cleanup and reuse of contaminated property, environmental remediation standards and review procedures, participation in the remediation of contaminated property, liability for the voluntary cleanup of contaminated property, liability

protections, and establishing a land recycling fund.

Recommendation: APPROVED COMMITTEE BILL.

* **Final Vote:** Ayes, 9: Bartz, Angelo, J. Black, Borlaug, Freeman, Hedge, McKibben, Rehberg and Zieman. Nays, 6: Fink, D. Black, Dearden, Deluhery, Dvorsky and Judge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 488 (formerly Senate File 167), a bill for an act relating to the protection of blufflands by creating a blufflands protection revolving fund, by empowering the soil conservation division of the department of agriculture and land stewardship to establish a blufflands protection program, by making an appropriation for the provision of loans to certain nonprofit conservation organizations, and by providing for other properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

* **Final Vote:** Ayes, 12: Bartz, Angelo, Fink, D. Black, J. Black, Dearden, Deluhery, Dvorsky, Freeman, Hedge, McKibben and Rehberg. Nays, 3: Borlaug, Judge and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Natural Resources Committee on Senate File 488 and they were attached to the committee report.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: *SENATE FILE 501 (SSB 72), a bill for an act relating to the department of workforce development and the enforcement of employment laws concerning emergency and hazardous materials inventories, occupational safety and health, construction contractors, amusement rides, asbestos and employment agency licenses, wage assignments, and boxing and wrestling.

Recommendation: APPROVED COMMITTEE BILL.

* **Final Vote:** Ayes, 11: Rittmer, Lundby, Boettger, Douglas, Hammond, King, Lind, McCoy, Palmer, Redwine and Schuerer. Nays, none. Absent or not voting, 2: Hansen and Flynn.

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 Committee on Senate File 501 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 510 (SSB 202), a bill for an act relating to investments in counties and cities by providing for the establishment of enterprise zones in areas of counties and cities for which tax incentives and assistance are available for eligible businesses locating or located in the enterprise zone.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Rittmer, Lundby, Boettger, Douglas, Hammond, King, Lind, Palmer, Redwine and Schuerer. Nays, none. Absent or not voting, 2: Hansen and Flynn.

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 Committee on Senate File 510 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 211, a bill for an act relating to licensing and certification of certain occupations relating to real estate, by providing for appraiser certification, discipline of brokers and salespersons, and related matters, and making a penalty applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3138.

Final Vote: Ayes, 15: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 477 (formerly Senate File 102), a bill for an act creating a board of dental hygiene examiners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, 2: Halvorson and King. Absent or not voting, 1: Gronstal.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the State Government Committee on Senate File 477 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 486 (formerly Senate File 370), a bill for an act concerning the manufacture of beer for family or personal use.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, King, Lundby, McLaren and Rife. Nays, 1: Halvorson. Absent or not voting, 3: McKibben, Szymoniak and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 494 (SSB 238), a bill for an act relating to the regulation of the practice of respiratory care.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 498 (formerly Senate File 349), a bill for an act relating to the disclosure of violations and final findings following inspections of health care facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12 Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McLaren and Rife. Nays, none. Absent or not voting, 3: McKibben, Szymoniak and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 500 (SSB 220), a bill for an act relating to pari-mutuel racing and excursion boat gambling, and providing penalties and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, 2: Deluhery and Halvorson.

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 500 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 509 (formerly Senate File 305), a bill for an act limiting the amount of contributions a candidate for office may accept from sources outside the candidate's elective district, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Lind, Rittmer, Kibbie, Deluhery, Drake, Gronstal, Halvorson, King, Lundby and Rife. Nays, 2: Fink and Szymoniak. Absent or not voting, 3: McKibben, 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 State Government Committee on Senate File 509 and they were attached to the committee report.

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

S. F.	499	Judiciary
S. F.	504	Judiciary
S. F.	505	Ways and Means
S. F.	506	Human Resources
S. F.	507	Ways and Means
H. F.	308	Judiciary
H. F.	313	Human Resources
H. F.	368	Small Bus. & Econ, Deve.
H. F.	371	Judiciary
H. F.	398	Business & Labor
H. F.	399	Business & Labor
H. F.	495	Ways and Means
H. F.	545	Human Resources
H. F.	552	Commerce

COMPANION BILL RECEIVED

On March 13, 1997, **House File 320** was received and attached to companion **Senate File 301** on the Senate calendar.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 14th day of March, 1997:

Senate File 59.

MARY PAT GUNDERSON
Secretary of the Senate

PETITIONS

The following petitions supporting the state funding of public libraries throughout Iowa were presented and placed on file by:

Senator Douglas from 173 residents of Dallas and Guthrie Counties.

Senator Hedge from 76 residents of Mahaska Counties.

Senator Kibbie from 118 residents of Clay County.

Senator Maddox from 67 residents of Polk County.

Senator Palmer from 1167 residents of Polk County.

SUBCOMMITTEE ASSIGNMENTS

Senate File 400

APPROPRIATIONS: McLaren, Chair; Borlaug, Flynn, Hedge and McCoy

Senate File 444

APPROPRIATIONS: Douglas, Chair; Behn, Dvorsky, Hammond and Tinsman

House File 370

BUSINESS AND LABOR: Palmer, Chair; Freeman and Rife

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Emily Frank, Arthur; David Larson, Tyler Schroeder and Jamie Scott, Odebolt - For outstanding art work. Senator King (3-13-97).

Keith Edwards, Iowa City West High School - For winning the Iowa Class 3-A state wrestling championship at 103 lbs. Senator Dvorsky (3-1-97).

AMENDMENTS FILED

S-3127	S. F.	236	John Redwine
S-3128	S. F.	185	Kitty Rehberg
S-3129	H. F.	212	William D. Palmer JoAnn Douglas
S-3130	S. F.	236	Mary Lou Freeman
S-3131	S. F.	236	Mary Lou Freeman
S-3132	S. F.	292	Derryl McLaren John P. Kibbie Wilmer Rensink
S-3133	S. F.	391	Richard Drake Derryl McLaren
S-3134	S. F.	280	Tom Vilsack
S-3135	S. F.	379	Jim Lind
S-3136	S. F.	205	Michael E. Gronstal
S-3137	S. F.	205	Michael E. Gronstal Sheldon Rittmer
S-3138	S. F.	211	State Government
S-3139	S. F.	365	Matt McCoy
S-3140	S. F.	280	Tom Vilsack
S-3141	S. F.	240	Tom Flynn

S-3142	S. J. R.	9	Patrick J. Deluhery Mary Neuhauser Rod Halvorson Elaine Szymoniak Mary A. Lundby Andy McKean
S-3143	S. F.	473	Stewart Iverson, Jr.
S-3144	S. F..	473	Wilmer Rensink

INTRODUCTION OF BILL

Senate File 513, by Flynn, a bill for an act exempting from the state sales, services, and use taxes the sales of vehicle component parts that will be used to manufacture fire trucks.

Read first time under Rule 28 and **passed on file.**

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:40 p.m., until 9:00 a.m., Tuesday, March 18, 1997.

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 18, 1997

The Senate met in regular session at 9:19 a.m., President Kramer presiding.

Prayer was offered by Father Eugene Murray, pastor of the Holy Family Parish, Emmetsburg, Iowa.

The Journal of Monday, March 17, 1997, was approved.

SPECIAL GUESTS

Senator Kibbie presented Colm Hilliard, T.D., member of the Irish Parliament, and his wife, the former Margaret Quinn, who are in Iowa as the guests of the Saint Patrick's Association of Emmetsburg, Iowa. Mr Hilliard addressed the Senate briefly and introduced the Irish Dancers present in the northwest balcony, students from West Bend-Mallard, Emmetsburg Middle School and Emmetsburg Catholic School: Amanda Brown, Laura Fog, Melissa Hinners, Abbie Lang, Valerie Mattice, Stephanie Peterson, Brie Ann Reedy and Denise Stafford. They will be performing in the Capitol rotunda later in the day.

QUORUM CALL

Senator Iverson 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 295

On motion of Senator Maddox, Senate File 295, a bill for an act relating to finance charges upon refinancing and consolidation of

debts involving consumer credit transactions, 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. 295) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Halvorson	Hammond	Hansen	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lind
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 3:

Deluhery	Gettings	Gronstal
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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 285

On motion of Senator Rehberg, Senate File 285, a bill for an act relating to household hazardous materials and retail labeling requirements, was taken up for consideration.

Senator Dvorsky asked and received unanimous consent that action on **Senate File 285 be deferred.**

Senate Joint Resolution 12

On motion of Senator McKibben, Senate Joint Resolution 12, a joint resolution proposing an amendment to the Constitution of the State of Iowa to provide for certain rights for victims of crimes, was taken up for consideration.

Senator McKibben moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

Senate Joint Resolution 12, a joint resolution proposing an amendment to the Constitution of the State of Iowa to provide for certain rights for victims of crimes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

Article I of the Constitution of the State of Iowa is amended by adding the following new section which shall be applicable to criminal proceedings occurring after ratification of this amendment by the electorate:

RIGHTS OF VICTIMS OF CRIME. Sec. 10A. Victims of crime, as the General Assembly may by law define, are entitled to be treated with fairness, respect, and dignity; to have a timely disposition made of the criminal proceedings against the accused; to communicate with the prosecution; and to be informed of, to be present at, and to be heard from when relevant at all critical stages of the criminal proceedings against the accused. The rights of victims of crime under this section are provided only to the extent that these rights do not interfere with the constitutional rights of the accused.

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 bill pass?" (S.J.R. 12) the vote was:

Yeas, 50:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR (Deferred March 5, 1997)

Senate File 189

The Senate resumed consideration of Senate File 189, a bill for an act extending the regular program district cost guarantee for school districts for two years, and providing an effective date, deferred March 5, 1997.

Senator Kibbie offered amendment S—3076 filed by Senators Kibbie and Connolly on February 24, 1997, to page 1 and the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3076 be adopted?" (S.F. 189) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Judge
Kibbie	Lundby	McCoy	Palmer
Rife	Szymoniak	Vilsack	

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Hedge	Iverson	Jensen	King
Kramer	Lind	Maddox	McKean
McKibben	McLaren	Neuhauser	Redfern
Redwine	Rehberg	Rensink	Schuerer
Tinsman	Zieman		

Absent or not voting, 1:

Rittmer

Amendment S—3076 lost.

Senator Angelo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 189) the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	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
(Deferred March 17, 1997)

Senate File 240

The Senate resumed consideration of Senate File 240, 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 March 17, 1997.

Senator Flynn offered amendment S—3141 filed by him on March 17, 1997, to pages 17-24 of the bill.

Senator Flynn offered amendment S—3148 filed by Senators Flynn, Tinsman and McLaren from the floor to amendment S—3141 and moved its adoption.

Amendment S—3148 was adopted by a voice vote.

Senator Flynn moved the adoption of amendment S—3141 as amended, which motion prevailed by a voice vote.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 240) the vote was:

Ayes, 49:

Angelo	Behn	Black, D.	Black, J.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman

Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Bartz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 391

On motion of Senator Freeman, Senate File 391, 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 of the state, road use tax fund, and primary road fund, providing for the nonreversion of certain moneys, establishing a toll-free road and weather reporting system, eliminating the motor vehicle use tax as the funding source for the value-added agricultural products and processes financial assistance program and the renewable fuels and coproducts fund, and providing for the designation of access Iowa highways, and providing effective dates, was taken up for consideration.

Senator Freeman offered amendment S—3145 filed by her from the floor to page 6 of the bill and moved its adoption.

Amendment S—3145 was adopted by a voice vote.

President pro tempore Redfern took the chair at 11:35 a.m.

Senator Drake offered amendment S—3133 filed by Senators Drake and McLaren on March 17, 1997, to page 8 and the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3133 be adopted?" (S.F. 391) the vote was:

Ayes, 17:

Dearden	Douglas	Drake	Fraise
Gettings	Hedge	Jensen	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Palmer	Rittmer
Zieman			

Nays, 33:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Deluhery	Dvorsky	Fink	Flynn
Freeman	Gronstal	Halvorson	Hammond
Hansen	Horn	Iverson	Judge
Kibbie	King	Lind	Neuhauser
Redfern	Redwine	Rehberg	Rensink
Rife	Schuerer	Szymoniak	Tinsman
Vilsack			

Amendment S—3133 lost.

Senator Borlaug offered amendment S—3150 filed by Senators Borlaug, McLaren and Gronstal from the floor to page 8 of the bill.

Senator Vilsack raised the point of order that amendment S—3150 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3150 out of order.

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?" (S.F. 391) the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	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 Iverson asked and received unanimous consent that **Senate Files 189, 240, 295, 391** and **Senate Joint Resolution 12** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 17, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 236, a bill for an act relating to eligibility for unemployment compensation benefits for temporary employees of a temporary employment firm.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 18, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 111, a bill for an act relating to eligibility for unemployment compensation benefits concerning suitable work offered by the individual's employer.

This bill was read first time and **passed on file**.

House File 475, a bill for an act relating to the acquisition of a branch of a savings association by a newly chartered bank and providing an effective date.

This bill was read first time and **passed on file**.

House File 596, a bill for an act authorizing the utilities board to issue certificates of public convenience and necessity to municipal telecommunications utilities, regulating certain municipal utilities as competitive local exchange service providers, and including effective date and retroactive applicability provisions.

This bill was read first time and **passed on file**.

House File 611, a bill for an act relating to permissible charges which may be contracted for and received with respect to open-end credit.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 514, by committee on State Government, a bill for an act relating to the attempt to purchase, purchase, or possession of an alcoholic beverage by a person under legal age, and providing penalties.

Read first time and **placed on calendar**.

Senate File 515, by committee on Judiciary, a bill for an act relating to juvenile justice and youthful offenders, by making changes

in provisions relating to illegal purchase or possession of alcohol and tobacco by juveniles and youthful offenders, making changes relating to dramshop liability, providing for notification of school officials of possession of alcohol by students, providing for the taking of fingerprints and photographs of certain juveniles, permitting victims to make oral victim impact statements in juvenile proceedings, making changes related to the supplying of alcohol to persons under the age of twenty-one, providing for sharing of information regarding delinquent juveniles and juveniles under the jurisdiction of various social services agencies, providing for shared jurisdiction between the adult and juvenile courts over youthful offenders, changing the criteria for placement in the state training school or other facility, making changes relating to state reimbursement for expenses of court-appointed attorneys in juvenile court, permitting the release of information relating to juveniles who have escaped from a detention facility, providing for notification of juvenile court authorities of unexcused absences or suspensions or expulsions of students who are on probation, providing for bailiff and other law enforcement assistance to associate juvenile judges, including arrest or disposition or custody or adjudication data in criminal history data kept by the department of public safety, authorizing school officials to conduct searches of students and their lockers and other spaces and to report possession or use of alcohol or controlled substances to law enforcement authorities.

Read first time and placed on calendar.

Senate File 516, by committee on Human Resources, a bill for an act revising public assistance provisions involving the family investment, job opportunities and basic skills, food stamp, and medical assistance programs administered by the department of human services, amending certain child support provisions, providing for fraudulent practices, and providing effective dates.

Read first time and placed on calendar.

RECESS

On motion of Senator Iverson, the Senate recessed at 12:25 p.m. until 2:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****HUMAN RESOURCES**

Convened: March 13, 1997, 3:30 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Dearden, Dvorsky, Hammond, Schuerer, Tinsman and Vilsack.

Members Absent: J. Black and Rensink (both excused).

Committee Business: Approved Senate Files 328, 371, 169 and 387 as committee bills; Senate File 377 failed committee approval; deferred indefinitely Senate File 369.

Adjourned: 4:30 p.m.

JUDICIARY

Convened: March 13, 1997, 8:14 a.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved Senate Files 332 and 325 as committee bills; amended and approved SSB 194 as a committee bill.

Recessed: 9:30 a.m.

Reconvened: March 13, 1997, 10:10 a.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Approved Senate Files 225, 382, 124 and 350 as committee bills; amended and approved SSBs 154 and 195 as committee bills; approved SSBs 118 and 209 as committee bills.

Adjourned: 11:54 a.m.

LOCAL GOVERNMENT

Convened: March 13, 1997, 1:05 p.m.

Members Present: Zieman, Chair; Behn, Vice Chair; Fraise, Ranking Member; Angelo, D. Black, Boettger, Dearden, McKean, Redwine and Rehberg.

Members Absent: J. Black, Connolly and Hansen (all excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 193; SSB 184 failed committee approval.

Adjourned: 1:15 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 13, 1997, 2:45 p.m.

Members Present: Rittmer, Chair; Lundby, Vice Chair; Boettger, Douglas, Hammond, King, Lind, McCoy, Palmer, Redwine and Schuerer.

Members Absent: Hansen, Ranking Member and Flynn (both excused).

Committee Business: Approved SSBs 72 and 202 as committee bills.

Adjourned: 3:30 p.m.

STATE GOVERNMENT

Convened: March 13, 1997, 1:10 p.m.

Members Present: Lind, Chair; Rittmer, Vice Chair; Kibbie, Ranking Member; Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Amended and approved Senate File 211 as a committee bill; approved Senate Files 337, 322 and 256 as committee bills; amended and approved SSBs 216 and 219 as committee bills; approved SSB 238 as a committee bill; SSB 99 failed committee approval.

Recessed: 2:30 p.m.

Reconvened: March 13, 1997, 3:35 p.m.

Members Present: Lind, Chair; Rittmer, Vice Chair; Kibbie, Ranking Member; Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McLaren and Rife

Members Absent: McKibben, Szymoniak (excused) and Tinsman (excused).

Committee Business: Amended and approved Senate Files 305, 144, 349 and 370 as committee bills; Senate File 338 failed committee approval.

Adjourned: 4:15 p.m.

WAYS AND MEANS

Convened: March 13, 1997, 11:15 a.m.

Members Present: Douglas, Chair; Palmer, Ranking Member; Borlaug, Connolly, Deluhery, Freeman, Hedge, Judge, Maddox and Szymoniak.

Members Absent: McKibben, Vice Chair; Drake, McLaren, Redfern and Vilsack (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 11:25 a.m.

APPROP. SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: March 17, 1997, 11:10 a.m.

Members Present: Rife, Chair; Kramer, Vice Chair and Neuhauser, Ranking Member.

Members Absent: Deluhery and McLaren (both excused).

Committee Business: Presentations by: Harold Thompson, ICN on contract with control data systems, and James Youngblood regarding Year 2000 project.

Adjourned: 12:20 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventy-five fifth grade students from Hillis Elementary School, Des Moines, accompanied by Tammy Fostenau. Senator Szymoniak.

Members of the sixth grade class from East Union Community School, Afton, accompanied by Lynnette Yossi. Senator Angelo.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 17, 1997, when the vote was taken on Senate File 40.

Had I been present, I would have voted "aye".

JOHN REDWINE

SUBCOMMITTEE ASSIGNMENTS

Senate File 187

WAYS AND MEANS: Borlaug, Chair; Connolly and McLaren

Senate File 250

STATE GOVERNMENT: Tinsman, Chair; Lind and Szymoniak

Senate File 386

EDUCATION: Rehberg, Chair; Boettger and Connolly

Senate File 406

EDUCATION: Angelo, Chair; Lind and Szymoniak

Senate File 416

TRANSPORTATION: Drake, Chair; Jensen and McCoy

Senate File 445

WAYS AND MEANS: Freeman, Chair; Borlaug and Judge

Senate File 447

STATE GOVERNMENT: Rittmer, Chair; Drake and Kibbie

Senate File 454

STATE GOVERNMENT: Lundby, Chair; Halvorson and King

Senate File 456

WAYS AND MEANS: Redfern, Chair; Deluhery and Hedge

Senate File 462

TRANSPORTATION: Drake, Chair; Gettings and Rittmer

Senate File 463

STATE GOVERNMENT: Lundby, Chair; Halvorson and King

Senate File 505

WAYS AND MEANS: Drake, Chair; Freeman and Szymoniak

Senate File 507

WAYS AND MEANS: McKibben, Chair; Douglas and Palmer

House File 335

STATE GOVERNMENT: Tinsman, Chair; Lind and Szymoniak

House File 398

BUSINESS AND LABOR: Schuerer, Chair; Behn and Horn

House File 399

BUSINESS AND LABOR: Horn, Chair; Rife and Zieman

House File 495

WAYS AND MEANS: McKibben, Chair; Douglas and Vilsack

House File 552

COMMERCE: King, Chair; Jensen and McCoy

COMMITTEE REPORTS**HUMAN RESOURCES**

Final Bill Action: *SENATE FILE 516 (SSB 203), a bill for an act revising provisions of the family investment and job opportunities and basic skills programs administered by the department of human services, amending certain child support provisions, providing for fraudulent practices, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Boettger, Redwine,; Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, 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 516 and they were attached to the committee report.

JUDICIARY

Final Bill Action: *SENATE FILE 515 (formerly SSB 154), a bill for an act relating to juvenile justice and youthful offenders, by making changes in provisions relating to illegal purchase or possession of alcohol and tobacco by juveniles and youthful offenders, making changes relating to dramshop liability, providing for notification of school officials of possession of alcohol by students, providing for the taking of fingerprints and photographs of certain juveniles, permitting victims to make oral victim impact statements in juvenile proceedings, making changes related to the supplying of alcohol to persons under the age of twenty-one, providing for sharing of information regarding delinquent juveniles and juveniles under the jurisdiction of

various social services agencies, providing for shared jurisdiction between the adult and juvenile courts over youthful offenders, changing the criteria for placement in the state training school or other facility, making changes relating to state reimbursement for expenses of court-appointed attorneys in juvenile court, permitting the release of information relating to juveniles who have escaped from a detention facility, providing for notification of juvenile court authorities of unexcused absences or suspensions or expulsions of students who are on probation, providing for bailiff and other law enforcement assistance to associate juvenile judges, including arrest or disposition or custody or adjudication data in criminal history data kept by the department of public safety, authorizing school officials to conduct searches of students and their lockers and other spaces and to report possession or use of alcohol or controlled substances to law enforcement authorities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, 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 Judiciary Committee on Senate File 515 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: *SENATE FILE 514 (SSB 219), a bill for an act relating to the attempt to purchase, purchase, or possession of an alcoholic beverage by a person under legal age, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Lind, Rittmer, Kibbie, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, 1: Deluhery.

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 514 and they were attached to the committee report.

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 3, 1997

DEPARTMENT OF NATURAL RESOURCES

Pursuant to 258A, a summary of activities for the 1996 certification program for people who engage in well construction or reconstruction, supervise the operation of water and wastewater treatment, and operate sanitary landfill disposal facilities and solid waste incinerators.

February 10, 1997

IOWA DEPARTMENT OF TRANSPORTATION

"Public Highway-Railroad Grade Crossing Classifications and Warning Device Standards", as mandated by Iowa Code Section 307.26(5)c.

DIVISION OF CRIMINAL & JUVENILE JUSTICE PLANNING
IOWA DEPARTMENT OF HUMAN RIGHTS

"Iowa Criminal and Juvenile Justice Plan - 1997 Update", as required through Iowa Code Chapter 216A, Subchapter 9.

February 11, 1997

IOWA UTILITIES BOARD
DEPARTMENT OF COMMERCE

Regulatory and Restructuring Options in the Electric Utility Industry - A Staff analysis. DOCKET NO. NOI-95-1.

February 12, 1997

DEPARTMENT OF HUMAN SERVICES

A study by the Department of Human Services and Department of Education on the number of children for whom sheltered workshops and supported employment will be required during the period beginning July 1, 1997 through June 30, 2002. Required by Subsection 113.10(20).

February 17, 1997

DEPARTMENT OF HUMAN SERVICES

"Final Report to the Iowa General Assembly on the Current Process Used to Establish Foster Care Parental Liability", pursuant to Chapter 1213, section 8(10), of the 1996 Session.

IOWA DEPARTMENT OF PUBLIC HEALTH

Annual Report 1996. Iowa Advisory Council of Head Injuries. Pursuant to Iowa Code, Ch. 135.22A(6)"f".

MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA

Annual Report pursuant with Iowa Code 411.5.

February 18, 1997

IOWA DEPARTMENT OF COMMERCE
ALCOHOLIC BEVERAGES DIVISION

Annual Report July 1, 1995 - June 30, 1996

February 19, 1997

IOWA LAW ENFORCEMENT ACADEMY

1996 Fiscal Year -- Annual Report

DEPARTMENT OF JUSTICE

SR 122 - Diesel Fuel Price Investigation

February 20, 1997

DEPARTMENT OF EDUCATION
STATE LIBRARY OF IOWA

1995-96 Iowa Public Library Statistics.

LEGISLATIVE SERVICE BUREAU

DHS Restructuring Task Force. Final Report

Interpretive Services Study Committee. Final Report

Local Infrastructure Needs Study Committee. Final Report

February 24, 1997

IOWA DEPARTMENT OF PUBLIC HEALTH

Iowa Child Death Review Team - January 1997 Pursuant to Iowa Code, Ch. 135.43

February 28, 1997

IOWA DEPARTMENT OF AGRICULTURE
Office of Renewable fuels and Co-Products

Semi-Annual Report -- FY 97 - July 1, 1996 to December 31, 1996.

March 4, 1997

COMMUNITY SERVICE PILOT PROJECT

Report for Year Ended 1996.

IOWA DEPARTMENT OF TRANSPORTATION

Report on Highways, Roads, and Streets for Study Years 1994-2013. Per Chapter 307A.2(14A).

STATE HEALTH REGISTRY OF IOWA

Annual Reports of 1997 Cancer in Iowa.

March 10, 1997

COUNCIL ON CHEMICALLY EXPOSED INFANTS AND CHILDREN

Annual Report, pursuant to Iowa Code, Chapter 235.C.3(7).

AMENDMENTS FILED

S-3145	S. F.	391	Mary Lou Freeman
S-3146	S. F.	211	Richard F. Drake Derryl McLaren
S-3147	S. F.	246	Bill Fink
S-3148	S. F.	240	Tom Flynn Maggie Tinsman Derryl McLaren
S-3149	S. F.	488	Mike Connolly
S-3150	S. F.	391	Allen Borlaug Derryl McLaren Michael E. Gronstal
S-3151	S. F.	296	Dick L. Dearden
S-3152	H.F.	212	Matt McCoy
S-3153	S. F.	246	Merlin E. Bartz
S-3154	S. F.	503	Tom Vilsack
S-3155	S. F.	367	William D. Palmer Merlin E. Bartz
S-3156	S. F.	395	Jack Rife

AFTERNOON SESSION

The Senate reconvened at 2:55 p.m., President pro tempore Redfern presiding.

BILLS REFERRED TO COMMITTEE

Senate Iverson asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S. F.	480	Ways and Means
S. F.	481	Appropriations
S. F.	482	Ways and Means
S. F.	485	Appropriations
S. F.	487	Appropriations
S. F.	488	Appropriations
S. F.	491	Ways and Means
S. F.	502	Ways and Means
S. F.	510	Ways and Means

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 432

On motion of Senator McKean, Senate File 432, a bill for an act relating to the disposition of private property condemned under eminent domain, 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. 432) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson

Jensen	Judge	Kibbie	King
Lind	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 1:

Gronstal

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

(Deferred March 6, 1997)

House File 212

The Senate resumed consideration of House File 212, a bill for an act relating to the taxation of real property used in the operation of a racetrack or racetrack enclosure, substituted for Senate File 136 as amended, and deferred March 6, 1997.

Senator McCoy offered amendment S—3152 filed by him from the floor to page 1 and the title page of the bill.

Senator Palmer raised the point of order that amendment S—3152 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3152 out of order.

Senator Palmer asked and received unanimous consent to withdraw amendment S—3129 filed by Senators Palmer and Douglas on March 17, 1997, to pages 1 and 2 of the bill.

Senator Rife offered amendment S—3160 filed by him from the floor to page 2 of the bill.

Senator Palmer raised the point of order that amendment S—3160 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3160 out of order.

Senator Lind withdrew amendment S—3119 filed by him on March 6, 1997, to page 2 of the bill.

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. 212) the vote was:

Ayes, 39:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Deluhery
Douglas	Drake	Dvorsky	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Lundby	McKean	McKibben
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Tinsman	Vilsack	Zieman	

Nays, 10:

Connolly	Dearden	Fink	Flynn
Lind	Maddox	McCoy	McLaren
Rife	Szymoniak		

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 190

On motion of Senator Bartz, Senate File 190, a bill for an act relating to granting easements on certain property by the department of natural resources, was taken up for consideration.

Senator Bartz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 190) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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 221

On motion of Senator Angelo, Senate File 221, a bill for an act providing for the termination of farm tenancies, was taken up for consideration.

Senator Angelo offered amendment S—3116 filed by him on March 6, 1997, to page 1 of the bill.

Senator Vilsack asked and received unanimous consent that action on amendment S—3116 and **Senate File 221** be deferred.

Senate File 272

On motion of Senator Douglas, Senate File 272, a bill for an act relating to the implementation of certain assistance programs of the department of economic development, 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?" (S.F. 272) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Lind	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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 395

On motion of Senator Freeman, Senate File 395, a bill for an act relating to the department of workforce development concerning the offsetting of unemployment compensation benefits, departmental liability for the release of unemployment compensation records, the

voluntary shared work program, and workforce development services employees, and providing for an effective date, was taken up for consideration.

Senator Rife offered amendment S—3156 filed by him from the floor to page 1 and the title page of the bill.

Senator Hansen asked and received unanimous consent that action on amendment S—3156 and **Senate File 395** be deferred.

Senate File 358

On motion of Senator Drake, Senate File 358, a bill for an act relating to the adoption of the interstate emergency management assistance compact, was taken up for consideration.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 358) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Iverson
Jensen	Judge	Kibbie	King
Lind	Lundby	Maddox	McCoy
McKean	McKibben	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Horn	Kramer	McLaren
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 246

On motion of Senator Bartz, Senate File 246, a bill for an act relating to snowmobiles and all-terrain vehicles by requiring title certificates, increasing snowmobile and all-terrain vehicle registration fees, and providing for point of sale registration, was taken up for consideration.

President Kramer took the chair at 4:28 p.m.

Senator Bartz offered amendment S—3106 filed by Senators Bartz and Judge on March 3, 1997, to pages 1, 3, 4 and 6 of the bill and moved its adoption.

Amendment S—3106 was adopted by a voice vote.

Senator Bartz offered amendment S—3153 filed by him from the floor to pages 5 and 6 of the bill and moved its adoption.

Amendment S—3153 was adopted by a voice vote.

Senator Fink withdrew amendment S—3104 filed by him on March 3, 1997, to page 6 and the title page of the bill.

Senator Fink offered amendment S—3147 filed by him on March 18, 1997, to page 6 and the title page of the bill and moved its adoption.

Amendment S—3147 was adopted by a voice vote.

Senator Kibbie asked and received unanimous consent that action on **Senate File 246** be **deferred**.

RECESS

On motion of Senator Iverson, the Senate recessed at 4:42 p.m., until 5:00 p.m.

RECONVENED

The Senate reconvened at 5:21 p.m., President Kramer presiding.

QUORUM CALL

Senator Bartz 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 361

On motion of Senator Lind, Senate File 361, a bill for an act relating to the state workers' compensation coverage for students participating in school-to-work programs and providing for related matters, was taken up for consideration.

Senator Lind offered amendment S—3162 filed by him from the floor to pages 2 and 3 of the bill and moved its adoption.

Amendment S—3162 was adopted by a voice vote.

Senator Lind asked and received unanimous consent that **Senate File 361** be referred to the committee on **Business and Labor**.

BUSINESS PENDING

Senate File 221

The Senate resumed consideration of Senate File 221, a bill for an act providing for the termination of farm tenancies, previously deferred (amendment S—3116 pending).

Senator Angelo offered amendment S—3164 filed by Senators Angelo and Vilsack from the floor to page 1 of the bill and moved its adoption.

Amendment S—3164 was adopted by a voice vote.

With the adoption of amendment S—3164, the Chair ruled amendment S—3116 by Senator Angelo to page 1 of the bill previously deferred, out of order.

Senator Angelo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 221) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson,	Jensen	Judge	Kibbie
King	Kramer	Lind	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	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.

Senate File 246

The Senate resumed consideration of Senate File 246, a bill for an act relating to snowmobiles and all-terrain vehicles by requiring title certificates, increasing snowmobile and all-terrain vehicle registration fees, and providing for point of sale registration, previously deferred.

Senator Kibbie offered amendment S—3163 filed by him from the floor to page 6 and the title page of the bill.

Senator Drake raised the point of order that amendment S—3163 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3163 out of order.

Senator Black of Jasper raised the point of order that Senate File 246 should be referred to Ways and Means under Senate Rule 38.

Senate Iverson asked and received unanimous consent that **Senate File 246** be referred to the committee on **Ways and Means**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 190, 221, 272, 358, 432** and **House File 212** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 18, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 405, a bill for an act relating to the sale, lease, or other disposition of property belonging to a school district or area education agency and providing an immediate effective date.

This bill was read first time and **passed on file.**

House File 514, a bill for an act relating to financial liability coverage and registration requirements for motor vehicles in this state, providing for the seizure of motor vehicle registration plates, and providing penalties and effective dates.

This bill was read first time and **passed on file.**

House File 544, a bill for an act relating to placements for adoption and foster care by providing for a family rights and responsibilities plan and agreement.

This bill was read first time and **passed on file.**

House File 557, a bill for an act relating to the operation and regulation of certain insurance companies and mutual associations, and the regulatory authority of the insurance division of the department of commerce.

This bill was read first time and **passed on file.**

INTRODUCTION OF BILLS

Senate File 517, by Connolly, a bill for an act relating to bidding procedures at tax sales.

Read first time and **passed on file.**

Senate File 518, by committee on State Government, a bill for an act relating to the administration of state government, by providing for the practices of the department of general services, state procurement, motor vehicles, and state printing.

Read first time and **placed on calendar.**

Senate File 519, by committee on Commerce, a bill for an act relating to the authorized use and users of the Iowa communications network and providing an effective date.

Read first time and **placed on calendar**.

Senate File 520, by committee on State Government, a bill for an act relating to campaign finance by setting limits for contributions by political committees to certain political campaigns, establishing voluntary expenditure and contribution limits for political campaigns for candidates for the general assembly and a tax credit for qualified contributions, prohibiting the publication of false or misleading information in political advertisements, permitting the transfer of campaign funds after a candidate has not served in public office for a number of years, forming a bipartisan commission to recommend reforms in the laws relating to the financing of political campaigns, and making penalties applicable.

Read first time and **placed on calendar**.

Senate File 521, by committee on Commerce, a bill for an act relating to the review of the reorganization of a public utility and providing an effective date.

Read first time and **placed on calendar**.

Senate File 522, by committee on Human Resources, a bill for an act relating to legal settlement regarding community-based providers of treatment or services.

Read first time and **placed on calendar**.

Senate File 523, by committee on Human Resources, a bill for an act relating to health care facilities by requiring employment checks of health care facility employees and providing for a registry of persons who are certified as a nurse aide or medication aide.

Read first time and **placed on calendar**.

Senate File 524, by Gronstal, Connolly, Dearden, Szymoniak, and Vilsack, a bill for an act relating to preparation and approval of urban renewal plans and urban revitalization plans.

Read first time and **passed on file**.

Senate File 525, by committee on Human Resources, a bill for an

act relating to sexual harassment as an unfair employment practice under the jurisdiction of the civil rights commission.

Read first time and **placed on calendar.**

Senate File 526, by committee on Human Resources, a bill for an act providing for the establishment of a healthy opportunities for parents to experience success-healthy families Iowa program by the Iowa department of public health.

Read first time and **placed on calendar.**

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 391, the following corrections were made:

1. Page 8, line 27, the words and numbers "Sections 15 and 16" were changed to the words and numbers "Sections 14 and 15".
2. Page 8, line 29, the words and numbers "Sections 7 and 12" were changed to the words and numbers "Sections 6 and 11".
3. Page 8, line 30, the words and numbers "Sections 8, 9, 10, 11 and 14" were changed to the words and numbers "Sections 7, 8, 9, 10 and 13".

MARY PAT GUNDERSON

Secretary of the Senate

COMMITTEE REPORTS

COMMERCE

Final Bill Action: *SENATE FILE 519 (SSB 28), a bill for an act relating to the authorized use and users of the Iowa communications network and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer, Redfern and Rife. 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 519 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 521 (SSB 132), a bill for an act relating to the review of the reorganization of a public utility and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Maddox, McCoy, and Rife. Nays, none. Absent or not voting, 3: Lundby, Palmer 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 Commerce Committee on Senate File 521 and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 522 (formerly Senate File 169), a bill for an act relating to legal settlement regarding community-based providers of treatment or services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Boettger, Redwine, Szymoniak, Bartz, Behn, Dearden, Dvorsky, Hammond, Schuerer and Vilsack. Nays, none. Absent or not voting, 3: J. Black, Rensink and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 523 (formerly Senate File 328), a bill for an act relating to health care facilities by requiring employment checks of health care facility employees and providing for a registry of persons who are certified as a nurse aid or medication aide.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boettger, Redwine, Szymoniak, Bartz, Behn, J. Black, Dearden, Hammond, Schuerer, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Dvorsky and Rensink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 525 (formerly Senate File 387), a bill for an act relating to sexual harassment as an unfair employment practice under the jurisdiction of the civil rights commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boettger, Redwine, Szymoniak, Bartz, Behn, Dearden, Dvorsky, Hammond, Schuerer, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: J. Black and Rensink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 526 (formerly Senate File 371), a bill for an act providing for the establishment of a healthy opportunities for parents to experience success-healthy families Iowa program by the Iowa department of public health.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boettger, Redwine, Szymoniak, Bartz, Behn, Dearden, Dvorsky, Hammond, Schuerer, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: J. Black and Rensink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: *SENATE FILE 518 (SSB 216), a bill for an act relating to the administration of state government, by providing for the practices of the department of general services, state procurement, motor vehicles, and state printing.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McKibben, McLaren, Rife, 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 State Government Committee on Senate File 518 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 520 (formerly Senate File 144), a bill for an act relating to publication of false or misleading information in political advertisements and applying a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Lind, Rittmer, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, Lundby, McLaren and Rife. Nays, none. Absent or not voting, 3: McKibben, Szymoniak 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 State Government Committee on Senate File 520 and they were attached to the committee report.

TRANSPORTATION

Final Bill Action: HOUSE FILE 383, a bill for an act relating to information centers and rest areas on interstate or primary highways and providing effective and retroactive applicability dates.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Drake, Borlaug, Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKibben and Rittmer. Nays, none. Absent or not voting, 2: McCoy and McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 18th day of March, 1997:

Senate File 82.

MARY PAT GUNDERSON
Secretary of the Senate

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 18, 1997, the governor approved and transmitted to the secretary of state the following bill:

S.F. 59- Relating to the disposition of emergency medical care provider certification fees.

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

S. F.	513	Ways and Means
S. F.	517	Local Government
H. F.	111	Business and Labor
H. F.	167	Business and Labor
H. F.	218	Ways and Means

AMENDMENTS FILED

S-3157 S. F. 421 Tom Vilsack

S-3158	S. F.	498	Patrick J. Deluhery
S-3159	S. F.	256	John P. Kibbie Richard F. Drake Stewart Iverson, Jr. Patty Judge
S-3160	H. F.	212	Jack Rife
S-3161	S. F.	362	Mary Lundby
S-3162	S. F.	361	Jim Lind
S-3163	S. F.	246	John P. Kibbie
S-3164	S. F.	221	Jeff Angelo Tom Vilsack
S-3165	S. F.	472	Wilmer Rensink
S-3166	S. F.	449	Elaine Szymoniak Jim Lind Maggie Tinsman
S-3167	S. F.	296	Mary Neuhauser Mary Kramer
S-3168	S. F.	398	Patrick J. Deluhery Matt McCoy Gene O. Maddox Mary Kramer William D. Palmer Elaine Szymoniak Sheldon Rittmer

SIMILAR BILLS RECEIVED

On March 17, 1997, **House File 553** was received and attached to similar **Senate File 393** on the Senate calendar.

On March 18, 1997, **House File 236** was received and attached to similar **Senate File 467** on the Senate calendar.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:11 p.m., until 9:00 a.m., Wednesday, March 19, 1997.

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 19, 1997

The Senate met in regular session at 9:06 a.m., President Kramer presiding.

Prayers were offered by Senate Doorkeeper George Finkenauer for E.A. (Sam) Samuelson, Senate Doorkeeper, who is undergoing open heart surgery today, and by Father Kopacek, pastor of Saint Mary's Catholic Church, Marshalltown, Iowa.

The Journal of Tuesday, March 18, 1997, was approved.

QUORUM CALL

Senator Freeman requested a non record roll call to determine that a quorum was present.

The vote revealed 50 present, none absent and a quorum present.

BILL WITHDRAWN

Senator Palmer asked and received unanimous consent that **Senate File 136** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 473

On motion of Senator Rensink, Senate File 473, a bill for an act requiring owners of agricultural drainage wells to prevent surface water intake into the wells, providing for the closure of certain wells

and the construction of alternative drainage systems, providing state assistance for closing agricultural drainage wells, prohibiting the construction and use of certain structures located in agricultural drainage well areas, providing for the assessment and collection of certain drainage district expenses, providing penalties, and providing an effective date, was taken up for consideration.

Senator Iverson offered amendment S—3143 filed by him on March 17, 1997, to page 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3143 be adopted?" (S.F. 473) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 37:

Angelo	Bartz	Black, D.	Boettger
Borlaug	Connolly	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Gronstal
Halvorson	Hammond	Hansen	Horn
Iverson	Jensen	Judge	Kibbie
Kramer	Lundby	McCoy	McKean
Neuhauser	Palmer	Redfern	Redwine
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack			

Nays, 13:

Behn	Black, J.	Douglas	Hedge
King	Lind	Maddox	McKibben
McLaren	Rehberg	Rensink	Rife
Zieman			

Amendment S—3143 was adopted.

Senator Rensink offered amendment S—3144 filed by him on March 17, 1997, to page 3 of the bill and moved its adoption.

Amendment S—3144 was adopted by a voice vote.

Senator Black of Kossuth offered amendment S—3169 filed by him from the floor to pages 4 and 7 of the bill.

Senator Rensink raised the point of order that amendment S—3169 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3169 out of order.

Senator Black of Kossuth offered amendment S—3170 filed by him from the floor to page 4 of the bill and moved its adoption.

Amendment S—3170 lost by a voice vote.

Senator Black of Kossuth offered amendment S—3171 filed by him from the floor to page 5 of the bill and moved its adoption.

Amendment S—3171 was adopted by a voice vote.

Senator Rensink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 473) the vote was:

Ayes. 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lind	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rittmer
Schuerer	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.

Senator Iverson asked and received unanimous consent that **Senate File 473** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senate Iverson asked and received unanimous consent that **Senate File 475** 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 18, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 306, a bill for an act relating to the individual income tax by extending the special method of computation of tax for value-added S corporation shareholders to all S corporation shareholders and eliminating the refund limitation and including effective and retroactive applicability date provisions.

This bill was read first time and **passed on file**.

House File 334, a bill for an act relating to certain franchise agreements by establishing a duty of good faith, providing for alternative dispute resolution, providing for venue and choice of law, and repealing existing franchise provisions.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 19, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 646, a bill for an act relating to a study on responses to hazardous conditions by the director of transportation.

This bill was read first time and **passed on file**.

House File 653, a bill for an act relating to financial assurance requirements for waste tire collection and processing sites.

This bill was read first time and **passed on file**.

RECESS

On motion of Senator Iverson, the Senate recessed at 10:35 a.m., until 2:00 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****EDUCATION**

Convened: March 18, 1997, 2:08 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Angelo, J. Black, Boettger, Fink, Kibbie, Neuhauser, Redwine, Rensink and Tinsman.

Members Absent: Connolly, Ranking Member. Dvorsky, Lind and Szymoniak (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:11 p.m.

ETHICS

Convened: March 18, 1997, 4:50 p.m.

Members Present: Hedge, Chair; Drake, Vice Chair; Gettings, Ranking Member; McKean, Neuhauser and Szymoniak.

Members Absent: none.

Committee Business: Committee meeting seeking an advisory opinion.

Adjourned: 5:12 p.m.

TRANSPORTATION

Convened: March 18, 1997, 1:36 p.m.

Members Present: Drake, Chair; Borlaug, Vice Chair; Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, Lind, McKibben and Rittmer.

Members Absent: McCoy, Ranking Member and McKean (both excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House File 383; presentation by the DOT on House File 416.

Adjourned: 2:20 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: March 18, 1997, 7:50 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: none.

Committee Business: Discussed intent language.

Adjourned: 8:50 a.m.

PRESENTATION OF VISITORS

Senator Gronstal welcomed the Honorable Larry Murphy, former member of the Senate from Oelwein, who was present in the Senate chamber.

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty-three eleventh grade students from Underwood High School, Underwood, accompanied by Nick Benzing. Senator Boettger.

Twenty members of the Class 3-A Mount Pleasant boys' basketball tournament team from Mount Pleasant High School. Senator Vilsack.

SUBCOMMITTEE ASSIGNMENTS

Senate File 315

JUDICIARY: Boettger, Chair; Neuhauser and Redfern

Senate File 383

HUMAN RESOURCES: Boettger, Chair; Dvorsky and Redwine

Senate File 388

HUMAN RESOURCES: Boettger, Chair; Dearden and Tinsman

Senate File 403

JUDICIARY: Maddox, Chair; Boettger, Hammond, Hansen and Tinsman

Senate File 404

JUDICIARY: McKean, Chair; Angelo and Fraise

Senate File 413

EDUCATION: J. Black, Chair; Fink and Redwine

Senate File 414

JUDICIARY: McKean, Chair; Angelo and Fraise

Senate File 428

JUDICIARY: McKean, Chair; Boettger and Halvorson

Senate File 439

SMALL BUSINESS & ECON. DEVELOP.: Redwine, Chair; Flynn and Lundby

Senate File 440

NATURAL RESOURCES & ENVIRONMENT: Rehberg, Chair; Angelo and Dvorsky

Senate File 441

SMALL BUSINESS & ECON. DEVELOP.: King, Chair; McCoy and Redwine

Senate File 446

SMALL BUSINESS & ECON. DEVELOP.: Schuerer, Chair; Hansen and Lind

Senate File 452

EDUCATION: Redfern, Chair; J. Black and Dvorsky

Senate File 499

JUDICIARY: Maddox, Chair; Boettger, Hammond, Hansen and Tinsman

Senate File 504

JUDICIARY: McKean, Chair; Drake and Fraise

Senate File 506

HUMAN RESOURCES: Redwine, Chair; J. Black and Szymoniak

House File 265

JUDICIARY: Maddox, Chair; Boettger, Hammond, Hansen and Tinsman

House File 308

JUDICIARY: Angelo, Chair; Hammond and Redfern

House File 313

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Tinsman

House File 368

SMALL BUSINESS & ECON. DEVELOP.: Flynn, Chair; Boettger and Schuerer

House File 371

JUDICIARY: Tinsman, Chair; McKibben and Vilsack

House File 384

JUDICIARY: King, Chair; Neuhauser and Tinsman

House File 545

HUMAN RESOURCES: Hammond, Chair; Behn and Boettger

GOVERNOR'S APPOINTEES

The following appointments were submitted by the governor to the secretary of the senate for senate confirmation (all appointees are submitted as **members** unless otherwise specified):

Mary J. Ackerman, Waverly; Ronald E. Nielsen, Waukee; and David A. Vaudt, Des Moines: Accountancy Examining Board, 5-1-97/4-30-2000.

Richard G. Moore, Des Moines, Administrator of the Division of Criminal and Juvenile Justice Planning, 5-1-97/pleasure of the governor.

Sylvia Tijerina, Des Moines, Administrator of the Division of Latino Affairs, 5-1-97/pleasure of the governor.

Timothy J. Galm, Everly, Agricultural Development Authority, 3-12-97/4-30-2000.

Daryl K. Henze, Urbandale, Alcoholic Beverages Commission, 5-1-97/4-30-2002.

Glen D. Huntington, Storm Lake and Kevin W. Monson, Iowa City: Architectural Examining Board, 5-1-97/4-30-2000.

Margaret Susan Cigelman, Clive, Athletic Trainer Advisory Board, 5-1-97/4-30-2000.

Peggy C. Dunshee, Urbandale, and Dennis Ruffcorn, Missouri Valley: Board of Barber Examiners, 5-1-97/4-30-2000.

Dorothy A. Anderson, Urbandale; Thorald (Ted) E. Davidson, Des Moines; and Dr. Martin R. Edwards, Cedar Falls: Board of Behavioral Science Examiners, 5-1-97/4-30-2000.

Dr. Elizabeth C. Kressin, Spencer; Norma J. Papik, Blue Grass; and Dr. Valorie J. Prah, Cedar Falls: Board of Chiropractic Examiners, 5-1-97/4-30-2000.

Mildred E. Elliott, Mount Ayr, and Suellen Overton, Council Bluffs: Board of Corrections, 5-1-97/4-30-2001.

Michael F. Kronfeldt, Dubuque, and Curtis W. Stamp, Des Moines: Board of Cosmetology Arts and Sciences Examiners, 5-1-97/4-30-2000.

Elizabeth A. Colby-Plautz, Fort Dodge; Nancy S. LePeau, Iowa City, and Dr. LeRoy I. Strohmman, Algona: Board of Dental Examiners, 5-1-97/4-30-2000.

Mary K. Carlson, Humboldt; Roger B. Linn, Correctionville, and Elvin R. Soll, Murray: Board of Dietetic Examiners, 5-1-97/4-30-2000.

Nick Benzing, Neola; Judith J. Brueggeman, Harris; Martha J. Cumpton, Des Moines; Velma R. Huebner, Stanwood; Ann R. Shaw, Slater, and Dr. Thomas A. Sunderbruch, Davenport: Board of Educational Examiners, 5-1-97/4-30-2001.

Coral M. Jud, Knierim, Board for the Licensing and Regulation of Hearing Aid Dealers, 5-1-97/4-30-2000.

Dr. James D. Collins, Jr. Waterloo; Dr. Donna M. Norman, Bettendorf, and Laura J. Stensrud, Lake Mills: Board of Medical Examiners, 5-1-97/4-30-2000.

Daniel K. Danielson, Urbandale and Diane E. Palmer, West Des Moines, Board of Mortuary Science Examiners, 5-1-97/4-30-2000.

Nancy E. Knutstrom, Davenport, Board of Nursing Examiners, 5-1-97/4-30-2000.

Katherine J. Gillette, Des Moines; Dr. Richard F. Noyes, Marion, and Dr. Barbara A. Scheetz, West Des Moines: Board of Optometry Examiners, 5-1-97/4-30-2000.

Charles D. Hurley, Fayette, and Curtis S. Jenkins, West Des Moines: Board of Parole, 5-1-97/4-30-2001.

Katherine A. Linder, Manson, and Arlan D. Van Norman, Swea City: Board of Pharmacy Examiners, 5-1-97/4-30-2000.

James E. Hughes, Cresco, and Alice B. Price, Knoxville: Board of Physical and Occupational Therapy Examiners, 5-1-97/4-30-2000.

As members of the Board of Physician Assistant Examiners:

Diane M. Cardwell, Ames; William L. Connet, Des Moines, and Rita J. Taylor, Cedar Rapids, 5-1-97/4-30-2000.

Dr. James M. Cunningham, Audubon, 5-1-97/4-30-98.

Lillian J. Madison, Independence, and Dr. Rickey P. Salocker, Fort Dodge: Board of Podiatry Examiners, 5-1-97/4-30-2000.

Dr. Janet S. McDonough, Des Moines, and Dr. Scott W. Shafer, Des Moines: Board of Psychology Examiners. 5-1-97/4-30-2000.

Erlene VeVerka, Otley, Board of Social Work Examiners, 5-1-97/4-30-2000.

Julia A. Bebensee, West Des Moines; Gary N. Boeke, Cresco; and Dr. Clifford S. Vogen, Clive: Board of Speech Pathology and Audiology Examiners, 5-1-97/4-30-2000.

Susan M. Cosner, Des Moines, and Harley R. Hiemstra, Kingsley, City Development Board, 5-1-97/4-30-2003.

Robert J. Martin, Davenport, Commission for the Blind, 5-1-97/4-30-2000.

Harold B. Davis, Sioux City; Alyce M. Elmitt, Urbandale; and Clemmie Hightower, Clinton, Commission of Elder Affairs, 5-1-97/4-30-2001.

Barry D. Remington, Cedar Falls, Commission of Veterans Affairs, 2-26-97/4-30-2000.

Honorable Lois R. Kotz, Clear Lake, and Loren M. Wakefield, Waterloo, Commission on Community Action Agencies, 5-1-97/4-30-2000.

Elizabeth A. Mathis, Waterloo, and Arthur P. Silva, Sioux City: Commission on Judicial Qualifications, 5-1-97/4-30-2003.

Jack F. Purcell, Algona, Commission on the Deaf, 5-1-97/4-30-2000.

Dr. Dale J. Andringa, Mitchellville; Marcia J. Stark, West Des Moines, and F. Walter Tomenga, Johnston: Community Health Management Information System Governing Board, 5-1-97/4-30-2000.

To the Council on Human Services:

Albert G. Sorensen, Boone, 5-1-97/4-30-99.

Ruth L. Mosher, West Des Moines, and Margaret P. Guhin, Bettendorf, 5-1-97/4-30-2003.

Judy R. Emmons, Nevada, and Sharon K. McCrabb, Manchester, County Finance Committee, 5-1-97/4-30-2001.

John J. Bentler, Burlington; Tom N. Sarvis, Dubuque, and William G. Sizer, Waterloo: Credit Union Review Board, 5-1-97/4-30-2000.

Richard R. Phillips, Muscatine; David M. Roederer, Johnston, and Marvin L. Van Haaften, Pella: Criminal and Juvenile Justice Planning Advisory Council, 2-10-97/4-30-98.

Sally Chandler Halford, Des Moines, Director of the Department of Corrections, 5-1-97/pleasure of the governor.

Kim D. Schmett, Des Moines, Director of the Department of Inspections and Appeals, 5-1-97/pleasure of the governor.

Charles Palmer, Des Moines, Director of the Department of Human Services, 5-1-97/pleasure of the governor.

Darrel Rensink, Ames, Director of Transportation, 5-1-97/pleasure of the governor.

Cynthia P. Eisenhauser, Ankeny, Director of Workforce Development, 5-1-97/pleasure of governor.

Chief Douglas W. Book, Forest City, and Rachelle L.K. Johnson, Grinnell: Drug Abuse Prevention and Education Advisory Council, 5-1-97/4-30-2001.

Charles W. Larson, Des Moines, Drug Enforcement and Abuse Prevention Coordinator, 5-1-97/pleasure of the governor.

Susan M. Long, Fairfield, and Terry L. Martin, Des Moines: Engineering and Land Surveying Board, 5-1-97/4-30-2000.

William A. Ehm, Creston; Randal J. Giannetto, Marshalltown; Rozanne E. King, Mondamin; Kathryn A. Murphy, LeMars; and Terrance G. Townsend, Newton: Environmental Protection Commission, 5-1-97/4-30-2001.

David W. Belin, Des Moines, and Mary E. Gesiriech, Johnston: First in the Nation in Education Foundation Governing Board, 5-1-97/4-30-2003.

Lee S. Miller, Cedar Falls, Health Facilities Council, 5-1-97/4-30-2003.

Iris J. Post, Des Moines, Industrial Commissioner, 5-1-97/4-30-2003.

Donald E. Snyder, Forest City, Investment Board of the IPERS, 5-1-97/4-30-2003.

Dr. Bruce W. Van Zee, Oakland, and Theresa A. Wallace, Des Moines: Iowa Board of Veterinary Medicine, 5-1-97/4-30-2000.

Jacklyn K. Van Ekeren, Des Moines, Iowa Comprehensive Petroleum Underground Storage Tank Fund Board, 5-1-97/4-30-2001.

Betty Jean (BJ) Furgerson, Waterloo; Charles E. Rohm, Clive, and Austin B. Turner, Corning: Iowa Council on Human Investment, 5-1-97/4-30-2000.

Julie J. Bulkeley, Red Oak; Frederick W. Hagemann, Waverly; Harris D. Honsey, Lake Mills; and William B. Trent, Jr., Muscatine: Iowa Economic Development Board, 5-1-97/4-30-2001.

Julie-Anita Ingoli, Cedar Rapids, Iowa Emergency Response Commission, 5-1-97/4-30-2000.

To the Iowa Ethics and Campaign Disclosure Board:

James A. Albert, Clive, and Gwendolyn M. Boeke, Cresco: 5-1-97/4-30-2003.

K. Marie Thayer, Ankeny: 12-9-96/4-30-99.

Kay A. Hagen Anderson, LeMars; Margaret D. Collison, Cumming, and Darlene M. Jeris, Clive: Iowa Finance Authority, 5-1-97/4-30-2003.

John V. Hartung, Indianola, Iowa Higher Education Loan Authority, 5-1-97/4-30-2003.

Jacqueline Day, Des Moines, and Thomas C. Lillquist, Forest City: Iowa Law Enforcement Academy Council, 5-1-97/4-30-2001.

Hugh M. Field, Waterloo; Carol A. Garrett, Bettendorf; and Doris A. Hansen, Sioux City: Iowa Seed Capital Corporation, 5-1-97/4-30-2001.

To the Iowa State Civil Rights Commission:

Blanca G. Flores, Muscatine, 2-10-97/4-30-99.

Mohamad W. Khan, Pleasant Hill; Flora M. Lee, Sioux City; Jack L. Morlan, West Des Moines, and Robert L. Smith, Jr., Waterloo: 5-1-97/4-30-2001.

Catherine S. Brown, Ames, and Monty D. Mitchell, Davenport: Landscape Architectural Examining Board: 5-1-97/4-30-2000.

Mary Anne Anderson, Red Oak; Robert J. DeSmidt, Sioux City; Gary L. Gansemer, Dubuque; Clark A. Lane, Humboldt; Lannie L. Miller, West Bend; and Robert D. Walke, Guttenberg: Mental Health and Developmental Disabilities Commission, 5-1-97/4-30-2000.

Joseph W. Hanrahan, Solon; Deanne K. Raley, Sergeant Bluff, and Terry A. Sweeney, Granger: Narcotics Enforcement Advisory Council, 5-1-97/4-30-2001.

Richard E. Garrels, Mount Pleasant, and Anthony L. Hough, Harlan: Natural Resources Commission, 5-1-97/4-30-2003.

Dr. Alfred Healy, Iowa City; Georganna T. Hinrichsen, Ames, and Melva J. Urban, Newell: Prevention of Disabilities Policy Council, 5-1-97/4-30-2000.

Gary J. Johnson, Forest City; Nancy M. Larson, Urbandale; and Theresa H. Lewis, Des Moines: Real Estate Appraiser Examining Board, 5-1-97/4-30-2000.

Russell D. Nading, Marion, and Evelyn M. Rank, Clarinda: Real Estate Commission, 5-1-97/4-30-2000.

JoAnn M. Brincks, Carroll; David L. Holmes, Johnston; and Yvonne M. Wente, Waverly: Renewable Fuels and Coproducts Advisory Committee, 5-1-97/4-30-2000.

Michael A. Fesler, Danville; Max A. Phillips, Woodward, and Peggy J. Trevino, Fort Dodge: Small Business Advisory Council, 5-1-97/4-30-2001.

To the State Board for Respiratory Care:

William J. Motz, Sioux City, 2-10-97/4-30-98.

Amy M. Love, Jefferson, and Dr. Gregory A. Hicklin, Des Moines, 2-10-97/4-30-99.

William J. Niedert, Hudson, and Dorothy D. Warren, Ringsted: 2-10-97/4-30-2000.

Wayne F. Drexler, Dyersville, School Budget Review Committee, 5-1-97/4-30-2000.

Terry R. Cooper, Winterset; Horace C. Daggett, Creston; Gary A. Kirchof, Cresco; Drucilla M. Straub, Des Moines; and William R. Thayer, Madrid: State Board of Examiners for Nursing Home Administrators, 5-1-97/4-30-2000.

Lisa E. Ahrens, Osage; David J. Fisher, West Des Moines; and Dr. Clarkson L. Kelly, Charles City: State Board of Regents, 5-1-97/4-30-2003.

Christopher A. Bjornstad, Okoboji, State Board of Tax Review, 5-1-97/4-30-2003.

Jerry R. Foxhoven, West Des Moines; Lil M. Perry, Washington; Stanley S. Wierson, Marion; and Kathryn M. Youberg, Sac City: State Citizen Foster Care Review Board, 5-1-97/4-30-2001.

Darlene E. Blake, Des Moines, and Donald L. Decker, Fort Dodge: State Judicial Nominating Commission, 5-1-97/4-30-2003.

William L. Wegman, Des Moines, State Public Defender, 5-1-97/pleasure of the governor.

Bradley R. Peyton, Urbandale, and Harold W. White, Estherville: State Racing and Gaming Commission, 5-1-97/4-30-2000.

Russell L. Brandes, Hancock; Kenneth W. McNichols, Bondurant; and Diane C. Thompson, Forest City: State Soil Conservation Committee, 5-1-97/4-30-2003.

Sister M. Catherine Dunn, Dubuque, and Ronald N. Langston, Des Moines: State Transportation Commission, 5-1-97/4-30-2001.

Michael K. Gutttau, Council Bluffs, Superintendent of Banking, 5-1-97/4-30-2001.

James E. Forney, Polk City, Superintendent of Credit Unions, 5-1-97/pleasure of the governor.

Jay D. Stewart, Polk City, Title Guaranty Division Board, 5-1-97/4-30-2003.

Emmit J. George, Jr., West Des Moines, Utilities Board, 5-1-97/4-30-2003.

Allan T. Thoms, West Des Moines, member and Chairperson of the Utilities Board, 5-1-97/4-30-99.

The appointments were referred to the committee on Rules and Administration.

GOVERNOR'S DEFERRAL LETTERS

The following letters from the governor were received in the office of the secretary of the senate on March 15, 1997:

Pursuant to Iowa Code Section 2.32(4) 1997, the appointment for the Administrator of the Division of Deaf Services vacancy is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4) 1997, the appointment for the Community Health Management Information System Governing Board vacancy is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4) 1997, the appointment to the Community Health Management Information System Governing Board previously held by Kraig A. Boysen is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4) 1997, the appointment for State Board of Education vacancy is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4) 1997, the three positions on the Wallace Technology Transfer Foundation of Iowa are being deferred at this time as it my understanding that this board is no longer actively meeting.

Sincerely,
TERRY E. BRANSTAD
Governor

AMENDMENTS FILED

S-3169	S. F.	473	James Black
S-3170	S. F.	473	James Black
S-3171	S. F.	473	James Black
S-3172	S. F.	395	Jim Lind
S-3173	S. F.	472	Tom Vilsack
S-3174	S. F.	425	Kitty Rehberg

AFTERNOON SESSION

The Senate reconvened at 4:45 p.m., President Kramer presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 19, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 372, a bill for an act establishing a county issuance of motor vehicle licenses study and providing effective dates.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 527, by committee on Commerce, a bill for an act relating to an alternative price regulation plan for certain local exchange carriers, providing for related matters, and providing an effective date.

Read first time and **placed on calendar**.

APPENDIX

COMMITTEE REPORT

COMMERCE

Final Bill Action: *SENATE FILE 527 (SSB 160), a bill for an act relating to an alternative price regulation plan for certain local exchange carriers, providing for related matters, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Jensen, Schuerer, Deluhery, Douglas, Flynn, Gronstal, Maddox, McCoy and Redfern. Nays, 6: Bartz, Hansen, King, Lundby, Palmer and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Commerce Committee on Senate File 527 and they were attached to the committee report.

SUBCOMMITTEE ASSIGNMENT

Senate File 517

LOCAL GOVERNMENT: Connolly, Chair; Behn and J. Black

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

S. F.	524	Local Government
H. F.	306	Ways and Means
H. F.	334	Commerce
H. F.	372	Transportation
H. F.	514	Commerce
H. F.	544	Human Resources
H. F.	557	Commerce
H. F.	646	Transportation
H. F.	653	Natural Resources

AMENDMENTS FILED

S-3175	S. F.	472	John P. Kibbie
S-3176	S. F.	472	Patty Judge

S-3177	S. F.	472	Patty Judge
S-3178	S. F.	472	Tom Vilsack
S-3179	S. F.	472	Patty Judge
S-3180	S. F.	472	Patty Judge
S-3181	S. F.	519	John Jensen
S-3182	S. F.	395	Robert E. Dvorsky Jack Rife Steven D. Hansen
S-3183	S. F.	285	Robert E. Dvorsky

ADJOURNMENT

On motion of Senator Redfern, the Senate adjourned at 4:49 p.m., until 9:00 a.m., Thursday, March 20, 1997.

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 20, 1997

The Senate met in regular session at 9:31 a.m., President Kramer presiding.

Prayer was offered by the Reverend David C. Dornack, pastor of the Presbyterian Church, Sac City, Iowa

The Journal of Wednesday, March 19, 1997, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 19, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 121, a bill for an act relating to notification procedures prior to the performance of an abortion on or termination of parental rights of a minor and applicable penalties.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 7, by committee on Rules and Administration, a senate concurrent resolution to suspend Joint Rule 20, subsection 3, to allow consideration of House File 388.

Read first time and **placed on calendar**.

The Senate stood at ease at 10:06 a.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 10:14 a.m., President Kramer presiding.

The Senate stood at ease at 10:15 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:37 a.m., President pro tempore Redfern presiding.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 7, a concurrent resolution to suspend joint rule 20, subsection 3, to allow consideration of House File 388.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Iverson, Kramer, Gronstal, Jensen, Lundby, Maddox, Redfern and Rehberg. Nays, none. Absent or not voting, 3: Fink, Judge and Kibbie.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 7.

Senate Concurrent Resolution 7

On motion of Senator Iverson, Senate Concurrent Resolution 7, a senate concurrent resolution to suspend Joint Rule 20, subsection 3, to allow consideration of House File 388, was taken up for consideration.

A non record roll call was taken.

The ayes were 37, nays 4.

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

Senator Iverson asked and received unanimous consent that **Senate Concurrent Resolution 7** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 1997, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 15, a concurrent resolution providing for the formation of a committee by the Legislative Council to conduct a comprehensive study of school finance and make recommendations for a revised school aid formula.

This resolution was read first time and **passed on file**.

ALSO: That the House has on March 20, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 401, a bill for an act relating to state government personnel procedures including job classifications, pay plans, employee recall from layoff, and abolishing the personnel commission.

This bill was read first time and **passed on file**.

House File 628, a bill for an act relating to corporations by providing for the call of special meetings of shareholders, for the combination of a corporation and certain shareholders, and for certain merger and share acquisitions.

This bill was read first time and **passed on file**.

RECESS

On motion of Senator Iverson, the Senate recessed at 11:45 a.m., until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:45 p.m., President Kramer presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 1997, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 7, a senate concurrent resolution to suspend Joint Rule 20, subsection 3, to allow consideration of House File 388.

ALSO: That the House has on March 20, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 625, a bill for an act relating to the activities of the department of education, vocational education, community colleges, special educational programs provided by area education agencies, payment of claims for nonpublic school pupil transportation, the school budget review committee, the enrollment of certain students, and annual audits of school districts.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 8, by McCoy, a concurrent resolution to request that the United States Congress amend the Internal Revenue Code to allow individuals to use premature distributions from tax-deferred annuities to pay for catastrophic illnesses without being subject to penalty.

Read first time and **passed on file**.

Senate Concurrent Resolution 9, by Jensen, a concurrent resolution proclaiming the creation of the Iowa Veterans Foundation.

Read first time and **assigned to committee on Rules and Administration**.

QUORUM CALL

Senator Iverson requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 195, a bill for an act reducing the state individual income tax rates by fifteen percent and including a retroactive applicability date provision.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3194.

Final Vote: Ayes, 15: Douglas, McKibben, Palmer, Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, McLaren, Redfern, Szymoniak and Vilsack. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 388, a bill for an act reducing the state individual income tax rates by fifteen percent and including an effective date provision.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3193.

Final Vote: Ayes, 15: Douglas, McKibben, Palmer, Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, McLaren, Redfern, Szymoniak and Vilsack. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House File 388.

House File 388

On motion of Senator Drake, House File 388, a bill for an act reducing the state individual income tax rates by fifteen percent and

including an effective date provision, with report of committee recommending amendment and passage was taken up for consideration.

Action on House File 388 was temporarily **deferred** for the purpose of party caucuses.

The Senate stood at ease at 3:53 p.m. until the fall of the gavel.

The Senate resumed session at 4:59 p.m., President Kramer presiding.

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, 1997:

AGRICULTURE

Timothy J. Galm - Agricultural Development Authority.

Russell L. Brandes, Kenneth W. McNichols and Diane C. Thompson - State Soil Conservation Committee.

BUSINESS AND LABOR

Cynthia P. Eisenhauser - Director of Workforce Development.

Iris J. Post - Industrial Commissioner.

COMMERCE

John J. Bentler, Tom N. Sarvis and William G. Sizer - Credit Union Review Board.

Michael K. Guttäu - Superintendent of Banking.

James E. Forney - Superintendent of Credit Unions.

Jay D. Stewart - Title Guaranty Division Board.

EDUCATION

Nick Benzing, Judith J. Brueggeman, Martha J. Cumpton, Velma R. Huebner, Ann R. Shaw and Dr. Thomas A. Sunderbruch - Board of Educational Examiners.

David W. Belin and Mary E. Gesiriech - First in the Nation in Education Foundation Governing Board.

John V. Hartung – Iowa Higher Education Loan Authority.

Wayne F. Drexler – School Budget Review Committee.

Lisa E. Ahrens, David J. Fisher and Dr. Clarkson L. Kelly – State Board of Regents.

HUMAN RESOURCES

Margaret Susan Cigelman – Athletic Trainer Advisory Board.

Dorothy A. Anderson, Thorald (Ted) E. Davidson and Dr. Martin R. Edwards – Board of Behavioral Science Examiners.

Diane M. Cardwell, William L. Connet, Dr. James M. Cunningham and Rita J. Taylor – Board of Physician Assistant Examiners.

Robert J. Martin – Commission for the Blind.

Harold B. Davis, Alyce M. Elmitt and Clemmie Hightower – Commission of Elder Affairs.

Lois R. Kotz and Loren M. Wakefield – Commission on Community Action Agencies.

Jack F. Purcell – Commission on the Deaf.

Dr. Dale J. Andringa, Marcia J. Stark and F. Walter Tomenga – Community Health Management Information System Governing Board.

Margaret P. Guhin, Ruth L. Mosher and Albert G. Sorensen – Council on Human Services.

Charles Palmer – Director of the Department of Human Services.

Lee S. Miller – Health Facilities Council.

Betty Jean (BJ) Furgerson, Charles E. Rohm and Austin B. Turner – Iowa Council on Human Investment.

Mary Anne Anderson, Robert J. DeSmidt, Gary L. Gansemer, Clark A. Lane, Lannie L. Miller and Robert D. Walke – Mental Health and Developmental Disabilities Commission.

Dr. Alfred Healy, Georganna T. Hinrichsen and Melva J. Urban – Prevention of Disabilities Policy Council.

Jerry R. Foxhoven, Lil M. Perry, Stanley S. Wierson and Kathryn M. Youberg - State Citizen Foster Care Review Board.

JUDICIARY

Richard G. Moore - Administrator of the Division of Criminal and Juvenile Justice Planning.

Mildred E. Elliott and Suellen Overton - Board of Corrections.

Charles D. Hurley and Curtis S. Jenkins - Board of Parole.

Elizabeth A. Mathis and Arthur P. Silva - Commission on Judicial Qualifications.

Richard R. Phillips, David M. Roederer and Marvin L. Van Haaften - Criminal and Juvenile Justice Planning Advisory Council.

Sally Chandler Halford - Director of the Department of Corrections.

Douglas W. Book and Rachelle L.K. Johnson - Drug Abuse Prevention and Education Advisory Council.

Charles W. Larson - Drug Enforcement and Abuse Prevention Coordinator.

Blanca G. Flores, Mohamad W. Khan, Flora M. Lee, Jack L. Morlan and Robert L. Smith, Jr. - Iowa State Civil Rights Commission.

Joseph W. Hanrahan, Deanne K. Raley and Terry A. Sweeney - Narcotics Enforcement Advisory Council.

Darlene E. Blake and Donald L. Decker - State Judicial Nominating Commission.

William L. Wegman - State Public Defender.

LOCAL GOVERNMENT

Susan M. Cosner and Harley R. Hiemstra - City Development Board.

Judy R. Emmons and Sharon K. McCrabb - County Finance Committee.

NATURAL RESOURCES AND ENVIRONMENT

Allan T. Thoms - Chair of the Utilities Board.

William A. Ehn, Randal J. Giannetto, Rozanne E. King, Kathryn A. Murphy and Terrance G. Townsend - Environmental Protection Commission.

Jacklyn K. Van Ekeren - Iowa Comprehensive Petroleum Underground Storage Tank Fund Board.

Richard E. Garrels and Anthony L. Hough – Natural Resource Commission.

JoAnn M. Brincks, David L. Holmes and Yvonne M. Wente – Renewable Fuels and Coproducts Advisory Committee.

Emmit J. George, Jr. – Utilities Board.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Julie J. Bulkeley, Frederick W. Hagemann, Harris D. Honsey and William D. Trent, Jr. – Iowa Economic Development Board.

Hugh M. Field, Carol A. Garrett and Doris A. Hansen – Iowa Seed Capital Corporation.

Michael A. Fesler, Max A. Phillips and Peggy J. Trevino – Small Business Advisory Council.

STATE GOVERNMENT

Mary J. Ackerman, Ronald E. Nielsen and David A. Vaudt – Accountancy Examining Board.

Sylvia Tijerina – Administrator of the Division of Latino Affairs.

Daryl K. Henze – Alcoholic Beverages Commission.

Glen D. Huntington and Kevin W. Monson – Architectural Examining Board.

Coral M. Jud – Board for the Licensing and Regulation of Hearing Aid Dealers.

Peggy C. Dunshee and Dennis Ruffcorn – Board of Barber Examiners.

Dr. Elizabeth C. Kressin, Norma J. Papik and Dr. Valorie J. Prahll – Board of Chiropractic Examiners.

Michael F. Kronfeldt and Curtis W. Stamp – Board of Cosmetology Arts and Sciences Examiners.

Elizabeth A. Colby-Plautz, Nancy S. Le Peau and Dr. LeRoy I. Strohman – Board of Dental Examiners.

Mary K. Carlson, Roger B. Linn and Elvin R. Soll – Board of Dietetic Examiners.

Dr. James D. Collins, Jr., Dr. Donna M. Norman and Laura J. Stensrud – Board of Medical Examiners.

Daniel K. Danielson and Diane E. Palmer – Board of Mortuary Science Examiners.

Nancy E. Knutstrom – Board of Nursing Examiners.

Katherine J. Gillette, Dr. Richard F. Noyes and Dr. Barbara A. Scheetz – Board of Optometry Examiners.

Katherine A. Linder and Arlan D. Van Norman – Board of Pharmacy Examiners.

James E. Hughes and Alice B. Price – Board of Physical and Occupational Therapy Examiners.

Lillian J. Madison and Dr. Rickey P. Salocker – Board of Podiatry Examiners.

Dr. Janet S. McDonough and Dr. Scott W. Shafer – Board of Psychology Examiners.

Erlene VeVerka – Board of Social Work Examiners.

Julia A. Bebensee, Gary N. Boeke and Dr. Clifford S. Vogen – Board of Speech Pathology and Audiology Examiners.

Barry D. Remington – Commission of Veterans Affairs.

Kim D. Schmett – Director of the Department of Inspections and Appeals.

Susan M. Long and Terry L. Martin – Engineering and Land Surveying Examining Board.

Donald E. Snyder – Investment Board of the IPERS.

Dr. Bruce W. Van Zee and Theresa A. Wallace – Iowa Board of Veterinary Medicine.

Julie-Anita Ingoli – Iowa Emergency Response Commission.

James A. Albert, Gwendolyn M. Boeke and K. Marie Thayer – Iowa Ethics and Campaign Disclosure Board.

Catherine S. Brown and Monty D. Mitchell – Landscape Architectural Examining Board.

Gary J. Johnson, Nancy M. Larson and Theresa H. Lewis – Real Estate Appraiser Examining Board.

Russell D. Nading and Evelyn M. Rank – Real Estate Commission.

Dr. Gregory A. Hicklin, Amy M. Love, William J. Motz, William J. Niedert and Dorothy D. Warren – State Board for Respiratory Care.

Terry R. Cooper, Horace C. Daggett, Gary A. Kirchhof, Drucilla M. Straub and William R. Thayer – State Board of Examiners for Nursing Home Administrators.

Bradley R. Peyton and Harold W. White – State Racing and Gaming Commission.

TRANSPORTATION

Darrel Rensink, Director of Transportation.

Jacqueline Day and Thomas C. Lillquist - Iowa Law Enforcement Academy Council.

Sister M. Catherine Dunn and Ronald N. Langston - State Transportation Commission.

WAYS AND MEANS

Kay A. Hagen Anderson, Margaret D. Collison and Darlene M. Jeris - Iowa Finance Authority.

Christopher A. Bjornstad - State Board of Tax Review.

STEWART E. IVERSON, JR., Chair

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

H.C.R.	15	Education
H.F.	121	Human Resources
H.F.	401	Business and Labor
H.F.	625	Education

STUDY BILLS RECEIVED

SSB 248 Appropriations

Relating to the state long-term care ombudsman and providing a penalty.

SSB 249 Appropriations

Requiring criminal and child and dependent adult abuse records checks of prospective health care facility licensees and employees.

SSB 250 Appropriations

Relating to the role of the state long-term care ombudsman in regulation of health care facilities.

SSB 251 Appropriations

Relating to an exemption from sales, services, and use taxes on sales of personal property for certain leasing businesses and providing an effective date and a retroactive applicability date.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 20, 1997, the governor approved and transmitted to the secretary of state the following bill:

S.F. 82 - Relating to energy conservation including making appropriations of petroleum overcharge funds.

PRESENTATION OF GUESTS

The following visitors were present in the Senate chamber as the guests of Senator Boettger:

Cary Cochran, who recently established a new state career basketball scoring record of 2650 points in the 1996-97 season; his father Coach Carl Cochran, who recently attained his 400th victory; and his basketball team from Tri-Center School District.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Cary Cochran, Tri-Center School District - For establishing a new state career basketball scoring record in 1996-97 of 2650 points. Senator Boettger (3-20-97).

Kimberly Park, Dubuque - For placing third in the 6th/7th grade category of the "Write Women Back Into History" Contest. Senator Connolly (3-19-97).

Nathan Velner, Dubuque - For placing second in the 8th/9th grade category of the "Write Women Back Into History" Contest. Senator Connolly (3-19-97).

Trent Lafrentz, Mapleton - For achieving the rank of Eagle Scout. Senator King (3-23-97).

Scott Johnson, Cedar Rapids - For achieving the rank of Eagle Scout. Senator McKean (3-19-97).

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 9

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Kramer

Senate File 246

WAYS AND MEANS: Borlaug, Chair; Connolly and Freeman

Senate File 361

BUSINESS AND LABOR: Schuerer, Chair; Gettings and Jensen

Senate File 372

HUMAN RESOURCES: Redwine, Chair; J. Black and Hammond

Senate File 481

APPROPRIATIONS: Rife, Chair; Borlaug, Dvorsky, Halvorson and Lundby

Senate File 485

APPROPRIATIONS: McLaren, Chair; Hedge and Horn

Senate File 487

APPROPRIATIONS: Hedge, Chair; Hammond, Maddox, Neuhauser and Tinsman

Senate File 488

APPROPRIATIONS: Hedge, Chair; D. Black, Douglas, Flynn and Rensink

House File 111

BUSINESS AND LABOR: Behn, Chair; Palmer and Zieman

House File 167

BUSINESS AND LABOR: Freeman, Chair; Dearden and Schuerer

SSB 248

APPROPRIATIONS: Lundby, Chair; McCoy and McLaren

SSB 249

APPROPRIATIONS: Lundby, Chair; McCoy and McLaren

SSB 250

APPROPRIATIONS: Lundby, Chair; McCoy and McLaren

SSB 251

APPROPRIATIONS: Lundby, Chair; McCoy and McLaren

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 200, a bill for an act relating to nonsubstantive Code corrections.

Recommendation: DO PASS.

Final Vote: Ayes, 11: McKean, Maddox, Neuhauser, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Tinsman and Vilsack. Nays, none. Absent or not voting, 4: Angelo, King, McKibben and Redfern

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: HOUSE FILE 81, a bill for an act relating to the qualifications for the successful completion of an approved hunter safety and ethics education course.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben, Rehberg and Ziemann. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 142, a bill for an act relating to the hunting of deer with a pistol or revolver and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3200.

Final Vote: Ayes, 10: Bartz, Angelo, D. Black, J. Black, Borlaug, Dearden, Deluhery, McKibben, Rehberg and Ziemann. Nays, 4: Fink, Dvorsky, Hedge and Judge. Pass, 1: Freeman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 228, a bill for an act relating to permits issued to licensed automobile tire recycling dealers to own or operate a waste tire site.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Bartz, Angelo, D. Black, J. Black, Borlaug, Dearden, Deluhery, Freeman, Hedge, and Zieman. Nays, none. Absent or not voting, 5: Fink, Dvorsky, Judge, McKibben and Rehberg

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 9, a concurrent resolution proclaiming the creation of the Iowa Veterans Foundation.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Iverson, Kramer, Gronstal, Fink, Jensen, Judge, Kibbie, Lundby, Maddox, Redfern and Rehberg. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 554, a bill for an act establishing a community college vocational-technical technology improvement program for community college technology funding and making an appropriation.

This bill was read first time and **passed on file**.

House File 655, a bill for an act appropriating funds to the department of economic development, certain board of regents institutions, the department of workforce development, the public employment relations board, making statutory changes, and providing an effective date.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Maddox requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

BUSINESS PENDING

House File 388

The Senate resumed consideration of House File 388, a bill for an act reducing the state individual income tax rates by fifteen percent and including an effective date provision, previously deferred.

Senator Neuhauser asked and received unanimous consent that action on amendment S—3195 filed by Senators Neuhauser and Dvorsky from the floor to strike everything after the enacting clause and to the title page of the bill be deferred

Senator Vilsack asked and received unanimous consent that action on amendment S—3196 filed by Senators Vilsack, Flynn and Deluhery from the floor to strike everything after the enacting clause and to the title page of the bill be deferred.

Senator Drake offered amendment S—3193 filed by the committee on Ways and Means from the floor to page 1 and the title page of the bill.

Senator Gronstal offered amendment S—3198 filed by Senators Gronstal, et al., from the floor to amendment S—3193, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3198 to amendment S—3193 be adopted?" (H.F. 388) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 27:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rittmer
Schuerer	Tinsman	Zieman	

Absent or not voting, 2:

Lind Rife

Amendment S—3198 lost.

Senator Iverson asked and received unanimous consent that action on amendment S—3193 be deferred.

Senator Gronstal asked and received unanimous consent that action on amendment S—3197 filed by Senators Gronstal, et al., from the floor to page 1 and the title page of the bill be deferred.

Senator Deluhery offered amendment S—3199 filed by Senators Deluhery, et al., from the floor to page 1 and the title page of the bill.

Senator Drake raised the point of order that amendment S—3199 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3199 out of order.

The Senate resumed consideration of amendment S—3195 by Senators Neuhauser and Dvorsky, previously deferred.

Senator Drake raised the point of order that amendment S—3195 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3195 out of order.

The Senate resumed consideration of amendment S—3196 by Senators Vilsack, Flynn and Deluhery, previously deferred.

Senator Drake raised the point of order that amendment S—3196 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3196 out of order.

Senator Drake moved the adoption of amendment S—3193 by the committee on Ways and Means, previously deferred.

A record roll call was requested.

On the question "Shall amendment S—3193 be adopted?" (H.F. 388) the vote was:

Ayes, 28:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Douglas
Drake	Freeman	Hedge	Iverson
Jensen	King	Kramer	Lundby
Maddox	McKean	McKibben	McLaren
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Tinsman	Zieman

Nays, 20:

Connolly	Dearden	Deluhery	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Horn	Judge	Kibbie	McCoy
Neuhauser	Palmer	Szymaniak	Vilsack

Absent or not voting, 2:

Lind	Rife
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Amendment S—3193 was adopted.

With the adoption of amendment S—3193, the Chair ruled that amendment S—3197 by Senators Gronstal, et al., previously deferred, out of order.

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. 388) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Palmer
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Tinsman	Vilsack
Zieman			

Nays, 3:

Hammond	Neuhauser	Szymoniak
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Absent or not voting, 2:

Lind	Rife
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **House File 388** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senate Iverson asked and received unanimous consent that **Senate File 195** be referred from the Ways and Means Calendar to the committee on **Ways and Means**.

APPENDIX

AMENDMENTS FILED

S-3184	S. F.	341	John P. Kibbie
S-3185	H. F.	8	Jim Lind
S-3186	S. F.	500	Jim Lind
S-3187	H. F.	416	Jim Lind
S-3188	S. F.	503	Jim Lind
			Elaine Szymoniak
S-3189	S. F.	492	Dick L. Dearden
S-3190	S. F.	467	Dick L. Dearden
S-3191	S. F.	467	Dick L. Dearden
S-3192	S. F.	467	Dick L. Dearden
S-3193	H. F.	388	Ways and Means
S-3194	S. F.	195	Ways and Means
S-3195	H. F.	388	Mary Neuhauser
			Robert E. Dvorsky
S-3196	H. F.	388	Tom Vilsack
			Tom Flynn
			Patrick J. Deluhery
S-3197	H. F.	388	Michael E. Gronstal
			Patty Judge
			Patrick J. Deluhery
			Matt McCoy
			Rodney Halvorson
			Tom Flynn
			Steven D. Hansen
			Wally E. Horn
S-3198	H. F.	388	Michael E. Gronstal
			Patty Judge
			John P. Kibbie
			Matt McCoy
			Rodney Halvorson
			Tom Flynn
			Patrick J. Deluhery
			Steven D. Hansen
			Don Gettings
			Mike Connolly
			Dick L. Dearden

			Dennis H. Black
			Robert E. Dvorsky
			Tom Vilsack
			Mary Neuhauser
			Wally E. Horn
			Johnnie Hammond
			Bill Fink
S-3199	H.F.	388	Patrick J. Deluhery
			Tom Flynn
			Don Gettings
			Eugene S. Fraise
			Rodney Halvorson
			Steven D. Hansen
			Dennis H. Black
			John P. Kibbie
			Wally E. Horn
			William D. Palmer
			Michael E. Gronstal
			Matt McCoy
			Robert E. Dvorsky
S-3200	H.F.	142	Natural Resources & Env.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:24 p.m., until 1:00 p.m., Monday, March 24, 1997.

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
 FORTY-FIRST SESSION DAY

Senate Chamber
 Des Moines, Iowa, Monday, March 24, 1997

The Senate met in regular session at 1:15 p.m., President Kramer presiding.

Prayer was offered by the Reverend Jerald Swanberg, pastor of the First United Methodist Church, Marshalltown, Iowa.

The Journal of Thursday, March 20, 1997, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Black of Kossuth until he arrives on request of Senator Hedge.

The Senate stood at ease at 1:20 p.m., until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:04 p.m., President Kramer presiding.

RESIGNATION OF SENATOR LIND

March 21, 1997

The Honorable Terry E. Branstad
 Governor of the State of Iowa
 The Capitol
 Des Moines, IA 50319

Dear Governor Branstad,

I have today received official notice from Senator Jim Lind that he has resigned his Senate seat, District 13, effective immediately.

Sincerely

MARY KRAMER
 Senate President

QUORUM CALL

Senator Iverson requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 9 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

Senate Iverson asked and received unanimous consent that **Senate Files 469** and **431** be referred from the Regular Calendar to the committee on **Ways and Means**.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 398

On motion of Senator Deluhery, Senate File 398, a bill for an act relating to the disposition of certain lost property, was taken up for consideration.

Senator Deluhery offered amendment S—3168 filed by Senators Deluhery, et al., on March 18, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3168 was adopted by a voice vote.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 398) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Judge	Kibbie	King	Kramer

Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Black, J. Jensen

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen until he arrives on request of Senator Bartz.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 433

On motion of Senator Fraise, Senate File 433, a bill for an act relating to the definition and location of a land-leased community, 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. 433) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Judge	Kibbie	King	Kramer

Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 3:

Black, J.	Jensen	Rife
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 284

On motion of Senator Bartz, Senate File 284, a bill for an act relating to review and oversight of actions of the ozone transport assessment group, was taken up for consideration.

Senator Bartz offered amendment S—3201 filed by him from the floor to page 5 of the bill and moved its adoption.

Amendment S—3201 was adopted by a voice vote.

Senator Bartz asked and received unanimous consent that **House File 309** be substituted for **Senate File 284** as amended.

House File 309

On motion of Senator Bartz, House File 309, a bill for an act relating to review and oversight of actions of the ozone transport assessment group, was taken up for consideration.

Senator Bartz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 309) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden

Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Black, J. Jensen

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bartz asked and received unanimous consent that **Senate File 284** as amended be **withdrawn** from further consideration of the Senate.

Senate File 359

On motion of Senator Lundby, Senate File 359, a bill for an act relating to the qualifications for the director of the department of corrections, was taken up for consideration.

Senator Lundby moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 359) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson

Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Black, J. Jensen

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 420

On motion of Senator Drake, Senate File 420, a bill for an act relating to the information to be displayed on motor vehicle licenses and nonoperator identification cards, was taken up for consideration.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 420) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Déarden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Black, J. Jensen

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 459

On motion of Senator Tinsman, Senate File 459, a bill for an act establishing a domestic abuse death review team and providing for membership, duties, immunity for members acting in their official capacity, and confidentiality, was taken up for consideration.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 459) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Black, J. Jensen

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 497

On motion of Senator Tinsman, Senate File 497, a bill for an act prohibiting the possession or distribution of gamma-hydroxybutyric

acid under certain circumstances, and providing a penalty, was taken up for consideration.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 497) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 1:

Black, J.

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

In accordance with Senate Rule 59, Senator Iverson called up the following eligible appointees on the En Bloc Confirmation Calendar:

Dean R. McWilliams, Environmental Protection Commission.

Margaret A. Holmes, Alan R. Kabela, Kathryn A. Murphy and Norma J. Schmoker, Iowa Workforce Development Board.

Elizabeth L. Seiser, Public Employment Relations Board.

Mary L. Norton, Renewable Fuels and Coproducts Advisory Committee.

Maria M. Waterman, State Board of Tax Review.

Senator Iverson moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Black, J. Schuerer

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS

(Regular Calendar)

Senate File 467

On motion of Senator Behn, Senate File 467, a bill for an act relating to eligibility for unemployment compensation benefits for temporary employees of a temporary employment firm, was taken up for consideration.

Senator Dearden offered amendment S—3192 filed by him on March 20, 1997, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3192 be adopted?" (S.F. 467) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 27:

Angelo	Bartz	Behn	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	King
Kramer	Lundby	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Zieman	

Absent or not voting, 1:

Black, J.

Amendment S—3192 lost.

Senator Dearden offered amendment S—3191 filed by him on March 20, 1997, to page 1 of the bill.

The Chair announced that action on amendment S—3191 would be deferred for consideration of amendment S—3205.

Senator Behn offered amendment S—3205 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3205 was adopted by a voice vote.

Senator Behn asked and received unanimous consent that **House File 236** be substituted for **Senate File 467** as amended.

House File 236

On motion of Senator Behn, House File 236, a bill for an act relating to eligibility for unemployment compensation benefits for temporary employees of a temporary employment firm, was taken up for consideration.

Senator Dearden withdrew amendment S—3208 filed by him from the floor to page 1 of the bill.

Senator Dearden offered amendment S—3207 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—3207 be adopted?" (H.F. 236) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szyoniak
Vilsack			

Nays, 27:

Angelo	Bartz	Behn	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	King
Kramer	Lundby	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Zieman	

Absent or not voting, 1:

Black, J.

Amendment S—3207 lost.

Senator Dearden offered amendment S—3206 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3206 lost by a voice vote.

Senator Dearden offered amendment S—3211 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—3211 be adopted?" (H.F. 236) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 1:

Rife

Amendment S—3211 was adopted.

Senator Behn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 236) the vote was:

Ayes, 32:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake

Flynn	Freeman	Hansen	Hedge
Iverson	Jensen	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Nays, 17:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Fraise	Gettings
Gronstal	Halvorson	Hammond	Horn
Judge	Kibbie	Palmer	Szymoniak
Vilsack			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Behn asked and received unanimous consent that **Senate File 467** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS CALENDAR (Deferred March 17, 1997)

House File 320

The Senate resumed consideration of House File 320, a bill for an act increasing the exceptions to the registration requirements for postsecondary schools, and eliminating an exemption for nondegree specialty vocational training programs from the accreditation requirement for postsecondary schools, deferred March 17, 1997.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 320) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake

Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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 Tinsman asked and received unanimous consent that **Senate File 301** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS CALENDAR (Deferred March 18, 1997)

Senate File 285

The Senate resumed consideration of Senate File 285, a bill for an act relating to household hazardous materials and retail labeling requirements, deferred March 18, 1997.

Senator Dvorsky offered amendment S—3183 filed by him on March 18, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3183 was adopted by a voice vote.

Senator Rehberg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 285) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly

Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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 519

On motion of Senator Rife, Senate File 519, a bill for an act relating to the authorized use and users of the Iowa communications network and providing an effective date, was taken up for consideration.

Senator Rife asked and received unanimous consent that action on **Senate File 519** be **deferred**.

The Senate stood at ease at 4:07 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:21 p.m., President Kramer presiding.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: March 19, 1997, 1:10 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Angelo, Boettger, Drake, Halvorson, Hammond, Hansen, King, McKibben and Vilsack.

Members Absent: Neuhauser, Ranking Member; Fraise, Redfern and Tinsman (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:20 p.m.

JUDICIARY

Convened: March 20, 1997, 1:40 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Tinsman and Vilsack.

Members Absent: Angelo, King, McKibben and Redfern (all excused).

Committee Business: Recommended passage of House File 200.

Adjourned: 1:45 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 20, 1997, 1:10 p.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben, Rehberg and Zieman.

Members Absent: none.

Committee Business: Recommended passage of House File 142 as amended; recommended passage of House Files 228 and 81.

Adjourned: 2:23 p.m.

RULES AND ADMINISTRATION

Convened: March 20, 1997, 9:00 a.m.

Members Present: Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Jensen, Lundby, Maddox, Redfern and Rehberg.

Members Absent: Fink, Judge and Kibbie (all excused).

Committee Business: Approved Senate Concurrent Resolution 7 as a committee bill.

Adjourned: 9:10 a.m.

RULES AND ADMINISTRATION

Convened: March 20, 1997, 12:40 p.m.

Members Present: Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Fink, Jensen, Judge, Kibbie, Lundby, Maddox, Redfern and Rehberg.

Members Absent: none.

Committee Business: Discussed personnel matters and policies; assigned governor's appointees to standing committees and recommended passage of Senate Concurrent Resolution 9.

Adjourned: 1:15 p.m.

WAYS AND MEANS

Convened: March 20, 1997, 12:10 p.m.

Members Present: Douglas, Chair; McKibben, Vice Chair; Palmer, Ranking Member; Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, McLaren, Redfern, Szymoniak and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 388 and Senate File 195 as amended.

Adjourned: 12:31 p.m.

APPROP. SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: March 20, 1997, 7:10 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: none.

Committee Business: Subcommittee approved proposed appropriations bill and submitted it to the full Appropriations Committee.

Adjourned: 8:43 a.m.

PETITION

The following petition was presented and placed on file by Senator Connolly from sixty-eight residents of Dubuque County opposing legislation reinstating the death penalty.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Members of the government class from Greenfield High School, Greenfield. Senator Douglas.

STUDY BILLS RECEIVED

SSB 252 Appropriations

Relating to and making appropriations to the justice system and providing effective dates.

SSB 253 Ways & Means

Increasing the tuition and textbook tax credit to twenty percent of the first one thousand dollars of K through 12 tuition and textbook expenses and providing a retroactive applicability date.

SSB 254 Ways & Means

A Concurrent Resolution requesting the Legislative Council to establish a task force to study Iowa's system of state and local taxation and requiring reporting by certain dates.

SSB 255 Ways & Means

Relating to the refund of sales and use taxes paid on state department of transportation construction projects.

SSB 256 Agriculture

A Concurrent Resolution requesting that the United States government take all actions necessary in order to prevent further concentration and vertical integration in the livestock industry.

SUBCOMMITTEE ASSIGNMENTS

Senate File 364

WAYS AND MEANS: Borlaug, Chair; Connolly and Hedge

Senate File 475

WAYS AND MEANS: Borlaug, Chair; Deluhery and Hedge

Senate File 480

WAYS AND MEANS: Redfern, Chair; Connolly and Freeman

Senate File 482

WAYS AND MEANS: Redfern, Chair; Connolly and McLaren

Senate File 491

WAYS AND MEANS: Redfern, Chair; Maddox and Vilsack

Senate File 502

WAYS AND MEANS: Hedge, Chair; Judge and McLaren

Senate File 510

WAYS AND MEANS: McLaren, Chair; Douglas and Palmer

Senate File 513

WAYS AND MEANS: McLaren, Chair; Connolly and Douglas

Senate File 524

LOCAL GOVERNMENT: Redwine, Chair; Dearden and Zieman

House File 121

HUMAN RESOURCES: Redwine, Chair; Boettger and Vilsack

House File 218

WAYS AND MEANS: Freeman, Chair; Hedge and Vilsack

House File 306

WAYS AND MEANS: McKibben, Chair; Drake and Vilsack

House File 544

HUMAN RESOURCES: Dvorsky, Chair; J. Black and Tinsman

SSB 252

APPROPRIATIONS: Maddox, Chair; Dvorsky and McLaren

LSB 2746

RULES AND ADMINISTRATION: Jensen, Chair; Iverson and Kibbie

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 24, 1997, to investigate the appointment of the following governor's appointees:

AGRICULTURE

Member of the Agricultural Development Authority:

TIMOTHY J. GALM: Kibbie, Chair; Rensink and Behn

Members of the State Soil Conservation Committee:

RUSSELL L. BRANDES: Angelo, Chair; Judge and Bartz

KENNETH W. McNICHOLS: D. Black, Chair; Rehberg and Zieman

DIANE C. THOMPSON: J. Black, Chair; Fraise and Hedge

BUSINESS AND LABOR

Director of Workforce Development:

CYNTHIA P. EISENHAUER: Freeman, Chair; Zieman and Gettings

Industrial Commissioner:

IRIS J. POST: Jensen, Chair; Schuerer and Horn

COMMERCE

Members of the Credit Union Review Board:

JOHN J. BENTLER: Deluhery, Chair; Redfern and King

TOM N. SARVIS: Deluhery, Chair; Redfern and King

WILLIAM G. SIZER: Deluhery, Chair; Redfern and King

Superintendent of Banking:

MICHAEL K. GUTTAU: Schuerer, Chair; Jensen and Flynn

Superintendent of Credit Unions:

JAMES E. FORNEY: Deluhery, Chair; Redfern and King

Member of the Title Guaranty Division Board:

JAY D. STEWART: McCoy, Chair; Lundby and Maddox

EDUCATION

Members of the First in the Nation in Education Foundation Governing Board:

DAVID W. BELIN: Redfern, Chair; Connolly and Rehberg
MARY E. GESIRIECH: Szymoniak, Chair; Angelo and Boettger

Member of the Iowa Higher Education Loan Authority:

JOHN V. HARTUNG: Fink, Chair; Angelo and J. Black

Member of the School Budget Review Committee:

WAYNE F. DREXLER: Connolly, Chair; Rehberg and Tinsman

Members of the State Board of Regents:

LISA E. AHRENS: Rehberg, Chair; J. Black and Kibbie
DAVID J. FISHER: Redfern, Chair; Angelo and Szymoniak
DR. CLARKSON L. KELLY: Redfern, Chair; Kibbie and Rehberg

Members of the Board of Educational Examiners:

NICK BENZING: Boettger, Chair; Redwine and Fink
JUDITH J. BRUEGGEMAN: Rensink, Chair; J. Black and Kibbie
MARTHA J. CUMPTON: Szymoniak, Chair; Angelo and Boettger
VELMA R. HUEBNER: J. Black, Chair; Dvorsky and Tinsman
ANN R. SHAW: Angelo, Chair; J. Black and Neuhauser
DR. THOMAS A. SUNDERBRUCH: Tinsman, Chair; Dvorsky and Rehberg

HUMAN RESOURCES

Member of Athletic Trainer Advisory Board:

MARGARET SUSAN CIGELMAN: J. Black, Chair; Bartz and Szymoniak

Members of the Board of Behavioral Science Examiners:

DOROTHY A. ANDERSON: Rensink, Chair; Hammond and Schuerer
THORALD (TED) E. DAVIDSON: Rensink, Chair; Hammond and Schuerer
DR. MARTIN R. EDWARDS: Dvorsky, Chair; Tinsman and Schuerer

Members of the Board of Physician Assistant Examiners:

DIANE M. CARDWELL: Schuerer, Chair; Dvorsky and Rensink
WILLIAM L. CONNET: Redwine, Chair; Vilsack and Bartz
DR. JAMES M. CUNNINGHAM: Redwine, Chair; Vilsack and Bartz
RITA J. TAYLOR: Tinsman, Chair; Dearden and Behn

Member of the Commission for the Blind:

ROBERT J. MARTIN: Dearden, Chair; J. Black and Tinsman

Members of the Commission of Elder Affairs:

HAROLD B. DAVIS: Dvorsky, Chair; Tinsman and Schuerer
ALYCE M. ELMITT: Schuerer, Chair; Dvorsky and Rensink
CLEMMIE HIGHTOWER: Rensink, Chair; Hammond and Schuerer

Members of the Commission on Community Action Agencies:

LOIS R. KOTZ: Hammond, Chair; Behn and Redwine
LOREN M. WAKEFIELD: Dvorsky, Chair; Tinsman and Schuerer

Member of the Commission on the Deaf:

JACK F. PURSELL: Rensink, Chair; Hammond and Schuerer

Members of the Community Health Management Information System Governing Board:

DR. DALE J. ANDRINGA: Redwine, Chair; Vilsack and Bartz
MARCIA J. STARK: Hammond, Chair; Behn and Redwine
F. WALTER TOMENGA: Redwine Chair; Vilsack and Bartz

Members of the Council on Human Services:

MARGARET P. GUHIN: Behn, Chair; Dearden and Redwine
RUTH L. MOSER: Szymoniak, Chair; Behn and Rensink
ALBERT G. SORENSEN: Dearden, Chair; J. Black and Tinsman

Director of the Department of Human Services:

CHARLES PALMER: Boettger, Chair; Szymoniak and Redwine

Member of the Health Facilities Council:

LEE S. MILLER: Bartz, Chair; Vilsack and J. Black

Members of the Iowa Council on Human Investment:

BETTY JEAN (BJ) FERGERSON: J. Black, Chair; Bartz and Szymoniak
CHARLES E. ROHM: Behn, Chair; Dearden and Redwine
AUSTIN B. TURNER: Bartz, Chair; Vilsack and J. Black

Members of the Mental Health and Developmental Disabilities Commission:

MARY ANNE ANDERSON: Vilsack, Chair; Bartz and Boettger
ROBERT J. DeSMIDT: Tinsman, Chair; Dearden and Behn
GARY L. GANSEMER: Dvorsky, Chair; Tinsman and Schuerer
CLARK A. LANE: Dearden, Chair; J. Black and Tinsman
LANNIE L. MILLER: J. Black, Chair; Bartz and Szymoniak
ROBERT D. WALKER: Szymoniak, Chair; Behn and Rensink

Members of the Prevention of Disabilities Policy Council:

DR. ALFRED HEALY: Vilsack, Chair; Bartz and Boettger
 GEORGANNA T. HINRICHSEN: Vilsack, Chair; Bartz and Boettger
 MELVA J. URBAN: Tinsman, Chair; Dearden and Behn

Members of the State Citizen Foster Care Review Board:

JERRY R. FOXHOVEN: Behn, Chair; Dearden and Redwine
 LIL M. PERRY: Bartz, Chair; Vilsack and J. Black
 STANELY S. WIERSON: Szymoniak, Chair; Behn and Kensink
 KATHRYN M. YÓUBERG: Schuerer, Chair; Dvorsky and Rensink

NATURAL RESOURCES AND ENVIRONMENT

Chair of the Utilities Board:

ALLAN T. THOMS: Bartz, Chair; Judge and Angelo

Members of the Environmental Protection Commission:

WILLIAM A. EHM: Dvorsky, Chair; J. Black and Borlaug
 RANDAL J. GIANNETTO: Bartz, Chair; Fink and D. Black
 ROZANNE E. KING: Deluhery, Chair; McKibben and Hedge
 KATHRYN A. MURPHY: Borlaug, Chair; Hedge and Deluhery
 TERRANCE G. TOWNSEND: Dearden, Chair; D. Black and Zieman

Member of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board:

JACKLYN K. VAN EKEREN: Rehberg, Chair; Zieman and Fink

Members of the Natural Resource Commission:

RICHARD E. GARRELS: McKibben, Chair; Dearden and Freeman
 ANTHONY L. HOUGH: Zieman, Chair; Deluhery and Borlaug

Members of the Renewable Fuels and Coproducts Advisory Committee:

JoANN M. BRINCKS: Angelo, Chair; Dearden and J. Black
 DAVID L. HOLMES: Fink, Chair; Borlaug and Rehberg
 YVONNE M. WENTE: Zieman, Chair; D. Black and McKibben

Member of the Utilities Board:

EMMIT J. GEORGE, JR.: Freeman, Chair; D. Black and Zieman

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 24, 1997, when the vote was taken on the En Bloc Confirmation Calendar.

Had I been present, I would have voted "aye".

NEAL SCHUERER

BUSINESS PENDING

Senate File 519

The Senate resumed consideration of Senate File 519, previously deferred.

Senator Jensen asked and received unanimous consent that action on amendment S—3181 filed by him on March 19, 1997, to pages 1, 3 and 5 of the bill be deferred.

Senator Dvorsky offered amendment S—3203 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—3203 be adopted?" (S.F. 519) the vote was:

Ayes, 15:

Connolly	Dearden	Deluhery	Dvorsky
Fink	Gettings	Gronstal	Halvorson
Hammond	Horn	Judge	Neuhauser
Palmer	Szymoniak	Vilsack	

Nays, 34:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Douglas
Drake	Flynn	Fraise	Freeman
Hansen	Hedge	Iverson	Jensen
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Amendment S—3203 lost.

Senator Jensen offered amendment S—3215 filed by him from the floor to page 5 of the bill and moved its adoption.

Amendment S—3215 was adopted by a voice vote.

Senator Jensen offered amendment S—3214 filed by him from the floor to page 5 of the bill.

Senator Jensen asked and received unanimous consent that action on amendment S—3214 be deferred.

Senator Iverson asked and received unanimous consent that action on **Senate File 519** be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 492

On motion of Senator King, Senate File 492, a bill for an act relating to unemployment compensation benefits concerning proof of whether a person has voluntarily quit employment, was taken up for consideration.

Senator Dearden offered amendment S—3189 filed by him on March 20, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3189 lost by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hammond for the remainder of the day on request of Senator Palmer.

BUSINESS PENDING

Senate File 492

The Senate resumed consideration of Senate File 492.

Senator King moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 492) the vote was:

Ayes, 29:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake

Flynn	Freeman	Hedge	Iverson
Jensen	King	Kramer	Lundby
Maddox	McKean	McKibben	McLaren
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Tinsman
Zieman			

Nays, 19:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Fraise	Gettings
Gronstal	Halvorson	Hansen	Horn
Judge	Kibbie	McCoy	Neuhauser
Palmer	Szymoniak	Vilsack	

Absent or not voting, 1:

Hammond

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

(Deferred March 18, 1997)

Senate File 395

The Senate resumed consideration of Senate File 395, a bill for an act relating to the department of workforce development concerning the offsetting of unemployment compensation benefits, departmental liability for the release of unemployment compensation records, the voluntary shared work program, and workforce development services employees, and providing for an effective date, deferred March 18, 1997.

Senator Rife withdrew amendment S—3156 filed by him to page 1 and the title page of the bill, pending March 18, 1997.

Senator Dvorsky offered amendment S—3182 filed by Senators Dvorsky, Rife and Hansen on March 18, 1997, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3182 was adopted by a voice vote.

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?" (S.F. 395) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 1:

Hammond

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 476

On motion of Senator Redfern, Senate File 476, a bill for an act requiring a person convicted of the offense of attempted murder to serve one hundred percent of the sentence with limited credit for good behavior, was taken up for consideration.

Senator Connolly asked and received unanimous consent that action on **Senate File 476** be deferred for the preparation of a fiscal

note, and Senator Hansen requested that a judicial impact study also be made available.

BUSINESS PENDING

Senate File 519

The Senate resumed consideration of Senate File 519, a bill for an act relating to the authorized use and users of the Iowa communications network and providing an effective date, previously deferred.

Senator McLaren offered amendment S—3216 filed by him from the floor to page 4 of the bill and moved its adoption.

Amendment S—3216 was adopted by a voice vote.

Senator Connolly offered amendment S—3218 filed by Senators Connolly and Jensen on March 24, 1997, to page 5 of the bill and moved its adoption.

Amendment S—3218 was adopted by a voice vote.

The Senate stood at ease at 6:13 p.m. until the fall of the gavel.

The Senate resumed session at 6:19 p.m., President Kramer presiding.

Senator Jensen withdrew amendment S—3181 by him to pages 1, 3 and 5 of the bill, previously deferred.

Senator Jensen withdrew amendment S—3214 by him to page 5 of the bill, previously deferred.

Senator Gronstal asked and received unanimous consent that action on **Senate File 519** be deferred.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 285, 359, 395, 398, 420, 433, 459, 492 and 497** and

House Files 236, 309 and 320 be immediately messaged to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 24, 1997, passed the following bills in which the concurrence of the House was asked:

Senate File 190, a bill for an act relating to granting easements on certain property by the department of natural resources.

Senate File 251, a bill for an act relating to compensation to victims of international terrorism who are residents of Iowa and providing an effective date.

ALSO: That the House has on March 24, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 367, a bill for an act relating to the transfer of job training withholding payments to the workforce development fund account, making an appropriation, and providing effective and retroactive applicability date provisions.

This bill was read first time and **passed on file**.

House File 645, 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 and including an effective date provision.

This bill was read first time and **passed on file**.

House File 661, a bill for an act relating to the adjudication and sentencing of certain criminal offenders, by providing for notice and hearings on reconsiderations of sentence, permitting the presentation of oral victim impact statements at reconsideration of sentence hearings, and eliminating certain sexual offenders from eligibility for suspended or deferred sentences or deferred judgments.

This bill was read first time and **passed on file**.

House File 687, a bill for an act relating to statutory references to the Iowa beef industry council and increasing an excise tax on beef cattle upon a referendum.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 24, 1997, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 388, a bill for an act reducing the state individual income tax rates by fifteen percent and including an effective date provision.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

S. C. R.	8	Ways and Means
H.F.	367	Small Business & Econ. Dev.
H.F.	554	Appropriations
H.F.	661	Judiciary
H.F.	687	Agriculture

AMENDMENTS FILED

S-3201	S. F.	284	Merlin E. Bartz
S-3202	S. F.	291	John P. Kibbie
S-3203	S. F.	519	Robert Dvorsky
S-3204	S. F.	109	Steve King
S-3205	S. F.	467	Jerry Behn
S-3206	H.F.	236	Dick L. Dearden
S-3207	H.F.	236	Dick L. Dearden
S-3208	H.F.	236	Dick L. Dearden
S-3209	S. F.	225	Sheldon Rittmer
S-3210	S. F.	503	Larry McKibben Tom Vilsack
S-3211	H.F.	236	Dick L. Dearden
S-3212	S. F.	421	Johnie Hammond
S-3213	H.F.	335	Michael E. Gronstal
S-3214	S. F.	519	John Jensen
S-3215	S. F.	519	John Jensen
S-3216	S. F.	519	Derryl McLaren
S-3217	S. F.	464	Steven D. Hansen
S-3218	S. F.	519	Mike Connolly John W. Jensen

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:32 p.m., until 9:00 a.m., Tuesday, March 25, 1997.

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 25, 1997

The Senate met in regular session at 9:16 a.m., President Kramer presiding.

Prayer was offered by the Reverend Ray Stauffer, pastor of the United Methodist Church, Ruthven, Iowa.

The Journal of Monday, March 24, 1997, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Horn until he arrives on request of Senator Palmer.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 24, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 642, a bill for an act relating to limited partnerships and the rights and duties of limited partners, partnership agreements, duties of the secretary of state with respect to limited partnerships, and other related matters affecting foreign and domestic limited partnerships, and establishing fees and penalties.

This bill was read first time and **passed on file**.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:29 a.m., until 3:30 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 24, 1997, to investigate the appointment of the following governor's appointees:

JUDICIARY

Administrator of the Division of Criminal and Juvenile Justice Planning:

RICHARD G. MOORE: Redfern, Chair; Neuhauser and Maddox

Members of the Board of Corrections:

MILDRED E. ELLIOTT: Halvorson, Chair; Boettger and Maddox

SUELLEN OVERTON: Fraise, Chair; Redfern and Boettger

Members of the Board of Parole:

CHARLES D. HURLEY: McKean, Chair; Redfern and Halvorson

CURTIS S. JENKINS: Maddox, Chair; Redfern and Vilsack

Members of the Commission on Judicial Qualifications:

ELIZABETH A. MATHIS: Redfern, Chair; Vilsack and Boettger

ARTHUR P. SILVA: Hansen, Chair; Maddox and Redfern

Members of the Criminal and Juvenile Justice Planning Advisory Council:

RICHARD R. PHILLIPS: Drake, Chair; Hammond and Redfern

DAVID M. ROEDERER: Boettger, Chair; Neuhauser and McKean

MARVIN L. VAN HAAFTEN: Vilsack, Chair; King and Angelo

Director of the Department of Corrections:

SALLY CHANDLER HALFORD: Maddox, Chair; Hammond and McKean

Members of the Drug Abuse Prevention and Education Advisory Council:

DOUGLAS W. BOOK: Halvorson, Chair; Redfern and McKibben

RACHELLE L.K. JOHNSON: Neuhauser, Chair; Angelo and King

Drug Enforcement and Abuse Prevention Coordinator:

CHARLES W. LARSON: McKibben, Chair; Halvorson and Boettger

Members of the Iowa State Civil Rights Commission:

BLANCA G. FLORES: Drake, Chair; Hammond and Angelo
 MOHAMAD W. KHAN: Vilsack, Chair; Tinsman and Angelo
 FLORA M. LEE: Hansen, Chair; Tinsman and McKibben
 JACK L. MORLAN: Maddox, Chair; Drake and Hammond
 ROBERT L. SMITH, JR.: Redfern, Chair; Neuhauser and King

Members of the Narcotics Enforcement Advisory Council:

JOSEPH W. HANRAHAN: Neuhauser, Chair; King and Maddox
 DEANNE K. RALEY: Hansen, Chair; Maddox and Angelo
 TERRY A. SWEENEY: Hammond, Chair; Drake and King

Members of the State Judiciary Nominating Commission:

DARLENE E. BLAKE: McKibben, Chair; Hansen and Maddox
 DONALD L. DECKER: Halvorson, Chair; Tinsman and McKibben

State Public Defender:

WILLIAM L. WEGMAN: McKean, Chair; McKibben and Hammond

LOCAL GOVERNMENT

Members of the City Development Board:

SUSAN M. COSNER: Angelo, Chair; Fraise and Redwine
 HARLEY R. HIEMSTRA: Angelo, Chair; Fraise and Redwine

Members of the County Finance Committee:

JUDY R. EMMONS: Behn, Chair; Dearden and J. Black
 SHARON K. McCRABB: Behn, Chair; Dearden and J. Black

SMALL BUSINESS, ECON. DEVELOP. AND TOURISM

Members of the Iowa Economic Development Board:

JULIE J. BULKELEY: Boettger, Chair; McCoy and King
 FREDERICK W. HAGEMANN: Schuerer, Chair; Palmer and King
 HARRIS D. HONSEY: Hansen, Chair; Redwine and Schuerer
 WILLIAM B. TRENT, JR.: King, Chair; Palmer and Schuerer

Members of the Iowa Seed Capital Corporation:

HUGH M. FIELD: Palmer, Chair; Redwine and Schuerer
 CAROL A. GARRETT: Hammond, Chair; Douglas and Boettger
 DORIS A. HANSEN: Hansen, Chair; Redwine and Schuerer

Members of the Small Business Advisory Council:

MICHAEL A. FESLER: McCoy, Chair; Lundby and Redwine
MAX A. PHILLIPS: Flynn, Chair; King and Boettger
PEGGY J. TREVINO: Hammond, Chair; Douglas and Boettger

STATE GOVERNMENT

Members of the Accountancy Examining Board:

MARY J. ACKERMAN: King, Chair; Gronstal and Lundby
RONALD E. NIELSEN: Deluhery, Chair; King and McKibben
DAVID A. VAUDT: Kibbie, Chair; Drake and Rife

Administrator of the Division of Latino Affairs:

SYLVIA TIJERINA: Fink, Chair; Szymoniak and Tinsman

Member of the Alcoholic Beverages Commission:

DARYL K. HENZE: Rife, Chair; Kibbie and McLaren

Members of the Architectural Examining Board:

GLEN D. HUNTINGTON: Gronstal, Chair; King and Drake
KEVIN W. MONSON: Fink, Chair; Tinsman and Rife

Member of the Board for the Licensing and Regulation of Hearing Aid Dealers:

CORAL M. JUD: Szymoniak, Chair; Drake and Lundby

Members of the Board of Barber Examiners:

PEGGY C. DUNSHEE: King, Chair; Gronstal and Drake
DENNIS RUFFCORN: Halvorson, Chair; Lundby and Tinsman

Members of the Board of Chiropractic Examiners:

DR. ELIZABETH C. KRESSIN: Rife, Chair; Szymoniak and King
NORMA J. PAPIK: Tinsman, Chair; Deluhery and Rife
DR. VALORIE J. PRAHL: Szymoniak, Chair; Rife and Drake

Members of the Board of Cosmetology Arts and Sciences Examiners:

MICHAEL F. KRONFELDT: Drake, Chair; Deluhery and Lundby
CURTIS W. STAMP: Deluhery, Chair; King and McKibben

Members of the Board of Dental Examiners:

ELIZABETH A. COLBY-PLAUTZ: Halvorson, Chair; McKibben and Lundby
NANCY S. LE PEAU: Kibbie, Chair; King and Tinsman
DR. LeROY I. STROHMAN: Halvorson, Chair; Lundby and McKibben

Members of the Board of Dietetic Examiners:

MARY K. CARLSON: Szymoniak, Chair; King and Lundby
ROGER B. LINN: Rife, Chair; Halvorson and Lundby
ELVIN R. SOLL: Halvorson, Chair; Rife and Drake

Members of the Board of Medical Examiners:

DR. JAMES D. COLLINS, JR.: Drake, Chair; Kibbie and King
DR. DONNA M. NORMAN: Szymoniak, Chair; Rife and Lundby
LAURA J. STENSRUD: Rife, Chair; Halvorson and King

Members of the Board of Mortuary Science Examiners:

DANIEL K. DANIELSON: Halvorson, Chair; Lundby and Rife
DIANE E. PALMER: Deluhery, Chair; Tinsman and Drake

Member of the Board of Nursing Examiners:

NANCY E. KNUTSTROM: Szymoniak, Chair; McKibben and Drake

Members of the Board of Optometry Examiners:

KATHERINE J. GILLETTE: Kibbie, Chair; Tinsman and Rife
DR. RICHARD F. NOYES: Halvorson, Chair; Lundby and McKibben
DR. BARBARA A. SCHEETZ: Szymoniak, Chair; Tinsman and King

Members of the Board of Pharmacy Examiners:

KATHERINE A. LINDER: King, Chair; Szymoniak and Tinsman
ARLAN D. VAN NORMAN: Deluhery, Chair; Drake and McKibben

Members of the Board of Physical and Occupational Therapy Examiners:

JAMES E. HUGHES: Gronstal, Chair; King and Rife
ALICE B. PRICE: Kibbie, Chair; Lundby and Rife

Members of the Board of Podiatry Examiners:

LILLIAN J. MADISON: Halvorson, Chair; Drake and Rife
DR. RICKEY P. SALOCKER: Fink, Chair; King and Lundby

Members of the Board of Psychology Examiners:

DR. JANET S. McDONOUGH: Rife, Chair; Fink and Lundby
DR. SCOTT W. SHAFER: Szymoniak, Chair; Tinsman and Rife

Member of the Board of Social Work Examiners:

ERLENE VEVERKA: Rife, Chair; Fink and King

Members of the Board of Speech Pathology and Audiology Examiners:

JULIA A. BEBENSEE: Szymoniak, Chair; King and Lundby
GARY N. BOEKE: McKibben, Chair; Halvorson and Drake
DR. CLIFFORD S. VOGEN: Rife, Chair; Halvorson and Drake

Member of the Commission of Veterans Affairs:

BARRY D. REMINGTON: Kibbie, Chair; Drake and Rife

Director of the Department of Inspections and Appeals:

KIM D. SCHMETT: Tinsman, Chair; Halvorson and King

Members of the Engineering and Land Surveying Examining Board:

SUSAN M. LONG: Kibbie, Chair; King and Szymoniak
TERRY L. MARTIN: Deluhery, Chair; Tinsman and King

Member of the Investment Board of the IPERS:

DONALD E. SNYDER: Drake, Chair; Kibbie and McKibben

Members of the Iowa Board of Veterinary Medicine:

DR. BRUCE W. VAN ZEE: McLaren, Chair; Fink and Rife
THERESA A. WALLACE: Rife, Chair; Kibbie and King

Member of the Iowa Emergency Response Commission:

JULIE-ANITA INGOLI: Fink, Chair; Rife and Drake

Members of the Iowa Ethics and Campaign Disclosure Board:

JAMES A. ALBERT: Rife, Chair; Fink and Drake
GWENDOLYN M. BOEKE: King, Chair; Kibbie and Tinsman
K. MARIE THAYER: McKibben, Chair; Drake and Kibbie

Members of the Landscape Architectural Examining Board:

CATHERINE S. BROWN: Gronstal, Chair; Lundby and Rife
MONTY D. MITCHELL: Halvorson, Chair; Rife and Tinsman

Members of the Real Estate Appraiser Examining Board:

GARY J. JOHNSON: Kibbie, Chair; Drake and Rife
NANCY M. LARSON: Deluhery, Chair; Rife and McKibben
THERESA H. LEWIS: Szymoniak, Chair; Rife and Kibbie

Members of the Real Estate Commission:

RUSSELL D. NADING: Gronstal, Chair; Rife and McLaren
EVELYN M. RANK: Fink, Chair; Lundby and Rife

Members of the State Board for Respiratory Care:

DR. GREGORY A. HICKLIN: Deluhery, Chair; King and Lundby
 AMY M. LOVE: Rife, Chair; Gronstal and King
 WILLIAM J. MOTZ: Rife, Chair; Halvorson and Drake
 WILLIAM J. NIEDERT: Halvorson, Chair; Rife and Lundby
 DOROTHY D. WARREN: Szymoniak, Chair; Drake and Rife

Members of the State Board of Examiners for Nursing Home Administrators:

TERRY R. COOPER: Fink, Chair; Tinsman and McLaren
 HORACE C. DAGGETT: McLaren, Chair; King and Fink
 GARY A. KIRCHHOF: Fink, Chair; Tinsman and Rife
 DRUCILLA M. STRAUB: King, Chair; Kibbie and McLaren
 WILLIAM R. THAYER: Halvorson, Chair; McKibben and Rife

Members of the State Racing and Gaming Commission:

BRADLEY R. PEYTON: Drake, Chair; Tinsman and Fink
 HAROLD W. WHITE: McKibben, Chair; Kibbie and Rife

TRANSPORTATION

Director of Transportation:

DARREL RENSINK: Drake, Chair; Borlaug and Gettings

Members of the Iowa Law Enforcement Academy Council:

JACQUELINE DAY: Drake, Chair; Borlaug and Gettings
 THOMAS C. LILLQUIST: McKean, Chair; Fraise and McKibben

Members of the State Transportation Commission:

SISTER M. CATHERINE DUNN: Connolly, Chair; Drake and Jensen
 RONALD N. LANGSTON: Freeman, Chair; McCoy and Rittmer

WAYS AND MEANS

Members of the Iowa Finance Authority:

KAY A. HAGEN ANDERSON: Borlaug, Chair; Freeman and Judge
 MARGARET D. COLLISON: Freeman, Chair; Maddox and Deluhery
 DARLENE M. JERIS: Borlaug, Chair; Freeman and Connolly

Member of the State Board of Tax Review:

CHRISTOPHER A. BJORNSTAD: Maddox, Chair; Redfern and Judge

REPORT OF COMMITTEE MEETING

APPROP. SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: March 24, 1997, 11:05 a.m.

Members Present: Kramer, Vice Chair and Neuhauser, Ranking Member.

Members Absent: Rife, Chair; Deluhery and McLaren (all excused).

Committee Business: Presentations from University of Iowa, Iowa State University and University of Northern Iowa regarding year 2000.

Adjourned: 12:01 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 395, the following correction was made:

1. Page 3, line 3; the word and number "Section 4" were changed to the word and number "Section 6".

MARY PAT GUNDERSON
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

High School students from Grinnell-Newburg Schools, Grinnell, accompanied by Liz Hansen. Senator Black of Jasper.

The following visitors were present in the Senate gallery:

Twelfth grade students from Lake Mills High School, Lake Mills, accompanied by Jim Beamer. Senator Black of Kossuth.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on March 25, 1997:

HUMAN RESOURCES

Dorothy A. Anderson and Thorald (Ted) E. Davidson – Board of Behavioral Science Examiners.

William L. Connet and Dr. James M. Cunningham – Board of Physician Assistant Examiners.

Clemmie Hightower – Commission of Elder Affairs.

Jack F. Purcell – Commission on the Deaf.

Dr. Dale J. Andringa and F. Walter Tomenga – Community Health Management Information System Governing Board.

Margaret P. Guhin and Ruth L. Mosher – Council on Human Services.

Charles E. Rohm – Iowa Council on Human Investment.

Robert D. Walke – Mental Health and Developmental Disabilities Commission.

Jerry R. Foxhoven and Stanley S. Wierson – State Citizen Foster Care Review Board.

ANNOUNCEMENT OF APPOINTMENTS

The majority leader announced that with the resignation of Senator Lind, the following individuals will be acting committee positions:

STATE GOVERNMENT: Senator Rittmer, Acting Chair and Senator Lundby, Acting Vice Chair.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION: Senator McKibben, Acting Chair and Senator Rehberg, Acting Vice Chair.

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 313, a bill for an act requiring criminal and child abuse record checks of persons receiving state funding for providing child day care, and making a penalty applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 545, a bill for an act relating to the criteria for placement of delinquent children, for whom guardianship has been transferred to the director of human services, in certain facilities.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Boettger, Redwine,; Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 244, a bill for an act relating to the county debt service fund.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Zieman, Behn, Fraise, Angelo, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, Redwine and Rehberg. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 372, a bill for an act establishing a county issuance of motor vehicle licenses study and providing effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Drake, Borlaug, McCoy, Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, McKean, McKibben and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 416, a bill for an act relating to regulation of trucks and certain other large motor vehicles, including maximum vehicle weights, defining terms, providing effective dates, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Drake, Borlaug, McCoy, Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, McKean, McKibben and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NOTICE OF HEARING

Sally Chandler Halford appointed by the governor as Director of the Department of Corrections will appear before the Judiciary Committee on March 27, 1997, at 8:30 a.m., room 22, State Capitol Building.

O. GENE MADDOX, Chair
Senate Investigating Committee

STUDY BILL RECEIVED**SSB 257 Ways and Means**

Providing a means for school districts to receive a portion the local sales and services tax imposed in the area of the district's boundaries which must be used for infrastructure projects.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 8**

WAYS AND MEANS: McKibben, Chair; Freeman and Szymoniak

Senate File 195

WAYS AND MEANS: Douglas, Chair; Deluhery and Drake

Senate File 431

WAYS AND MEANS: McLaren, Chair; Drake and Judge

Senate File 469

WAYS AND MEANS: Drake, Chair; McKibben and Palmer

House File 367

SMALL BUSINESS, ECON. DEVELOP & TOURISM: King, Chair; Boettger and Hammond

House File 372

TRANSPORTATION: Rittmer, Chair; Drake and Gettings

House File 401

BUSINESS AND LABOR: Behn, Chair; Dearden and Freeman

House File 514

COMMERCE: Douglas, Chair; McCoy and Redfern

House File 557

COMMERCE: Gronstal, Chair; Deluhery, Jensen, Redfern and Schuerer

House File 625

EDUCATION: Redfern, Chair; Connolly and Rehberg

House File 646

TRANSPORTATION: Fraise, Chair; McKean and McKibben

House File 661

JUDICIARY: McKibben, Chair; Neuhauser and Tinsman

House File 687

AGRICULTURE: Rehberg, Chair; Judge and Rife

SSB 253

WAYS AND MEANS: Palmer, Chair; Borlaug and Hedge

SSB 254

WAYS AND MEANS: Douglas, Chair; Drake and Palmer

SSB 255

WAYS AND MEANS: Drake, Chair; Connolly and Douglas

SSB 256

AGRICULTURE: Kibbie, Chair; Bartz and Hedge

SSB 257

WAYS AND MEANS: McKibben, Chair; Connolly and Douglas

AFTERNOON SESSION

The Senate reconvened at 3:50 p.m., President Kramer presiding.

QUORUM CALL

Senator Black of Jasper requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 11 absent and a quorum present.

UNFINISHED BUSINESS
(Deferred March 24, 1997)**Senate File 519**

The Senate resumed consideration of Senate File 519, a bill for an act relating to the authorized use and users of the Iowa communications network and providing an effective date, deferred March 24, 1997.

Senator Dvorsky asked and received unanimous consent to withdraw amendment S—3220 filed by Senators Dvorsky and Jensen from the floor to page 3 of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rittmer until he returns on request of Senator Bartz.

BUSINESS PENDING

Senate File 519

The Senate resumed consideration of Senate File 519.

Senator Rife moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 519) the vote was:

Ayes, 35:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Douglas
Drake	Flynn	Fraise	Freeman
Hansen	Hedge	Iverson	Jensen
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Schuerer
Tinsman	Vilsack	Zieman	

Nays, 13:

Connolly	Dearden	Deluhery	Dvorsky
Fink	Gettings	Gronstal	Halvorson
Hammond	Horn	Judge	Neuhauser
Szymoniak			

Absent or not voting, 1:

Rittmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen until he returns on request of Senator Iverson.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 457

On motion of Senator Redwine, Senate File 457, a bill for an act relating to the Iowa pharmacy practice Act by permitting qualified individuals to transport emergency medications; permitting more than one emergency drug box in a licensed health care facility; providing for electronic signatures on prescriptions; establishing programs to aid impaired pharmacists, pharmacist interns, and pharmacy technicians; providing for board investigative subpoena power; and establishing a penalty, was taken up for consideration.

Senator Redwine offered amendment S—3225 filed by him from the floor to page 6 and the title page of the bill and moved its adoption.

Amendment S—3225 was adopted by a voice vote.

Senator Redwine moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 457) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Judge	Kibbie	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Jensen Rittmer

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 429

On motion of Senator Freeman, Senate File 429, a bill for an act relating to the operation, regulation, and equipment of watercraft, and subjecting violators to a penalty, was taken up for consideration.

Senator Flynn offered amendment S—3124 filed by him on March 13, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3124 was adopted by a voice vote.

Senator Fink asked and received unanimous consent that action on **Senate File 429** be deferred.

Senate File 449

On motion of Senator Tinsman, Senate File 449, a bill for an act relating to state programs dealing with citizen and consumer protection and advocacy, was taken up for consideration.

Senator Szymoniak offered amendment S—3166 filed by Senators Szymoniak, Lind and Tinsman on March 18, 1997, to page 2 of the bill and moved its adoption.

Amendment S—3166 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bartz until he returns on request of Senator Rittmer.

BUSINESS PENDING

Senate File 449

The Senate resumed consideration of Senate File 449.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 449) the vote was:

Ayes, 47:

Angelo	Behn	Black, D.	Black, J.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson

Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Bartz Jensen

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred February 27, 1997)

Senate File 188

The Senate resumed consideration of Senate File 188, a bill for an act relating to the allocation of gambling receipts for horse race purses, deferred February 27, 1997.

Senator Gronstal asked and received unanimous consent that action on **Senate File 188** be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gronstal until he returns upon his request.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 449, 457 and 519** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 281

On motion of Senator Redfern, Senate File 281, a bill for an act relating to judicial administration, was taken up for consideration.

Senator Redfern offered amendment S—3221 filed by him on March 25, 1997, to page 1 and 2 of the bill and moved its adoption.

Amendment S—3221 was adopted by a voice vote.

Senator Redfern offered amendment S—3114 filed by Senators Redfern and Neuhauser on March 5, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3114 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. 281) the vote was:

Ayes, 46:

Angelo	Behn	Black, D.	Black, J.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 3:

Bartz	Gronstal	Jensen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 435

On motion of Senator Boettger, Senate File 435, a bill for an act relating to the consideration by the court of a pattern of domestic

abuse and of the identity of the primary physical aggressor in the determination of a history of domestic abuse pertaining to the awarding of child custody, 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. 435) the vote was:

Ayes, 46:

Angelo	Behn	Black, D.	Black, J.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 3:

Bartz	Gronstal	Jensen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR (Deferred March 17, 1997)

Senate File 296

The Senate resumed consideration of Senate File 296, a bill for an act relating to nonoccupational health care plan payments when an employer disputes workers' compensation liability, deferred on March 17, 1997.

Senator Neuhauser asked and received unanimous consent to withdraw amendment S—3167 filed by Senators Neuhauser and Kramer on March 18, 1997, to strike everything after the enacting clause and to the title page of the bill.

Senator Redfern offered amendment S—3222 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3222 was adopted by a voice vote.

With the adoption of amendment S—3222, the Chair announced that amendment S—3151 filed by Senator Dearden on March 18, 1997, to page 1 of the bill was out of order.

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. 296) the vote was:

Ayes, 46:

Angelo	Behn	Black, D.	Black, J.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 3:

Bartz	Gronstal	Jensen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate Files 281, 296 and 435 be immediately messaged to the House.

BUSINESS PENDING

Senate File 429

The Senate resumed consideration of Senate File 429, a bill for an act relating to the operation, regulation, and equipment of watercraft, and subjecting violators to a penalty, previously deferred.

Senator Fink offered amendment S—3232 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3232 was adopted by a voice vote.

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?" (S.F. 429) the vote was:

Ayes, 46:

Angelo	Behn	Black, D.	Black, J.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 3:

Bartz	Gronstal	Jensen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 442

On motion of Senator Halvorson, Senate File 442, a bill for an act relating to the designation of certain correctional facilities, was taken up for consideration.

Senator Maddox asked and received unanimous consent that action on **Senate File 442** be **deferred**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 429** be **immediately messaged** to the House.

Senate File 341

On motion of Senator Kibbie, Senate File 341, a bill for an act prohibiting certain contracts for the delayed delivery and pricing of grain by agricultural producers and grain dealers, was taken up for consideration.

Senator Kibbie offered amendment S—3184 filed by him on March 20, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3184 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. 341) the vote was:

Ayes, 43:

Angelo	Behn	Black, D.	Black, J.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky

Fink	Flynn	Fraise	Freeman
Gettings	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Judge
Kibbie	King	Kramer	Lundby
McCoy	McKean	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	

Nays, 1:

Zieman

Absent or not voting, 5:

Bartz	Gronstal	Jensen	Maddox
McKibben			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 357

On motion of Senator Rife, Senate File 357, a bill for an act relating to the regulation of amusement devices and casino-type gambling and subjecting violators to an existing penalty, was taken up for consideration.

Senator Rife moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time:

On the question "Shall the bill pass?" (S.F. 357) the vote was:

Ayes, 46:

Angelo	Behn	Black, D.	Black, J.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern

Redwine

Rehberg

Rensink

Rife

Rittmer

Schuerer

Szymoniak

Tinsman

Vilsack

Zieman

Nays, none.

Absent or not voting, 3:

Bartz

Gronstal

Jensen

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 341 and 357** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 25, 1997, passed the following bills in which the concurrence of the House was asked:

Senate File 233, a bill for an act concerning eligible alternative retirement benefit systems for newly employed community college employees, and providing an applicability date.

Senate File 272, a bill for an act relating to the implementation of certain assistance programs of the department of economic development.

Senate File 299, a bill for an act relating to cooperative associations and corporations by providing for operations and procedures, including providing for mergers, and providing an effective date.

ALSO: That the House has on March 25, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 336, a bill for an act providing for the assessment of lands owned by the department of natural resources within levee and drainage districts.

This bill was read first time and **passed on file.**

House File 410, a bill for an act relating to programs administered by the college student aid commission and establishing an osteopathic physician recruitment program.

This bill was read first time and **passed on file.**

House File 449, a bill for an act to prohibit sex acts when one participant was prevented from consenting by a controlled substance including flunitrazepam, and providing penalties.

This bill was read first time and **passed on file.**

House File 506, a bill for an act relating to community college operations including the duties of the board of directors of each community college.

This bill was read first time and **passed on file.**

House File 507, a bill for an act relating to the issuance or renewal of liquor control licenses and wine and beer permits by local authorities.

This bill was read first time and **passed on file.**

House File 542, a bill for an act to prohibit acts by inmates of jails or correctional institutions which result in contact with bodily fluids or secretions or the casting or expelling of bodily fluids or secretions on jail and correctional employees, and providing penalties.

This bill was read first time and **passed on file.**

House File 550, a bill for an act relating to 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 578, a bill for an act providing for the continued operation of the department of human rights and including an effective date.

This bill was read first time and **passed on file**.

House File 600, a bill for an act relating to notification of school officials of citations of juveniles for certain criminal offenses.

This bill was read first time and **passed on file**.

House File 635, a bill for an act to consider the use of less lethal munitions by peace officers not a use of deadly force.

This bill was read first time and **passed on file**.

House File 636, 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 666, a bill for an act to increase the penalties for the manufacture, delivery, or possession with intent to manufacture or deliver amphetamine or any substance containing amphetamine.

This bill was read first time and **passed on file**.

House File 694, a bill for an act extending the provisions relating to the eradication of brucellosis to apply to animals other than bovine animals, making penalties applicable, and providing an effective date.

This bill was read first time and **passed on file**.

APPENDIX

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on March 25, 1997:

LOCAL GOVERNMENT

Susan M. Cosner and Harley R. Hiemstra – City Development Board.

Judy R. Emmons and Sharon K. McCrabb – County Finance Committee.

NATURAL RESOURCES

William A. Ehm, Randal J. Giannetto, Rozanne E. King, Kathryn A. Murphy and Terrance G. Townsend – Environmental Protection Commission.

Jacklyn K. Van Ekeren – Iowa Comprehensive Petroleum Underground Storage Tank Fund.

Richard E. Garrels and Anthony L. Hough – Natural Resource Commission.

JoAnn M. Brincks, David L. Holmes and Yvonne M. Wente – Renewable Fuels and Coproducts Advisory Committee.

Allan T. Thoms, Chair and Emmit J. George, Jr., member – Utilities Board.

STATE GOVERNMENT

Mary J. Ackerman, Ronald E. Nielsen and David A. Vaudt – Accountancy Examining Board.

Daryl K. Henze, Alcoholic Beverages Commission.

Peggy C. Dunshee – Board of Barber Examiners.

Michael F. Kronfeldt and Curtis W. Stamp – Board of Cosmetology Arts and Sciences Examiners.

Dr. Elizabeth C. Kressin, Norma J. Papik and Dr. Valorie J. Prah – Board of Chiropractic Examiners.

Nancy S. Le Peau and Dr. LeRoy I. Strohmman – Board of Dental Examiners.

Dr. James D. Collins, Jr., Dr. Donna M. Norman and Laura J. Stensrud – Board of Medical Examiners.

Nancy E. Knutstrom – Board of Nursing Examiners.

Katherine J. Gillette and Dr. Barbara A. Scheetz – Board of Optometry Examiners.

Horace C. Daggett, Drucilla M. Straub and William R. Thayer – State Board of Examiners for Nursing Home Administrators.

WAYS AND MEANS

Margaret D. Collison – Iowa Finance Authority.

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees assigned to a standing committee for investigation were placed on the Individual Confirmation Calendar with recommendation for confirmation on March 25, 1997:

STATE GOVERNMENT

Daniel K. Danielson and Diane E. Palmer – Board of Mortuary Science Examiners.

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 232, a bill for an act providing for court-ordered treatment of a criminal defendant judged mentally incapable of standing trial.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Maddox, Angelo, Boettger, Halvorson, Hammond, King, McKibben and Tinsman. Nays, 5: Neuhauser, Drake, Fraise, Hansen and Vilsack. Pass, 1: McKean. Absent, 1: Redfern.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 265, a bill for an act relating to the affirmation and reenactment of certain provisions affecting the criminal and juvenile laws, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 307, a bill for an act relating to the definition of an owner of a mercantile establishment for purposes of recovery of merchandise or damages.

Recommendation: DO PASS.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 308, a bill for an act relating to notification requirements for communications between a debt collector and a debtor.

Recommendation: DO PASS.

Final Vote: Ayes, 8: McKean, Maddox, Angelo, Boettger, Drake, King, McKibben and Redfern. Nays, 7: Neuhauser, Fraise, Halvorson, Hammond, Hansen, Tinsman and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 384, a bill for an act to include certain products containing ephedrine as schedule V controlled substances.

Recommendation: DO PASS.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS, ECON. DEVELOP. AND TOURISM

Final Bill Action: HOUSE FILE 368, a bill for an act relating to the establishment of the entrepreneurial ventures assistance program and allocating funds from the Iowa strategic investment fund for the administration and operation of the program.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Rittmer, Lundby, Hansen, Boettger, Douglas, Flynn, Hammond, King, McCoy, Palmer, Redwine and Schuerer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 335, a bill for an act relating to public health issues under the purview of the Iowa department of public health, including vital statistics, the board of nursing examiners, the board of dental examiners, lead poisoning, the immunization registry, the child death review team, plumbing provisions and fees, and providing a penalty and a contingent effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3229.

Final Vote: Ayes, 14: Rittmer, Lundby, Kibbie, Deluhery, Drake, Fink, Gronstal, Halvorson, King, McKibben, McLaren, Rife, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 187, a bill for an act relating to the issuance of licenses and the imposition of fees for the fishing, trapping, hunting, pursuing, catching, killing, or taking of wild animals, birds, game, or fish, providing for other properly related matters, and subjecting violators to existing penalties, and providing effective and applicability dates.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Douglas, McKibben, Palmer, Borlaug, Freeman, Hedge, Judge, Maddox, Redfern and Szymoniak. Nays, none. Absent or not voting, 5: Connolly, Deluhery, Drake, McLaren and Vilsack.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 246, a bill for an act relating to snowmobiles and all-terrain vehicles by requiring title certificates, increasing snowmobile and all-terrain vehicle registration fees, and providing for point of sale registration.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Douglas, McKibben, Palmer, Borlaug, Freeman, Hedge, Judge, Maddox, Redfern and Szymoniak. Nays, none. Absent or not voting, 5: Connolly, Deluhery, Drake, McLaren and Vilsack.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 495, a bill for an act relating to certain machinery, equipment, and computers for purposes of property taxation and providing an applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Douglas, McKibben, Palmer, Borlaug, Connolly, Drake, Freeman, Hedge, Judge, Maddox, Redfern and Szymoniak. Nays, none. Absent or not voting, 3: Deluhery, McLaren and Vilsack.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3219	S. F.	241	Merlin E. Bartz
S-3220	S. F.	519	Robert Dvorsky John Jensen
S-3221	S. F.	281	Donald B. Redfern
S-3222	S. F.	296	Donald B. Redfern
S-3223	S. F.	241	Merlin E. Bartz
S-3224	S. F.	516	Maggie Tinsman
S-3225	S. F.	457	John Redwine
S-3226	S. F.	503	Allen Borlaug Jeff Angelo Patrick J. Deluhery Tom Flynn
S-3227	S. F.	503	Matt McCoy
S-3228	S. F.	225	Robert Dvorsky Sheldon Rittmer
S-3229	H. F.	335	State Government
S-3230	S. F.	367	Merlin E. Bartz
S-3231	H. F.	331	Mary Neuhauser
S-3232	S. F.	429	Bill Fink
S-3233	S. F.	451	Lyle E. Ziemann

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

H. F.	336	Agriculture
H. F.	410	Education

H.F.	506	Education
H.F.	507	Local Government
H.F.	578	Human Resources
H.F.	635	Judiciary
H.F.	642	Ways and Means
H.F.	645	Local Government
H.F.	655	Appropriations
H.F.	666	Judiciary

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:40 p.m., until 9:00 a.m., Wednesday, March 26, 1997.

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 26, 1997

The Senate met in regular session at 9:13 a.m., President Kramer presiding.

Prayer was offered by Reverend Steve Williams, pastor of the United Methodist Church, Gladbrook, Iowa, and Harriet VandeHoef, House Secretary from Harris, Iowa, who sang "The Lords Prayer".

The Journal of Tuesday, March 25, 1997, was approved.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 503

On motion of Senator McKibben, Senate File 503, a bill for an act relating to criminal justice, by providing for enhanced punishment for manufacturing methamphetamine in the presence of minors, providing restrictions on public nudity and actual or simulated public performance of sex acts in certain establishments, providing for abatement of nuisance created by certain establishments which allow or permit public nudity or actual or simulated public performances of sex acts in their establishment, making changes relating to permits and rights to carry and acquire weapons, providing for hormonal intervention therapy for persons convicted of certain sex offenses, authorizing probation supervision and revocation by administrative parole and probation judges in the sixth judicial district, providing restitution for death of a victim of a crime, and providing penalties and an effective date, was taken up for consideration.

Senator Hansen rose on a point of parliamentary inquiry and stated that he did not believe Senate File 503 was within the confines of the

Iowa Constitution, Article 3, Section 29, and asked for an interpretation and a ruling from the Chair on this matter.

The Chair stated on the question regarding Article 3, Section 29 of the Iowa Constitution, Mason's Manual of Legislative Procedure, Section 6, Chapter 2, states that the legislative process must be controlled by the Constitution. The Chair believes that the Senate is in compliance, but refrains from a legal analysis of the Constitution, because it is not within the purview of the Chair to make a legal interpretation, but it is, rather within the purview of the judicial branch to make that interpretation.

Senator Judge asked and received unanimous consent that action on **Senate File 503** be **deferred**.

The Senate stood at ease at 10:21 a.m., until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 11:08 a.m., President Kramer presiding.

QUORUM CALL

Senator Schuerer requested a non record roll call to determine that a quorum was present.

The vote revealed 49 present, none absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 451

On motion of Senator Ziemann, Senate File 451, a bill for an act relating to milk and milk products, providing for the issuance of licenses and permits, fees, and providing penalties, was taken up for consideration.

Senator Ziemann offered amendment S—3233 filed by him on March 25, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3233 was adopted by a voice vote.

Senator Ziemann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 451) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Ziemann			

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL ASSIGNED TO COMMITTEE

President Kramer announced that **House File 694** was assigned to the committee on **Agriculture**.

UNFINISHED BUSINESS CALENDAR (Deferred March 25, 1997)

Senate File 188

The Senate resumed consideration of Senate File 188, a bill for an act relating to the allocation of gambling receipts for horse race purses, deferred March 25, 1997.

Senator McCoy asked and received unanimous consent to withdraw amendment S—3239 filed by Senators McCoy and Dearden from the floor to page 1 of the bill.

Senator Dearden asked and received unanimous consent that action on **Senate File 188** be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 474

On motion of Senator Tinsman, Senate File 474, a bill for an act abolishing county compensation boards and the state commission on compensation, expenses, and salaries for elected state officials, was taken up for consideration.

Senator Szymoniak asked and received unanimous consent that action on **Senate File 474** be **deferred**.

Senate File 241

On motion of Senator Bartz, Senate File 241, a bill for an act adopting the uniform transfer on death security registration Act, was taken up for consideration.

Senator Bartz offered amendment S—3223 filed by him on March 25, 1997, to pages 4 and 5 of the bill and moved its adoption.

Amendment S—3223 was adopted by a voice vote.

Senator Bartz offered amendment S—3219 filed by him on March 25, 1997, to page 5 of the bill and moved its adoption.

Amendment S—3219 was adopted by a voice vote.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Borlaug until he returns on request of Senator Iverson and Senator Szymoniak until she returns on request of Senator Connolly.

BUSINESS PENDING

Senate File 241

The Senate resumed consideration of Senate File 241.

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. 241) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 29:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Connolly	Douglas
Drake	Flynn	Freeman	Gettings
Gronstal	Hedge	Iverson	Jensen
King	Kramer	Lundby	McKean
McLaren	Redfern	Redwine	Rensink
Rife	Rittmer	Schuerer	Tinsman
Zieman			

Nays, 18:

Dearden	Deluhery	Dvorsky	Fink
Fraise	Halvorson	Hammond	Hansen
Horn	Judge	Kibbie	Maddox
McCoy	McKibben	Neuhauser	Palmer
Rehberg	Vilsack		

Absent or not voting, 2:

Borlaug	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate File 451 be immediately messaged to the House.

RECESS

On motion of Senator Iverson, the Senate recessed at 12:52 p.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: March 25, 1997, 9:40 a.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Recommended passage of House Files 313 and 545 and placed governor's appointees on en bloc confirmation calendar.

Adjourned: 10:05 a.m.

JUDICIARY

Convened: March 25, 1997, 2:35 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees and announced governor's appointees assignments; recommended passage of House Files 265, 384, 232, 308 and 307; deferred action on Senate File 499.

Adjourned: 10:45 a.m.

LOCAL GOVERNMENT

Convened: March 25, 1997, 10:35 a.m.

Members Present: Zieman, Chair; Behn, Vice Chair; Fraise, Ranking Member; Angelo, Bartz, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean, Redwine and Rehberg.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 244; placed governor's appointees on en bloc confirmation calendar.

Adjourned: 10:45 a.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

Convened: March 25, 1997, 2:00 p.m.

Members Present: Rittmer, Chair; Lundby, Vice Chair; Hansen, Ranking Member; Boettger, Douglas, Flynn, King, McCoy, Palmer, Redwine and Schuerer.

Members Absent: Hammond.

Committee Business: Assigned bills to subcommittees; placed governor's appointees on the en bloc confirmation calendar; recommended passage of House File 368.

Adjourned: 2:12 p.m.

STATE GOVERNMENT

Convened: March 25, 1997, 10:32 a.m.

Members Present: Rittmer, Acting Chair; Lundby, Acting Vice Chair; Kibbie, Ranking Member; Deluhery, Drake, Fink, Gronstal, Halvorson, King, McKibben, McLaren, Rife, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Placed 58 governor's appointees on the en bloc confirmation calendar and two appointees on the individual confirmation calendar; recommended passage of House File 335 as amended.

Adjourned: 11:20 a.m.

TRANSPORTATION

Convened: March 25, 1997, 9:40 a.m.

Members Present: Drake, Chair; Borlaug, Vice Chair; McCoy, Ranking Member; Connolly, Fraise, Freeman, Gettings, Halvorson, Jensen, McKean, McKibben and Rittmer.

Members Absent: none.

Committee Business: Placed governor's appointees on the en bloc confirmation calendar; recommended passage of House Files 416 and 372; assigned bill to a subcommittee.

Adjourned: 10:05 a.m.

WAYS AND MEANS

Convened: March 25, 1997, 1:08 p.m.

Members Present: Douglas, Chair; McKibben, Vice Chair; Palmer, Ranking Member; Borlaug, Connolly, Drake, Freeman, Hedge, Judge, Maddox, Redfern and Szymoniak.

Members Absent: Deluhery, McLaren and Vilsack (all excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 187, 246 and House File 495; approved Senate File 475 as a committee bill; placed governor's appointee on en bloc confirmation calendar.

Adjourned: 1:27 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifth grade students from Winterset Elementary School, Winterset. Senator Douglas.

Senator Redfern introduced a group of students from Herzen University in St. Petersburg, St. Petersburg State University, Moscow State Pedagogical University, and the Moscow Institute of International Relations who were present in the Senate chamber. The students are participants of the ACTR Exchange Program and were accompanied by Holly Crandall from UNI.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: *SENATE CONCURRENT RESOLUTION 10 (SSB 256), a concurrent resolution requesting that the United States government take all actions necessary in order to prevent further concentration and vertical integration in the livestock industry.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 14: Rensink, J. Black, Judge, Angelo, Behn, D. Black, Fraise, Gettings, Hedge, Kibbie, Rehberg, Rife, Vilsack and Zieman. Nays, none. Absent or not voting, 1: Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate Concurrent Resolution 10 and they were attached to the committee report.

ALSO:

Final Bill Action: HOUSE FILE 687, a bill for an act relating to statutory references to the Iowa beef industry council and increasing an excise tax on beef cattle upon a referendum.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Rensink, J. Black, Judge, Angelo, Behn, D. Black, Fraise, Gettings, Hedge, Kibbie, Rehberg, Rife, Vilsack and Zieman. Nays, none. Absent or not voting, 1: Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 528 (formerly Senate File 475), a bill for an act relating to the cleanup and reuse of contaminated property, environmental remediation standards and review procedures, participation in the remediation of contaminated property, liability for the voluntary cleanup of contaminated property, liability protections, and establishing a land recycling fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Douglas, McKibben, Palmer, Borlaug, Connolly, Freeman, Hedge, Judge, Maddox, Redfern and Szymoniak. Nays, none. Absent or not voting 4: Deluhery, Drake, McLaren and Vilsack.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

House File 336

AGRICULTURE: J. Black, Chair; Behn and Vilsack

House File 642

WAYS AND MEANS: Maddox, Chair; Connolly and Freeman

House File 653

NATURAL RESOURCES AND ENVIRONMENT: D. Black, Chair; J. Black and Rehberg

House File 694

AGRICULTURE: Angelo, Chair; Hedge and Judge

SSB 257

WAYS AND MEANS: McKibben, Chair; Connolly and Douglas

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Derek A. Binneboese and Daniel A. Sohl, Hinton – For achieving the rank of Eagle Scout. Senator Redwine (3-25-97).

The Lady Spartans, Solon – For winning the Iowa Class 2-A Girls' state basketball tournament. Senator Dvorsky (3-14-97).

AMENDMENTS FILED

S-3234	S. F.	442	O. Gene Maddox
S-3235	S. F.	453	John P. Kibbie
S-3236	S. F.	515	O. Gene Maddox Johnnie Hammond Maggie Tinsman Nancy Boettger
S-3237	S. F.	362	Patty Judge
S-3238	S. F.	362	Patty Judge
S-3239	S. F.	188	Matt McCoy Dick L. Dearden
S-3240	S. F.	411	Nancy Boettger
S-3241	H.F.	405	Nancy Boettger
S-3242	S. F.	188	Dick L. Dearden
S-3243	S. F.	423	John P. Kibbie
S-3244	S. F.	503	Steven D. Hansen
S-3245	S. F.	503	Steven D. Hansen Eugene Fraise Tom Vilsack
S-3246	S. F.	362	Patty Judge
S-3247	S. F.	109	Dick L. Dearden
S-3248	S. F.	339	Neal Schuerer
S-3249	S. F.	17	James Black
S-3250	S. F.	393	Neal Schuerer John W. Jensen
S-3251	H.F.	553	Neal Schuerer

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on March 25 and 26, 1997:

AGRICULTURE

Timothy J. Galm, Agricultural Development Authority.

Russell L. Brandes, Kenneth W. McNichols and Diane C. Thompson – State Soil Conservation Committee.

BUSINESS AND LABOR

Cynthia P. Eisenhauer, Director of Workforce Development.

Iris J. Post, Industrial Commissioner.

STATE GOVERNMENT

Coral M. Jud, Board for the Licensing and Regulation of Hearing Aid Dealers.

Elizabeth A. Colby-Plautz, Board of Dental Examiners.

Mary K. Carlson, Roger B. Linn and Elvin R. Soll, Board of Dietetic Examiners.

Katherine A. Linder and Arlan D. Van Norman, Board of Pharmacy Examiners.

James E. Hughes and Alice B. Price, Board of Physical and Occupational Therapy Examiners.

Lillian J. Madison, Board of Podiatry Examiners.

Dr. Janet S. McDonough and Dr. Scott W. Shafer, Board of Psychology Examiners.

Erlene VeVerka, Board of Social Work Examiners.

Julia A. Bebensee, Gary N. Boeke and Dr. Clifford S. Vogen, Board of Speech Pathology and Audiology Examiners.

Barry D. Remington, Commission of Veterans Affairs.

Kim D. Schmett, Director of the Inspections and Appeals.

Susan M. Long and Terry L. Martin, Engineering and Land Surveying Examining Board.

Donald E. Snyder, Investment Board of the IPERS.

Dr. Bruce W. Van Zee and Theresa A. Wallace, Iowa Board of Veterinary Medicine.

James A. Albert, Gwendolyn M. Boeke and K. Marie Thayer, Iowa Ethics and Campaign Disclosure Board.

Catherine S. Brown, Landscape Architectural Examining Board.

Gary J. Johnson, Nancy M. Larson and Theresa H. Lewis, Real Estate Appraiser Examining Board.

Russell D. Nading, Real Estate Commission.

Dr. Gregory A. Hicklin, Amy M. Love, William J. Motz, William J. Niedert and Dorothy D. Warren, State Board for Respiratory Care.

Bradley R. Peyton and Harold W. White, State Racing and Gaming Commission.

TRANSPORTATION

Darrel Rensink, Director of Transportation.

Jacqueline Day, Iowa Law Enforcement Academy Council.

Sister M. Catherine Dunn and Ronald N. Langston, State Transportation Commission.

AFTERNOON SESSION

The Senate reconvened at 4:46 p.m., President pro tempore Redfern presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 18, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 551, a bill for an act relating to workers' compensation coverage for injuries occurring outside of the state.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 24, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 597, a bill for an act relating to school attendance by applying school attendance requirements under the family investment program, and providing a civil penalty for truancy, applicability provisions, and an effective date.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 25, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 113, 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**.

House File 599, a bill for an act relating to dispositional orders pertaining to certain delinquent children by expanding the criteria for state training school placements and providing for extension of dispositional orders to allow completion of sexual abusers treatment programs.

This bill was read first time and **passed on file.**

House File 658, a bill for an act relating to city ordinances and other official actions of a city council and mayor.

This bill was read first time and **passed on file.**

House File 688, a bill for an act relating to handicapped parking permits by changing the term handicapped to the term person with a disability and by providing for nonexpiring removable windshield placards for persons with a lifelong disability, eliminating the requirement that physicians or chiropractors sign removable windshield placards, and eliminating certain identification requirements for persons with disabilities and providing an effective date and applicability provisions.

This bill was read first time and **passed on file.**

House File 701, a bill for an act relating to the requirements for portability and continuity of health care coverage for individuals among certain types of health care coverage, and related matters.

This bill was read first time and **passed on file.**

ALSO: That the House has on March 26, 1997, passed the following bill in which the concurrence of the House was asked:

Senate File 292, a bill for an act relating to cooperative corporations, by providing for the transfer of stock, the allocation of patronage dividends upon termination of membership, and dissolution.

ALSO: That the House has on March 26, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 577, a bill for an act relating to continuing education requirements of real estate appraisers.

This bill was read first time and **passed on file.**

House File 589, a bill for an act relating to professional boxing and wrestling matches, providing for properly related matters, and providing for a tax and for penalties.

This bill was read first time and **passed on file.**

House File 615, a bill for an act relating to abandoned coal mines expenditures, including reclamation of land and drainage abatement.

This bill was read first time and **passed on file.**

House File 647, a bill for an act defining the crime of theft to include the utterance of a financial instrument for the use of property which knowingly will not be paid when presented to a financial institution and making a penalty applicable.

This bill was read first time and **passed on file.**

INTRODUCTION OF BILLS

Senate Concurrent Resolution 10, by committee on Agriculture, a concurrent resolution requesting that the United States government take all actions necessary in order to prevent further concentration and vertical integration in the livestock industry.

Read first time and **placed on calendar.**

Senate File 528, by committee on Ways and Means, a bill for an act relating to the cleanup and reuse of contaminated property, environmental remediation standards and review procedures, participation in the remediation of contaminated property, liability for the voluntary cleanup of contaminated property, liability protections, and establishing a land recycling fund.

Read first time and **placed on Ways and Means Calendar.**

BUSINESS PENDING

Senate File 188

The Senate resumed consideration of Senate File 188, a bill for an act relating to the allocation of gambling receipts for horse race purses, previously deferred.

Senator Dearden offered amendment S—3242 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3242 lost by a voice vote.

The Chair stated that amendment S—3112 by former Senator Lind was not in order.

Senator Rife moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice-vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 188) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Maddox	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Vilsack
Zieman			

Nays, 3:

Dearden	McCoy	Szymoniak
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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.

BUSINESS PENDING

Senate File 474

The Senate resumed consideration of Senate File 474, a bill for an act abolishing county compensation boards and the state commission

on compensation, expenses, and salaries for elected state officials, previously deferred.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 474) the vote was:

Ayes, 24:

Bartz	Behn	Black, J.	Borlaug
Drake	Flynn	Freeman	Halvorson
Iverson	Jensen	Kibbie	King
Kramer	Lundby	Maddox	McKean
McKibben	McLaren	Redfern	Rehberg
Rensink	Rife	Rittmer	Tinsman

Nays, 25:

Angelo	Black, D.	Boettger	Connolly
Dearden	Deluhery	Douglas	Dvorsky
Fink	Fraise	Gettings	Gronstal
Hammond	Hansen	Hedge	Horn
Judge	McCoy	Neuhauser	Palmer
Redwine	Schuerer	Szymoniak	Vilsack
Zieman			

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 188** be **immediately messaged** to the House.

CONSIDERATION OF BILLS

(Regular Calendar)

Senate File 515

On motion of Senator Maddox, Senate File 515, a bill for an act relating to juvenile justice and youthful offenders, by making changes

in provisions relating to illegal purchase or possession of alcohol and tobacco by juveniles and youthful offenders, making changes relating to dramshop liability, providing for notification of school officials of possession of alcohol by students, providing for the taking of fingerprints and photographs of certain juveniles, permitting victims to make oral victim impact statements in juvenile proceedings, making changes related to the supplying of alcohol to persons under the age of twenty-one, providing for sharing of information regarding delinquent juveniles and juveniles under the jurisdiction of various social services agencies, providing for shared jurisdiction between the adult and juvenile courts over youthful offenders, changing the criteria for placement in the state training school or other facility, making changes relating to state reimbursement for expenses of court-appointed attorneys in juvenile court, permitting the release of information relating to juveniles who have escaped from a detention facility; providing for notification of juvenile court authorities of unexcused absences or suspensions or expulsions of students who are on probation, providing for bailiff and other law enforcement assistance to associate juvenile judges, including arrest or disposition or custody or adjudication data in criminal history data kept by the department of public safety, authorizing school officials to conduct searches of students and their lockers and other spaces and to report possession or use of alcohol or controlled substances to law enforcement authorities, was taken up for consideration.

Senator Maddox asked and received unanimous consent that action on **Senate File 515** be deferred.

Senate File 472

On motion of Senator Rensink, Senate File 472, a bill for an act prohibiting a habitual violator or person charged with violation from constructing or expanding an animal feeding operation structure, was taken up for consideration.

Senator Kibbie withdrew amendment S—3175 filed by him on March 19, 1997, to page 1 and the title page of the bill.

Senator Judge withdrew amendment S—3177 filed by her on March 19, 1997, to page 1 and the title page of the bill.

Senator Judge withdrew amendment S—3179 filed by her on March 19, 1997, to page 1 and the title page of the bill.

Senator Judge withdrew amendment S—3180 filed by her on March 19, 1997, to page 1 and the title page of the bill.

Senator Rensink offered amendment S—3165 filed by him on March 18, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3165 was adopted by a voice vote.

Senator Vilsack withdrew amendments S—3173 and S—3178 filed by him on March 19, 1997, to page 1 of the bill.

Senator Vilsack offered amendment S—3266 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3266 was adopted by a voice vote.

Senator Judge withdrew amendment S—3176 filed by her on March 19, 1997, to page 1 and the title page of the bill.

Senator Rensink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 472) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 1:

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

(Deferred March 25, 1997)

Senate File 442

The Senate resumed consideration of Senate File 442, a bill for an act relating to the designation of certain correctional facilities, deferred March 25, 1997.

Senator Maddox offered amendment S—3234 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3234 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rensink for the remainder of the day on request of Senator Jensen.

BUSINESS PENDING

Senate File 442

The Senate resumed consideration of Senate File 442.

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. 442) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 1:

Rensink

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 442 and 472 be immediately messaged** to the House.

The Senate stood at ease at 6:45 p.m., until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 7:03 p.m., President Kramer presiding.

BUSINESS PENDING

Senate File 503

The Senate resumed consideration of Senate File 503, a bill for an act relating to criminal justice, by providing for enhanced punishment for manufacturing methamphetamine in the presence of minors, providing restrictions on public nudity and actual or simulated public performance of sex acts in certain establishments, providing for

abatement of nuisance created by certain establishments which allow or permit public nudity or actual or simulated public performances of sex acts in their establishment, making changes relating to permits and rights to carry and acquire weapons, providing for hormonal intervention therapy for persons convicted of certain sex offenses, authorizing probation supervision and revocation by administrative parole and probation judges in the sixth judicial district, providing restitution for death of a victim of a crime, and providing penalties and an effective date, previously deferred.

Senator Szymoniak offered amendment S—3260 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—3260 was adopted by a voice vote.

Senator Szymoniak offered amendment S—3268 filed by her from the floor to page 1 and the title page of the bill.

Senator McKibben raised the point of order that amendment S—3268 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3268 in order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gettings for the remainder of the day on request of Senator Fraise.

BUSINESS PENDING

Senate File 503

The Senate resumed consideration of Senate File 503.

Senator Szymoniak moved the adoption of amendment S—3268.

A record roll call was requested.

On the question "Shall amendment S—3268 be adopted?" (S.F. 503) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gronstal	Halvorson	Hammond	Hansen
Horn	Judge	Kibbie	McCoy
Neuhauser	Palmer	Szymoniak	Vilsack

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 3:

Gettings	Rensink	Rife
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Amendment S—3268 lost.

Senator Hammond offered amendment S—3255 filed by Senators Hammond and Dvorsky from the floor to page 1 and the title page of the bill.

Senator McKibben raised the point of order that amendment S—3255 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3255 out of order.

Senator Hammond offered amendment S—3256 filed by Senators Hammond and Dvorsky from the floor to page 1 and the title page of the bill.

Senator McKibben raised the point of order that amendment S—3256 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3256 out of order.

Senator Hammond offered amendment S—3257 filed by Senators Hammond and Dvorsky from the floor to page 1 and the title page of the bill.

Senator McKibben raised the point of order that amendment S—3257 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3257 out of order.

Senator Hammond offered amendment S—3259 filed by Senators Hammond and Dvorsky from the floor to page 1 and the title page of the bill.

Senator McKibben raised the point of order that amendment S—3259 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3259 out of order.

Senator Deluhery offered amendment S—3261 filed by Senators Deluhery, et al., from the floor to pages 1, 5, 7, 13, 14 and the title page of the bill.

Senator McKibben raised the point of order that amendment S—3261 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3261 out of order.

Senator Szymoniak withdrew amendment S—3188 filed by her on March 20, 1997, to page 1 of the bill.

The Chair ruled that amendment S—3254 filed by Senators Behn and Borlaug from the floor to amendment S—3188 was out of order.

Senator Neuhauser offered amendment S—3263 filed by her from the floor to pages 1, 14 and the title page of the bill.

Senator McKibben raised the point of order that amendment S—3263 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3263 in order.

Senator Neuhauser moved the adoption of amendment S—3263.

A record roll call was requested.

On the question "Shall amendment S—3263 be adopted?" (S.F. 503) the vote was:

Ayes, 19:

Black, D.	Connolly	Dearden	Deluhery
Fink	Flynn	Fraise	Gronstal
Halvorson	Hammond	Hansen	Horn
Judge	Kibbie	McCoy	Neuhauser
Palmer	Szymoniak	Vilsack	

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 4:

Dvorsky	Gettings	Rehberg	Rensink
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Amendment S—3263 lost.

Senator Neuhauser offered amendment S—3265 filed by her from the floor to pages 1, 7 and the title page of the bill and moved its adoption.

Amendment S—3265 was adopted by a voice vote.

Senator Borlaug offered amendment S—3226 filed by Senators Borlaug, et al., on March 25, 1997, to pages 1, 2 and the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3226 be adopted?" (S.F. 503) the vote was:

Ayes, 37:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Deluhery	Douglas	Drake	Fink
Flynn	Fraise	Freeman	Gronstal
Hansen	Hedge	Horn	Iverson
Jensen	Kibbie	King	Kramer
Maddox	McCoy	McKean	McKibben
McLaren	Palmer	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Vilsack
Zieman			

Nays, 9:

Dearden	Dvorsky	Halvorson	Hammond
Judge	Lundby	Neuhauser	Szymoniak
Tinsman			

Absent or not voting, 3:

Gettings	Rensink	Rife
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Amendment S—3226 was adopted.

Senator McCoy offered amendment S—3227 filed by him on March 25, 1997, to pages 5-7 and the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3227 be adopted?" (S.F. 503) the vote was:

Ayes, 16:

Black, D.	Connolly	Dearden	Deluhery
Drake	Dvorsky	Fink	Fraise
Hammond	Horn	Judge	Kibbie
McCoy	Neuhauser	Szymoniak	Vilsack

Nays, 31:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Flynn
Freeman	Gronstal	Halvorson	Hansen
Hedge	Iverson	Jensen	King
Kramer	Lundby	Maddox	McKean
McKibben	McLaren	Palmer	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Tinsman	Zieman	

Absent or not voting, 2:

Gettings	Rensink
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Amendment S—3227 lost.

Senator Neuhauser offered amendment S—3267 filed by her from the floor to page 5 and the title page of the bill and moved its adoption.

Amendment S—3267 was adopted by a voice vote.

Senator Szymoniak offered amendment S—3258 filed by her from the floor to pages 5 and 6 of the bill and moved its adoption.

Amendment S—3258 was adopted by a voice vote.

With the adoption of amendment S—3258, the Chair ruled amendment S—3210 filed by Senators McKean and Vilsack on March 24, 1997, to page 6 of the bill, out of order.

Senator Fraise offered amendment S—3253 filed by Senators Fraise, et al., on March 26, 1997, to page 7 and the title page of the bill.

Senator McKibben raised the point of order that amendment S—3253 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3253 out of order.

Senator Vilsack offered amendment S—3154 filed by him on March 18, 1997, to pages 13, 14 and the title page of the bill and moved its adoption.

Amendment S—3154 lost by a voice vote.

Senator Hansen offered amendment S—3244 filed by him from the floor to page 13 of the bill.

A record roll call was requested.

On the question "Shall amendment S—3244 be adopted?" (S.F. 503) the vote was:

Ayes, 40:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Dvorsky
Fink	Flynn	Fraise	Freeman
Gronstal	Halvorson	Hammond	Hansen
Horn	Iverson	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	Neuhauser
Palmer	Redwine	Rehberg	Rittmer
Schuerer	Szymoniak	Vilsack	Zieman

Nays, 7:

Drake	Hedge	Jensen	McLaren
Redfern	Rife	Tinsman	

Absent or not voting, 2:

Gettings	Rensink
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Amendment S—3244 was adopted.

Senator Hansen offered amendment S—3245 filed by Senators Hansen, Fraise and Vilsack from the floor to page 14 and the title page of the bill.

Senator McKibben raised the point of order that amendment S—3245 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3245 out of order.

Senator Hammond offered amendment S—3269 filed by Senators Hammond and Dvorsky from the floor to page 5 and the title page of the bill.

Senator McKibben raised the point of order that amendment S—3269 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3269 in order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Drake for the remainder of the day on request of Senator Jensen.

BUSINESS PENDING

Senate File 503

The Senate resumed consideration of Senate File 503.

Senator Hammond moved the adoption of amendment S—3269.

A record roll call was requested.

On the question "Shall amendment S—3269 be adopted?" (S.F. 503) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gronstal	Halvorson	Hammond	Hansen
Horn	Judge	Kibbie	McCoy
Neuhauser	Palmer	Szymoniak	Tinsman
Vilsack			

Nays, 24:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Freeman
Hedge	Iverson	Jensen	King
Kramer	Lundby	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Zieman

Absent or not voting, 4:

Drake	Gettings	Rensink	Rife
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Amendment S—3269 lost.

Senator Vilsack offered amendment S—3271 filed by him from the floor to page 5 and the title page of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3271 be adopted?" (S.F. 503) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gronstal	Halvorson	Hammond	Hansen
Horn	Judge	Kibbie	Lundby
McCoy	Neuhauser	Palmer	Szymoniak
Tinsman	Vilsack		

Nays, 23:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Freeman
Hedge	Iverson	Jensen	King
Kramer	Maddox	McKean	McKibben
McLaren	Redfern	Redwine	Rehberg
Rittmer	Schuerer	Zieman	

Absent or not voting, 4:

Drake	Gettings	Rensink	Rife
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Amendment S—3271 lost.

Senator Bartz filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3258 to Senate File 503 was adopted by the Senate on March 26, 1997.

The motion prevailed by a voice vote and amendment S—3258 was taken up for reconsideration.

Senator McKibben offered amendment S—3272 filed by Senators McKibben and Vilsack from the floor to amendment S—3258 and moved its adoption.

Amendment S—3272 was adopted by a voice vote.

Senator Neuhauser moved the adoption of amendment S—3258 as amended, which motion prevailed by a voice vote.

Senator McKibben filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3263 to Senate File 503 failed to be adopted by the Senate on March 26, 1997.

The motion prevailed by a voice vote and amendment S—3263 was taken up for reconsideration.

Senator Neuhauser moved the adoption of amendment S—3263.

A record roll call was requested.

On the question "Shall amendment S—3263 be adopted?" (S.F. 503) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Dvorsky
Fink	Flynn	Fraise	Freeman
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 4:

Drake	Gettings	Rensink	Rife
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Amendment S—3263 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rife for the remainder of the evening on request of Senator Iverson.

BUSINESS PENDING

Senate File 503

The Senate resumed consideration of Senate File 503.

Senator McKibben moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 503) the vote was:

Ayes, 42:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Deluhery
Douglas	Dvorsky	Fink	Flynn
Fraise	Freeman	Gronstal	Halvorson
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 3:

Connolly	Dearden	Hammond
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Absent or not voting, 4:

Drake	Gettings	Rensink	Rife
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **Senate File 503** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 24, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 686, a bill for an act providing for the sale of unused highway right-of-way and other real property by the state department of transportation to past or present owners of affected property.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 26, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 697, a bill for an act relating to certain procedures of the ethics and campaign disclosure board and filing requirements and certain requirements for use of campaign funds.

This bill was read first time and **passed on file**.

House File 707, a bill for an act relating to substance abuse evaluation and education, use of ignition interlock devices, motor vehicle license revocations and payment of restitution by certain drivers; to civil liability, forfeiture, and criminal penalties arising from operation of a motor vehicle by a person whose license is suspended, denied, revoked, or barred; and providing penalties.

This bill was read first time and **passed on file**.

APPENDIX

ANNOUNCEMENT OF APPOINTMENTS

The majority leader announced the following standing committee appointments to replace former Senator Jim Lind:

Senator Bartz is appointed to the Local Government Committee.

Senator Rehberg is removed from the Local Government Committee and appointed as a member of the Appropriations Committee.

Senator Zieman to the Small Business, Economic Development, and Tourism Committee.

Senator Kramer to the Education Committee.

Senator Borlaug to the State Government Committee.

Senator Douglas to the Transportation Committee.

The president and majority leader announced the following appointment:

Senator John P. Kibbie is appointed to the Investment Board of the IPERS.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 26, 1997, when the vote was taken on Senate File 241.

Had I been present, I would have voted "aye".

ELAINE SZYMONIAK

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 241 passed the Senate on March 26, 1997.

MERLIN E. BARTZ

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 241 passed the Senate on March 26, 1997.

DENNIS BLACK

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

H.F.	113	Judiciary
H.F.	449	Judiciary
H.F.	542	Judiciary
H.F.	551	Business and Labor
H.F.	577	State Government
H.F.	589	Business and Labor
H.F.	599	Judiciary
H.F.	600	Judiciary
H.F.	615	Natural Resources & Env.
H.F.	647	Commerce
H.F.	658	Local Government
H.F.	701	Commerce

COMMITTEE REPORTS

COMMERCE

Final Bill Action: HOUSE FILE 133, a bill for an act relating to the offering of point of service plan options in certain health benefit plans.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer, Redfern and Rife. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 229, a bill for an act relating to the availability of a map indicating the location of electric transmission lines related to the extension of a franchise.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer, Redfern and Rife. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 275, a bill for an act relating to trademarks and service marks registered with the secretary of state.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer, Redfern and Rife. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 552, a bill for an act eliminating notice requirements relating to the location of certain electric transmission lines, wires, or cables.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer, Redfern and Rife. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3252	S. F.	522	Nancy Boettger
S-3253	S. F.	503	Eugene Fraise
			Steven D. Hansen
			Robert Dvorsky
			Johnie Hammond
			Tom Vilsack
			Dennis Black
			Patty Judge
S-3254	S. F.	503	Jerry Behn
			Allen Borlaug
S-3255	S. F.	503	Johnie Hammond
			Robert Dvorsky
S-3256	S. F.	503	Johnie Hammond
			Robert Dvorsky
S-3257	S. F.	503	Johnie Hammond
			Robert Dvorsky
S-3258	S. F.	503	Elaine Szymoniak
S-3259	S. F.	503	Johnie Hammond
			Robert Dvorsky
S-3260	S. F.	503	Elaine Szymoniak

S-3261	S. F.	503	Patrick J. Deluhery John P. Kibbie Mike Connolly Eugene Fraise Elaine Szymoniak Matt McCoy Bill Fink Johnie Hammond Tom Flynn Dennis Black Mary Neuhauser Don E. Gettings Steven D. Hansen Tom Vilsack Rod Halvorson Patty Judge Robert Dvorsky William D. Palmer Michael E. Gronstal Wally Horn Dick L. Dearden Derryl McLaren
S-3262	S. F.	79	Mary Neuhauser
S-3263	S. F.	503	Tom Vilsack
S-3264	S. F.	515	Mary Neuhauser
S-3265	S. F.	503	Tom Vilsack
S-3266	S. F.	472	Mary Neuhauser
S-3267	S. F.	503	Elaine Szymoniak
S-3268	S. F.	503	Johnie Hammond
S-3269	S. F.	503	Robert Dvorsky Steven D. Hansen
S-3270	S. F.	426	Tom Vilsack
S-3271	S. F.	503	Larry McKibben
S-3272	S. F.	503	Tom Vilsack

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on March 26, 1997:

COMMERCE

John J. Bentler, Tom Sarvis and William G. Sizer – Credit Union Review Board.

Michael K. Gutttau as Superintendent of Banking.

James E. Forney as Superintendent of Credit Unions.

Jay D. Stewart, Title Guaranty Division Board.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 11:22 p.m., until 9:00 a.m., Thursday, March 27, 1997.

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
FORTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 27, 1997

The Senate met in regular session at 9:17 a.m., President Kramer presiding.

Prayer was offered by Bishop Curt Miller of the Western Iowa Synod (ELCA), Storm Lake, Iowa.

QUORUM CALL

Senator Iverson requested a non record roll call to determine that a quorum was present.

The vote revealed 31 present, 18 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Jensen and King until they arrive on request of Senator Iverson and Senator Szymoniak until she arrives on request of Senator Gronstal.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 193

On motion of Senator Black of Kossuth, Senate File 193, a bill for an act relating to the election of trustees for special land use districts, with report of committee recommending passage, was taken up for consideration.

Senator Black of Kossuth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 193) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Judge	Kibbie	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 4:

Jensen	King	Rensink	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 79

On motion of Senator McLaren, Senate File 79, a bill for an act relating to a moratorium on the issuance of new licenses to conduct gambling games and providing an effective date, was taken up for consideration.

Senator McLaren offered amendment S—3262 filed by him on March 26, 1997, to page 1 of the bill.

Senator Vilsack asked and received unanimous consent that action on amendment S—3262 and **Senate File 79** be **deferred**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 193** be **immediately messaged** to the House.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 26, 1997, 8:02 a.m.

Members Present: Rensink, Chair; J. Black, Vice Chair; Judge, Ranking Member; Angelo, Behn, D. Black, Fraise, Gettings, Hedge, Kibbie, Rehberg, Rife, Vilsack and Zieman.

Members Absent: Bartz (excused).

Committee Business: Approved SSB 256 as a committee bill and recommended passage of House File 687.

Adjourned: 8:18 a.m.

APPROPRIATIONS

Convened: March 26, 1997, 3:05 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, D. Black, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Horn, Jensen, Lundby, Maddox, McCoy, Neuhauser, Rehberg, Rensink, Rife, Rittmer, Tinsman and Vilsack.

Members Absent: Borlaug (excused).

Committee Business: Discussed SSB 233.

Adjourned: 4:40 p.m.

BUSINESS AND LABOR

Convened: March 26, 1997, 12:58 p.m.

Members Present: Rife, Chair; King, Vice Chair; Dearden, Ranking Member; Behn, Freeman, Gettings, Horn, Jensen, Palmer and Schuerer.

Members Absent: Zieman.

Committee Business: Recommended confirmation of governor's appointees.

Adjourned: 12:59 p.m.

COMMERCE

Convened: March 26, 1997, 2:10 p.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Deluhery, Ranking Member; Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer, Redfern and Rife.

Members Absent: none.

Committee Business: Recommended passage of House Files 133, 229, 275 and 552; recommended confirmation of governor's appointees.

Adjourned: 2:43 p.m.

EDUCATION

Convened: March 26, 1997, 1:36 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Assigned governor's appointees and a bill to subcommittees; discussed and deferred action on House File 331.

Adjourned: 2:07 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 25, 1997, 2:07 p.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben, Rehberg and Zieman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointees; recommended passage of House File 250.

Adjourned: 2:23 p.m.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 27th day of March, 1997:

Senate Files 251 and 190.

MARY PAT GUNDERSON
Secretary of the Senate

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 503, the following correction was made:

1. Page 18, line 29, the words and numbers "Sections 2 and 7 through 11" were changed to the words and numbers "Sections 2 and 6 through 10".

MARY PAT GUNDERSON
Secretary of the Senate

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on March 27, 1997:

JUDICIARY

Suellen Overton, Board of Corrections.

Charles D. Hurley, Board of Parole.

Arthur P. Silva, Commission on Judicial Qualifications.

Richard R. Phillips and David M. Roederer, Criminal and Juvenile Justice Planning Advisory Council.

Charles W. Larson, Drug Enforcement and Abuse Prevention Coordinator.

Blanca G. Flores and Flora M. Lee, Iowa State Civil Rights Commission.

Deanne K. Raley, Narcotics Enforcement Advisory Council.

Darlene E. Blake, State Judicial Nominating Commission.

SMALL BUSINESS, ECONOMIC DEV. AND TOURISM

Harris D. Honsey, Iowa Economic Development Board.

Hugh M. Field and Doris A. Hansen, Iowa Seed Capital Corporation.

Max E. Phillips, Small Business Advisory Council.

WAYS AND MEANS

Kay A. Hagen Anderson and Darlene M. Jeris, Iowa Finance Authority.

Christopher A. Bjornstad, State Board of Tax Review.

STUDY BILLS RECEIVED**SSB 258 Ways & Means**

Relating to the bidding process at property tax sales and providing an effective date.

SSB 259 Ways & Means

Relating to the designation of unincorporated areas of a county as rural improvement zones, providing for improvement projects in the zones, authorizing the issuance of certificates of indebtedness, and payment of the indebtedness by tax increment financing and an annual standby tax by such zones.

SUBCOMMITTEE ASSIGNMENTS**House File 334**

COMMERCE: Rife, Chair; Deluhery, Douglas, Gronstal and Jensen

House File 507

LOCAL GOVERNMENT: J. Black, Chair; Fraise and Redwine

House File 554

APPROPRIATIONS: Freeman, Chair; D. Black, Horn, McLaren and Rife

House File 577

STATE GOVERNMENT: Fink, Chair; Drake and McKibben.

House File 589

BUSINESS AND LABOR: Gettings, Chair; Palmer and Rife

House File 645

LOCAL GOVERNMENT: McKean, Chair; Dearden and Redwine

House File 655

APPROPRIATIONS: Borlaug, Chair; McLaren and Vilsack

House File 658

LOCAL GOVERNMENT: Bartz, Chair; Connolly and Ziemann

SSB 258

WAYS AND MEANS: Connolly, Chair; Douglas and Drake

SSB 259

WAYS AND MEANS: Maddox, Chair; Judge and McKibben

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Kim D. Schmett as Director of the Department of Inspections and Appeals be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

SHELDON RITTMER

COMMITTEE REPORTS**WAYS AND MEANS**

Final Bill Action: HOUSE FILE 126, a bill for an act relating to the state sales and use tax exemption on certain computers, machinery, equipment, and fuel.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Douglas, McKibben, Borlaug, Drake, Hedge, Maddox, McLaren and Redfern. Nays, 6: Palmer, Connolly, Deluhery, Judge, Szymoniak and Vilsack. Absent or not voting, 1: Freeman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 330, a bill for an act relating to the state income tax checkoff for domestic abuse services and providing a retroactive applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Douglas, McKibben, Palmer, Borlaug, Connolly, Deluhery, Drake, Hedge, Judge, Maddox, McLaren, Redfern, Szymoniak and Vilsack. Nays, none. Absent or not voting, 1: Freeman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate Concurrent Resolution 11, by Bartz, a concurrent resolution requesting the United States government ensure that the Farm Service Agency of the United States Department of Agriculture be supported and structured in a manner that preserves the efficient operation of the agency at the community level.

Read first time under Rule 28 and **passed on file**.

Senate Concurrent Resolution 12, by Bartz, a concurrent resolution requesting the United States Environmental Protection Agency to retain existing national ambient air quality standards for ozone and particulate matter, conduct additional research and delay consideration of new standards for particulate matter, and identify unfunded mandates or other administrative or economic burdens resulting from changes to ozone and particulate matter standards.

Read first time under Rule 28 and **passed on file**.

AMENDMENTS FILED

S-3273	S. F.	508	Donald B. Redfern
S-3274	S. F.	187	Mike Connolly
S-3275	S. F.	79	Tom Vilsack
S-3276	S. F.	523	Maggie Tinsman Nancy Boettger
S-3277	H. F.	611	Patrick J. Deluhery Neal Schuerer

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:42 a.m., until 1:00 p.m., Monday, March 31, 1997.

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
 FORTY-FIFTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Monday, March 31, 1997

The Senate met in regular session at 1:11 p.m., President Kramer presiding.

Prayer was offered by Marvin Boldt, Chaplain of the Iowa Fireman's Association, Traer, Iowa.

The Journals of Wednesday, March 26, and Thursday, March 27, 1997, were approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Horn for the day on request of Senator Gronstal and Senator Black of Kossuth for the day on request of Senator Hedge.

SPECIAL GUESTS

Senator Iverson introduced the All City Drum Corps from Cedar Rapids, Iowa, who performed in the Senate Chamber. The Corps performed at the Inaugural Parade in Washington, D.C. in January, 1997.

QUORUM CALL

Senator Iverson requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 10 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 523

On motion of Senator Tinsman, Senate File 523, a bill for an act relating to health care facilities by requiring employment checks of

health care facility employees and providing for a registry of persons who are certified as a nurse aide or medication aide, was taken up for consideration.

Senator Tinsman offered amendment S—3276 filed by Senators Tinsman and Boettger on March 26, 1997, to pages 1-3 and the title page of the bill and moved its adoption.

Amendment S—3276 was adopted by a voice vote.

Senator McCoy asked and received unanimous consent that action on **Senate File 523** be deferred.

Senate File 526

On motion of Senator Tinsman, Senate File 526, a bill for an act providing for the establishment of a healthy opportunities for parents to experience success-healthy families Iowa program by the Iowa department of public health, was taken up for consideration.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 526) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Black, J. Horn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 516

On motion of Senator Tinsman, Senate File 516, a bill for an act revising public assistance provisions involving the family investment, job opportunities and basic skills, food stamp, and medical assistance programs administered by the department of human services, amending certain child support provisions, providing for fraudulent practices, and providing effective dates, was taken up for consideration.

Senator Tinsman offered amendment S—3224 filed by her on March 25, 1997, to pages 5, 7, 13, 28 and 31 of the bill and moved its adoption.

Amendment S—3224 was adopted by a voice vote.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 516) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Black, J. Horn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 516 and 526** be **immediately messaged** to the House.

INTRODUCTION OF BILL

Senate File 529, by committee on Appropriations, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

Read first time and **placed on Appropriations Calendar**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 26, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 612, a bill for an act relating to child support recovery, providing penalties, and providing effective dates.

This bill was read first time and **assigned to committee on Human Resources**.

ALSO: That the House has on March 27, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 202, a bill for an act relating to the issuance of free deer hunting licenses to owners and tenants of farm units.

This bill was read first time and **assigned to committee on Natural Resources and Environment**.

House File 448, a bill for an act providing for the establishment of a lien by licensed professionals against damages collected by an injured patient and providing a penalty.

This bill was read first time and assigned to committee on **Judiciary.**

House File 579, a bill for an act relating to the membership of the medical assistance advisory council.

This bill was read first time and assigned to committee on **Human Resources.**

House File 613, a bill for an act relating to linked deposit investment programs.

This bill was read first time and assigned to committee on **Small Business, Economic Development and Tourism.**

House File 684, a bill for an act relating to county regulation of road rights-of-way.

This bill was read first time and assigned to committee on **Transportation.**

House File 704, a bill for an act relating to substantive and other provisions affecting the state department of transportation and driver, motor vehicle, and highway regulation, including the definition of road work zones, registration fees for certain disaster relief vehicles, providing grounds for refusing renewal of vehicle registrations, regulation of intrastate motor carriers, imposing fees, providing for an electronic titling and registration program, creating, eliminating, or enhancing penalties, and providing effective dates.

This bill was read first time and assigned to committee on **Transportation.**

RECESS

On motion of Senator Iverson, the Senate recessed at 2:06 p.m., until 3:00 p.m.

APPENDIX

PETITIONS

The following petitions were presented and placed on file by:

Senator Dvorsky from 119 residents of Johnson County favoring legislation to have the state of Iowa opt. out of federal provisions that make convicted drug offenders ineligible for food stamps and other benefits.

Senator Maddox from 82 residents of Polk and surrounding counties supporting the state funding of public libraries throughout Iowa.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 27, 1997, 9:55 a.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Horn, Lundby, Maddox, McCoy, Neuhauser, Rehberg, Rife, Rittmer, Tinsman and Vilsack.

Members Absent: Jensen and Rensink (both excused).

Committee Business: Approved SSB 233 as a committee bill.

Adjourned: 10:45 a.m.

JUDICIARY

Convened: March 27, 1997, 10:15 a.m.

Members Present: McKean, Chair; Angelo, Boettger, Drake, Fraise, Halvorson, Hansen, McKibben and Redfern.

Members Absent: Maddox, Vice Chair; Neuhauser, Ranking Member; Hammond, King, Tinsman and Vilsack (all excused).

Committee Business: Assigned bills to subcommittees and recommended confirmation of governor's appointees.

Adjourned: 10:40 a.m.

WAYS AND MEANS

Convened: March 27, 1997, 11:14 a.m.

Members Present: Douglas, Chair; McKibben, Vice Chair; Palmer, Ranking Member; Borlaug, Connolly, Deluhery, Drake, Hedge, Judge, Maddox, McLaren, Redfern, Szymoniak and Vilsack.

Members Absent: Freeman (excused).

Committee Business: Assigned bills to subcommittees; placed governor's appointees on en bloc calendar; amended and approved Senate File 469 as a committee bill; recommended passage of House Files 126 and 330.

Adjourned: 12:01 p.m.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Ronald N. Langston to the State Transportation Commission be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

MATT McCOY

GOVERNOR'S APPOINTEE PLACED ON EN BLOC CALENDAR

The following appointee assigned to a standing committee for investigation was placed on the En Bloc Calendar with recommendation for confirmation on March 31, 1997:

JUDICIARY

William L. Wegman, State Public Defender.

COMMITTEE REPORT**APPROPRIATIONS**

Final Bill Action: *SENATE FILE 529 (SSB 233), 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: APPROVED COMMITTEE BILL.

Final Vote Ayes, 21: McLaren, Kramer, Flynn, Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Hammond, Hedge, Horn, Lundby, Maddox, McCoy, Neuhauser, Rehberg, Rife, Rittmer, Tinsman and Vilsack. **Nays, 2:** Gronstal and Halvorson. **Absent or not voting, 2:** Jensen 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 Appropriations Committee on Senate File 529 and they were attached to the committee report.

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

S. C. R.	11	Agriculture
S. C. R.	12	Natural Resources and Environment
H. F.	686	Transportation
H. F.	688	Transportation
H. F.	697	State Government
H. F.	707	Judiciary

SUBCOMMITTEE ASSIGNMENTS

House Concurrent Resolution 15

EDUCATION: Redfern, Chair; Angelo and Szymoniak

House File 410

EDUCATION: Redwine, Chair; J. Black and Szymoniak

House File 506

EDUCATION: Rehberg, Chair; Kibbie and Tinsman

House File 684

TRANSPORTATION: Freeman, Chair; Borlaug and Fraise

House File 686

TRANSPORTATION: McKean, Chair; Halvorson and Jensen

House File 688

TRANSPORTATION: Gettings, Chair; Drake and Rittmer

House File 704

TRANSPORTATION: Borlaug, Chair; Drake, Gettings, McCoy and Rittmer

AMENDMENTS FILED

S-3278	S. F.	418	Donald B. Redfern
S-3279	S. F.	99	O. Gene Maddox
S-3280	S. F.	79	Tom Vilsack
S-3281	S. F.	515	Johnie Hammond
S-3282	S. F.	515	Johnie Hammond
S-3283	S. F.	79	Rod Halvorson
S-3284	S. F.	515	William D. Palmer
S-3285	S. F.	362	Dennis H. Black
S-3286	S. F.	397	Donald B. Redfern Michael E. Gronstal JoAnn Douglas Patrick J. Deluhery
S-3287	S. F.	397	Donald B. Redfern Michael E. Gronstal JoAnn Douglas Patrick J. Deluhery

AFTERNOON SESSION

The Senate reconvened at 3:20 p.m., President Kramer presiding

QUORUM CALL

Senator Iverson requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 11 absent and a quorum present.

BILL REFERRED TO COMMITTEE

Senate Iverson asked and received unanimous consent that **House File 687** be referred from the Regular Calendar to the committee on **Ways and Means**.

UNFINISHED BUSINESS CALENDAR

(Deferred March 27, 1997)

Senate File 79

The Senate resumed consideration of Senate File 79, a bill for an act relating to a moratorium on the issuance of new licenses to conduct gambling games and providing an effective date and amendment S—3262 by Senator McLaren to page 1 of the bill, deferred March 27, 1997.

Senator Vilsack offered amendment S—3275 filed by him on March 27, 1997, to amendment S—3262 and moved its adoption.

Amendment S—3275 was adopted by a voice vote.

Senator Vilsack withdrew amendment S—3280 filed by him from the floor to amendment S—3262.

Senator Halvorson offered amendment S—3283 filed by him from the floor to amendment S—3262 and moved its adoption.

Amendment S—3283 lost by a voice vote.

Senator McLaren moved the adoption of amendment S—3262 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3262 as amended, the Chair ruled amendment S—3035 filed by Senator Halvorson on February 4, 1997, to page 1 of the bill, out of order.

Senator Hansen withdrew amendment S—3034 filed by him on February 4, 1997, to page 1 of the bill.

Senator McLaren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 79) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Boettger	Börlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gronstal	Halvorson	Hammond	Hansen
Hedge	Iverson	Jensen	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 2:

Gettings Judge

Absent or not voting, 2:

Black, J. Horn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **Senate File 79** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 523

The Senate resumed consideration of Senate File 523, a bill for an act relating to health care facilities by requiring employment checks of health care facility employees and providing for a registry of persons who are certified as a nurse aide or medication aide, previously deferred.

Senator McCoy offered amendment S—3290 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—3290 was adopted by a voice vote.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 523) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Black, J. Horn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **Senate File 523** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 362

On motion of Senator Bartz, Senate File 362, a bill for an act establishing a wildlife depredation unit within the department of natural resources, allowing the discharge of firearms in state parks for certain purposes, providing for the issuance of additional free deer hunting licenses, subjecting violators to an existing penalty, and providing an effective date, was taken up for consideration.

Senator Lundby offered amendment S—3161 filed by her on March 18, 1997, to pages 1, 2 and the title page of the bill.

Senator Bartz called for a division of amendment S—3161: lines 1-10 and 17-24 as division S—3161A, and lines 11-16 as division S—3161B.

Senator Lundby moved the adoption of division S—3161A.

A record roll call was requested.

On the question "Shall division S—3161A be adopted?" (S.F. 362) the vote was:

Ayes, 26:

Angelo	Bartz	Behn	Boettger
Borlaug	Douglas	Drake	Freeman
Iverson	Jensen	King	Kramer
Lundby	Maddox	McKean	McKibben
McLaren	Palmer	Redfern	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Tinsman	Zieman		

Nays, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond

Hansen	Hedge	Judge	Kibbie
McCoy	Neuhauser	Szymoniak	Vilsack

Absent or not voting, 3:

Black, J.	Horn	Rife
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Division S—3161A was adopted.

Senator Lundby moved the adoption of division S—3161B, which motion lost by a voice vote.

Senator Judge asked and received unanimous consent that action on **Senate File 362** be **deferred**.

UNFINISHED BUSINESS CALENDAR

(Deferred March 26, 1997)

Senate File 515

The Senate resumed consideration of Senate File 515, a bill for an act relating to juvenile justice and youthful offenders, by making changes in provisions relating to illegal purchase or possession of alcohol and tobacco by juveniles and youthful offenders, making changes relating to dramshop liability, providing for notification of school officials of possession of alcohol by students, providing for the taking of fingerprints and photographs of certain juveniles, permitting victims to make oral victim impact statements in juvenile proceedings, making changes related to the supplying of alcohol to persons under the age of twenty-one, providing for sharing of information regarding delinquent juveniles and juveniles under the jurisdiction of various social services agencies, providing for shared jurisdiction between the adult and juvenile courts over youthful offenders, changing the criteria for placement in the state training school or other facility, making changes relating to state reimbursement for expenses of court-appointed attorneys in juvenile court, permitting the release of information relating to juveniles who have escaped from a detention facility, providing for notification of juvenile court authorities of unexcused absences or suspensions or expulsions of students who are on probation, providing for bailiff and other law enforcement assistance to associate juvenile judges,

including arrest or disposition or custody or adjudication data in criminal history data kept by the department of public safety, authorizing school officials to conduct searches of students and their lockers and other spaces and to report possession or use of alcohol or controlled substances to law enforcement authorities, deferred March 26, 1997.

Senator Fink offered amendment S—3291 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 13, nays 33.

Amendment S—3291 lost.

Senator Maddox offered amendment S—3236 filed by Senators Maddox, et al., on March 26, 1997, to pages 1, 3, 4, 5, 8, 17, 20 and the title page of the bill.

Senator Maddox withdrew amendment S—3295 filed by him from the floor to amendment S—3236.

Senator Hammond offered amendment S—3282 filed by her from the floor to amendment S—3236.

Senator Drake asked and received unanimous consent that action on amendment S—3282 to amendment S—3236, amendment S—3236 and **Senate File 515** be deferred.

MOTION TO RECONSIDER ADOPTED

Senator Bartz called up the motion to reconsider Senate File 241 filed by him on March 26, 1997, found on page 834 of the Senate Journal and moved its adoption.

On the question “Shall the motion to reconsider be adopted?” (S.F. 241) the vote was:

Ayes, 43:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Iverson	Judge	Kibbie
King	Kramer	Lundby	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 3:

Freeman	Jensen	Maddox
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Absent or not voting, 3:

Black, J.	Horn	Rife
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Senator Bartz moved to reconsider the vote by which Senate File 241 went to its last reading, which motion prevailed by a voice vote.

Senate File 241

On motion of Senator Bartz, Senate File 241, a bill for an act adopting the uniform transfer on death security registration Act, was taken up for reconsideration.

Senator Vilsack offered amendment S—3292 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3292 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. 241) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Black, J. Horn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **Senate File 241** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 109

On motion of Senator King, Senate File 109, a bill for an act relating to workers' compensation coverage for employment outside of the state, with report of committee recommending passage, was taken up for consideration.

Senator King withdrew amendment S—3204 filed by him on March 24, 1997, to strike everything after the enacting clause and to the title page of the bill.

Senator King offered amendment S—3289 filed by him from the floor to page 1 of the bill.

Senator Dearden asked and received unanimous consent that action on amendment S—3289 and **Senate File 109** be **deferred**.

Senate File 397

On motion of Senator Jensen, Senate File 397, a bill for an act relating to the acquisition of a branch of a savings association by a newly chartered bank and providing an effective date, was taken up for consideration.

Senator Redfern asked and received unanimous consent to withdraw amendments S—3286 and S—3287 filed by Senators Redfern, et al., from the floor to page 1 of the bill.

Senator Jensen asked and received unanimous consent that **House File 475** be **substituted** for **Senate File 397**.

Senator Jensen asked and received unanimous consent that action on **House File 475** be **deferred**.

BUSINESS PENDING

Senate File 362

The Senate resumed consideration of Senate File 362, a bill for an act establishing a wildlife depredation unit within the department of natural resources, allowing the discharge of firearms in state parks for certain purposes, providing for the issuance of additional free deer hunting licenses, subjecting violators to an existing penalty, and providing an effective date, previously deferred.

Senator Bartz filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which division S—3161A to Senate File 362 was adopted by the Senate on March 31, 1997.

The motion prevailed by a voice vote and division S—3161A by Senator Lundby to pages 1, 2 and the title page of the bill was taken up for reconsideration.

(Action on division S-3161A was temporarily deferred).

Senator Judge withdrew amendment S-3237 filed by her on March 26, 1997, to page 2 and the title page of the bill.

Senator Judge withdrew amendment S-3238 filed by her on March 26, 1997, to page 2 and the title page of the bill.

The Chair ruled amendment S-3246 to amendment S-3238 filed by Senator Judge on March 26, 1997, top page 1 of the bill, out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vilsack for the remainder of the day on request of Senator Gronstal.

BUSINESS PENDING

Senate File 362

The Senate resumed consideration of Senate File 362.

Senator Judge offered amendment S-3297 filed by her from the floor to pages 1, 2 and the title page of the bill and moved its adoption.

Amendment S-3297 lost by a voice vote.

The Senate resumed consideration of division S-3161A by Senator Lundby to pages 1 and 2 of the bill, previously deferred.

Senator Lundby moved the adoption of division S-3161A.

A non record roll call was requested.

The ayes were 31, nays 14.

Division S-3161A was adopted.

Senator Bartz offered amendment S—3123 filed by him on March 12, 1997, to page 1 of the bill.

Senator Black of Jasper offered amendment S—3285 filed by him from the floor to amendment S—3123 and moved its adoption.

Amendment S—3285 lost by a voice vote.

Senator Bartz moved the adoption of amendment S—3123, which motion prevailed 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. 362) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Zieman			

Nays, none.

Absent or not voting, 4:

Black, J.	Horn	Neuhauser	Vilsack
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that Senate File 362 be immediately messaged to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 25, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 685, a bill for an act relating to the required business hours of a motorcycle dealer.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 31, 1997, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 433, a bill for an act relating to the definition and location of a land-leased community (S—3296).

ALSO: That the House has on March 31, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 453, a bill for an act relating to the grounds for termination of parental rights of a putative father.

This bill was read first time and **passed on file**.

House File 456, a bill for an act relating to city civil service and providing an effective date.

This bill was read first time and **passed on file**.

House File 485, a bill for an act relating to drainage districts by eliminating notice by petitioning landowners regarding the establishment of subdistricts.

This bill was read first time and **passed on file**.

House File 644, a bill for an act relating to the relationship between a real estate broker or salesperson and parties to certain real estate transactions and providing an effective date.

This bill was read first time and **passed on file.**

House File 674, a bill for an act providing a cause of action against the state for wrongful imprisonment.

This bill was read first time and **passed on file.**

House File 680, a bill for an act relating to election of mayors in certain cities and providing an immediate effective date.

This bill was read first time and **passed on file.**

House File 692, a bill for an act relating to the criteria for issuance of handicapped special plates and making a civil penalty applicable.

This bill was read first time and **passed on file.**

REASSIGNMENT OF GOVERNOR'S APPOINTMENT'

Senator Gronstal asked and received unanimous consent to refer the governor's appointee as Chair of the Utilities Board from the committee on Natural Resources to the committee on Commerce.

APPENDIX**BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR**

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 31st day of March, 1997:

Senate Files 233, 272, 292 and 299.

MARY PAT GUNDERSON
Secretary of the Senate

COMMITTEE REPORTS**BUSINESS AND LABOR**

Final Bill Action: SENATE FILE 361, a bill for an act relating to the state workers' compensation coverage for students participating in school-to-work programs and providing for related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Rife, King, Dearden, Behn, Freeman, Gettings, Jensen, Palmer, Schuerer and Ziemann. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 167, a bill for an act relating to eligibility requirements for workers' compensation.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Rife, King, Dearden, Behn, Freeman, Gettings, Jensen, Palmer, Schuerer and Ziemann. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 370, a bill for an act relating to workers' compensation benefits for professional athletes and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Rife, King, Dearden, Behn, Freeman, Gettings, Jensen, Palmer, and Zieman. Nays, none. Absent or not voting, 2: Horn and Schuerer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 398, a bill for an act relating to subject matter under the regulatory authority of the labor commissioners, including the construction contractors law, and making nonsubstantive Code corrections relating to the child labor law.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Rife, King, Dearden, Behn, Freeman, Gettings, Jensen, Palmer, Schuerer and Zieman. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 399, a bill for an act relating to inspections of unfired steam pressure vessels.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Rife, King, Dearden, Behn, Freeman, Gettings, Jensen, Palmer, and Zieman. Nays, none. Absent or not voting, 2: Horn and Schuerer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 401, a bill for an act relating to state government personnel procedures including job classifications, pay plans, employee recall from layoff, and abolishing the personnel commission.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Rife, King, Dearden, Behn, Freeman, Gettings, Jensen, Palmer, Schuerer and Zieman. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 589, a bill for an act relating to professional boxing and wrestling matches, providing for properly related matters, and providing for a tax and for penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Rife, King, Dearden, Behn, Freeman, Gettings, Jensen, Palmer, Schuerer and Zieman. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 4, a bill for an act relating to the office of city assessor in certain counties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Zieman, Behn, Fraise, Angelo, Bartz, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean and Redwine. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 645, 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 and including an effective date provision.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3298.

Final Vote: Ayes, 13: Zieman, Behn, Fraise, Angelo, Bartz, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean and Redwine. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: HOUSE FILE 250, a bill for an act establishing a program in the department of natural resources to provide major maintenance and infrastructure improvements to existing state parks and other public facilities and making appropriations.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben, Rehberg and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on March 31, 1997:

EDUCATION

Nick Benzing, Judith J. Brueggeman, Martha J. Cumpton and Dr. Thomas A. Sunderbruch, Board of Educational Examiners.

David W. Belin and Mary E. Gesiriech, First in the Nation in Education Foundation Governing Board.

John V. Hartung, Iowa Higher Education Loan Authority.

Wayne F. Drexler, School Budget Review Committee.

Lisa E. Ahrens and Dr. Clarkson L. Kelly, State Board of Regents.

STATE GOVERNMENT

Sylvia Tijerina, Administrator of the Division of Latino Affairs.

Glen D. Huntington and Kevin W. Monson, Architectural Examining Board.

Dennis Ruffcorn, Board of Barber Examiners.

Dr. Richard F. Noyes, Board of Optometry Examiners.

Dr. Rickey P. Salocker, Board of Podiatry Examiners.

Julie-Anita Ingoli, Iowa Emergency Response Commission.

Monty D. Mitchell, Landscape Architectural Examining Board.

Evelyn M. Rank, Real Estate Commission.

Terry R. Cooper and Gary A. Kirchof, State Board of Examiners for Nursing Home Administrators.

GOVERNOR'S APPOINTEE PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointee assigned to a standing committee for investigation was placed on the Individual Confirmation Calendar with recommendation for confirmation on March 31, 1997:

EDUCATION

David J. Fisher, State Board of Regents.

David J. Fisher, State Board of Regents.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 31, 1997, the governor approved and transmitted to the secretary of state the following bills:

S.F.190 – Relating to granting easements on certain property by the Department of Natural Resources.

S.F.251 – Relating to compensation to victims of international terrorism who are residents of Iowa and providing an effective date.

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

H.F.	456	Local Government
H.F.	485	Local Government
H.F.	674	Judiciary
H.F.	680	Local Government
H.F.	685	Transportation
H.F.	692	Transportation

AMENDMENTS FILED

S-3288	S. F.	515	Matt McCoy
S-3289	S. F.	109	Steve King
S-3290	S. F.	523	Matt McCoy
S-3291	S. F.	515	William Fink
S-3292	S. F.	241	Tom Vilsack
S-3293	S. F.	501	Mary Lundby
S-3294	S. F.	471	Mary Lou Freeman
S-3295	S. F.	515	O. Gene Maddox
S-3296	S. F.	433	House amendment
S-3297	S. F.	362	Patty Judge
S-3298	H.F.	645	Local Government
S-3299	S. F.	380	Elaine Szymoniak

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:48 p.m., until 9:00 a.m., Tuesday, April 1, 1997.

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 1, 1997

The Senate met in regular session at 9:05 a.m., President Kramer presiding.

Prayer was offered by Dr. Carl Zylstra, President of Dordt College, Sioux Center, Iowa.

The Journal of Monday, March 31, 1997, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Horn until he arrives on request of Senator Gronstal.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:09 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 31, 1997, 6:50 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Jensen, Lundby, Maddox, McCoy, Neuhauser, Rehberg, Rensink, Rife, Rittmer and Tinsman.

Members Absent: Horn and Vilsack (both excused).

Committee Business: Recommended passage of House File 655 as amended.

Adjourned: 7:30 p.m.

BUSINESS AND LABOR

Convened: March 31, 1997, 2:12 p.m.

Members Present: Rife, Chair; King, Vice Chair; Dearden, Ranking Member; Behn, Freeman, Gettings, Jensen, Palmer, Schuerer and Ziemann.

Members Absent: Horn (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 370, 399, 398, 589, 401, 167 and Senate File 361.

Adjourned: 2:35 p.m.

EDUCATION

Convened: March 31, 1997, 2:14 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Fink, Kibbie, Kramer, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman.

Members Absent: J. Black (excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointees to the en bloc confirmation calendar; recommended confirmation of governor's appointee to the individual confirmation calendar.

Adjourned: 2:28 p.m.

LOCAL GOVERNMENT

Convened: March 31, 1997, 2:40 p.m.

Members Present: Zieman, Chair; Behn, Vice Chair; Fraise, Ranking Member; Angelo, Bartz, D. Black, Boettger, Connolly, Dearden, Hansen, McKean and Redwine.

Members Absent: J. Black (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 4 and 645.

Adjourned: 3:12 p.m.

STATE GOVERNMENT

Convened: March 31, 1997, 2:40 p.m.

Members Present: Rittmer, Acting Chair; Lundby, Acting Vice Chair; Kibbie, Ranking Member; Borlaug, Deluhery, Drake, Fink, Gronstal, Halvorson, McKibben, Rife, Szymoniak and Tinsman.

Members Absent: King (excused) and McLaren.

Committee Business: Recommended confirmation of governor's appointees to the en bloc confirmation calendar.

Adjourned: 2:50 p.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 11, a concurrent resolution requesting the United States government ensure that the Farm Service Agency of the United States Department of Agriculture be supported and structured in a manner that preserves the efficient operation of the agency at the community level.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Rensink, J. Black, Judge, Angelo, Bartz, Behn, D. Black, Fraise, Gettings, Kibbie, Rehberg, Rife and Zieman. Nays, 1: Hedge. Absent or not voting, 1: Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 132, a bill for an act relating to the liability of persons involved in domesticated animal activities.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Rensink, J. Black, Judge, Angelo, Bartz, Behn, D. Black, Fraise, Gettings, Hedge, Kibbie, Rehberg, Rife and Ziemann. Nays, none. Absent or not voting, 1: Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 694, a bill for an act extending the provisions relating to the eradication of brucellosis to apply to animals other than bovine animals, making penalties applicable, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3303.

Final Vote: Ayes, 14: Rensink, J. Black, Judge, Angelo, Bartz, Behn, D. Black, Fraise, Gettings, Hedge, Kibbie, Rehberg, Rife and Ziemann. Nays, none. Absent or not voting, 1: Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: HOUSE FILE 557, a bill for an act relating to the operation and regulation of certain insurance companies and mutual associations, and the regulatory authority of the insurance division of the department of commerce.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer, Redfern and Rife. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 578, a bill for an act providing for the continued operation of the department of human rights and including an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: HOUSE FILE 202, a bill for an act relating to the issuance of free deer hunting licenses to and tenants of farm units.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben, Rehberg and Ziemán. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 615, a bill for an act relating to abandoned coal mines expenditures, including reclamation of land and drainage abatement.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben, Rehberg and Ziemán. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 653, a bill for an act relating to financial assurance requirements for waste tire collection and processing sites.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Bartz, Angelo, Fink, D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge and Rehberg. Nays, none. Absent or not voting, 2: McKibben and Ziemán.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 686, a bill for an act providing for the sale of unused highway right-of-way and other real property by the state department of transportation to past or present owners of affected property.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3306.

Final Vote: Ayes, 13: Drake, Borlaug, McCoy, Connolly, Douglas Fraise, Freeman, Gettings, Halvorson, Jensen, McKean, McKibben and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 688, a bill for an act relating to handicapped

parking permits by changing the term handicapped to the term person with a disability and by providing for nonexpiring removable windshield placards for persons with a lifelong disability, eliminating the requirement that physicians or chiropractors sign removable windshield placards, and eliminating certain identification requirements for persons with disabilities and providing an effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Drake, Borlaug, McCoy, Connolly, Douglas Fraise, Freeman, Gettings, Halvorson, Jensen, McKean, McKibben and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATION FROM THE GOVERNOR

March 31, 1997

Mary Pat Gunderson
Secretary of the Senate
State Capitol Building
L O C A L

Dear Ms. Gunderson:

Due to the resignation of Sally Chandler Halford as Director of the Department of Corrections effective April 13, 1997, I am withdrawing her name for consideration by the Senate for this appointment. Appointment to this position is deferred until an appropriate candidate can be selected.

Sincerely,
TERRY E. BRANSTAD
Governor

STUDY BILLS RECEIVED

SSB 260 Ways & Means

Relating to requirements for statements of account issued to students by each community college and each institution of higher learning under the control of the state board of regents and providing an effective date.

SSB 261 Ways & Means

Relating to housing development including tax increment financing, home construction revolving loans, property tax abatement for certain housing, and establishing a regional housing program.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 11

AGRICULTURE: Bartz, Chair; Angelo and Judge

Senate Concurrent Resolution 12

NATURAL RESOURCES & ENVIRONMENT: Bartz, Chair; Borlaug and Judge

House File 113

JUDICIARY: Redfern, Chair; Angelo and Hansen

House File 202

NATURAL RESOURCES & ENVIRONMENT: Bartz, Chair; D. Black and Ziemann

House File 448

JUDICIARY: Redfern, Chair; McKean and Neuhauser

House File 449

JUDICIARY: Tinsman, Chair; Boettger and Vilsack

House File 456

LOCAL GOVERNMENT: Angelo, Chair; Behn and Connolly

House File 485

LOCAL GOVERNMENT: Bartz, Chair; Fraise and Redwine

House File 542

JUDICIARY: Angelo, Chair; Fraise and McKean

House File 551

BUSINESS AND LABOR: Gettings, Chair; Horn and Rife

House File 578

HUMAN RESOURCES: Boettger, Chair; Rensink and Szymoniak

House File 579

HUMAN RESOURCES: Dearden, Chair; Redwine and Schuerer

House File 599

JUDICIARY: Maddox, Chair; Boettger, Hammond, Hansen and Tinsman

House File 600

JUDICIARY: Maddox, Chair; Boettger, Hammond, Hansen and Tinsman

House File 612

HUMAN RESOURCES: Boettger, Chair; Rensink and Vilsack

House File 613

SMALL BUS., ECON. DEV. & TOURISM: Schuerer, Chair; Hansen and Redwine.

House File 615

NATURAL RESOURCES & ENVIRONMENT: Angelo, Chair; Dearden and Hedge

House File 635

JUDICIARY: Redfern, Chair; Drake and Vilsack

House File 647

COMMERCE: Schuerer, Chair; Hansen and King

House File 666

JUDICIARY: King, Chair; Neuhauser and Tinsman

House File 674

JUDICIARY: Redfern, Chair; Hammond and King

House File 680

LOCAL GOVERNMENT: Boettger, Chair; D. Black and Zieman

House File 685

TRANSPORTATION: Connolly, Chair; Jensen and Rittmer

House File 687

WAYS AND MEANS: Hedge, Chair; Judge and McLaren

House File 692

TRANSPORTATION: Gettings, Chair; Drake and Rittmer

House File 697

STATE GOVERNMENT: King, Chair; Drake and Halvorson

House File 701

COMMERCE: Gronstal, Chair; Deluhery, Douglas, Jensen and King

House File 707

JUDICIARY: McKean, Chair; Boettger and Halvorson

SSB 260

WAYS AND MEANS: Borlaug, Chair; Connolly and Douglas

SSB 261

WAYS AND MEANS: Maddox, Chair; Hedge and Vilsack

AFTERNOON SESSION

The Senate reconvened at 5:47 p.m., President Kramer presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Szymoniak until she returns on request of Senator Fink and Senator Rehberg until she returns on request of Senator Angelo.

QUORUM CALL

Senator Iverson requested a non record roll call to determine that a quorum was present.

The vote revealed 36 present, 13 absent and a quorum present.

CONSIDERATION OF BILLS
(Regular Calendar)**Senate File 501**

On motion of Senator Lundby, Senate File 501, a bill for an act relating to the department of workforce development and the enforcement of employment laws concerning emergency and hazardous materials inventories, construction contractors, amusement rides, asbestos and employment agency licenses, wage assignments, and boxing and wrestling, was taken up for consideration.

Senator Lundby offered amendment S—3293 filed by her on March 31, 1997, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3293 was adopted by a voice vote.

Senator Lundby moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 501) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rensink	Rife	Rittmer	Schuerer
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Rehberg	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 518

On motion of Senator Lundby, Senate File 518, a bill for an act relating to the administration of state government, by providing for the practices of the department of general services, state procurement, motor vehicles, and state printing, was taken up for consideration.

Senator Lundby offered amendment S—3302 filed by her from the floor to pages 1 and 4 of the bill and moved its adoption.

Amendment S—3302 was adopted by a voice vote.

Senator Lundby offered amendment S—3301 filed by her from the floor to page 2 of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S—3301 and **Senate File 518** be **deferred**.

INTRODUCTION OF BILLS

Senate File 530, by committee on Ways and Means, a bill for an act relating to the establishment of an E911 surcharge, providing for the distribution of the surcharge, and providing a pooling mechanism for the purchase of equipment necessary for an E911 system.

Read first time and **placed on Ways and Means Calendar**.

Senate File 531, by committee on Ways and Means, a bill for an act relating to the increase in the physical plant and equipment levy.

Read first time and **placed on Ways and Means Calendar**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 1, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 439, a bill for an act relating to the development of a repository for criminal history, abuse and sex offender registries, and nurse aide and other health profession certification and licensing information.

This bill was read first time and **passed on file**.

House File 450, a bill for an act relating to application of the penalty for improperly passing a stopped school bus.

This bill was read first time and **passed on file**.

House File 515, a bill for an act relating to the determination of annual salaries for deputy sheriffs.

This bill was read first time and **passed on file**.

House File 618, a bill for an act relating to state reimbursement for expenses of attorneys provided to indigent persons in juvenile court.

This bill was read first time and **passed on file.**

House File 643, a bill for an act providing for grandparent and great-grandparent visitation rights.

This bill was read first time and **passed on file.**

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

H.F.	439	State Government
H.F.	450	Transportation
H.F.	618	Judiciary
H.F.	643	Judiciary
H.F.	644	Commerce

UNFINISHED BUSINESS CALENDAR

(Deferred March 31, 1997)

Senate File 109

The Senate resumed consideration of Senate File 109, a bill for an act relating to workers' compensation coverage for employment outside of the state and amendment S—3289 by Senator King to page 1 of the bill, deferred March 31, 1997.

Senator King withdrew amendment S—3289.

Amendment S—3247 filed by Senator Dearden on March 26, 1997, to amendment S—3204 (withdrawn on March 31, 1997), was out of order.

Senator King moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 109) the vote was:

Ayes, 44:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly

Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rensink	Rife
Rittmer	Tinsman	Vilsack	Zieman

Nays, none.

Present, 1:

Flynn

Absent or not voting, 4:

Lundby	Rehberg	Schuerer	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 508

On motion of Senator Bartz, Senate File 508, a bill for an act allowing account maintenance fees to be charged in connection with certain consumer lines of credit accounts in certain financial institutions, was taken up for consideration.

Senator Redfern offered amendment S—3273 filed by him on March 27, 1997, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3273 was adopted by a voice vote.

Senator Douglas offered amendment S—3304 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—3304 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. 508) the vote was:

Ayes, 36:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Deluhery
Douglas	Drake	Fink	Flynn
Freeman	Hansen	Hedge	Iverson
Jensen	Judge	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Redfern
Redwine	Rensink	Rife	Rittmer
Schuerer	Tinsman	Vilsack	Zieman

Nays, 11:

Connolly	Dearden	Dvorsky	Fraise
Gettings	Gronstal	Halvorson	Hammond
Horn	Kibbie	Palmer	

Absent or not voting, 2:

Rehberg	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate Files 109, 501 and 508 be immediately messaged to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 460

On motion of Senator Freeman, Senate File 460, a bill for an act relating to membership on the workforce development board and providing an effective date, 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?" (S.F. 460) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rensink	Rife	Rittmer	Schuerer
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Rehberg Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 174

On motion of Senator Dearden, Senate File 174, a bill for an act relating to the operation of motorboats on artificial lakes, with report of committee recommending amendment and passage was taken up for consideration.

Senator Dearden offered amendment S—3093 filed by the committee on Natural Resources and Environment on February 27, 1997, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3093 was adopted by a voice vote.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 174) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rensink
Rife	Rittmer	Schuerer	Tinsman
Vilsack	Zieman		

Nays, 1:

Lundby

Absent or not voting, 2:

Rehberg Szymoniak

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 Iverson asked and received unanimous consent that Senate Files 174 and 460 be immediately messaged to the House.

BUSINESS PENDING

Senate File 518

The Senate resumed consideration of Senate File 518, a bill for an act relating to the administration of state government, by providing

for the practices of the department of general services, state procurement, motor vehicles, and state printing and amendment S—3301 by Senator Lundby to page 2 of the bill, previously deferred.

Senator Lundby withdrew amendment S—3301.

Senator Lundby moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 518) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rensink	Rife	Rittmer	Schuerer
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Rehberg * Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **Senate File 518** be **immediately messaged** to the House.

UNFINISHED BUSINESS CALENDAR

(Deferred March 31, 1997)

Senate File 515 .

The Senate resumed consideration of Senate File 515, a bill for an act relating to juvenile justice and youthful offenders, by making

changes in provisions relating to illegal purchase or possession of alcohol and tobacco by juveniles and youthful offenders, making changes relating to dramshop liability, providing for notification of school officials of possession of alcohol by students, providing for the taking of fingerprints and photographs of certain juveniles, permitting victims to make oral victim impact statements in juvenile proceedings, making changes related to the supplying of alcohol to persons under the age of twenty-one, providing for sharing of information regarding delinquent juveniles and juveniles under the jurisdiction of various social services agencies, providing for shared jurisdiction between the adult and juvenile courts over youthful offenders, changing the criteria for placement in the state training school or other facility, making changes relating to state reimbursement for expenses of court-appointed attorneys in juvenile court, permitting the release of information relating to juveniles who have escaped from a detention facility, providing for notification of juvenile court authorities of unexcused absences or suspensions or expulsions of students who are on probation, providing for bailiff and other law enforcement assistance to associate juvenile judges, including arrest or disposition or custody or adjudication data in criminal history data kept by the department of public safety, authorizing school officials to conduct searches of students and their lockers and other spaces and to report possession or use of alcohol or controlled substances to law enforcement authorities, amendment S—3236 and amendment S—3282 to amendment S—3236, deferred on March 26, 1997.

Senator Hammond moved the adoption of amendment S—3282 to amendment S—3236, which motion prevailed by a voice vote.

Senator Maddox offered amendment S—3309 filed by him from the floor to amendment S—3236 of the bill.

Senator Vilsack asked and received unanimous consent that action on amendment S—3309 to amendment S—3236 and amendment S—3236 be deferred.

Senator Vilsack offered amendment S—3264 filed by him on March 26, 1997, to pages 2-4 and the title page of the bill.

Senator Maddox called for a division of amendment S—3264:

Page 1, lines 2-29 and page 2, lines 19-23 as division S—3264A.

Page 1, lines 30-50 and page 2, lines 1-18 as division S—3264B.

Senator Vilsack moved the adoption of division S—3264A, which motion prevailed by a voice vote.

Senator Vilsack moved the adoption of division S—3264B.

A record roll call was requested.

On the question "Shall division S—3264B be adopted?" (S.F. 515) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Vilsack

Nays, 28:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Absent or not voting, 1:

Szymoniak

Division S—3264B lost.

Senator Palmer offered amendment S—3284 filed by him on March 31, 1997, to pages 5, 16 and the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3284 be adopted?" (S.F. 515) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Vilsack

Nays, 28:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Absent or not voting, 1:

Szymoniak

Amendment S—3284 lost.

Senator Bartz took the chair at 8:21 p.m.

Senator McCoy offered amendment S—3288 filed by him on March 31, 1997, to pages 5, 17, 19 and the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3288 be adopted?" (S.F. 515) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise

Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Vilsack

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Maddox	McKean
McLaren	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 3:

Lundby	McKibben	Szymoniak
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Amendment S—3288 lost.

Senator Hammond offered amendment S—3281 filed by her on March 31, 1997, to page 17 of the bill and moved its adoption.

Amendment S—3281 was adopted by a voice vote.

Senator Flynn offered amendment S—3324 filed by him from the floor to page 20 and the title page of the bill.

Senator Maddox raised the point of order that amendment S—3324 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3324 out of order.

The Senate resumed consideration of amendment S—3236 by Senators Maddox, et al., and amendment S—3309 by Senator Maddox to amendment S—3236, previously deferred.

Senator Maddox asked and received unanimous consent that action on amendment S—3309 to amendment S—3236 continue to be deferred.

Senator Vilsack offered amendment S—3323 filed by him from the floor to amendment S—3236, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3323 to amendment S—3236 be adopted?" (S.F. 515) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Black, D.	Boettger	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Gronstal
Halvorson	Hammond	Hansen	Horn
Judge	Kibbie	McCoy	Neuhauser
Palmer	Vilsack		

Nays, 24:

Angelo	Bartz	Behn	Black, J.
Borlaug	Douglas	Drake	Hedge
Iverson	Jensen	King	Kramer
Maddox	McKean	McKibben	McLaren
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Tinsman	Zieman

Absent or not voting, 3:

Lundby	Rife	Szymoniak
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Amendment S—3323 lost.

The Senate resumed consideration of amendment S—3309 by Senator Maddox to amendment S—3236, previously deferred.

Senator Maddox moved the adoption of amendment S—3309.

A non record roll call was requested.

The ayes were 23, nays 23.

Amendment S—3309 lost.

Senator Halvorson called for a division of amendment S—3236:

Page 1, lines 2-27, page 2, lines 2-50 and page 3, lines 1-48 as division S—3236A;

Page 1, lines 28-50 and page 2, line 1 as division S—3236B.

Senator Fink called for a further division of amendment S—3236: Page 1, lines 16-27 as division S—3236C.

Senator Maddox moved the adoption of division S—3236A, which motion prevailed by a voice vote.

Senator Maddox moved the adoption of division S—3236B.

A record roll call was requested.

On the question "Shall division S—3236B be adopted?" (S.F. 515) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Angelo	Bartz	Behn	Black, J.
Borlaug	Drake	Freeman	Hedge
Iverson	Jensen	Kramer	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Nays, 22:

Black, D.	Boettger	Connolly	Dearden
Deluhery	Douglas	Dvorsky	Fink
Flynn	Fraise	Gettings	Gronstal
Halvorson	Hammond	Hansen	Horn

Judge Palmer	Kibbie Vilsack	King	Neuhauser
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Absent or not voting, 3:

Lundby	McCoy	Szymoniak
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Division S—3236B was adopted.

Senator Maddox moved the adoption of division S—3236C.

A non record roll call was requested.

The ayes were 27, nays 16.

Amendment S—3236C was adopted.

Senator Maddox moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 515) the vote was:

Ayes, 38:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Dvorsky
Flynn	Freeman	Halvorson	Hammond
Hedge	Horn	Iverson	Jensen
Judge	King	Kramer	Maddox
McCoy	McKean	McKibben	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Tinsman
Vilsack	Zieman		

Nays, 9:

Drake	Fink	Fraise	Gettings
Gronstal	Hansen	Kibbie	McLaren
Rife			

Absent or not voting, 2:

Lundby	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF BILL

Senate File 532, by committee on Way and Means, a bill for an act relating to tuition and fees charged by public school districts and providing an immediate effective date.

Read first time and placed on Ways and Means Calendar.

APPENDIX
COMMUNICATION

The following communication from the Chair of the Senate Natural Resources and Environment Committee was received:

April 1, 1997

MADAM PRESIDENT: The following appointees were NOT voted out of the Natural Resources and Environment Committee on March 25, 1997, as reported to the Senate Journal on page 794:

Randal J. Giannetto and Kathryn A. Murphy - Environmental Protection Commission.

Jacklyn K. Van Ekeren - Iowa Comprehensive Petroleum Underground Storage Tank Fund.

JoAnn M. Brincks and David L. Holmes - Renewable Fuels and Coproducts Advisory Committee.

Allan T. Thoms - Chair of the Utilities Board.

Sincerely

MERLIN E. BARTZ, Chair

COMMUNICATION FROM THE GOVERNOR

The following communication from the governor was received:

April 1, 1997

Mary Pat Gunderson
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Gunderson:

Because Ann R. Shaw has resigned her position as a school administrator, she is no longer eligible for appointment to the Board of Educational Examiners. Therefore, I am withdrawing her name for consideration by the Senate. Pursuant to Iowa Code 2.32(4), appointment to this position is deferred until an appropriate candidate can be selected.

Sincerely,
TERRY E. BRANSTAD
Governor

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 655, a bill for an act appropriating funds to the department of economic development, certain board of regents institutions, the department of workforce development, the public employment relations board, making statutory changes, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3308.

Final Vote Ayes, 23: McLaren, Kramer, Flynn, Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Jensen, Lundby, Maddox, McCoy, Neuhauser, Rehberg, Rensink, Rife, Rittmer and Tinsman. Nays, none. Absent or not voting, 2: Horn and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 542, a bill for an act to prohibit acts by inmates of jails or correctional institutions which result in contact with bodily fluids or secretions or the casting or expelling of bodily fluids or secretions on jail and correctional employees, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 11: McKean, Maddox, Angelo, Boettger, Drake, Halvorson, Hansen, King, McKibben, Redfern and Vilsack. Nays, 1: Fraise. Pass, 3: Neuhauser, Hammond and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 635, a bill for an act to consider the use of less lethal munitions by peace officers not a use of deadly force.

Recommendation: DO PASS.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 218, a bill for an act relating to service of notices of appraisal of property for state inheritance tax purposes.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Douglas, McKibben, Palmer, Borlaug, Connolly, Deluhery, Freeman, Hedge, Judge, Maddox and Redfern. Nays, none. Absent or not voting, 4: Drake, McLaren, Szymoniak and Vilsack.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 354, a bill for an act relating to activities of a foreign corporation which do not constitute doing business in or deriving income from the state for state tax purposes and including effective and retroactive applicability date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Douglas, McKibben, Palmer, Borlaug, Connolly, Deluhery, Freeman, Hedge, Judge, Maddox, McLaren and Redfern. Nays, none. Absent or not voting, 3: Drake, Szymoniak and Vilsack.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 530 (formerly Senate File 469), a bill for an act relating to the establishment of an E911 commission and establishing a surcharge.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Douglas, McKibben, Palmer, Borlaug, Connolly, Deluhery, Drake, Hedge, Judge, Maddox, Redfern, Szymoniak and Vilsack. Nays, none. Absent or not voting, 2: Freeman and McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 530 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 531 (formerly Senate File 482), a bill for an act relating to the increase in the physical plant and equipment levy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Douglas, McKibben, Borlaug, Freeman, Hedge, Maddox, McLaren, Redfern and Vilsack. Nays, 5: Palmer, Connolly, Deluhery, Judge and Szymoniak. Absent or not voting, 1: Drake.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 532 (formerly Senate File 480), a bill for an act relating to tuition and fees charged by public school districts and providing an immediate effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Douglas, McKibben, Palmer, Borlaug, Freeman, Hedge, Judge, Maddox, McLaren, Redfern, Szymoniak and Vilsack. Nays, 2: Connolly and Deluhery. Absent or not voting, 1: Drake.

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 532 and they were attached to the committee report.

APPOINTMENT TO A BOARD

In accordance with Senate Rule 59, the following senators were appointed to a subcommittee of a standing committee on March 31, 1997, to investigate the appointment of the following governor's appointee:

COMMERCE

Chair of the Utilities Board:

ALLAN T. THOMS: Redfern, Chair; Palmer and King

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on April 1, 1997:

NATURAL RESOURCES AND ENVIRONMENT

JoAnn M. Brincks and David L. Holmes, Renewable Fuels and Coproducts Advisory Committee.

SMALL BUSINESS, ECONOMIC DEVELOP. & TOURISM

Julie J. Bulkeley, Frederick W. Hagemann and William B. Trent, Jr., Iowa Economic Development Board.

Carol A. Garrett, Iowa Seed Capital Corporation.

Peggy J. Trevino, Small Business Advisory Council.

SUBCOMMITTEE REASSIGNMENT FOR APPOINTMENT TO A BOARD

In accordance with Senate Rule 59, the following senators were reappointed to a subcommittee of a standing committee on March 31, 1997, to investigate the appointment of the following governor's appointee:

SMALL BUSINESS, ECON. DEVLPT AND TOURISM

Member of the Small Business Advisory Council:

MICHAEL A. FESLER: Redwine, Chair; Schuerer and Hansen

AMENDMENTS FILED

S-3300	S. F.	495	Andy McKean Larry McKibben Rod Halvorson
S-3301	S. F.	518	Mary Lundby
S-3302	S. F.	518	Mary Lundby
S-3303	H. F.	694	Agriculture
S-3304	S. F.	508	JoAnn Douglas
S-3305	S. F.	211	Michael E. Gronstal
S-3306	H. F.	686	Transportation
S-3307	S. F.	256	Stewart Iverson, Jr.
S-3308	H. F.	655	Appropriations
S-3309	S. F.	515	O. Gene Maddox
S-3310	S. F.	471	Mary Lou Freeman
S-3311	H. F.	475	Donald B. Redfern Michael E. Gronstal JoAnn Douglas Patrick J. Deluhery
S-3312	H. F.	475	Donald B. Redfern

			Michael E. Gronstal
			JoAnn Douglas
			Patrick J. Deluhery
S-3313	S. F.	493	Donald B. Redfern
S-3314	S. F.	468	Merlin E. Bartz
S-3315	S. F.	468	Patty Judge
S-3316	S. F.	468	Patty Judge
S-3317	S. F.	468	Patty Judge
S-3318	H.F.	655	Tom Vilsack
S-3319	H.F.	655	Tom Vilsack
S-3320	H.F.	655	Tom Vilsack
S-3321	H.F.	655	Tom Vilsack
S-3322	H.F.	655	Tom Vilsack
S-3323	S. F.	515	Tom Vilsack
S-3324	S. F.	515	Tom Flynn
S-3325	S. F.	512	Tom Vilsack
			Donald B. Redfern
S-3326	S. F.	329	Tom Flynn

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 515 passed the Senate on April 1, 1997.

MARY NEUHAUSER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S-3309 to Senate File 515 failed to be adopted by the Senate on April 1, 1997.

NANCY BOETTGER

MADAM PRESIDENT: I move to reconsider the vote by which division S-3236C to Senate File 515 was adopted by the Senate on April 1, 1997.

JEFF ANGELO

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:54 p.m., until 9:00 a.m., Wednesday, April 2, 1997.

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
 FORTY-SEVENTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Wednesday, April 2, 1997

The Senate met in regular session at 9:06 a.m., President pro tempore Redfern presiding.

Prayer was offered by the Reverend Jerry Van Hooser, pastor of the Baptist Church, Slater, Iowa.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 1, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 693, a bill for an act relating to civil actions and statutes of limitations in civil actions, the rate of interest on judgments and decrees, procedures for furnishing patient records of plaintiffs, comparative fault in consortium claims, damages in civil actions, and joint and several liability.

This bill was read first time and **passed on file**.

The Journal of Tuesday, April 1, 1997, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy until he arrives on request of Senator Judge.

MOTION TO RECONSIDER ADOPTED

Senator Neuhauser called up the motion to reconsider Senate File 515 filed by her on April 1, 1997, found on page 906 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 515) the vote was:

Ayes, 41:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Fink	Flynn
Fraise	Freeman	Gettings	Gronstal
Halvorson	Hammond	Hedge	Horn
Iverson	Judge	Kibbie	King
Kramer	Lundby	Maddox	McKean
McKibben	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 8:

Douglas	Drake	Dvorsky	Hansen
Jensen	McCoy	McLaren	Rife

The motion prevailed.

Senator Neuhauser moved to reconsider the vote by which Senate File 515 went to its last reading, which motion prevailed by a voice vote.

Senate File 515

On motion of Senator Maddox, Senate File 515, a bill for an act relating to juvenile justice and youthful offenders, by making changes in provisions relating to illegal purchase or possession of alcohol and tobacco by juveniles and youthful offenders, making changes relating to dramshop liability, providing for notification of school officials of possession of alcohol by students, providing for the taking of

fingerprints and photographs of certain juveniles, permitting victims to make oral victim impact statements in juvenile proceedings, making changes related to the supplying of alcohol to persons under the age of twenty-one, providing for sharing of information regarding delinquent juveniles and juveniles under the jurisdiction of various social services agencies, providing for shared jurisdiction between the adult and juvenile courts over youthful offenders, changing the criteria for placement in the state training school or other facility, making changes relating to state reimbursement for expenses of court-appointed attorneys in juvenile court, permitting the release of information relating to juveniles who have escaped from a detention facility, providing for notification of juvenile court authorities of unexcused absences or suspensions or expulsions of students who are on probation, providing for bailiff and other law enforcement assistance to associate juvenile judges, including arrest or disposition or custody or adjudication data in criminal history data kept by the department of public safety, authorizing school officials to conduct searches of students and their lockers and other spaces and to report possession or use of alcohol or controlled substances to law enforcement authorities, was taken up for reconsideration.

Senator Angelo called up the motion to reconsider the vote by which division S—3236C was adopted by the Senate on April 1, 1997, found on page 906 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and division S—3236C by Senators Maddox, et al., was taken up for reconsideration.

Senator Angelo offered amendment S—3327 filed by him from the floor to division S—3236C and moved its adoption.

Amendment S—3327 was adopted by a voice vote.

Senator Maddox moved the adoption of division S—3236C as amended.

A non record roll call was requested.

The ayes were 24, nays 19.

Division S—3236C as amended was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kibbie until he returns on request of Senator Gronstal.

BUSINESS PENDING

Senate File 515

The Senate resumed consideration of Senate File 515.

Senator Maddox filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which division S—3236B to Senate File 515 was adopted by the Senate on April 1, 1997.

A non record roll call was requested.

The ayes were 24, nays 17.

The motion prevailed and division S—3236B was taken up for reconsideration.

Senator Boettger called up the motion to reconsider the vote by which amendment S—3309 to division S—3236B was adopted by the Senate on April 1, 1997, found on page 906 of the Senate Journal and moved its adoption.

A non record roll call was requested.

The ayes were 25, nays 17.

The motion prevailed and amendment S—3309 by Senator Maddox to division S—3236B was taken up for reconsideration.

Senator Maddox moved the adoption of amendment S—3309 to division S—3236B.

A record roll call was requested.

On the question "Shall amendment S—3309 to division S—3236B be adopted?" (S.F. 515) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Angelo	Behn	Black, J.	Borlaug
Douglas	Drake	Freeman	Hedge
Iverson	Jensen	King	Kramer
Lundby	Maddox	McKibben	McLaren
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Tinsman
Zieman			

Nays, 22:

Bartz	Black, D.	Boettger	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Gronstal
Halvorson	Hammond	Hansen	Horn
Judge	McKean	Neuhauser	Palmer
Szymoniak	Vilsack		

Absent or not voting, 2:

Kibbie	McCoy
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Amendment S—3309 was adopted.

Senator Iverson asked and received unanimous consent that action on division S—3236B as amended and **Senate File 515** be deferred.

President Kramer took the chair at 10:45 a.m.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 378

On motion of Senator Rittmer, Senate File 378, a bill for an act providing for the qualifications of certain members of the investment

board of the Iowa public employees' retirement system, was taken up for consideration.

Senator Rittmer offered amendment S—3330 filed by him from the floor to page 1 and the title page of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S—3330 and **Senate File 378** be deferred.

BILL ASSIGNED TO COMMITTEE

President Kramer announced the assignment of **House File 693** to the committee on **Judiciary**.

BUSINESS PENDING

Senate File 515

The Senate resumed consideration of Senate File 515 and division S—3236B as amended by Senators Maddox, et al., previously deferred.

Senator Hansen withdrew amendment S—3334 filed by him from the floor to division S—3236C.

Senator Maddox moved the adoption of division S—3236B as amended.

A record roll call was requested.

On the question "Shall division S—3236B as amended be adopted?" (S.F. 515) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Angelo
Douglas

Behn
Drake

Black, J.
Freeman

Borlaug
Hedge

Iverson	Jensen	King	Kramer
Maddox	McKean	McKibben	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Zieman	

Nays, 22:

Bartz	Black, D.	Boettger	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Gronstal
Halvorson	Hammond	Hansen	Horn
Judge	Lundby	McCoy	Neuhauser
Palmer	Vilsack		

Absent or not voting, 4:

Kibbie	McLaren	Redfern	Szymoniak
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Division S—3236B as amended was adopted.

Senator Hansen asked and received unanimous consent that action on **Senate File 515** be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 522

On motion of Senator Boettger, Senate File 522, a bill for an act relating to legal settlement regarding community-based providers of treatment or services, was taken up for consideration.

Senator Boettger offered amendment S—3252 filed by her on March 26, 1997, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3252 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?" (S.F. 522) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 1:

Kibbie

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 466

On motion of Senator Maddox, Senate File 466, a bill for an act relating to the theft of video rental property and making penalties applicable, 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. 466) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	King

Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 1:

Kibbie

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate Files 466 and 522 be **immediately messaged** to the House.

CONSIDERATION OF BILL

(Regular Calendar)

Senate File 495

On motion of Senator McKean, Senate File 495, a bill for an act prohibiting gambling licensees from allowing the loaning of money by credit card or other electronic means for gambling purposes, was taken up for consideration.

Senator McKean offered amendment S—3300 filed by Senators McKean, McKibben and Halvorson on April 1, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3300 was adopted by a voice vote.

Senator McKean moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 495) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly

Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 1:

Rife

Absent or not voting, 1:

Kibbie

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **Senate File 495** be immediately messaged to the House.

BUSINESS PENDING

Senate File 515

The Senate resumed consideration of Senate File 515, previously deferred.

Senator Hansen offered amendment S—3336 filed by him from the floor to pages 3 and 21 of the bill and moved its adoption.

Amendment S—3336 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. 515) the vote was:

Ayes, 42:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Deluhery	Douglas	Drake	Flynn
Fraise	Freeman	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Palmer
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 5:

Dearden	Dvorsky	Fink	Neuhausser
Rife			

Absent or not voting, 2:

Gettings	Kibbie
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Iverson asked and received unanimous consent that **Senate File 515** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **House File 250** be referred from the Regular Calendar to the committee on **Appropriations**.

RECESS

On motion of Senator Iverson, the Senate recessed at 11:43 a.m., until 1:50 p.m.

APPENDIX

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 121, a bill for an act relating to notification procedures prior to the performance of an abortion on or termination of parental rights of a minor and applicable penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3333.

Final Vote: Ayes, 7: Boettger, Redwine, Bartz, Behn, J. Black, Rensink and Schuerer. Nays, 5: Szymoniak, Dearden, Dvorsky, Hammond and Tinsman. Pass, 1: Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 612, a bill for an act relating to child support recovery, providing penalties, and providing effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 499, a bill for an act relating to privileges and prohibitions for certain persons including those relating to motor vehicle licenses and to the regulation of tobacco, tobacco products, or cigarettes, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3332.

Final Vote: Ayes, 10: McKean, Maddox, Neuhauser, Angelo, Fraise, Halvorson, Hammond, Hansen, McKibben and Tinsman. Nays, none. Absent or not voting, 5: Boettger, Drake, King, Redfern and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 226, a bill for an act relating to computation of time by which criminal sentences may be reduced for good behavior and providing for limited retroactive applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 10: McKean, Maddox, Neuhauser, Angelo, Fraise, Halvorson, Hammond, Hansen, McKibben and Tinsman. Nays, none. Absent or not voting, 5: Boettger, Drake, King, Redfern and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 371, a bill for an act relating to the issuing of temporary orders for support, custody, or visitation of a child born outside of marriage.

Recommendation: DO PASS.

Final Vote: Ayes, 10: McKean, Maddox, Neuhauser, Angelo, Fraise, Halvorson, Hammond, Hansen, McKibben and Tinsman. Nays, none. Absent or not voting, 5: Boettger, Drake, King, Redfern and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 661, a bill for an act relating to the adjudication and sentencing of certain criminal offenders, by providing for notice and hearings on reconsiderations of sentence, permitting the presentation of oral victim impact statements at reconsideration of sentence hearings, and eliminating certain sexual offenders from eligibility for suspended or deferred sentences or deferred judgments.

Recommendation: DO PASS.

Final Vote: Ayes, 9: McKean, Maddox, Neuhauser, Angelo, Fraise, Hammond, Hansen, McKibben and Tinsman. Nays, none. Absent or not voting, 6: Boettger, Drake, Halvorson King, Redfern and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on April 1, 1997:

HUMAN RESOURCES

Dr. Martin R. Edwards, Board of Behavioral Science Examiners.

Diane M. Cardwell and Rita J. Taylor, Board of Physician Assistant Examiners.

Robert J. Martin, Commission for the Blind.

Harold B. Davis and Alyce M. Elmitt, Commission of Elder Affairs.

Lois R. Kotz and Loren M. Wakefield, Commission on Community Action Agencies.

Marcia J. Stark, Community Health Management Information System Governing Board.

Charles Palmer, Director of the Department of Human Services.

Lee S. Miller, Health Facilities Council.

Austin B. Turner, Iowa Council on Human Investment.

Mary Anne Anderson, Robert J. DeSmidt, Gary L. Gansemer and Clark A. Lane, Mental Health and Developmental Disabilities Commission.

Dr. Alfred Healy, Georganna T. Hinrichsen and Melva J. Urban, Prevention of Disabilities Policy Council.

Lil M. Perry and Kathryn M. Youberg, State Citizen Foster Care Review Board.

AMENDMENTS FILED

S-3327	S. F.	515	Jeff Angelo
S-3328	S. F.	493	Donald B. Redfern
S-3329	S. F.	427	James Black
S-3330	S. F.	378	Sheldon Rittmer
S-3331	S. F.	471	Mary Lou Freeman
S-3332	S. F.	499	Judiciary
S-3333	H. F.	121	Human Resources
S-3334	S. F.	515	Steven D. Hansen
S-3335	H. F.	133	Elaine Szymoniak
			Johnie Hammond
S-3336	S. F.	515	Steven D. Hansen
S-3337	H. F.	126	Tom Vilsack
S-3338	S. F.	521	Tom Flynn
S-3339	S. F.	499	Rod Halvorson
			Andy McKean
			O. Gene Maddox

AFTERNOON SESSION

The Senate reconvened at 2:05 p.m., President Kramer presiding.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

Senator Iverson moved that the Senate proceed to the House Chamber in accordance with House Concurrent Resolution 11 in columns of two led by the Secretary of the Senate and the Sergeant-at-arms.

The motion prevailed by a voice vote.

JOINT CONVENTION
PIONEER LAWMAKERS

Fifty-fourth Biennial Session
House Chamber 2:10 p.m.

In accordance with House Concurrent Resolution 11, the joint convention was called to order, President Kramer presiding.

President Kramer declared a quorum present and the joint convention duly organized.

Senator Iverson moved that a committee of four be appointed to escort the Pioneer Lawmakers into the House Chamber.

The motion prevailed by a voice vote and the President appointed as such committee Senators Rensink and McCoy on the part of the Senate; and Representatives Weidman and Connors on the part of the House.

The committee escorted the Pioneer Lawmakers to seats in the House Chamber.

President Kramer presented the Honorable Donald Redfern, President pro tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Kramer presented the Honorable Ron Corbett, Speaker of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House of Representatives.

President Kramer presented the Honorable John P. Kibbie, member of the Senate, who responded to the welcome.

Senator Kibbie announced the 1977-1978 class of legislators who were eligible to become members of the Pioneer Lawmakers and that lobbyists Bob Boyken from Waterloo, John Lewis from West Des Moines, and William Smith and F. Richard Thornton from Des Moines, were awarded honorary memberships in the Pioneer Lawmakers Association.

Senator Kibbie presented James Flansburg, retired columnist from the Des Moines Register, who address the joint convention.

I first walked into these chambers in search of a news story about 40 years ago.

What I remember best was a speech in the Senate. An old family friend, a senator from the Cedar County town of Clarence, Earl Elijah, was talking about a bill rewriting the probate code.

The bill was six inches thick, an impenetrable forest of paper for most people, and that grand old man hefted it above his head and gave his speech.

"I just hope you lawyers know what you're doing," he said, and sat down.

I guess they did. The bill passed and remains the basic law yet today. Some members here might not approve of this standard but I use it yet. The bill must have been a good one when you consider the absence of scandal, great law suits and public indignation.

I've thought of old Earl Elijah - I think his family and my family settled in Cedar County about the same time in the late 1840s - dozens of times as I've tried to make sense of this place and the way it has changed through my career as a reporter, editor and opinion columnist.

His speech hinted at the bonds of trust that ran this place, held it together, then. The continued existence of the committee system still implies that - you concentrate your efforts on this endeavor and I'll concentrate on that one - but from what I've seen and read, anyone who believes in a bond of trust today is begging for disappointment.

Sometimes nowadays I get the impression that everyone is trying to put something over on everyone else, with no consideration for what it might do to the commonwealth as a whole.

For the players, those little games can provide moments of fun. But for those of us who don't have the time or inclination or ability to keep track of it all and still have to live with the haphazard public policy that might result, it's bewildering.

What stopped first, I wonder: The honor and respect that we almost automatically paid to a state legislator? Or the behavior, the demeanor, that commanded that honor and respect?

Do I have a cure? An antidote? A reform? Lord, no. I'm having enough trouble just describing the condition.

We live in a time when the only constant is change. The legislature is caught by that as surely as the rest of us.

It may be a reflection of my age but what bothers me greatly is change for the sake of change, people changing a law without bothering to find out what the law's purpose was, what led to its passage in the first place.

Almost every day in this place, many make a dreadful and dangerous assumption: That those who were here in the past were dummies and do not need to be heeded.

Let me assure you: They were not dummies. Let me also assure you that, as the wise man said, those who do not read history are doomed to repeat its mistakes.

There is no doubt in my mind that today's Iowa Legislature is more representative of the people of Iowa than yesterday's legislature was.

The legislature's work and play, unfortunately, is not bathed in the high, good humor that marked it 20, 30 or 40 years ago.

The passions back then were just as strong, I think, but the respect for decorum and the legislative traditions of good behavior were dominant.

That resulted in the kind of class, for instance, that Minnette Doderer showed about 30 years ago when she went up on a point of personal privilege to talk about Richard Radl of Lisbon.

"When he goes home this weekend, I hope his mother comes out from under the porch and bites him," she said.

In 1973, Charles City's Ralph McCartney filed a motion to censure Lucas DeKoster of Hull. "He used a fact in debate and that's a dangerous precedent," said McCartney.

The same year Algona's Berl Priebe began to have doubts about the committee system: "Ever since my baby pig bill went to Education, I've been a little skeptical of committees," he said.

In 1977, I asked the wife of a legislator if she thought it was right to serve as her husband's clerk even though she didn't have some secretarial skills such as shorthand.

"I can write faster in longhand than he can think," she said. Case closed.

The old reporter title came about because I didn't know how to write in the first person when I first began writing a column in 1971. My style was the newspaper style. I had to quote people. So I quoted me and called me "the old reporter."

"How does the Iowa Legislature break down by sex?" I asked the old reporter in 1977. "I'd say that alcohol is a bigger problem," he said.

A few years before that, some of us got bored with the lack of news at Governors' Days in Clear Lake, and began running Muscatine's Richard Drake for lieutenant governor.

The job was very powerful then, being sought by Art Neu and Bill Harbor, and poor Drake squirmed, worrying about making those two angry.

At a reception, I caught up with Shirley and Dick Drake and stormed at him for giving the story to the Associated Press instead of me.

"It's on the wire?" he asked. "Yes," I said. He did some shouting, and I said, "Dick, have I ever lied to you." "No," said Drake. "Well, I am now," I said. "Furthermore," yelled Drake, "I told that damn Bill Eberline."

"Dick, Dick, Dick," said Shirley. "He said he's lying. Don't you ever listen to anyone?"

And I remember Jack Schroeder, a talented Davenport legislator from a long time ago. His motto: "Never leave a party until you're asked to leave."

My favorite story involves an anonymous legislator who was flying off to an eastern convention with a girl friend when his party put a call on the Senate. The lady went east, he came back to the Senate, very angry, and voted against his party at every turn.

I am leaving out a lot of names, and for that I'm sorry. With a couple of exceptions whom I've written about, I'm proud to have met and known a host of Iowa legislators. And, God, I hate to say this, but I have to include some lobbyists in that. I should name them. It would ruin their day. In any event, I feel blessed that I had a chance to know and watch the work of so many decent, caring people in and around Iowa government.

Focus on this for a moment: This place, Iowa, is a better place than it was - 20 years ago, 40 years ago, 100 years ago. In that, I include the Legislature itself, the counties and cities, our institutions.

They need minding, some herding, some correcting, but they're better than their predecessors because your predecessors exercised political courage and made them so.

That's a glorious but a demanding legacy.

In the main, Iowa has had the luck to elect good people. We've had very few scoundrels.

Many members today are not as well-schooled, formally and informally, and as experienced in real life as their counterparts of yesterday.

Changes in politics and in business have made it all but impossible for some people who've been successful in private endeavors to serve in today's legislature.

So some then and now comparisons are not appropriate.

Whenever you get to talking with the old-timers in the legislative or lobbying or reporting stables, you get barraged about how bigger-than-life the members were way back when.

I don't know why that is, because it's nonsense. Forty years from now, I tell you today, some of the members, the lobbyists, staffers and reporters here will be telling people about the giants that served here back in '97.

I knew and liked and respected some of the giants of 40 years ago. I cherish some friendships that came from my days here. But I don't think most of yesterday's people were any different than today's members. Most of them would fit in quite easily today.

They would have to learn how to deal with some changes just as today's members would have to learn to deal with yesterday's system.

Despite my warnings about old-timers with giant stories, I do want to mention what I regard as the most extraordinary session in the state's history. The 1965 session.

It came as a result of the 1964 Johnson landslide over Goldwater, the first time in 30 years that the Democrats were in control.

There was a lot of fun, a lot of hell-raising, a lot of tipping over of tradition, but the hard fact was that there was not an issue that the general assembly refused to deal with.

From both parties, it seemed to me, the members were there to do a job, get the state in order, not to get re-elected or prepare for some bigger office.

It was an enormously creative session. Almost all of the legislative work in Iowa since has amounted to fine-tuning what was done in 1965.

Someone like Bob Fulton or Minnette Doderer or Jack Kibbie or Bill Palmer should write a book.

When I first came to the Iowa Legislature as a reporter, the committee meetings were closed. No one except members and the committee clerk was allowed in. It was not uncommon, you'd learn sometimes years after the fact, for a member to argue one way in committee and in another way in public.

Leadership control was icy and ruthless. Issues weren't let out of committee for debate until they manifested substantial public support.

As a kind of show, for example, two bills were debated at the same time on the same day in 1959: Reapportionment in one house and liquor by the drink in the other. There was no chance of either passing. The purpose was to let the debate be a safety valve to let off some public pressure.

Bit by bit, there was change. It probably would shock some people today to learn that we thought it was reform about 35 years ago when they required an explanation on the bill and required the bill to be printed so that you could see what it did to the law. Fiscal notes? We thought that was just short of the Second Coming.

Through 1965, as I recall it, Senate deliberations on gubernatorial appointments and confirmation votes took place in executive session. The Senate would go into executive session, throw everyone out of the chamber, and then go about its business.

That rattled one senator in 1965 because it meant his wife, who was his secretary, had to leave the chamber and he relied on her to tell him what to do.

Some of us would make our way to the attic, and listen to the debate through the air vents around the chandeliers. The acoustics are perfect up there.

Some years later, I once found myself locked inside a Senate Republican caucus. It was my single worst experience in the reporters' trade. It was an accident. I didn't want to be there. But I couldn't step out without being denounced as a sneak. So I stayed - in grave jeopardy of wetting my pants - as the senators got into a long, nasty fight over their parking places on the east side of the capitol building.

Courtesy of experiences like that, I've never been as great an exponent of open meetings as some of my colleagues in the Fourth Estate.

Opening the committee meetings to the public and the procedural changes governing the drafting of bills, the advent of the computer and the cell phone, the coming of almost instant mass communications, high-speed highways and travel - all those things and more have combined to make this a different place than it was.

When I started in the reporters' trade at the Des Moines Register and Tribune in 1957, we had to have an editor's permission to make a long-distance telephone call. It was an expensive and complicated endeavor, so an operator handled it and called you when the connection was made.

In 1967, as I remember it, one of the most effective lobbyists in the place, Ed Jones, began spending about half his time in an office downtown, using his telephone WATTS line to energize lobbying efforts whose need was spotted by a young associate who'd joined him, F. Richard Thornton.

Those kinds of changes in technology make it very difficult for a member of today's legislature to handle the most important aspect of the job: Seek and forge compromise.

We live in an exceedingly diverse place of competitive and conflicting interests.

The country would fall apart, Alistair Cooke wrote years ago, if we did not have three secrets: "Compromise, compromise and compromise."

You have to have trade-offs or those competing and conflicting interests will be at each other's throats.

It's there, I think, that most of today's legislators have failed. Perhaps because of the changes in technology, they've forgotten or neglected a duty, as leaders, to teach their constituents about the possibilities and the impossibilities of government.

In many places, what should be an exalted word - compromise - has become a dirty word.

Too many politicians play to the gallery and talk about seeking victory rather than accommodation. They may not quite mean what they say but they always have listeners who believe.

The result is a dissemination of anger, hate, distrust and suspicion, and ultimately a lack of comprehension that in fact, in the end, we all want and are seeking the same goals.

Thank you and good luck.

Representative Siegrist moved that the joint convention be dissolved at 2:51 p.m.

The motion prevailed by a voice vote.

The Senate returned to the Senate Chamber and resumed regular session at 3:04 p.m., Senator Bartz presiding.

RECESS

On motion of Senator Iverson, the Senate recessed at 3:05 p.m., until 4:30 p.m.

RECONVENED

The Senate reconvened at 4:45 p.m., President Kramer presiding.

QUORUM CALL

Senator Iverson requested a non record roll call to determine that a quorum was present.

The vote revealed 32 present, 17 absent and a quorum present.

BUSINESS PENDING

Senate File 378

The Senate resumed consideration of Senate File 378, a bill for an act providing for the qualifications of certain members of the

investment board of the Iowa public employees' retirement system and amendment S—3330 by Senator Rittmer to page 1 and the title page of the bill, previously deferred.

Senator Rittmer withdrew amendment S—3330.

Senator Rittmer offered amendment S—3345 filed by Senators Rittmer and Gronstal from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3345 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Neuhauser for the remainder of the week on request of Senator Gronstal.

BUSINESS PENDING

Senate File 378

The Senate resumed consideration of Senate File 378.

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. 378) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 1:

Palmer

Absent or not voting, 2:

Neuhauser

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **Senate File 378** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Iverson called up the following eligible appointees on the En Bloc Confirmation Calendar:

Ronald E. Nielsen and David A. Vaudt, members of the Accountancy Examining Board.

Daryl K. Henze, Alcoholic Beverages Commission.

Glen D. Huntington, Architectural Examining Board.

Coral M. Jud, Board for the Licensing and Regulation of Hearing Aid Dealers.

Peggy C. Dunshee, Board of Barber Examiners.

Thorald (Ted) E. Davidson, Board of Behavioral Science Examiners.

Dr. Elizabeth C. Kressin and Dr. Valorie J. Prah, Board of Chiropractic Examiners.

Suellen Overton, Board of Corrections.

Curtis W. Stamp, Board of Cosmetology Arts and Sciences Examiners.

Elizabeth A. Colby-Plautz, Nancy S. Le Peau and Dr. LeRoy I. Strohman, Board of Dental Examiners.

Mary K. Carlson, Roger B. Linn and Elvin R. Soll, Board of Dietetic Examiners.

Nick Benzing, Judith J. Brueggeman and Dr. Thomas A. Sunderbruch, Board of Educational Examiners.

Dr. James D. Collins, Jr. and Laura J. Stensrud, Board of Medical Examiners.

Nancy E. Knutstrom, Board of Nursing Examiners.

Katherine J. Gillette and Dr. Richard F. Noyes, Board of Optometry Examiners.

Charles D. Hurley, Board of Parole.

James E. Hughes, Board of Physical and Occupational Therapy Examiners.

Dr. James M. Cunningham, Board of Physician Assistant Examiners.

Lillian J. Madison and Dr. Rickey P. Salocker, Board of Podiatry Examiners.

Dr. Janet S. McDonough and Dr. Scott W. Shafer, Board of Psychology Examiners.

Erlene VeVerka, Board of Social Work Examiners.

Julia A. Bebensee, Gary N. Boeke and Dr. Clifford S. Vogen, Board of Speech Pathology and Audiology Examiners.

Harley R. Hiemstra, City Development Board.

Clemmie Hightower, Commission of Elder Affairs.

Barry D. Remington, Commission of Veterans Affairs.

Dr. Dale J. Andringa and F. Walter Tomenga, Community Health Management Information System Governing Board.

Margaret P. Guhin and Ruth L. Mosher, Council on Human Services.

Judy R. Emmons and Sharon K. McCrabb, County Finance Committee.

John J. Bentler, Tom N. Sarvis and William G. Sizer, Credit Union Review Board.

Richard R. Phillips, Criminal and Juvenile Justice Planning Advisory Council.

Cynthia P. Eisenhauer, Director of Workforce Development.

Charles W. Larson, Drug Enforcement and Abuse Prevention Coordinator.

Susan M. Long and Terry L. Martin, Engineering and Land Surveying Examining Board.

David W. Belin, First in the Nation in Education Foundation Governing Board.

Iris J. Post, Industrial Commissioner.

Donald E. Snyder, Investment Board of the IPERS.

Dr. Bruce W. Van Zee and Theresa A. Wallace, Iowa Board of Veterinary Medicine.

Charles E. Rohm, Iowa Council on Human Investment.

Harris D. Honsey, Iowa Economic Development Board.

James A. Albert, Gwendolyn M. Boeke and K. Marie Thayer, Iowa Ethics and Campaign Disclosure Board.

John V. Hartung, Iowa Higher Education Loan Authority.

Kay A. Hagen Anderson and Darlene M. Jeris, Iowa Finance Authority.

Jacqueline Day, Iowa Law Enforcement Academy Council.

Hugh M. Field and Doris A. Hansen, Iowa Seed Capital Corporation.

Flora M. Lee, Iowa State Civil Rights Commission.

Monty D. Mitchell, Landscape Architectural Examining Board.

Robert D. Walke, Mental Health and Developmental Disabilities Commission.

Gary J. Johnson, Nancy M. Larson, Theresa H. Lewis and Evelyn M. Rank, Real Estate Commission.

Wayne F. Drexler, School Budget Review Committee.

Amy M. Love and William J. Motz, State Board for Respiratory Care.

Terry Cooper, Horace C. Daggett, Drucilla M. Straub and William R. Thayer, State Board of Examiners for Nursing Home Administrators.

Lisa E. Ahrens and Dr. Clarkson L. Kelly, State Board of Regents.

Christopher A. Bjornstad, State Board of Tax Review.

Darlene E. Blake, State Judicial Nominating Commission.

William L. Wegman, State Public Defender.

Bradley R. Peyton and Harold W. White, State Racing and Gaming Commission.

Kenneth W. McNichols and Diane C. Thompson, State Soil Conservation Committee.

Senator Iverson moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 46:

Angelo
Black, J.

Bartz
Boettger

Behn
Borlaug

Black, D.
Connolly

Dearden	Deluhery	Douglas	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Palmer
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 3:

Drake Neuhauser Rife

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 499.

Senate File 499

On motion of Senator Maddox, Senate File 499, a bill for an act relating to privileges and prohibitions for certain persons including those relating to motor vehicle licenses and to the regulation of tobacco, tobacco products, or cigarettes, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Maddox offered amendment S—3332 filed by the committee on Judiciary from the floor to pages 1, 2 and 4 of the bill.

Senator Halvorson offered amendment S—3339 filed by Senators Halvorson, McKean and Maddox from the floor to amendment S—3332 and moved its adoption.

Amendment S—3339 was adopted by a voice vote.

Senator Maddox moved the adoption of amendment S—3332 as amended, which motion prevailed 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. 499) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Palmer	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Neuhauser Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **Senate File 499** be **immediately messaged** to the House.

Senate File 163

On motion of Senator Boettger, Senate File 163, a bill for an act relating to the sale of cigarettes and tobacco products through

vending machines, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Boettger offered amendment S—3102 filed by the committee on Human Resources on March 3, 1997, to pages 1, 2 and the title page of the bill.

Senator Rensink raised the point of order that amendment S—3102 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3102 out of order.

Senator Hammond asked and received unanimous consent that action on **Senate File 163** be **deferred**.

BILL REFERRED TO COMMITTEE

Senate Iverson asked and received unanimous consent that **Senate File 256** be referred from the Unfinished Business Calendar to the committee on **Ways and Means**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 417

On motion of Senator Angelo, Senate File 417, a bill for an act providing for the amount of a surety bond required to be executed by a treasurer of an extension council, was taken up for consideration.

Senator Angelo offered amendment S—3126 filed by him on March 13, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3126 was adopted by a voice vote.

Senator Angelo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 417) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Palmer	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Neuhauser Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **Senate File 417 be immediately messaged to the House.**

Senate File 361

On motion of Senator Schuerer, Senate File 361, a bill for an act relating to the state workers' compensation coverage for students participating in school-to-work programs and providing for related matters, with report of committee on Business and Labor recommending passage, was taken up for consideration.

Senator Schuerer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 361) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Palmer	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Neuhauser Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 511

On motion of Senator Vilsack, Senate File 511, a bill for an act providing for the liability of a person with supervisory or other administrative responsibilities over an individual who the person knew or suspected committed abuse of a child, was taken up for consideration.

President pro tempore Redfern took the chair at 6:02 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?" (S.F. 511) the vote was:

Ayes, 44:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly

Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Maddox	McCoy	McKean
McKibben	McLaren	Palmer	Redfern
Redwine	Rehberg	Rensink	Rittmer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 5:

Kramer	Lundby	Neuhauser	Rife
Schuerer			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **Senate Files 361 and 511 be immediately messaged** to the House.

Senate File 187

On motion of Senator Black of Jasper, Senate File 187, a bill for an act relating to the issuance of licenses and the imposition of fees for the fishing, trapping, hunting, pursuing, catching, killing, or taking of wild animals, birds, game, or fish, providing for other properly related matters, and subjecting violators to existing penalties, and providing effective and applicability dates, with report of committee on Ways and Means recommending passage on March 25, 1997, was taken up for consideration.

Senator Connolly offered amendment S—3274 filed by him on March 27, 1997, to pages 2 and 3 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3274 be adopted?" (S.F. 187) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Boettger	Borlaug	Connolly	Deluhery
Douglas	Flynn	Fraise	Gettings
Halvorson	Hansen	Horn	Judge
King	Maddox	McKean	McKibben
Redfern	Schuerer	Szymoniak	Tinsman

Nays, 25:

Angelo	Bartz	Behn	Black, D.
Black, J.	Dearden	Drake	Dvorsky
Fink	Freeman	Gronstal	Hammond
Hedge	Iverson	Jensen	Kibbie
Lundby	McCoy	McLaren	Palmer
Redwine	Rehberg	Rensink	Vilsack
Zieman			

Absent or not voting, 4:

Kramer	Neuhauser	Rife	Rittmer
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Amendment S—3274 lost.

Senator Black of Jasper moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 187) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Palmer
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Szymoniak	Tinsman
Zieman			

Nays, none.

Absent or not voting, 4:

Kramer

Neuhauser

Rife

Vilsack

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 427

On motion of Senator Black of Kossuth, Senate File 427, a bill for an act relating to the election of county supervisors in certain counties, was taken up for consideration.

Senator Black of Kossuth offered amendment S—3329 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3329 was adopted by a voice vote.

Senator Lundby asked and received unanimous consent that action on **Senate File 427** be **deferred**.

BUSINESS PENDING

Senate File 163

The Senate resumed consideration of Senate File 163, a bill for an act relating to the sale of cigarettes and tobacco products through vending machines, previously deferred.

Senator Dvorsky offered amendment S—3352 filed by Senators Dvorsky and Hammond from the floor to pages 1, 2 and the title page of the bill.

Senator Iverson raised the point of order that amendment S—3352 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3352 out of order.

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. 163) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Iverson
Jensen	Judge	Kibbie	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Palmer	Redfern
Redwine	Rehberg	Rensink	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 4:

Hedge	King	Neuhauser	Rife
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 163 and 187** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 2, 1997, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 20, a concurrent resolution proclaiming the creation of the Iowa Veterans Foundation.

This resolution was read first time and **passed on file**.

ALSO: That the House has on April 2, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 492, a bill for an act relating to supplemental needs trusts for persons with disabilities.

This bill was read first time and **passed on file**.

House File 540, a bill for an act relating to personnel procedures and investment policy requirements for state government employees.

This bill was read first time and **passed on file**.

House File 616, a bill for an act relating to instruments filed or recorded with the county recorder.

This bill was read first time and **passed on file**.

House File 637, a bill for an act relating to the general operation of corporations, partnerships, and associations, including provisions relating to certain filings made by corporations and associations, the filing of biennial reports by certain corporations and cooperative associations, and establishing fees.

This bill was read first time and **passed on file**.

House File 662, a bill for an act relating to the defense of criminal charges, by making changes in the penalties applicable to certain offenses for which appointment of counsel is required, providing county attorneys or their designees with access to the centralized employee registry for purposes of collection of restitution, making changes relating to the determination of a person's indigency, prohibiting the submission of false information on an affidavit of financial status, requiring the state to enforce liens for restitution in criminal cases, and providing penalties.

This bill was read first time and **passed on file**.

House File 678, a bill for an act relating to the recording of trials before a magistrate.

This bill was read first time and **passed on file**.

House File 698, a bill for an act relating to child abuse information and the central registry for child abuse information maintained by the department of human services and providing an effective date.

This bill was read first time and **passed on file**.

House File 702, a bill for an act relating to human services and facility requirements involving the single entry point process for mental health and developmental disabilities services, regional planning councils, human services institution employee record checks, decategorization of adult disability services funding, legal settlement involving community-based providers of treatment or services, and the operating requirements of an intermediate care facility for persons with mental retardation.

This bill was read first time and **passed on file**.

APPENDIX**STUDY BILLS RECEIVED****SSB 262 Ways & Means**

Relating to the nonrenewal or suspension of motor vehicle licenses for failure to pay indebtedness owned to or being collected by the state.

SSB 263 Ways & Means

Relating to reporting and depositing of local option sales and services taxes to the department of revenue and finance by retailers and increasing the amount of estimated distribution and frequency of distribution to cities and counties by the department of revenue and finance.

SIMILAR BILLS RECEIVED

On March 18, 1997, **House File 405** was received and attached to similar **Senate File 411** on the Senate calendar.

On March 20, 1997, **House File 628** was received and attached to similar **Senate File 418** on the Senate calendar.

On March 25, 1997, **House File 636** was received and attached to similar **Senate File 448** and **House File 550** was received and attached to similar **Senate File 339** on the Senate calendar.

On March 26, 1997, **House File 597** was received and attached to similar **Senate File 453** on the Senate Calendar.

On March 31, 1997, **House File 453** was received and attached to similar **Senate File 478** on the Senate calendar.

COMPANION BILLS RECEIVED

On March 18, 1997, **House File 596** was received and attached to companion **Senate File 360** and **House File 611** was received and attached to companion **Senate File 394** on the Senate calendar.

On April 1, 1997, **House File 515** was received and attached to companion **Senate File 317** on the Senate calendar.

SUBCOMMITTEE ASSIGNMENTS

House File 250

APPROPRIATIONS: McLaren, Chair; Dvorsky, Freeman, Halvorson and Lundby

House File 439

STATE GOVERNMENT: Tinsman, Chair; Rittmer and Szymoniak

House File 450

TRANSPORTATION: Rittmer, Chair; Freeman and McCoy

House File 618

JUDICIARY: Maddox, Chair; Redfern and Vilsack

House File 643

JUDICIARY: Tinsman, Chair; Hammond and McKibben

House File 644

COMMERCE: Schuerer, Chair; King and Palmer

House File 693

JUDICIARY: McKibben, Chair; Drake, Neuhauser, Redfern and Vilsack

SSB 262

WAYS AND MEANS: Drake, Chair; McKibben and Szymoniak

SSB 263

WAYS AND MEANS: Hedge, Chair; Deluhery and Freeman

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 533 (SSB 252), a bill for an act relating to and making appropriations to the justice system and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: McLaren, Kramer, Flynn, Behn, Borlaug, Douglas, Freeman, Halvorson, Hedge, Jensen, Maddox, Rehberg, Rensink, Rife, Rittmer and Tinsman. Nays, 5: D. Black, Dvorsky, Gronstal, McCoy and Neuhauser. Pass, 2: Hammond and Vilsack. Absent, 2: Horn and Lundby.

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 533 and they were attached to the committee report.

COMMERCE

Final Bill Action: HOUSE FILE 82, a bill for an act relating to an award of attorney fees in an action to enforce a mechanic's lien.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy and Redfern. Nays, none. Absent or not voting, 2: Palmer and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 514, a bill for an act relating to financial liability coverage and registration requirements for motor vehicles in this state, providing for the seizure of motor vehicle registration plates, and providing penalties and effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Hansen, King, Lundby, Maddox, McCoy and Redfern. Nays, 1: Gronstal. Absent or not voting, 2: Palmer and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 644, a bill for an act relating to the relationship between a real estate broker or salesperson and parties to certain real estate transactions and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy and Redfern. Nays, none. Absent or not voting, 2: Palmer and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 647, a bill for an act defining the crime of theft to include the utterance of a financial instrument for the use of property which knowingly will not be paid when presented to a financial institution and making a penalty applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy and Redfern. Nays, none. Absent or not voting, 2: Palmer and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 701, a bill for an act relating to the requirements for portability and continuity of health care coverage for individuals among certain types of health care coverage, and related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy and Redfern. Nays, none. Absent or not voting, 2: Palmer and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 544, a bill for an act relating to placements for adoption and foster care by providing for a family rights and responsibilities plan and agreement.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3341.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 579, a bill for an act relating to the membership of the medical assistance advisory council.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3340.

Final Vote: Ayes, 13: Boettger, Redwine,; Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 299, a bill for an act concerning drug and alcohol testing of private sector employees and prospective employees and providing remedies and an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3349.

Final Vote: Ayes, 15: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on April 1 and April 2, 1997:

EDUCATION

Velma R. Huebner, Board of Educational Examiners.

TRANSPORTATION

Thomas C. Lillquist, Iowa Law Enforcement Academy Council.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Members of the student council from Knoxville West Elementary School, Knoxville, accompanied by Sid Graham and sponsors. Senator Fink.

Students from Waco High School, Wayland. Senator Vilsack.

The following former members of the Senate were present in the Senate chamber:

Senator Norman Rodgers, Adel; Senator Edgar Holden, Davenport; Senator Andy Frommelt, Dubuque and Senator Merlin Hulse, Clarence.

AMENDMENTS FILED

S-3341	H.F.	544	Human Resources
S-3340	H.F.	579	Human Resources
S-3342	S.F.	527	Steven D. Hansen
S-3343	S.F.	527	Steven D. Hansen
S-3344	S.F.	527	Steven D. Hansen
S-3345	S.F.	378	Sheldon Rittmer Michael E. Gronstal
S-3346	H.F.	655	Allen Borlaug Derryl McLaren
S-3347	S.F.	521	Steven D. Hansen
S-3348	S.F.	527	Michael E. Gronstal
S-3349	H.F.	299	Judiciary
S-3350	S.F.	493	Donald B. Redfern
S-3351	H.F.	542	Steven D. Hansen
S-3352	S.F.	163	Robert Dvorsky Johnie Hammond
S-3353	H.F.	557	Michael E. Gronstal

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

H.C.R.	20	State Government
H.F.	492	Human Resources
H.F.	540	State Government
H.F.	616	Local Government
H.F.	637	Commerce
H.F.	662	Judiciary

H.F.	678	Judiciary
H.F.	693	Judiciary
H.F.	698	Human Resources
H.F.	702	Human Resources

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 2, 1997, when the vote was taken on Senate File 511.

Had I been present, I would have voted "aye".

NEAL SCHUERER

INTRODUCTION OF BILL

Senate File 533, by committee on Appropriations, a bill for an act relating to and making appropriations to the justice system and providing effective dates.

Read first time under rule 28 and placed on the **Appropriations Calendar**.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 7:03 p.m., until 9:00 a.m., Thursday, April 3, 1997.

JOINT MEMORIAL SERVICE

**MEMORIAL SERVICE
SEVENTY-SEVENTH GENERAL ASSEMBLY
HOUSE CHAMBER
WEDNESDAY, APRIL 2, 1997
7:00 p.m.**

PROGRAM

REPRESENTATIVE RICHARD VANDE HOEF, PRESIDING

Prelude----- Harpist, Kristin Fallon

“Surely the Presence of the Lord is in This Place” -----Lanny Wolfe
Memorial Session Choir, accompanied by Senator Mary Kramer on piano

Invocation ----- Representative Richard Vande Hoef

“Jesus Medley” ----- Rick Powell
Memorial Session Choir, accompanied by Senator Mary Kramer on piano

MEMORIALS — HOUSE

Reading: Representatives Russell Teig, Steve Warnstadt and Dick Weidman

MEMORIALS — SENATE

Reading: Senators William Fink, Johnie Hammond and Kay Hedge

MEMORIALS — HOUSE

Reading: Representatives Robert Osterhaus, Donna Barry and Bob Brunkhorst

Keyboard Solo-----Representative Dan Boddicker

MEMORIALS — HOUSE

Reading: Representatives David Heaton and James Hahn

MEMORIALS — HOUSE AND SENATE

Reading: Senator Tom Vilsack
Reading: Senator Larry McKibben

MEMORIALS — HOUSE

Reading: Representatives Norman Mundie and Marcie Frevert

MEMORIALS — SENATE

Readings: Senators Richard Drake and Gene Maddox

MEMORIALS — HOUSE

Reading: Representatives Harold Van Maanen and Richard Arnold

“Heaven Medley”----- Rick Powell
Memorial Session Choir, accompanied by Senator Mary Kramer on piano

IN MEMORIAM**SERVED IN THE HOUSE OF REPRESENTATIVES AND SENATE**

Honorable John L. Mowry (Marshall County): House - 57th, 58th, 59th, 60th, 60thx (1957-1964), and 62nd (1967-1968) Senate 63rd and 64th (1969-1972)

Honorable Richard L. Stephens (Washington County): House - 57th, 58th and 59th (1957-1962) Senate - 60th, 60thx, 61st, 62nd, 63rd and 64th (1963-1972)

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable Edward E. Busing (Hamilton County): 61st (1965-1966)

Honorable Gerald Cornelius (Jackson County): 76th (1995-1996)

Honorable Frank Crabb (Crawford County): 63rd, 64th, 65th, 66th, 67th, 67thx, 68th, 69th, 69thx, 69thxx (1969-1982)

Honorable Fred "Lee" Gallup (Jefferson County): 53rd, 54th and 55th (1949-1954)

Honorable Warren Johnson (Woodbury County): 68th, 69th, 69thx and 69thxx (1979-1982)

Honorable Luvern W. Kehe (Bremer County): 63rd and 64th (1969-1972)

Honorable Ruhl Maulsby (Calhoun County): 68th, 69th, 69thx, 69thxx, 70th, 71st, 72nd, 72ndx, 72ndxx, 73rd, 74th, 74thx (1979-1992)

Honorable Wendell C. Pellett (Cass County): 64th, 65th, 66th, 67th, 67thx, 68th, 69th, 69thx, 69thxx, 70th, 71st, 72nd, 72ndx, 72ndxx and 73rd (1971-1990)

Honorable Neal Pierce (Lucas County): 57th, 58th and 59th (1957-1962)

Honorable Bill Salton (Palo Alto County): 76th (1995-1996)

Honorable Clarence F. Schmarje (Muscatine County): 62nd (1969-1970)

Honorable Hugo Schnekloth (Scott County): 67th, 67thx, 68th, 69th, 69thx, 69thxx, 70th, 71st, 72nd, 72ndx, 72ndxx and 73rd (1977-1990)

Honorable Tom Dougherty (Monroe County): 60thx, 61st, 63rd and 64th (1964-1966 and 1969-1972)

SERVED IN THE SENATE

Honorable Charles O. Lavery (Warren County) 63rd and 64th (1969-1972)

Honorable Daryl H. Nims (Story County): 61st (1965-1966)

Honorable William Plymat, Sr. (Polk County): 65th and 66th (1973-1976)

Honorable W.R. Rabedeaux (Muscatine County): 63rd, 64th, 65th and 66th (1970-1976)

Honorable Bass Van Gilst (Mahaska County): 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 67thx, 68th, 69th, 69thx and 70th (1965-1984)

Candlelighters

Senator Tom Flynn
 Senator Steve King
 Senator Matt McCoy
 Senator Kitty Rehberg
 Representative Barry Brauns
 Representative Polly Bukta
 Representative John Greig
 Representative Beverly Nelson

Senate Memorial Committee

Honorable Nancy Boettger, Chair
 Honorable John Jensen
 Honorable John Kibbie
 Honorable William Palmer

Hosts

Senator Nancy Boettger
 Senator John Jensen
 Senator John Kibbie
 Senator William Palmer
 Representative Richard Vande Hoef
 Representative Dennis Cohoon
 Representative Ralph Klemme
 Representative Dolores Mertz

House Memorial Committee

Honorable Richard Vande Hoef, Chair
 Honorable Dennis Cohoon
 Honorable Ralph Klemme
 Honorable Dolores Mertz

Memorial Session Choir directed by Harriet Vande Hoef

Flowers arranged by The Bloomin' Greenery, Indianola, Iowa

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
 FORTY-EIGHTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Thursday, April 3, 1997

The Senate met in regular session at 9:18 a.m., President Kramer presiding.

Prayer was offered by the Reverend Mike Harvey, pastor of the Presbyterian Church, Carson, Iowa.

The Journal of Wednesday, April 2, 1997, was approved.

INTRODUCTION OF BILL

Senate Resolution 6, by Deluhery, Palmer, Kramer, Szymoniak, McCoy, Maddox, Dearden, Angelo, Bartz, Behn, Black of Jasper, Black of Kossuth, Boettger, Borlaug, Connolly, Douglas, Drake, Dvorsky, Fink, Flynn, Fraise, Freeman, Gettings, Gronstal, Halvorson, Hammond, Hansen, Hedge, Horn, Iverson, Jensen, Judge, Kibbie, King, Lundby, McKean, McKibben, McLaren, Neuhauser, Redfern, Redwine, Rehberg, Rensink, Rittmer, Schuerer, Tinsman, Vilsack, and Zieman, a resolution honoring Des Moines Mayor Arthur Davis for his many contributions to the city of Des Moines and the state of Iowa.

Read first time and passed on file.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vilsack for the day on request of Senator Gronstal.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 490

On motion of Senator King, Senate File 490, a bill for an act relating to the consumer fraud law by providing limited immunity

from prosecution for providing certain information, authorizing the attorney general to commence an action related to telemarketing, and authorizing the attorney general to establish and accept a civil penalty in settlement of an investigation, was taken up for consideration.

Senator King moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 490) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Palmer	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Szymoniak
Tinsman	Zieman		

Nays, none.

Absent or not voting, 3:

Neuhauser	Rife	Vilsack
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that Senate File 490 be immediately messaged to the House.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:36 a.m., until 3:30 p.m.

RECONVENED

The Senate reconvened at 1:43 p.m., President Kramer presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 333, a bill for an act relating to contracts between city officers or employees and cities.

This bill was read first time and **passed on file**.

House File 376, a bill for an act relating to child welfare provisions involving juvenile justice dispositional orders, hearings, and placements and providing an effective date.

This bill was read first time and **passed on file**.

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

S. R.	6	State Government
H. F.	333	Local Government
H. F.	376	Human Resources

RECESS

On motion of Senator Freeman, the Senate recessed at 1:45 p.m., until 3:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****AGRICULTURE**

Convened: April 1, 1997, 8:08 a.m.

Members Present: Rensink, Chair; J. Black, Vice Chair; Judge, Ranking Member; Angelo, Bartz, Behn, D. Black, Fraise, Gettings, Hedge, Kibbie, Rehberg, Rife and Ziemann.

Members Absent: Vilsack (excused).

Committee Business: Recommended passage of House File 694 as amended; recommended passage of House File 132 and Senate Concurrent Resolution 11.

Adjourned: 8:40 a.m.

APPROPRIATIONS

Convened: April 1, 1997, 10:02 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Horn, Jensen, Maddox, McCoy, Neuhauser, Rehberg, Rensink, Rife, Rittmer, Tinsman and Vilsack.

Members Absent: Lundby (excused).

Committee Business: Approved SSB 252 as a committee bill.

Adjourned: 11:55 p.m.

COMMERCE

Convened: April 1, 1997, 11:20 a.m.

Members Present: Jensen, Chair; Deluhery, Ranking Member; Douglas, Gronstal, Hansen, King, Lundby, Maddox, McCoy, Palmer, Redfern and Rife.

Members Absent: Schuerer, Vice Chair; Bartz and Flynn (all excused).

Committee Business: Recommended passage of House File 557.

Adjourned: 11:35 a.m.

COMMERCE

Convened: April 2, 1997, 1:25 p.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Deluhery, Ranking Member; Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox, McCoy and Redfern.

Members Absent: Palmer and Rife.

Committee Business: Recommended passage of House Files 82, 514, 644, 647 and 701.

Adjourned: 2:02 p.m.

EDUCATION

Convened: April 2, 1997, 3:22 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Kramer, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Recommended confirmation of governor's appointee; recommended passage of House Files 625 and 331 as amended; recommended passage of House File 410.

Adjourned: 4:15 p.m.

HUMAN RESOURCES

Convened: April 1, 1997, 10:20 a.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Recommended passage of House File 578; recommended passage of House File 121 as amended; recommended confirmation of governor's appointees.

Adjourned: 11:40 a.m.

HUMAN RESOURCES

Convened: April 2, 1997, 11:45 a.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Recommended passage of House Files 544 and 579 as amended and recommended passage of House File 612.

Adjourned: 12:07 p.m.

JUDICIARY

Convened: April 1, 1997, 2:05 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 542 and 635; discussed and deferred action on House File 299.

Adjourned: 5:45 p.m.

JUDICIARY

Convened: April 2, 1997, 8:12 a.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Recommended passage of House Files 661, 226 and 371 and recommended passage of Senate File 499 as amended.

Recessed: 8:55 a.m.

Reconvened: April 2, 1997, 12:20 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Recommended confirmation of governor's appointees; assigned bills to subcommittees; recommended passage of House File 299 as amended.

Adjourned: 1:50 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: April 1, 1997, 1:08 p.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Borlaug, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben, Rehberg and Ziemann.

Members Absent: none.

Committee Business: Recommended confirmation of governor's appointees; recommended passage of House Files 653, 615 and 202.

Adjourned: 1:28 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: April 1, 1997, 1:14 p.m.

Members Present: Rittmer, Chair; Boettger, Douglas, Flynn, Hammond, King, McCoy, Redwine and Schuerer.

Members Absent: Lundby, Vice Chair (excused); Hansen, Ranking Member; Palmer and Ziemann (excused).

Committee Business: Recommended confirmation of governor's appointees.

Adjourned: 1:20 p.m.

TRANSPORTATION

Convened: April 1, 1997, 10:23 a.m.

Members Present: Drake, Chair; Borlaug, Vice Chair; McCoy, Ranking Member; Connolly, Douglas, Fraise, Freeman, Gettings, Halvorson, Jensen, McKean, McKibben and Rittmer.

Members Absent: none.

Committee Business: Recommended confirmation of governor's appointee; recommended passage of House File 686 as amended; assigned bills to subcommittees recommended passage of House File 688.

Adjourned: 10:52 a.m.

WAYS AND MEANS

Convened: April 1, 1997, 11:37 a.m.

Members Present: Douglas, Chair; McKibben, Vice Chair; Palmer, Ranking Member; Borlaug, Connolly, Deluhery, Freeman, Hedge, Judge, Maddox, McLaren, Redfern, Szymoniak and Vilsack.

Members Absent: Drake (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House File 218 and 354; approved Senate File 482 as a committee bill; recommended passage of Senate File 480 as amended.

Adjourned: 12:52 p.m.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: HOUSE FILE 331, a bill for an act relating to the authorization of school officials to conduct searches of students, student protected areas, lockers, desks, and other facilities and spaces and including effective and applicability provisions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3356.

Final Vote: Ayes, 14: Redfern, Rehberg, Connolly, Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Kramer, Redwine, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 410, a bill for an act relating to programs administered by the college student aid commission and establishing an osteopathic physician recruitment program.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Redfern, Rehberg, Connolly, Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Kramer, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 625, a bill for an act relating to the activities of the department of education, vocational education, community colleges, special educational programs provided by area education agencies, payment of claims for nonpublic school pupil transportation, the school budget review committee, the enrollment of certain students, and annual audits of school districts.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Redfern, Rehberg, Connolly, Angelo, J. Black, Boettger, Dvorsky, Fink, Kibbie, Kramer, Neuhauser, Redwine, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY (CORRECTED REPORT FOR H.F. 299)

Final Bill Action: HOUSE FILE 299, a bill for an act concerning drug and alcohol testing of private sector employees and prospective employees and providing remedies and an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3349.

Final Vote: Ayes, 9: McKean, Maddox, Angelo, Boettger, Drake, King, McKibben, Redfern and Tinsman. Nays, 3: Neuhauser, Halvorson and Hammond. Pass, 3: Fraise, Hansen and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 449, a bill for an act to prohibit sex acts when one participant was prevented from consenting by a controlled substance including flunitrazepam, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 9: McKean, Maddox, Angelo, Boettger, Hansen, King, McKibben, Redfern and Tinsman. Nays, none. Absent or not voting, 6: Neuhauser, Drake, Fraise, Halvorson, Hammond and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 643, a bill for an act providing for grandparent and great-grandparent visitation rights.

Recommendation: DO PASS.

Final Vote: Ayes, 9: McKean, Maddox, Angelo, Boettger, Hansen, King, McKibben, Redfern and Tinsman. Nays, none. Absent or not voting, 6: Neuhauser, Drake, Fraise, Halvorson, Hammond and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 693, a bill for an act relating to civil actions and statutes of limitations in civil actions, the rate of interest on judgments and decrees, procedures for furnishing patient records of plaintiffs, comparative fault in consortium claims, damages in civil actions, and joint and several liability.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3355.

Final Vote: Ayes, 10: McKean, Maddox, Angelo, Boettger, Drake, Hansen, King, McKibben, Redfern and Tinsman. Nays, 3: Fraise, Halvorson and Hammond. Absent or not voting, 2: Neuhauser and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE CONCURRENT RESOLUTION 20, a concurrent resolution proclaiming the creation of the Iowa Veterans Foundation.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Rittmer, Lundby, Kibbie, Borlaug, Deluhery, Drake, Fink, Gronstal, Halvorson, King, McKibben, McLaren, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 439, a bill for an act relating to the development of a repository for criminal history, abuse and sex offender registries, and nurse aide and other health profession certification and licensing information.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Rittmer, Lundby, Kibbie, Borlaug, Deluhery, Drake, Fink, Gronstal, Halvorson, King, McKibben, McLaren, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 577, a bill for an act relating to continuing education requirements of real estate appraisers.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Rittmer, Lundby, Kibbie, Borlaug, Deluhery, Drake, Fink, Gronstal, Halvorson, King, McKibben, McLaren, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 697, a bill for an act relating to certain procedures of the ethics and campaign disclosure board and filing requirements and certain requirements for use of campaign funds.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Rittmer, Lundby, Borlaug, Drake, King, McKibben, McLaren and Tinsman. Nays, 6: Kibbie, Deluhery, Fink, Gronstal, Halvorson and Szymoniak. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILL RECEIVED

SSB 264 Ways & Means

Relating to the administration of state individual income, corporate, franchise, motor fuel, and other taxes; collection of taxes and use of collection receipts; property taxes; property tax credits and replacement claims; sales, service, and use taxes and the imposition thereof on sales of prepaid telephone calling cards and prepaid authorization numbers; tax refund setoffs; and other duties of the department and director of revenue and finance; providing a penalty; and including effective and retroactive applicability date provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 256

WAYS AND MEANS: Drake, Chair; McLaren and Palmer

House Concurrent Resolution 20

STATE GOVERNMENT: Drake, Chair; Kibbie and Rife

House File 376

HUMAN RESOURCES: Boettger, Chair; Hammond and Rensink

House File 492

HUMAN RESOURCES: Dvorsky, Chair; Behn and Schuerer

House File 540

STATE GOVERNMENT: Rittmer, Chair; Deluhery and King

House File 616

LOCAL GOVERNMENT: Behn, Chair; Hansen and Zieman

House File 637

COMMERCE: Lundby, Chair; Hansen and Jensen

House File 662

JUDICIARY: Maddox, Chair; Fraise and Redfern

House File 678

JUDICIARY: McKean, Chair; Fraise and Redfern

House File 698

HUMAN RESOURCES: Szymoniak, Chair; J. Black and Boettger

House File 702

HUMAN RESOURCES: Hammond, Chair; J. Black and Boettger

SSB 264

WAYS AND MEANS: Redfern, Chair; Freeman and Palmer

AFTERNOON SESSION

The Senate reconvened at 4:02 p.m., President Kramer presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 1997, passed the following bill in which the concurrence of the House was asked:

Senate File 189, a bill for an act extending the regular program district cost guarantee for school districts for two years, and providing an effective date.

ALSO: That the House has on April 3, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 58, a bill for an act relating to fees charged by an employer for copies of items in an employee's personnel file.

This bill was read first time and **passed on file**.

House File 319, a bill for an act expanding the age range of the employees to whom the board of directors of a school district may offer a retirement incentive program, expanding the conditions under which the district may utilize the district management levy to pay for the program, and providing effective and retroactive applicability provisions.

This bill was read first time and **passed on file**.

House File 581, a bill for an act authorizing rural water districts to enter into agreements with other governmental entities to provide for the acquisition, construction, and equipping of sewer systems, and authorizing the issuance of revenue obligations to finance the projects.

This bill was read first time and **passed on file**.

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Iverson asked and received unanimous consent that the following bills be removed from the Regular Calendar and placed on the Unfinished Business Calendar:

Senate Files 246, 317, 339, 360, 365, 367, 390, 393, 394, 411, 418, 448, 453, 470, 478, 494, 500, 521, 528, 529, 530, 531, 532 and 533.

APPENDIX

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 534 (formerly SSB 250), a bill for an act relating to the role of the state long-term care ombudsman in regulation of health care facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Flynn, Borlaug, Dvorsky, Freeman, Gronstal, Halvorson, Hedge, Horn, Jensen, Lundby, McCoy, Rehberg and Rensink. Nays, 3: Kramer, Maddox and Tinsman. Pass, 3: McLaren, Behn and Douglas. Absent, 6: D. Black, Hammond, Neuhauser, Rife, Rittmer and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 535 (SSB 248), a bill for an act relating to the state long-term care ombudsman and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Flynn, Dvorsky, Freeman, Gronstal, Halvorson, Hedge, Horn, Jensen, Lundby, Maddox, McCoy, Rehberg and Rensink. Nays, 1: Kramer. Pass, 5: McLaren, Behn, Borlaug, Douglas and Tinsman. Absent, 6: D. Black, Hammond, Neuhauser, Rife, Rittmer and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: HOUSE FILE 637, a bill for an act relating to the general operation of corporations, partnerships, and associations, including provisions relating to certain filings made by corporations and associations, the filing of biennial reports by certain corporations and cooperative associations, and establishing fees.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Jensen, Schuerer, Deluhery, Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox and Redfern. Nays, none. Absent or not voting, 3: McCoy, Palmer and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 376, a bill for an act relating to child welfare provisions involving juvenile justice dispositional orders, hearings and placements and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Boettger, Redwine, Behn, J. Black, Dearden, Rensink, Schuerer and Tinsman. Nays, none. Absent or not voting, 5: Szymoniak, Bartz, Dvorsky, Hammond and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 492, a bill for an act relating to supplemental needs trusts for persons with disabilities.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Boettger, Redwine,; Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer and Tinsman. Nays, none. Absent or not voting, 1: Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 698, a bill for an act relating to child abuse information and the central registry for child abuse information maintained by the department of human services and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Boettger, Redwine,; Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer and Tinsman. Nays, none. Absent or not voting, 1: Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 702, a bill for an act relating to human services and facility requirements involving the single entry point process for mental health and developmental disabilities services, regional planning councils, human services institution employee record checks, decategorization of adult disability services funding, legal settlement involving community-based providers of treatment or services, and the operating requirements of an intermediate care facility for persons with mental retardation.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Boettger, Redwine,; Szymoniak, Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer and Tinsman. Nays, none. Absent or not voting, 1: Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 662, a bill for an act relating to the defense of criminal charges, by making changes in the penalties applicable to certain offenses for which appointment of counsel is required, providing county attorneys or their designees with access to the centralized employee registry for purposes of collection of restitution, making changes relating to the determination of a person's indigency, prohibiting the submission of false information on an affidavit of financial status, requiring the state to enforce liens for restitution in criminal cases, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: McKean, Maddox, Angelo, Boettger, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern and Tinsman. Nays, none. Absent or not voting, 3: Neuhauser, Drake and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 666, a bill for an act to increase the penalties for the manufacture, delivery, or possession with intent to manufacture or deliver amphetamine or any substance containing amphetamine.

Recommendation: DO PASS.

Final Vote: Ayes, 13: McKean, Maddox, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern and Tinsman. Nays, none. Absent or not voting, 2: Neuhauser and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 674, a bill for an act providing a cause of action against the state for wrongful imprisonment.

Recommendation: DO PASS.

Final Vote: Ayes, 13: McKean, Maddox, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern and Tinsman. Nays, none. Absent or not voting, 2: Neuhauser and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 178, a bill for an act relating to joint billing or collection of combined service accounts for sanitary districts and a city utility or combined utility system and to discontinue service for delinquency, and providing for the establishment of benefited districts and fees from the connection of property to the sanitary facilities of a sanitary district.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Zieman, Behn, Fraise, Angelo, Bartz, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean and Redwine. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 456, a bill for an act relating to city civil service and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3360.

Final Vote: Ayes, 13: Zieman, Behn, Fraise, Angelo, Bartz, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean and Redwine. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 485, a bill for an act relating to drainage districts by eliminating notice by petitioning landowners regarding the establishment of subdistricts.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Zieman, Behn, Fraise, Angelo, Bartz, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean and Redwine. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 616, a bill for an act relating to instruments filed or recorded with the county recorder.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Zieman, Behn, Fraise, Angelo, Bartz, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean and Redwine. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 680, a bill for an act relating to election of mayors in certain cities and providing an immediate effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Zieman, Behn, Fraise, Angelo, Bartz, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean and Redwine. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 658, a bill for an act relating to city ordinances and other official actions of a city council and mayor.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Zieman, Behn, Fraise, Angelo, Bartz, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean and Redwine. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 12, a concurrent resolution requesting the United States Environmental Protection Agency to retain existing national ambient air quality standards for ozone and particulate matter, conduct additional research and delay consideration of new standards for particulate matter, and identify unfunded mandates or other administrative or economic burdens resulting from changes to ozone and particulate matter standards.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Bartz, Angelo, Freeman, Hedge, Judge, McKibben, Rehberg and Zieman. Nays, 5: Fink, D. Black, Dearden, Deluhery and Dvorsky. Pass, 1: J. Black. Absent, 1: Borlaug.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

Final Bill Action: HOUSE FILE 367, a bill for an act relating to the transfer of job training withholding payments to the workforce development fund account, making an appropriation, and providing effective and retroactive applicability date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Rittmer, Lundby, Hansen, Boettger, Douglas, Flynn, Hammond, King, McCoy, Palmer, Redwine, Schuerer and Ziemann. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 613, a bill for an act relating to linked deposit investment programs.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Rittmer, Lundby, Hansen, Boettger, Douglas, Flynn, Hammond, King, McCoy, Palmer, Redwine, Schuerer and Ziemann. Nays, none. Absent or not voting, 1: Ziemann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 540, a bill for an act relating to personnel procedures and investment policy requirements for state government employees.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3361.

Final Vote: Ayes, 12: Rittmer, Lundby, Borlaug, Deluhery, Drake, Fink, Gronstal, Halvorson, King, McKibben, Szymoniak and Tinsman. Nays, none. Pass, 2: Kibbie and McLaren. Absent, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 450, a bill for an act relating to application of the penalty for improperly passing a stopped school bus.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Drake, Borlaug, McCoy, Douglas Fraise, Freeman, Gettings, Jensen, McKean, McKibben and Rittmer. Nays, 2: Connolly and Halvorson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 685, a bill for an act relating to the required business hours of a motorcycle dealer.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Drake, Borlaug, McCoy, Connolly, Douglas Fraise, Freeman, Gettings, Halvorson, Jensen, McKean, McKibben and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 692, a bill for an act relating to the criteria for issuance of handicapped special plates and making a civil penalty applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3359.

Final Vote: Ayes, 13: Drake, Borlaug, McCoy, Connolly, Douglas Fraise, Freeman, Gettings, Halvorson, Jensen, McKean, McKibben and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 704, a bill for an act relating to substantive and other provisions affecting the state department of transportation and driver, motor vehicle, and highway regulation, including the definition of road work zones, registration fees for certain disaster relief vehicles, providing grounds for refusing renewal of vehicle registrations, regulation of intrastate motor carriers, imposing fees, providing for an electronic titling and registration program, creating, eliminating, or enhancing penalties, and providing effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Drake, Borlaug, McCoy, Connolly, Douglas Fraise, Freeman, Gettings, Halvorson, Jensen, McKean, McKibben and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 642, a bill for an act relating to limited partnerships and the rights and duties of limited partners, partnership agreements, duties of the secretary of state with respect to limited partnerships, and other related matters affecting foreign and domestic limited partnerships, and establishing fees and penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Douglas, McKibben, Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox and Redfern. Nays, none. Absent or not voting, 4: Palmer, McLaren, Szymoniak and Vilsack.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 687, a bill for an act relating to statutory references to the Iowa beef industry council and increasing an excise tax on beef cattle upon a referendum.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Douglas, McKibben, Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox and Redfern. Nays, none. Absent or not voting, 4: Palmer, McLaren, Szymoniak and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

S. R.	6	State Government
H. F.	58	Business and Labor
H. F.	333	Local Government
H. F.	376	Human Resources
H. F.	581	Local Government

INTRODUCTION OF BILLS

Senate File 534, by committee on Appropriations, a bill for an act relating to the role of the state long-term care ombudsman in regulation of health care facilities.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

Senate File 535, by committee on Appropriations, a bill for an act relating to the state long-term care ombudsman and providing a penalty.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

AMENDMENTS FILED

S-3354	H. F.	8	Lyle E. Ziemann
S-3355	H. F.	693	Judiciary

S-3356	H.F.	331	Education
S-3357	H.F.	625	Education
S-3358	H.F.	645	Nancy Boettger Eugene Fraise
S-3359	H.F.	692	Transportation
S-3360	H.F.	456	Local Government
S-3361	H.F.	540	State Government
S-3362	H.F.	416	Richard F. Drake Allen Borlaug Matt McCoy

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:11 p.m., until 1:00 p.m., Monday, April 7, 1997.

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 7, 1997

The Senate met in regular session at 1:13 p.m., President Kramer presiding.

Prayer was offered by Father S. Mark Osterhaus, pastor of the St. Paul's Catholic Church, Worthington, Iowa.

The Journal of Thursday, April 3, 1997, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Deluhery until he arrives on request of Senator Gronstal; Senator McKibben for April 7 and 8, 1997, on request of Senator Iverson; Senator Angelo until he arrives on request of Senator Rehberg; Senator Freeman until she arrives on request of Senator Lundby and Senator McLaren until he arrives on request of Senator Rife.

QUORUM CALL

Senator Iverson requested a non record roll call to determine that a quorum was present.

The vote revealed 35 present, 14 absent and a quorum present.

UNFINISHED BUSINESS CALENDAR

Senate File 411

On motion of Senator Boettger, Senate File 411, a bill for an act relating to the sale, lease, or other disposition of property belonging to a school district or area education agency and providing an immediate

effective date and placed on the Unfinished Business Calendar on April 3, 1997, was taken up for consideration.

Senator Boettger offered amendment S—3240 filed by her on March 26, 1997, to page 2 of the bill and moved its adoption.

Amendment S—3240 was adopted by a voice vote.

Senator Boettger asked and received unanimous consent that **House File 405** be substituted for **Senate File 411** as amended.

House File 405

On motion of Senator Boettger, House File 405, a bill for an act relating to the sale, lease, or other disposition of property belonging to a school district or area education agency and providing an immediate effective date, was taken up for consideration.

Senator Boettger offered amendment S—3241 filed by her on March 26, 1997, to page 2 of the bill and moved its adoption.

Amendment S—3241 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. 405) the vote was:

Ayes, 44:

Bartz	Behn	Black, D.	Black, J.
Boettger	Borlaug	Connolly	Dearden
Douglas	Drake	Dvorsky	Fink
Flynn	Fraise	Gettings	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 5:

Angelo
McLaren

Deluhery

Freeman

McKibben

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Boettger asked and received unanimous consent that **Senate File 411** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS CALENDAR

(Pending March 18, 1997)

Senate File 246

The Senate resumed consideration of Senate File 246, a bill for an act relating to snowmobiles and all-terrain vehicles by requiring title certificates, increasing snowmobile and all-terrain vehicle registration fees, and providing for point of sale registration, with report of committee on Ways and Means recommending passage on March 25, 1997.

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. 246) the vote was:

Ayes, 34:

Bartz	Behn	Black, J.	Boettger
Borlaug	Dearden	Douglas	Drake
Fink	Flynn	Gettings	Halvorson
Hammond	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lundby	Maddox	McKean
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Nays, 10:

Black, D.	Connolly	Dvorsky	Fraise
Gronstal	Hansen	McCoy	Neuhauser
Szymoniak	Vilsack		

Absent or not voting, 5:

Angelo	Deluhery	Freeman	McKibben
McLaren			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 246** and **House File 405** be immediately messaged to the House.

CONSIDERATION OF BILLS (Regular Calendar)

House File 200

On motion of Senator Vilsack, House File 200, a bill for an act relating to nonsubstantive Code corrections, with report of committee recommending passage, was taken up for consideration.

Senator Vilsack moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 200) the vote was:

Ayes, 44:

Bartz	Behn	Black, D.	Black, J.
Boettger	Borlaug	Connolly	Dearden
Douglas	Drake	Dvorsky	Fink
Flynn	Fraise	Gettings	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby

Maddox	McCoy	McKean	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 5:

Angelo	Deluhery	Freeman	McKibben
McLaren			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 228

On motion of Senator Black of Kossuth, House File 228, a bill for an act relating to permits issued to licensed automobile tire recycling dealers to own or operate a waste tire site, with report of committee recommending passage, was taken up for consideration.

Senator Black of Kossuth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 228) the vote was:

Ayes, 43:

Bartz	Behn	Black, D.	Black, J.
Boettger	Borlaug	Cannolly	Dearden
Douglas	Drake	Dvorsky	Fink
Flynn	Fraise	Gettings	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McKean	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 6:

Angelo	Deluhery	Freeman	McCoy
McKibben	McLaren		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 244

On motion of Senator Rehberg, House File 244, a bill for an act relating to the county debt service fund, with report of committee recommending passage, was taken up for consideration.

Senator Rehberg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 244) the vote was:

Ayes, 43:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Connolly	Dearden
Douglas	Drake	Dvorsky	Fink
Flynn	Fraise	Gettings	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 1:

Black, J.

Absent or not voting, 5:

Deluhery	Freeman	McKibben	McLaren
Rife			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 200, 228 and 244** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

House File 4

On motion of Senator Behn, House File 4, a bill for an act relating to the office of city assessor in certain counties, with report of committee recommending passage, was taken up for consideration.

Senator Behn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 4) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 4:

Deluhery	Freeman	McKibben	McLaren
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 370

On motion of Senator Palmer, House File 370, a bill for an act relating to workers' compensation benefits for professional athletes 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. 370) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 4:

Deluhery	Freeman	McKibben	McLaren
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that House Files 4 and 370 be immediately messaged to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(En Bloc Confirmation Calendar)

Senator Iverson requested that Lois R. Kotz, Loren M. Wakefield and Charles Palmer be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

In accordance with Senate Rule 59, Senator Iverson called up the following eligible appointees on the En Bloc Confirmation Calendar:

Sylvia Tijerina, Administrator of the Division of Latino Affairs.

Timothy J. Galm, Agricultural Development Authority.

Martin R. Edwards, Board of Behavioral Science Examiners.

Michael F. Kronfeldt, Board of Cosmetology Arts and Sciences Examiners.

Martha J. Cumpton and Velma Huebner as Board of Educational Examiners.

Katherine A. Linder and Arlan D. Van Norman, Board of Pharmacy Examiners.

Diane M. Cardwell, Board of Physician Assistant Examiners.

Susan M. Cosner, City Development Board.

Robert J. Martin, Commission for the Blind.

Harold B. Davis and Alyce M. Elmitt, Commission of Elder Affairs.

Arthur P. Silva, Commission on Judicial Qualifications.

Darrel Rensink, Director of Transportation.

William A. Ehm, Rozanne E. King and Terrance G. Townsend, Environmental Protection Commission.

Lee S. Miller, Health Facilities Council.

Austin B. Turner, Iowa Council on Human Investment.

Julie J. Bulkeley, Frederick W. Hagemann and William B. Trent, Jr., Iowa Economic Development Board.

Margaret D. Collison, Iowa Finance Authority.

Carol A. Garrett, Iowa Seed Capital Corporation.

Mary Anne Anderson, Robert J. DeSmidt, Gary L. Gansemer and Clark A. Lane, Mental Health and Developmental Disabilities Commission.

Richard A. Garrels and Anthony L. Hough, Natural Resource Commission.

Dr. Alfred Healy and Melva J. Urban, Prevention of Disabilities Policy Council.

JoAnn M. Brincks, David L. Holmes and Yvonne M. Wentz, Renewable Fuels and Coproducts Advisory Committee.

Peggy J. Trevino, Small Business Advisory Council.

William J. Niedert, State Board for Respiratory Care.

Jerry R. Foxhoven and Lil M. Perry, State Citizen Foster Care Review Board.

Russell L. Brandes, State Soil Conservation Committee.

Sister M. Catherine Dunn, State Transportation Commission.

James E. Forney, Superintendent of Credit Unions.

Emmit J. George, Jr., Utilities Board.

Senator Iverson moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 4:

Deluhery	Freeman	McKibben	McLaren
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The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

House File 368

On motion of Senator Flynn, House File 368, a bill for an act relating to the establishment of the entrepreneurial ventures assistance program and allocating funds from the Iowa strategic investment fund for the administration and operation of the program, 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. 368) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly

Dearden	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 4:

Deluhery	Freeman	McKibben	McLaren
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 398

On motion of Senator Schuerer, House File 398, a bill for an act relating to subject matter under the regulatory authority of the labor commissioner, including the construction contractors law, and making nonsubstantive Code corrections relating to the child labor law, with report of committee recommending passage, was taken up for consideration.

Senator Schuerer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 398) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer

Lundby	Maddox	McCoy	McKean
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 4:

Deluhery	Freeman	McKibben	McLaren
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 368 and 398** be **immediately messaged** to the House.

ADOPTION OF RESOLUTION (Regular Calendar)

House Concurrent Resolution 20

On motion of Senator Drake, House Concurrent Resolution 20, a concurrent resolution proclaiming the creation of the Iowa Veterans Foundation, with report of committee recommending passage, was taken up for consideration.

Senator Drake moved the adoption of House Concurrent Resolution 20, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Regular Calendar)

House File 399

On motion of Senator Horn, House File 399, a bill for an act relating to inspections of unfired steam pressure vessels, with report of committee recommending passage was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 399) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 4:

Deluhery	Freeman	McKibben	McLaren
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 401

On motion of Senate Behn, House File 401, a bill for an act relating to state government personnel procedures including job classifications, pay plans, employee recall from layoff, and abolishing the personnel commission, with report of committee recommending passage was taken up for consideration.

Senator Behn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 401) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 4:

Deluhery	Freeman	McKibben	McLaren
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 399, 401 and House Concurrent Resolution 20** be immediately messaged to the House.

CONSIDERATION OF BILLS (Regular Calendar)

House File 589

On motion of Senator Gettings, House File 589, a bill for an act relating to professional boxing and wrestling matches, providing for properly related matters, and providing for a tax and for penalties, with report of committee recommending passage was taken up for consideration.

Senator Hammond asked and received unanimous consent that action on **House File 589** be deferred.

House File 645

On motion of Senator McKean, House File 645, 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 and including an effective date provision, with report of committee recommending amendment and passage, was taken up for consideration.

Senator McKean offered amendment S—3298 filed by the committee on Local Government on March 31, 1997, to pages 6 and 7 of the bill and moved its adoption.

Amendment S—3298 was adopted by a voice vote.

Senator Boettger offered amendment S—3358 filed by Senators Boettger and Fraise on April 3, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3358 was adopted by a voice vote.

Senator McKean moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 645) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 4:

Deluhery

Freeman

McKibben

McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 542

On motion of Senator Angelo, House File 542, a bill for an act to prohibit acts by inmates of jails or correctional institutions which result in contact with bodily fluids or secretions or the casting or expelling of bodily fluids or secretions on jail and correctional employees, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Hansen offered amendment S—3351 filed by him on April 2, 1997, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3351 was adopted by a voice vote.

Senator Vilsack asked and received unanimous consent that action on **House File 542** be **deferred**.

House File 92

On motion of Senator Rehberg, House File 92, a bill for an act relating to eligibility for receipt of moneys under the school improvement technology program, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Connolly offered amendment S—3109 filed by the committee on Education on March 4, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3109 was adopted by a voice vote.

Senator Rehberg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 92) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Halvorson	Hammond	Hansen	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 1:

Gronstal

Absent or not voting, 3:

Deluhery Freeman McKibben

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 313

On motion of Senator Szymoniak, House File 313, a bill for an act requiring criminal and child abuse record checks of persons receiving state funding for providing child day care, and making a penalty applicable, 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. 313) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 3:

Deluhery Freeman McKibben

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 92, 313 and 645** be **immediately messaged** to the House.

BUSINESS PENDING

House File 589

The Senate resumed consideration of House File 589, a bill for an act relating to professional boxing and wrestling matches, providing for properly related matters, and providing for a tax and for penalties, previously deferred.

Senator Hammond offered amendment S—3376 filed by her from the floor to page 7 of the bill.

Senator Gettings raised the point of order that amendment S—3376 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3376 out of order.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 589) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 1:

Hammond

Absent or not voting, 2:

Freeman McKibben

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 372

On motion of Senator Rittmer, House File 372, a bill for an act establishing a county issuance of motor vehicle licenses study and providing effective dates, 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. 372) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Connolly	Dearden
Douglas	Drake	Dvorsky	Fink
Flynn	Fraise	Gettings	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 1:

Black, D.

Absent or not voting, 3:

Deluhery Freeman McKibben

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that House Files 372 and 589 be immediately messaged to the House.

The Senate stood at ease at 4:10 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:32 p.m., President Kramer presiding.

REPORTS OF COMMITTEEE MEETINGS

AGRICULTURE

Convened: April 3, 1997, 8:50 a.m.

Members Present: Rensink, Chair; J. Black, Vice Chair; Judge, Ranking Member; Bartz, Behn, D. Black, Fraise, Gettings, Hedge, Kibbie, Rehberg and Ziemann.

Members Absent: Angelo, Rife and Vilsack (all excused).

Committee Business: Recommended passage of House File 336.

Adjourned: 9:05 a.m.

APPROPRIATIONS

Convened: April 3, 1997, 1:06 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hedge, Horn, Jensen, Lundby, Maddox, McCoy, Rehberg, Rensink, Rittmer and Tinsman

Members Absent: Hammond, Neuhauser, Rife and Vilsack (all excused).

Committee Business: Approved SSBs 248 and 250 as committee bills.

Adjourned: 1:40 p.m.

COMMERCE

Convened: April 3, 1997, 2:45 p.m.

Members Present: Jensen, Chair; Schuerer, Vice Chair; Deluhery, Ranking Member; Bartz, Douglas, Flynn, Gronstal, Hansen, King, Lundby, Maddox and Redfern.

Members Absent: McCoy, Palmer and Rife (all excused).

Committee Business: Recommended passage of House File 637; recommended confirmation of governor's appointee to individual confirmation calendar.

Adjourned: 2:49 p.m.

HUMAN RESOURCES

Convened: April 3, 1997, 11:35 a.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, J. Black, Dearden, Dvorsky, Hammond, Rensink, Schuerer and Tinsman.

Members Absent: Vilsack (excused).

Committee Business: Recommended passage of House Files 698, 702 and 492.

Recessed: 12:03 p.m.

Reconvened: April 3, 1997, 1:50 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Behn, J. Black, Dearden, Rensink, Schuerer and Tinsman.

Members Absent: Szymoniak, Ranking Member; Bartz, Dvorsky, Hammond and Vilsack (excused).

Committee Business: Recommended passage of House File 376.

Adjourned: 1:55 p.m.

JUDICIARY

Convened: April 3, 1997, 7:45 a.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern and Tinsman.

Members Absent: Neuhauser, Ranking Member and Vilsack (both excused).

Committee Business: Assigned a bill to a subcommittee; recommended passage of House Files 449 and 643; recommended passage of House File 693 as amended.

Recessed: 9:20 a.m.

Reconvened: April 3, 1997, 2:40 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern and Tinsman.

Members Absent: Neuhauser, Ranking Member and Vilsack (both excused).

Committee Business: Recommended passage of House File 707 as amended; recommended passage of House Files 662, 674 and 666.

Adjourned: 3:45 p.m.

LOCAL GOVERNMENT

Convened: April 3, 1997, 9:40 a.m.

Members Present: Zieman, Chair; Behn, Vice Chair; Fraise, Ranking Member; Angelo, Bartz, D. Black, J. Black, Boettger, Connolly, Dearden, Hansen, McKean and Redwine.

Members Absent: none.

Committee Business: Recommended passage of House Files 616, 178, 680, 658, 485 and 456.

Adjourned: 10:45 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: April 3, 1997, 10:48 a.m.

Members Present: Bartz, Chair; Angelo, Vice Chair; Fink, Ranking Member; D. Black, J. Black, Dearden, Deluhery, Dvorsky, Freeman, Hedge, Judge, McKibben, Rehberg and Zieman.

Members Absent: Borlaug (excused).

Committee Business: Recommended confirmation of governor's appointees and recommended passage of Senate Concurrent Resolution 12.

Adjourned: 11:08 a.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

Convened: April 3, 1997, 10:18 a.m.

Members Present: Rittmer, Chair; Lundby, Vice Chair; Hansen, Ranking Member; Boettger, Douglas, Flynn, Hammond, King, McCoy, Palmer, Redwine, Schuerer and Zieman.

Members Absent: none.

Committee Business: Recommended confirmation of governor's appointee; assigned bills to subcommittees; recommended passage of House Files 367 and 613.

Adjourned: 10:50 a.m.

STATE GOVERNMENT

Convened: April 3, 1997, 9:57 a.m.

Members Present: Rittmer, Acting Chair; Lundby, Acting Vice Chair; Kibbie, Ranking Member; Borlaug, Deluhery, Drake, Fink, Gronstal, Halvorson, King, McKibben, McLaren, Szymoniak and Tinsman.

Members Absent: Rife.

Committee Business: Recommended passage of House Files 697, 577, 439 and House Concurrent Resolution 20; recommended passage of House File 540 as amended; presentation on deferred compensation by the director of the department of personnel.

Adjourned: 10:42 a.m.

TRANSPORTATION

Convened: April 3, 1997, 11:36 a.m.

Members Present: Drake, Chair; Borlaug, Vice Chair; McCoy, Ranking Member; Connolly, Douglas, Fraise, Freeman, Gettings, Halvorson, Jensen, McKean, McKibben and Rittmer.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 450, 685 and 704; recommended passage of House File 692 as amended.

Adjourned: 12:22 p.m.

WAYS AND MEANS

Convened: April 3, 1997, 2:12 p.m.

Members Present: Douglas, Chair; McKibben, Vice Chair; Palmer, Ranking Member; Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox and Redfern.

Members Absent: McLaren, Szymoniak and Vilsack (all excused).

Committee Business: Assigned bills to subcommittees and recommended passage of House Files 642 and 687.

Adjourned: 2:39 p.m.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on April 3, 1997:

NATURAL RESOURCES AND ENVIRONMENT

Kathryn A. Murphy and Randal J. Giannetto, Environmental Protection Commission.

Jacklyn K. Van Ekeren, Iowa Comprehensive Petroleum Underground Storage Tank Fund Board.

SMALL BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

Michael A. Fesler, Small Business Advisory Council.

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Randal J. Giannetto to the Environmental Protection Commission be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

MARY KRAMER

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Michael A. Fesler to the Small Business Advisory Council be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

MICHAEL E. GRONSTAL

STUDY BILL RECEIVED

SSB 265 Appropriations

Relating to and making supplemental appropriations for the fiscal year beginning July 1, 1996, and providing an effective date.

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 2, 1997.

Had I been present, I would have voted "aye" on Senate Files 515, 522, 466 and 495.

JOHN P. KIBBIE

SUBCOMMITTEE ASSIGNMENTS

House File 58

BUSINESS AND LABOR: Zieman, Chair; Dearden and Freeman

House File 333

LOCAL GOVERNMENT: Zieman, Chair; Behn and Dearden

PETITION

The following petition was presented and placed on file by:

Senator McLaren from 94 residents of Cass County supporting the state funding of public libraries throughout Iowa.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 3, 1997, the governor approved and transmitted to the secretary of state the following bills:

S.F. 233 - Concerning eligible alternative retirement benefit systems for newly employed community college employees, and providing an applicability date.

S.F. 272 - Relating to the implementation of certain assistance programs of the Department of Economic Development.

S.F. 292 - Relating to cooperative corporations, by providing for the transfer of stock, the allocation of patronage dividends upon termination of membership, and dissolution.

S.F. 299 - Relating to cooperative associations and corporations by providing for operations and procedures, including providing for mergers, and providing an effective date.

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: HOUSE FILE 336, a bill for an act providing for the assessment of lands owned by the department of natural resources within levee and drainage districts.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Rensink, J. Black, Judge, Bartz, Behn, D. Black, Fraise, Gettings, Hedge, Kibbie, Rehberg and Ziemann. Nays, none. Absent or not voting, 3: Angelo, Rife and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 707, a bill for an act relating to substance abuse evaluation and education, use of ignition interlock devices, motor vehicle license revocations and payment of restitution by certain drivers; to civil liability, forfeiture, and criminal penalties arising from operation of a motor vehicle by a person whose license is suspended, denied, revoked, or barred; and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3363.

Final Vote: Ayes, 13: McKean, Maddox, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern and Tinsman. Nays, none. Absent or not voting, 2: Neuhauser and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 7th day of April, 1997:

Senate File 189.

MARY PAT GUNDERSON
Secretary of the Senate

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Chad Marzen, Dougherty - For your accomplishment of winning the State Spelling Bee. Senator Borlaug (3-31-97).

Crestwood Girls' basketball team: coaches, players and managers - For taking your team to the state tournament. Senator Borlaug (4-3-97).

Fredericksburg Boys' basketball team: coaches, players and managers - For taking your team to the state tournament. Senator Borlaug (4-3-97).

St. Ansgar Boys' basketball team: coaches, players and managers - For taking your team to the state tournament. Senator Borlaug (4-3-97).

James S. Flansburg, Des Moines - For speaking at the Pioneer Lawmakers Joint Session, April 2, 1997. Senator Kibbie. (4-3-97).

Jan Mitchell, Marshalltown - For Iowa Teacher of the Year. Senator Tinsman (4-9-97).

AMENDMENTS FILED

S-3363	H. F.	707	Judiciary
S-3364	S. F.	530	Mike Connolly
S-3365	S. F.	533	Eugene Fraise
			Steven D. Hansen
S-3366	H. F.	655	Tom Vilsack
S-3367	S. F.	533	Robert E. Dvorsky

S-3368	S. F.	533	Robert E. Dvorsky Eugene Fraise
S-3369	S. F.	533	Robert E. Dvorsky Eugene Fraise
S-3370	S. F.	533	Robert E. Dvorsky Eugene Fraise
S-3371	S. F.	533	Eugene Fraise Robert E. Dvorsky
S-3372	S. F.	533	Robert E. Dvorsky
S-3373	S. F.	533	Robert E. Dvorsky Eugene Fraise
S-3374	S. F.	529	Rodney Halvorson
S-3375	H.F.	515	Dick L. Dearden
S-3376	H.F.	589	Johnie Hammond
S-3377	S. F.	533	Eugene Fraise Andy McKean Robert E. Dvorsky
S-3378	S. F.	533	Michael E. Gronstal Mary Lou Freeman Mary A. Lundby Robert E. Dvorsky
S-3379	S. F.	533	O. Gene Maddox
S-3380	S. F.	533	Rodney Halvorson Robert E. Dvorsky Eugene Fraise
S-3381	S. F.	293	House amendment
S-3382	S. F.	109	House amendment
S-3383	S. F.	529	Rod Halvorson
S-3384	S. F.	379	House amendment
S-3385	H.F.	655	Tom Flynn Tom Vilsack
S-3386	S. F.	533	Merlin E. Bartz Tom Flynn
S-3387	H.F.	655	Tom Flynn
S-3388	H.F.	655	Allen Borlaug Derryl McLaren
S-3389	H.F.	655	Allen Borlaug Derryl McLaren
S-3390	H.F.	542	Tom Visack

QUORUM CALL

Senator Iverson requested a non record roll call to determine that a quorum was present.

The vote revealed 37 present, 12 absent and a quorum present.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 529

On motion of Senator Lundby, Senate File 529, 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, was taken up for consideration.

Senator Halvorson offered amendment S—3374 filed by him from the floor to page 3 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3374 be adopted?" (S.F. 529) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Hedge	Iverson	Jensen	King
Kramer	Lundby	Maddox	McKean
McLaren	Redfern	Redwine	Rehberg

Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 2:

Freeman	McKibben
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Amendment S—3374 lost.

Senator Halvorson offered amendment S—3383 filed by him from the floor to page 5 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3383 be adopted?" (S.F. 529) the vote was:

Ayes, 19:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Judge	Kibbie	McCoy
Neuhauser	Szymoniak	Vilsack	

Nays, 28:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Hedge	Horn	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McLaren	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Absent or not voting, 2:

Freeman	McKibben
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Amendment S—3383 lost.

Senator Rife offered amendment S—3392 filed by him from the floor to page 12 of the bill.

Senator McCoy raised the point of order that amendment S—3392 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3392 out of order.

Senator Flynn asked and received unanimous consent that action on amendment S—3393 filed by him from the floor to page 20 of the bill be temporarily deferred.

Senator Rife offered amendment S—3391 filed by him from the floor to page 21 of the bill.

Senator Gronstal raised the point of order that amendment S—3391 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3391 out of order.

Senator McCoy offered amendment S—3398 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—3398 be adopted?" (S.F. 529) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Hedge	Iverson	Jensen	King
Kramer	Lundby	Maddox	McKean
McLaren	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 2:

Freeman McKibben

Amendment S—3398 lost.

Senator McCoy withdrew amendment S—3397 filed by him from the floor to page 5 of the bill.

Senator McCoy offered amendment S—3399 filed by him from the floor to pages 6 and 19 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3399 be adopted?" (S.F. 529) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
Maddox	McCoy	Neuhauser	Palmer
Szymoniak			

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Hedge	Iverson	Jensen	King
Kramer	Lundby	McKean	McLaren
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Tinsman
Vilsack	Zieman		

Absent or not voting, 2:

Freeman McKibben

Amendment S—3399 lost.

Senator Hammond offered amendment S—3402 filed by her from the floor to page 20 of the bill, moved its adoption and requested a non record roll call.

The ayes were 20, nays 26.

Amendment S—3402 lost.

Senator Vilsack offered amendment S—3403 filed by him from the floor to page 19 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3403 be adopted?" (S.F. 529) the vote was:

Ayes, 41:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Jensen
Judge	Kibbie	Maddox	McCoy
McKean	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 7:

Drake	Iverson	King	Kramer
Lundby	McLaren	Rife	

Absent or not voting, 1:

McKibben

Amendment S—3403 was adopted.

Senator Connolly offered amendment S—3404 filed by him from the floor to page 9 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3404 be adopted?" (S.F. 529) the vote was:

Ayes, 16:

Connolly	Dearden	Dvorsky	Fink
Flynn	Fraise	Gronstal	Halvorson
Hammond	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak

Nays, 32:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Deluhery
Douglas	Drake	Freeman	Gettings
Hansen	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Vilsack	Zieman

Absent or not voting, 1:

McKibben

Amendment S—3404 lost.

Senator Vilsack offered amendment S—3405 filed by him from the floor to page 21 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3405 be adopted?" (S.F. 529) the vote was:

Ayes, 20:

Black, D.	Boettger	Connolly	Dearden
Deluhery	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Palmer	Szymoniak	Vilsack

Nays, 28:

Angelo	Bartz	Behn	Black, J.
Borlaug	Douglas	Drake	Dvorsky
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox

McKean	McLaren	Neuhauser	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Absent or not voting, 1:

McKibben

Amendment S—3405 lost.

Senator Iverson asked and received unanimous consent that action on **Senate File 529** be deferred.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 7, 1997, passed the following bill in which the concurrence of the House was asked:

Senate File 104, a bill for an act relating to a minimum age requirement for a coaching authorization issued by the state board of educational examiners.

ALSO: That the House has on April 7, 1997, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 109, a bill for an act relating to workers' compensation coverage for employment outside of the state (S—3382).

Senate File 293, a bill for an act increasing the property damage limit for mandatory reporting of motor vehicle accidents (S—3381).

Senate File 379, a bill for an act providing for maintenance and repair of out-of-state commercial vehicles and providing an effective date (S—3384).

ALSO: That the House has on April 7, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 355, 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 and providing an effective date.

This bill was read first time and **passed on file**.

House File 626, a bill for an act relating to the property tax levy allowed certain fire districts.

This bill was read first time and **passed on file**.

House File 651, a bill for an act to establish separate recycling funds for each prison institution within the state treasury and making related changes.

This bill was read first time and **passed on file**.

House File 659, a bill for an act relating to the regulation of the practice of respiratory care.

This bill was read first time and **passed on file**.

BILLS REFERRED TO COMMITTEE

Senate Iverson asked and received unanimous consent that the following bills on the Senate Calendar no longer eligible under Joint Rule 20 be referred to committee (bills are listed in the order in which they appeared on the April 7, 1997, Senate Calendar):

S. F.	23	Transportation
S. F.	86	State Government
S. F.	225	State Government
S. F.	228	Local Government
S. F.	17	Natural Resources and Environment
S. F.	252	State Government
S. F.	291	Agriculture
S. F.	294	Education
S. F.	375	State Government
S. F.	380	State Government
S.J.R.	14	State Government
S. F.	396	State Government
S. F.	401	Education
S. F.	99	State Government
S. F.	419	Transportation
S. F.	421	Judiciary
S. F.	422	State Government

S. F.	423	State Government
S. F.	424	State Government
S. F.	425	State Government
S. F.	426	Local Government
S. F.	430	State Government
S. F.	434	Local Government
S. F.	436	Judiciary
S. F.	437	Education
S. F.	438	Transportation
S. F.	322	State Government
S. F.	329	Commerce
S. F.	337	State Government
S. F.	443	Judiciary
S. F.	450	Human Resources
S. F.	455	Judiciary
S. F.	458	Business and Labor
S. F.	461	Human Resources
S. F.	464	Education
S. F.	465	Commerce
S. F.	471	Natural Resources and Environment
S. F.	211	State Government
S. F.	477	State Government
S. F.	479	Human Resources
S. F.	483	Education
S. F.	484	Agriculture
S. F.	486	State Government
S. F.	489	Human Resources
S. F.	493	Judiciary
S. F.	496	Judiciary
S. F.	498	State Government
S. F.	509	State Government
S. F.	512	Judiciary
S. F.	514	State Government
S. F.	520	State Government
S. F.	525	Human Resources
S. F.	527	Commerce
S.C.R.	9	Rules and Administration

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

H.F.	355	Ways and Means
H.F.	626	Ways and Means
H.F.	651	Appropriations

AMENDMENTS FILED

S-3391	S. F.	529	Jack Rife
S-3392	S. F.	529	Jack Rife
S-3393	S. F.	529	Tom Flynn
S-3394	S. F.	533	Dennis H. Black
S-3395	H.F.	625	Bill Fink
S-3396	S. F.	533	Robert Dvorsky Tom Vilsack Eugene Fraise
S-3397	S. F.	529	Matt McCoy
S-3398	S. F.	529	Matt McCoy
S-3399	S. F.	529	Matt McCoy
S-3400	S. F.	533	Tom Vilsack
S-3401	S. F.	533	Robert Dvorsky
S-3402	S. F.	529	Johnie Hammond
S-3403	S. F.	529	Tom Vilsack
S-3404	S. F.	529	Mike Connolly
S-3405	S. F.	529	Tom Vilsack
S-3406	S. F.	529	Rod Halvorson
S-3407	S. F.	529	Mike Connolly
S-3408	S. F.	529	Matt McCoy
S-3409	H.F.	655	Elaine Szymoniak
S-3410	H.F.	655	Patty Judge
S-3411	H.F.	655	Tom Vilsack

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE RESOLUTION 6, a resolution honoring Des Moines Mayor Arthur Davis for his many contributions to the city of Des Moines and the state of Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Rittmer, Lundby, Kibbie, Borlaug, Deluhery, Drake, Fink, Gronstal, Halvorson, King, McLaren, Rife, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 7:20 p.m., until 9:00 a.m., Tuesday, April 8, 1997.

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 8, 1997

The Senate met in regular session at 9:14 a.m., President Kramer presiding.

Prayer was offered by the Reverend Karl J. Giese, pastor of the United Methodist Church, Sac City, Iowa.

The Journal of Monday, April 7, 1997, was approved.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Deluhery asked and received unanimous consent to take up for consideration Senate Resolution 6.

1 SENATE RESOLUTION 6

2 by Deluhery, Palmer, Kramer, Szymoniak, McCoy,
3 Maddox, Dearden, Angelo, Bartz, Behn, Black Of Jasper,
4 Black Of Kossuth, Boettger, Borlaug, Connolly,
5 Douglas, Drake, Dvorsky, Fink, Flynn, Fraise,
6 Freeman, Gettings, Gronstal, Halvorson, Hammond,
7 Hansen, Hedge, Horn, Iverson, Jensen, Judge, Kibbie,
8 King, Lundby, Mckean, McKibben, McLaren, Neuhauser,
9 Redfern, Redwine, Rehberg, Rensink, Rittmer,
10 Schuerer, Tinsman, Vilsack, And Ziemann
11 A Resolution honoring Des Moines Mayor Arthur Davis for
12 his many contributions to the city of Des Moines and
13 the state of Iowa.

14 WHEREAS, Mr. Arthur Davis, while growing up, in his
15 own words, in "kind of a conservative Jewish home" in
16 Sioux City, learned early from his mother that good
17 deeds will be noticed, should not be bragged about,
18 and will provide a barometer by which others may judge
19 a person's accomplishments; and

20 WHEREAS, Mr. Davis has since that time accrued an
21 impressive list of accomplishments, including
22 membership on the Des Moines Human Rights Commission

23 from 1960 to 1963; membership on the Des Moines school
24 board from 1963 to 1969, including serving as
25 president of the board for two years; service as the
26 president of Planned Parenthood of Iowa in 1976;
27 service as president of the Greater Des Moines Chamber
28 of Commerce Federation in 1979; fulfillment of an
29 appointment by President Jimmy Carter in 1980 to the
30 President's Holocaust Memorial Council; and service as

Page 2

1 the chairman of the Iowa Democratic Party from 1985 to
2 1987; and
3 WHEREAS, during these years, Mr. Davis was building
4 one of Des Moines' largest, most influential, and
5 prestigious law firms, now known as the firm of Davis,
6 Brown, Koehn, Shors & Roberts, P.C., but which has
7 most often been described through the years as "the
8 Davis firm"; and
9 WHEREAS, Mr. Davis' passion for community-building
10 was evidenced by his decision to run for mayor of Des
11 Moines in 1995; and
12 WHEREAS, Mr. Davis brought civility, elegance, and
13 a hearty, baritone voice to the office of mayor; and
14 WHEREAS, Mr. Davis' fellow mayors in the Golden
15 Circle of Des Moines have expressed their respect for
16 him; applauded his concern for and efforts to
17 strengthen the relationship between Des Moines and the
18 suburban communities; praised his negotiating skills,
19 gentlemanly manner, integrity, and vision; and noted
20 the improvements and tough decisions Mr. Davis made in
21 his brief tenure in the mayor's office; and
22 WHEREAS, after learning of the recurrence of a
23 life-threatening illness in the summer of 1996, Mr.
24 Davis planned to serve out his term, but with much
25 regret announced on March 30, 1997, that the illness
26 forced him to make his decision to resign as mayor;
27 and
28 WHEREAS, although his time as mayor has been
29 limited in duration, Mr. Davis will be remembered for
30 his vigorous efforts to improve education, to

Page 3

1 implement a helpful police presence in the community,
2 and to establish responsible budgetary practices; NOW
3 THEREFORE,
4 BE IT RESOLVED BY THE SENATE, That the Senate
5 honors Mr. Arthur Davis for his many accomplishments,
6 his deep commitment to community service, and for the
7 benefits he brought to the city of Des Moines and all
8 the citizens of Iowa;

9 BE IT FURTHER RESOLVED, That the Senate wishes
10 Mayor Davis strength, courage, and its hope that the
11 comfort and attention offered by his family and many
12 friends will support and sustain him; and

13 BE IT FURTHER RESOLVED, That the Secretary of the
14 Senate send copies of this Resolution to Mayor Arthur
15 Davis and his family and to the Des Moines City
16 Council.

Senator Hedge took the chair at 9:24 a.m.

Senator Deluhery moved the adoption of Senate Resolution 6,
which motion prevailed by a voice vote.

President Kramer took the chair at 9:30 a.m.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:32 a.m.,
until 10:30 a.m.

RECONVENED

The Senate reconvened at 10:40 a.m., President Kramer presiding.

BILL REFERRED TO COMMITTEE

Senate Iverson asked and received unanimous consent that **House
File 416** be referred from the Regular Calendar to the committee on
Ways and Means.

QUORUM CALL

Senator Iverson requested a non record roll call to determine that a
quorum was present.

The vote revealed 36 present, 13 absent and a quorum present.

The Senate stood at ease at 10:45 a.m., until the fall of the gavel for
the purpose of party caucuses.

The Senate resumed session at 11:36 a.m., President Kramer presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Judge until she arrives on request of Senator Gronstal.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Redfern called up the appointment of David J. Fisher as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on March 31, 1997, and found on page 873 of the Senate Journal.

Senator Redfern moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Freeman
Gettings	Gronstal	Halvorson	Hansen
Hedge	Horn	Iverson	Jensen
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 2:

Fraise Hammond

Absent or not voting, 2:

Judge McKibben

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Szymoniak called up the appointment of Kim D. Schmett as Director of the Department of Inspections and Appeals, placed on the Individual Confirmation Calendar on February 27, 1997, for appointment on page 429, and for reappointment on March 27, 1997, and found on page 845 of the Senate Journal.

Senator Szymoniak moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 1:

Fink

Absent or not voting, 2:

Judge McKibben

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Roger A. Halvorson as Administrator of Professional Licensing and Regulation, placed on the Individual Confirmation Calendar on March 6, 1997, and found on page 516 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:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 1:

Black, D.

Absent or not voting, 2:

Judge McKibben

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Freeman called up the appointment of Ronald N. Langston as a member of the State Transportation Commission, placed on the Individual Confirmation Calendar on March 31, 1997, and found on page 853 of the Senate Journal.

Senator Freeman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Connolly	Dearden

Deluhery	Douglas	Drake	Fink
Flynn	Fraise	Freeman	Gettings
Gronstal	Halvorson	Hansen	Hedge
Horn	Iverson	Jensen	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 3:

Black, D.	Dvorsky	Hammond
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Absent or not voting, 2:

Judge	McKibben
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Bartz called up the appointment of Randal Giannetto as a member of the Environmental Protection Commission, placed on the Individual Confirmation Calendar on April 7, 1997, and found on page 1002 of the Senate Journal.

Senator Bartz moved that the foregoing appointment be confirmed by the Senate

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 1:

Fink

Absent or not voting, 2:

Judge

McKibben

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 8, 1997, passed the following bills in which the concurrence of the House was asked:

Senate File 126, a bill for an act allowing a supervised, controlled burn for which a permit has been issued during an open burning ban.

Senate File 300, a bill for an act relating to the prohibited sale of home testing kits for the human immunodeficiency virus.

ALSO: That the House has on April 8, 1997, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 236, a bill for an act relating to the certificate of need program (S—3421).

RECESS

On motion of Senator Iverson, the Senate recessed at 12:10 p.m., until 1:45 p.m.

APPENDIX

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendation for confirmation on April 2 and 8, 1997:

HUMAN RESOURCES

APRIL 8, 1997:

Margaret Susan Cigelman, Athletic Trainer Advisory Board.

Betty Jean (BJ) Furgerson, Iowa Council on Human Investment.

Lannie L. Miller, Mental Health and Developmental Disabilities Commission.

JUDICIARY

APRIL 2, 1997:

Curtis S. Jenkins, Board of Parole.

Rachelle L.K. Johnson, Drug Abuse Prevention and Education Advisory Council.

Jack L. Morlan, Iowa State Civil Rights Commission.

Joseph W. Hanrahan, Narcotics Enforcement Advisory Council.

APRIL 8, 1997

Richard G. Moore, Administrator of the Division of Criminal and Juvenile Justice Planning

Elizabeth A. Mathis, Commission on Judicial Qualifications.

Marvin L. Van Haften, Criminal and Juvenile Justice Planning Advisory Council.

Mohamad W. Khan and Robert L. Smith, Jr., Iowa State Civil Rights Commission.

Terry A. Sweeney, Narcotics Enforcement Advisory Council.

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees assigned to standing committees for investigation were placed on the Individual Confirmation Calendar with recommendation for confirmation:

COMMERCE**APRIL 3, 1997:**

Allan T. Thoms, Chair of the Utilities Board.

HUMAN RESOURCES**APRIL 8, 1997:**

Albert G. Sorensen, Council on Human Services.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 6**

STATE GOVERNMENT: Deluhery, Chair; Rittmer and Szymoniak

Senate File 228

LOCAL GOVERNMENT: Angelo, Chair; Fraise and Zieman

Senate File 426

LOCAL GOVERNMENT: Angelo, Chair; Behn and Fraise

Senate File 434

LOCAL GOVERNMENT: J. Black, Chair; Hansen and Zieman

House File 416

WAYS AND MEANS: Drake, Chair; Maddox and Palmer

House File 581

LOCAL GOVERNMENT: Behn, Chair; Connolly and Zieman

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-nine seventh, eighth and ninth grade students from Holmes Junior High, Cedar Falls, accompanied by Dave Andreasen and Rona Messmore. Senator Redfern.

Thirty-nine twelfth grade students from Ruthven-Ayrshire High School, Ruthven, accompanied by Jon Jospheson and Mr. Vosberg. Senator Kibbie.

Fifth grade students from Rex Mathes Elementary, West Des Moines, accompanied by Thalya Hanson. Senator Kramer.

AMENDMENTS FILED

S-3412	H.F.	335	Maggie Tinsman
S-3413	S.F.	339	Neal Schuerer
S-3414	H.F.	133	Mary A. Lundby
			Michael E. Gronstal
			Merlin E. Bartz
			Patty Judge
			Steven D. Hansen
			H. Kay Hedge
			John W. Jensen
			Patrick J. Deluhery
			William D. Palmer
			Wilmer Rensink
			Eugene S. Fraise
			Jack Rife
S-3415	S.F.	453	Maggie Tinsman
S-3416	S.F.	365	Steven D. Hansen
S-3417	S.F.	478	Neal Schuerer
S-3418	H.F.	597	Maggie Tinsman
			Nancy Boettger
			Mary Neuhauser
			John Redwine
S-3419	H.F.	655	Robert E. Dvorsky
S-3420	H.F.	132	Donald B. Redfern
S-3421	S.F.	236	House amendment
S-3422	H.F.	625	John P. Kibbie
			Wilmer Rensink
			Neal Schuerer
			Bill Fink
			Elaine Szymoniak
			Steven D. Hansen
			Jeff Angelo
			Nancy Boettger

S-3423	H. F.	557	Mary Lou Freeman
S-3424	S. F.	339	Merlin E. Bartz
			Michael E. Gronstal
			Neal Schuerer

AFTERNOON SESSION

The Senate reconvened at 1:55 p.m., President Kramer presiding.

QUORUM CALL

Senator Boettger requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 11 absent and a quorum present.

**CONSIDERATION OF BILL
(Regular Calendar)****House File 687**

On motion of Senator Rehberg, House File 687, a bill for an act relating to statutory references to the Iowa beef industry council and increasing an excise tax on beef cattle upon a referendum, with report of committees on Agriculture and Ways and Means recommending passage, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Palmer until he arrives on request of Senator Gronstal.

BUSINESS PENDING**House File 687**

The Senate resumed consideration of House File 687.

Senator Rehberg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 687) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McLaren	Neuhauser	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 4:

Fraise	Judge	McKibben	Palmer
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rehberg asked and received unanimous consent that **Senate File 502** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS

(Deferred April 7, 1997)

Senate File 529

The Senate resumed consideration of Senate File 529, 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, deferred April 7, 1997 (amendment S—3393 by Senator Flynn pending).

Senator Halvorson offered amendment S—3406 filed by him on April 7, 1997, to page 5 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 28.

Amendment S—3406 lost.

Senator McCoy offered amendment S—3408 filed by him on April 7, 1997, to page 11 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3408 be adopted?” (S.F. 529) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Kibbie	McCoy
Neuhauser	Palmer	Szymoniak	Vilsack

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McLaren	Redfern	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 3:

Judge	McKibben	Rife
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Amendment S—3408 lost.

Senator Connolly offered amendment S—3407 filed by him on April 7, 1997, to pages 19 and 20 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3407 be adopted?” (S.F. 529) the vote was:

Ayes, 16:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Horn	Kibbie	Neuhauser	Szymoniak

Nays, 30:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Fink	Freeman	Hedge	Iverson
Jensen	King	Kramer	Lundby
Maddox	McCoy	McKean	McLaren
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Tinsman
Vilsack	Zieman		

Absent or not voting, 3:

Judge	McKibben	Palmer
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Amendment S—3407 lost.

The Senate resumed consideration of amendment S—3393 by Senator Flynn to page 20 of the bill, previously deferred.

Senator Gronstal asked and received unanimous consent that action on amendment S—3393 and Senate File 529 be deferred.

CONSIDERATION OF BILL (Appropriations Calendar)

House File 655

On motion of Senator Borlaug, House File 655, a bill for an act appropriating funds to the department of economic development, certain board of regents institutions, the department of workforce development, the public employment relations board, making statutory changes, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Borlaug offered amendment S—3308 filed by the committee on Appropriations on April 1, 1997, to pages 2, 7, 8, 11, 14-16, 18 and 19 of the bill.

Senator Vilsack offered amendment S—3366 filed by him on April 7, 1997, to amendment S—3308 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3366 to amendment S—3308 be adopted?" (H.F. 655) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Kibbie	McCoy
Neuhauser	Palmer	Szymoniak	Vilsack

Nays, 27:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Zieman	

Absent or not voting, 2:

Judge	McKibben
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Amendment S—3366 lost.

Senator Borlaug offered amendment S—3389 filed by Senators Borlaug and McLaren to amendment S—3308 and moved its adoption.

Amendment S—3389 was adopted by a voice vote.

Senator Borlaug moved the adoption of amendment S—3308 as amended.

Amendment S—3308 as amended was adopted by a voice vote.

Senator Rife withdrew amendment S—3429 filed by him from the floor to pages 2 and 16 of the bill.

Senator Vilsack offered amendment S—3411 filed by him on April 7, 1997, to page 3 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3411 be adopted?" (H.F. 655) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Black, D.	Connolly	Dearden	DeLuhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Kibbie	McCoy
Neuhauser	Palmer	Szymoniak	Vilsack

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Schuerer
Tinsman	Zieman		

Absent or not voting, 3:

Judge	McKibben	Rittmer
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Amendment S—3411 lost.

Senator Vilsack offered amendment S—3428 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—3428 was adopted by a voice vote.

Senator Szymoniak withdrew amendment S—3409 filed by her on April 7, 1997, to page 4 of the bill.

Senator Vilsack offered amendment S—3321 filed by him on April 1, 1997, to pages 4 and 17 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3321 be adopted?" (H.F. 655) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Kibbie	McCoy
Neuhauser	Palmer	Szymoniak	Vilsack

Nays, 27:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Zieman	

Absent or not voting, 2:

Judge	McKibben
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Amendment S—3321 lost.

The Chair announced that with the previous adoption of amendment S—3308 as amended, amendments S—3318 and S—3320 filed by Senator Vilsack on April 1, 1997, to pages 8 and 15 of the bill, were out of order.

Senator Vilsack withdrew amendment S—3322 filed by him on April 1, 1997, to pages 8 and 15 of the bill.

Senator Flynn offered amendment S—3385 filed by Senators Flynn and Vilsack on April 7, 1997, to page 13 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3385 be adopted?" (H.F. 655) the vote was:

Ayes, 19:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Kibbie	Neuhauser
Palmer	Szymoniak	Vilsack	

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McLaren	Redfern	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 4:

Judge	McCoy	McKibben	Rife
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Amendment S—3385 lost.

Senator Vilsack offered amendment S—3319 filed by him on April 1, 1997, to page 14 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3319 be adopted?" (H.F. 655) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise

Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Kibbie	McCoy
Neuhauser	Palmer	Szymoniak	Vilsack

Nays, 27:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Zieman	

Absent or not voting, 2:

Judge	McKibben
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Amendment S—3319 lost.

Senator Flynn offered amendment S—3387 filed by him on April 7, 1997, to page 14 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3387 be adopted?" (H.F. 655) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Kibbie	McCoy
Neuhauser	Palmer	Szymoniak	Vilsack

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Freeman
Hedge	Iverson	Jensen	King
Kramer	Lundby	Maddox	McKean
McLaren	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 3:

Drake	Judge	McKibben
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Amendment S—3387 lost.

Senator Dvorsky offered amendment S—3419 filed by him from the floor to page 16 of the bill and moved its adoption.

Amendment S—3419 was adopted by a voice vote.

Senator Borlaug offered amendment S—3388 filed by Senators Borlaug and McLaren on April 7, 1997, to page 17 of the bill and moved its adoption.

Amendment S—3388 was adopted by a voice vote.

Senator Borlaug offered amendment S—3346 filed by Senators Borlaug and McLaren on April 2, 1997, to page 18 of the bill and moved its adoption.

Amendment S—3346 was adopted by a voice vote.

Senator Gronstal asked and received unanimous consent that action on **House File 655** be deferred.

BUSINESS PENDING

Senate File 529

The Senate resumed consideration of Senate File 529, 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—3393 by Senator Flynn to page 20 of the bill, previously deferred.

Senator Flynn moved the adoption of amendment S—3393 and requested a non record roll call.

The ayes were 20, nays 27.

Amendment S—3393 lost

Senator Lundby moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 529) the vote was:

Ayes, 39:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Deluhery	Douglas	Drake	Flynn
Fraise	Freeman	Gettings	Hedge
Horn	Iverson	Jensen	Kibbie
King	Kramer	Lundby	Maddox
McKean	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 8:

Dearden	Dvorsky	Fink	Gronstal
Halvorson	Hammond	Hansen	McCoy

Absent or not voting, 2:

Judge	McKibben
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF BILL

Senate File 536, by committee on Ways and Means, a bill for an act increasing the tuition and textbook tax credit to twenty percent of the first one thousand dollars of K through 12 tuition and textbook expenses and providing a retroactive applicability date.

Read first time and placed on Ways and Means Calendar.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 529** be immediately messaged to the House.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 8, 1997, passed the following bill in which the concurrence of the House was asked:

Senate File 205, a bill for an act relating to continued eligibility under the new jobs and income program concerning the ownership of land by nonresident aliens and certain capital investment and job creation provisions.

The Senate stood at ease at 4:40 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 6:02 p.m., President Kramer presiding.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House File 687** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 533

On motion of Senator Maddox, Senate File 533, a bill for an act relating to and making appropriations to the justice system and providing effective dates, was taken up for consideration.

Senator Iverson asked and received unanimous consent to take up out of order amendment S—3396.

Senator Dvorsky offered amendment S—3396 filed by Senators Dvorsky, Vilsack and Fraise on April 7, 1997, to page 11 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3396 be adopted?" (S.F. 533) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gronstal	Halvorson	Hammond	Hansen
Horn	Judge	Kibbie	McCoy
Neuhauser	Palmer	Szymoniak	Vilsack

Nays, 27:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Zieman	

Absent or not voting, 2:

Gettings	McKibben
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Amendment S—3396 lost.

Senator Iverson asked and received unanimous consent to take up out of order amendment S—3400.

Senator Vilsack offered amendment S—3400 filed by him from the floor to page 7 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 26.

Amendment S—3400 lost.

Senator Iverson asked and received unanimous consent that action on **Senate File 533** be deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vilsack for the remainder of the day on request of Senator Gronstal.

BUSINESS PENDING

House File 655

The Senate resumed consideration of House File 655, a bill for an act appropriating funds to the department of economic development, certain board of regents institutions, the department of workforce development, the public employment relations board, making statutory changes, and providing an effective date, previously deferred.

Senator Judge offered amendment S—3410 filed by her on April 7, 1997, to page 3 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3410 be adopted?" (H.F. 655) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak

Nays, 27:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Zieman	

Absent or not voting, 2:

McKibben	Vilsack
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Amendment S—3410 lost.

Senator Borlaug moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 655) the vote was:

Ayes, 43:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Flynn	Freeman	Gettings
Halvorson	Hammond	Hansen	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittner
Schuerer	Tinsman	Zieman	

Nays, 4:

Fink	Fraise	Gronstal	Szymoniak
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Absent or not voting, 2:

McKibben	Vilsack
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **House File 655** be **immediately messaged** to the House.

President pro tempore Redfern took the chair at 7:06 p.m.

BUSINESS PENDING

Senate File 533

The Senate resumed consideration of Senate File 533, a bill for an act relating to and making appropriations to the justice system and providing effective dates, previously deferred.

Senator Dvorsky asked and received unanimous consent to withdraw amendment S—3368 filed by Senators Dvorsky and Fraise on April 7, 1997, to page 2 of the bill.

Senator Gronstal offered amendment S—3378 filed by Senators Gronstal, et al., on April 7, 1997, to pages 4 and 19 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3378 be adopted?" (S.F. 533) the vote was:

Ayes, 22:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Judge
Kibbie	Lundby	McCoy	Neuhauser
Palmer	Szymoniak		

Nays, 25:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Hedge	Iverson	Jensen	King
Kramer	Maddox	McKean	McLaren
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Tinsman
Zieman			

Absent or not voting, 2:

McKibben	Vilsack
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Amendment S—3378 lost.

Senator Maddox offered amendment S—3430 filed by Senators Maddox, et al., from the floor to page 4 of the bill and moved its adoption.

Amendment S—3430 was adopted by a voice vote.

Senator Halvorson offered amendment S—3380 filed by Senators Halvorson, et al., on April 7, 1997, to page 8 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3380 be adopted?" (S.F. 533) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Judge
Kibbie	McCoy	Neuhauser	Palmer
Szymoniak			

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Hedge	Iverson	Jensen	King
Kramer	Lundby	Maddox	McKean
McLaren	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 2:

McKibben Vilsack

Amendment S—3380 lost.

Senator Fraise offered amendment S—3365 filed by Senators Fraise and Hansen on April 7, 1997, to page 8 of the bill and moved its adoption.

Amendment S—3365 lost by a voice vote.

President Kramer took the chair at 8:12 p.m.

Senator Hansen offered amendment S—3433 filed by Senators Hammond and Hansen from the floor to page 11 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3433 be adopted?" (S.F. 533) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
Lundby	McCoy	Neuhauser	Palmer
Szymoniak			

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Maddox	McKean
McLaren	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 2:

McKibben	Vilsack
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Amendment S—3433 lost.

Senator Fink offered amendment S—3434 filed by Senators Fink, et al., from the floor to page 11 of the bill.

Senator Maddox asked and received unanimous consent that action on amendment S—3434 be deferred.

Senator Dvorsky offered amendment S—3372 filed by him on April 7, 1997, to page 16 of the bill and moved its adoption.

Amendment S—3372 was adopted by a voice vote.

Senator Bartz offered amendment S—3386 filed by Senators Bartz and Flynn on April 7, 1997, to page 16 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3386 be adopted?" (S.F. 533) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Bartz	Black, D.	Black, J.	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Iverson
Jensen	Judge	Kibbie	Lundby
McCoy	Neuhauser	Palmer	Rehberg
Rife	Szymoniak		

Nays, 21:

Angelo	Behn	Boettger	Borlaug
Douglas	Drake	Fraise	Freeman
Hedge	King	Kramer	Maddox
McKean	McLaren	Redfern	Redwine
Rensink	Rittmer	Schuerer	Tinsman
Zieman			

Absent or not voting, 2:

McKibben	Vilsack
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Amendment S—3386 was adopted.

The Senate stood at ease at 8:45 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 8:57 p.m., President Kramer presiding.

BUSINESS PENDING

Senate File 533

The Senate resumed consideration of Senate File 533.

Senator Iverson filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3386 to Senate File 533 was adopted by the Senate on April 8, 1997.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 533) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Angelo	Behn	Black, J.	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	King
Kramer	Lundby	Maddox	McKean
McLaren	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Nays, 19:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Kibbie	McCoy
Neuhauser	Palmer	Szymoniak	

Absent or not voting, 4:

Bartz	Judge	McKibben	Vilsack
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The motion prevailed and amendment S—3386 was taken up for reconsideration.

Senator Bartz moved the adoption of amendment S—3386.

A record roll call was requested.

On the question "Shall amendment S—3386 be adopted?" (S.F. 533) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gronstal	Halvorson	Hammond	Hansen
Horn	Judge	Kibbie	Lundby
McCoy	Neuhauser	Palmer	Szymoniak

Nays, 25:

Angelo	Behn	Black, J.	Boettger
Borlaug	Douglas	Drake	Freeman
Gettings	Hedge	Iverson	Jensen
King	Kramer	Maddox	McKean
McLaren	Redfern	Redwine	Rehberg
Resink	Rittmer	Schuerer	Tinsman
Zieman			

Absent or not voting, 4:

Bartz	McKibben	Rife	Vilsack
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Amendment S—3386 lost.

The Senate stood at ease at 9:12 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 9:45 p.m., President Kramer presiding.

BUSINESS PENDING

Senate File 533

The Senate resumed consideration of Senate File 533.

Senator Fraise offered amendment S—3371 filed by Senators Fraise and Dvorsky on April 7, 1997, to page 19 of the bill and moved its adoption.

Amendment S—3371 was adopted by a voice vote.

Senator Dvorsky withdrew amendment S—3401 filed by him on April 7, 1997, to page 19 of the bill.

Senator Maddox offered amendment S—3379 filed by him on April 7, 1997, to page 20 of the bill and moved its adoption.

Amendment S—3379 was adopted by a voice vote.

Senator Black of Jasper offered amendment S—3394 filed by him on April 7, 1997, to page 24 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3394 be adopted?" (S.F. 533) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Judge
Kibbie	McCoy	Neuhauser	Palmer
Szymoniak			

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Hedge	Iverson	Jensen	King
Kramer	Lundby	Maddox	McKean
McLaren	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 2:

McKibben	Vilsack
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Amendment S—3394 lost.

Senator Dvorsky offered amendment S—3367 filed by him on April 7, 1997, to page 24 of the bill.

Senator Dvorsky asked and received unanimous consent that action on amendment S—3367 be deferred.

Senator Rife withdrew amendment S—3432 filed by him from the floor to pages 26 and 30 of the bill.

Senator Dvorsky offered amendment S—3370 filed by Senators Dvorsky and Fraise on April 7, 1997, to page 28 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3370 be adopted?" (S.F. 533) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak
Tinsman			

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Zieman		

Absent or not voting, 2:

McKibben	Vilsack
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Amendment S—3370 lost.

Senator Hansen offered amendment S—3435 filed by Senators Hansen, et al., from the floor to pages 30, 31 and 34 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3435 be adopted?" (S.F. 533) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise

Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak

Nays, 27:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Zieman	

Absent or not voting, 2:

McKibben	Vilsack
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Amendment S—3435 lost.

Senator Dvorsky offered amendment S—3369 filed by Senators Dvorsky and Fraise on April 7, 1997, to page 31 of the bill and moved its adoption.

Amendment S—3369 was adopted by a voice vote.

Senator Fraise offered amendment S—3377 filed by Senators Fraise, McKean and Dvorsky on April 7, 1997, to page 31 of the bill and moved its adoption.

Amendment S—3377 was adopted by a voice vote.

Senator Dvorsky asked and received unanimous consent to withdraw amendment S—3373 filed by Senators Dvorsky and Fraise on April 7, 1997, to pages 33 and 34 of the bill.

The Senate resumed consideration of amendment S—3434 by Senators Fink, et al., to page 11 of the bill, previously deferred.

Senator Iverson offered amendment S—3436 filed by him from the floor to amendment S—3434 and moved its adoption.

Amendment S—3436 to amendment S—3434 was adopted by a voice vote.

Senator Fink moved the adoption of amendment S—3434 as amended, which motion prevailed by a voice vote.

Senator Dvorsky withdrew amendment S—3367 to page 24 of the bill, previously deferred.

Senator Iverson asked and received unanimous consent that action on **Senate File 533** be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

House File 688

On motion of Senator Gettings, House File 688, a bill for an act relating to handicapped parking permits by changing the term handicapped to the term person with a disability and by providing for nonexpiring removable windshield placards for persons with a lifelong disability, eliminating the requirement that physicians or chiropractors sign removable windshield placards, and eliminating certain identification requirements for persons with disabilities and providing an effective date and applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Lundby asked and received unanimous consent that action on **House File 688** be **deferred**.

House File 653

On motion of Senator Black of Jasper, House File 653, a bill for an act relating to financial assurance requirements for waste tire collection and processing sites, with report of committee recommending passage, was taken up for consideration.

Senator Black of Jasper moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 653) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Zieman	

Nays, none.

Absent or not voting, 2:

McKibben Vilsack

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 533

The Senate resumed consideration of Senate File 533, a bill for an act relating to and making appropriations to the justice system and providing effective dates, previously deferred.

Senator Dvorsky offered amendment S—3438 filed by Senators Dvorsky and Maddox from the floor to page 33 of the bill and moved its adoption.

Amendment S—3438 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. 533) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Zieman	

Nays, none.

Absent or not voting, 2:

McKibben Vilsack

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate File 533 and House 653 be **immediately messaged** to the House.

BILLS REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that Senate Files 534 and 535 be referred from the Unfinished Business Calendar to the committee on **Human Resources** and that Senate File 536 be referred from the Ways and Means 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 8, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 708, a bill for an act relating to agriculture and natural resources by providing for appropriations, related statutory changes, and providing an effective date.

This bill was read first time and **passed on file**.

House File 710, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's alliance on substance abuse, and the commission of veterans affairs, and providing an effective date.

This bill was read first time and **passed on file**.

APPENDIX

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 410, a bill for an act relating to the Iowa higher education loan authority by eliminating the limit on the amount of its obligations that may be outstanding for purposes of funding capital projects and allowing the authority to issue tuition anticipation notes and obligations to finance projects to be leased to an institution.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Douglas, Palmer, Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Maddox, McLaren, Redfern, Szymoniak and Vilsack. Nays, none. Absent or not voting, 2: McKibben and Judge.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 416, a bill for an act relating to regulation of trucks and certain other large motor vehicles, including maximum vehicle weights, defining terms, providing effective dates, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Douglas, Palmer, Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Maddox, McLaren, Redfern, Szymoniak and Vilsack. Nays, none. Absent or not voting, 2: McKibben and Judge.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 536 (SSB 253), a bill for an act increasing the tuition and textbook tax credit to twenty percent of the first one thousand dollars of K through 12 tuition and textbook expenses and providing a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Douglas, Palmer, Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Maddox, McLaren, Redfern, Szymoniak and Vilsack. Nays, none. Absent or not voting, 2: McKibben and Judge.

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 536 and they were attached to the committee report.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Eighth grade students from Westwood Community School, Sloan, accompanied by Steve Tower. Senator Redwine.

Senator Gronstal welcomed the Honorable Gene Kennedy, former member of the House and Senate from Dubuque, who was present in the Senate chamber.

BILL ASSIGNED TO COMMITTEE

President Kramer announced the assignment of **House File 319** to the committee on **Education**.

AMENDMENTS FILED

S-3425	H. F.	702	Nancy Boettger
S-3426	H. F.	611	Steven D. Hansen
S-3427	H. F.	597	Tom Vilsack
S-3428	H. F.	655	Tom Vilsack
S-3429	H. F.	655	Jack Rife
S-3430	S. F.	533	O. Gene Maddox
			Derryl McLaren
			Mary Lou Freeman
			Maggie Tinsman
			Mary A. Lundby
			Robert E. Dvorsky
			Nancy Boettger
			Andy McKean
			Mary E. Kramer
			Tom Flynn
S-3431	H. F.	597	Tom Vilsack
S-3432	S. F.	533	Jack Rife
S-3433	S. F.	533	Johnie Hammond

S-3434	S. F.	533	Steven D. Hansen Bill Fink Mike Connolly Eugene S. Fraise Patrick J. Deluhery Steven D. Hansen John P. Kibbie Dick L. Dearden Matt McCoy Mary Neuhauser Dennis H. Black Michael E. Gronstal Don Gettings William D. Palmer Patty Judge Wally E. Horn
S-3435	S. F.	533	Steven D. Hansen Patrick J. Deluhery Tom Flynn Matt McCoy John P. Kibbie
S-3436	S. F.	533	Stewart Iverson, Jr.
S-3437	S. F.	329	JoAnn Douglas
S-3438	S. F.	533	Robert E. Dvorsky O. Gene Maddox

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 11:23 p.m., until 9:00 a.m., Wednesday, April 9, 1997.

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 9, 1997

The Senate met in regular session at 9:00 a.m., President pro tempore Redfern presiding.

Prayer was offered by the Reverend Bobb Barrick, pastor of the Sharon Center United Methodist Church, Kalona, Iowa.

SPECIAL GUEST

Senator McKibben presented Jan Mitchell, language arts teacher from Marshalltown High School who will be recognized today by the governor as 1997 Iowa Teacher of the Year. Mrs. Mitchell is also one of four finalists for the 1997 National Teacher of the Year and the first Iowa teacher in 14 years to be a national finalist.

Mrs. Mitchell addressed the Senate briefly and the Senate rose to express its welcome to her and husband, Don.

PRESENTATION OF PELLA TULIP QUEEN

Senator Hedge appeared in the well of the Senate and presented Jeanna Redman, Queen of the Sixty-second Annual Tulip Time Festival from Pella, Iowa, who in turn introduced the members of her court: Carrie Van Maanen, Shalene Van Wyk, Crystal Van Haften and Sybil Sullivan, who performed a traditional song and dance called the Meisje Ga Je Me.

The Queen and her court passed out the famous Dutch cookies to Senators and staff, and invited the Senate to attend the Tulip Time Festival in Pella on May 8, 9 and 10, 1997.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Kramer and Maddox until they arrive on request of Senator Iverson and Senator Vilsack until he arrives on request of Senator Judge.

BILL REFERRED TO COMMITTEE

Senate Iverson asked and received unanimous consent that **Senate File 468** be referred from the Regular Calendar to the committee on **Natural Resources and Environment**.

CONSIDERATION OF BILL
(Regular Calendar)

House File 416

On motion of Senator McCoy, House File 416, a bill for an act relating to regulation of trucks and certain other large motor vehicles, including maximum vehicle weights, defining terms, providing effective dates, and making penalties applicable, with report of committees on Transportation and Ways and Means recommending passage, was taken up for consideration.

Senator Drake offered amendment S—3362 filed by Senators Drake, Borlaug and McCoy on April 2, 1997, to pages 1, 2, 9 and 10 of the bill and moved its adoption.

Amendment S—3362 was adopted by a voice vote.

The Chair announced that amendment S—3187 was not eligible for consideration.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 416) the vote was:

Ayes, 48:

Angelo
Black, J.

Bartz
Boettger

Behn
Borlaug

Black, D.
Connolly

Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
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

Senate File 367

On motion of Senator Bartz, Senate File 367, a bill for an act relating to transfers of real property by providing that certain disclosures regarding psychologically impacted property are not required and by amending the definition of transfer, placed on the Unfinished Business Calendar on April 3, 1997, was taken up for consideration.

Senate Palmer offered amendment S—3155 filed by Senators Palmer and Bartz on March 18, 1997, to page 2 of the bill.

Senator Bartz offered amendment S—3230 filed by him on March 25, 1997, to amendment S—3155 and moved its adoption.

Amendment S—3230 was adopted by a voice vote.

Senator Palmer moved the adoption of amendment S—3155 as amended, which motion prevailed by a voice vote.

Senator Connolly asked and received unanimous consent that action on Senate File 367 be deferred.

CONSIDERATION OF BILLS
(Regular Calendar)

House File 692

On motion of Senator Gettings, House File 692, a bill for an act relating to the criteria for issuance of handicapped special plates and making a civil penalty applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gettings offered amendment S—3359 filed by the committee on Transportation on April 3, 1997, to pages 3 and 4 of the bill and moved its adoption.

Amendment S—3359 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. 692) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Zieman		

Nays, none.

Absent or not voting, 3:

Boettger	Kramer	Vilsack
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 579

On motion of Senator Dearden, House File 579, a bill for an act relating to the membership of the medical assistance advisory council, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dearden offered amendment S—3340 filed by the committee on Human Resources on April 2, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3340 was adopted by a voice vote.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 579) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
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 335

On motion of Senator Tinsman, House File 335, a bill for an act relating to public health issues under the purview of the Iowa

department of public health, including vital statistics, the board of nursing examiners, the board of dental examiners, lead poisoning, the immunization registry, the child death review team, plumbing provisions and fees, and providing a penalty and a contingent effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Tinsman offered amendment S—3229 filed by the committee on State Government on March 25, 1997, to page 2 of the bill and moved its adoption.

Amendment S—3229 was adopted by a voice vote.

Senator Gronstal offered amendment S—3213 filed by him on March 24, 1997, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3213 was adopted by a voice vote.

Senator Tinsman offered amendment S—3412 filed by her on April 8, 1997, to pages 6 and 7 of the bill and moved its adoption.

Amendment S—3412 was adopted by a voice vote.

Senator Iverson asked and received unanimous consent that action on **House File 335** be deferred.

RECESS

On motion of Senator Iverson, the Senate recessed at 10:30 a.m., until 11:15 a.m.

RECONVENED

The Senate reconvened at 11:16 a.m., President pro tempore Redfern presiding.

BUSINESS PENDING

House File 335

The Senate resumed consideration of House File 335, a bill for an act relating to public health issues under the purview of the Iowa

department of public health, including vital statistics, the board of nursing examiners, the board of dental examiners, lead poisoning, the immunization registry, the child death review team, plumbing provisions and fees, and providing a penalty and a contingent effective date, previously deferred.

Senator Halvorson offered amendment S—3440 filed by him from the floor to page 9 of the bill and moved its adoption.

Amendment S—3440 was adopted by a voice vote.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 335) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 1:

Rife

Absent or not voting, 2:

Kramer

Rittmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen until he returns on request of Senator Rensink.

UNFINISHED BUSINESS CALENDAR (Deferred April 8, 1997)

House File 688

The Senate resumed consideration of House File 688, a bill for an act relating to handicapped parking permits by changing the term handicapped to the term person with a disability and by providing for nonexpiring removable windshield placards for persons with a lifelong disability, eliminating the requirement that physicians or chiropractors sign removable windshield placards, and eliminating certain identification requirements for persons with disabilities and providing an effective date and applicability provisions, deferred April 8, 1997.

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. 688) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Judge	Kibbie	King
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 3:

Jensen	Kramer	Rittmer
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS
(Regular Calendar)

House File 704

On motion of Senator Borlaug, House File 704, a bill for an act relating to substantive and other provisions affecting the state department of transportation and driver, motor vehicle, and highway regulation, including the definition of road work zones, registration fees for certain disaster relief vehicles, providing grounds for refusing renewal of vehicle registrations, regulation of intrastate motor carriers, imposing fees, providing for an electronic titling and registration program, creating, eliminating, or enhancing penalties, and providing effective dates, with report of committee recommending passage, was taken up for consideration.

Senator Borlaug moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 704) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Judge	Kibbie	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 4:

Jensen	King	Kramer	Rittmer
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 577

On motion of Senator Fink, House File 577, a bill for an act relating to continuing education requirements of real estate appraisers, with report of committee recommending passage, was taken up for consideration.

Senator Dvorsky asked and received unanimous consent that action on House File 577 be deferred.

BUSINESS PENDING

Senate File 367

The Senate resumed consideration of Senate File 367, a bill for an act relating to transfers of real property by providing that certain disclosures regarding psychologically impacted property are not required and by amending the definition of transfer, previously deferred.

Senator Bartz offered amendment S—3442 filed by Senators Bartz and Connolly from the floor to page 2 and the title page of the bill and moved its adoption.

Amendment S—3442 was adopted by a voice vote.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hammond and Dearden until they return on request of Senator Deluhery.

BUSINESS PENDING

Senate File 367

The Senate resumed consideration of Senate File 367.

Senator Iverson asked and received unanimous consent that action on **Senate File 367** be **deferred**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 335, 416, 579, 688, 692 and 704** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 9, 1997, passed the following bills in which the concurrence of the House was asked:

Senate File 222, a bill for an act relating to the use tax on motor vehicle leasing.

Senate File 457, a bill for an act relating to the Iowa pharmacy practice Act by permitting qualified individuals to transport emergency medications; permitting more than one emergency drug box in a licensed health care facility; providing for electronic signatures on prescriptions; establishing programs to aid impaired pharmacists, pharmacist interns, and pharmacy technicians; providing for board investigative subpoena power; and establishing a penalty.

ALSO: That the House has on April 9, 1997, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 132, a bill for an act relating to state department of transportation operations, including regulating hazardous materials transport, regulating motor vehicle dealers, eliminating requirements that the department adopt administrative rules in certain instances, and establishing, making applicable, or enhancing penalties (S—3443).

Senate File 229, a bill for an act relating to the issuance of motor vehicle licenses for certain law enforcement officers and providing penalties (S—3444).

RECESS

On motion of Senator Iverson, the Senate recessed at 12:28 p.m., until 1:15 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****JUDICIARY**

Convened: April 8, 1997, 10:00 a.m.

Members Present: McKean, Chair; Neuhauser, Ranking Member; Angelo, Boettger, Drake, Fraise, Hammond, Hansen, Redfern, Tinsman and Vilsack.

Members Absent: Maddox, Vice Chair; Halvorson, King and McKibben (all excused).

Committee Business: Recommended confirmation of governor's appointees.

Adjourned: 10:14 a.m.

WAYS AND MEANS

Convened: April 8, 1997, 12:17 p.m.

Members Present: Douglas, Chair; Palmer, Ranking Member; Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Maddox, McLaren, Redfern, Szymoniak and Vilsack.

Members Absent: McKibben, Vice Chair and Judge (both excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 410 and House File 416; amended and approved SSB 253 as a committee bill.

Adjourned: 12:46 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 533, the following correction was made:

1. Page 36, line 10, the word and number "Section 26" were changed to the word and number "Section 28".

MARY PAT GUNDERSON
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty fifth grade students from BCLUW Elementary School, Conrad, accompanied by Stacey Simpson. Senators Jensen, McKibben and Iverson.

Members of the Young Leaders in Action Group from Waterloo, accompanied by Amy DeHaan. Senator Redfern.

SUBCOMMITTEE ASSIGNMENTS

Senate File 536

WAYS AND MEANS: Palmer, Chair; Borlaug and Hedge

House File 355

WAYS AND MEANS: Hedge, Chair; Freeman and Szymoniak

House File 626

WAYS AND MEANS: Freeman, Chair; Borlaug and Connolly

House File 651

APPROPRIATIONS: Maddox, Chair; Dvorsky and McLaren

AMENDMENTS FILED

S-3439	H. F.	597	John P. Kibbie
S-3440	H. F.	335	Rod Halvorson
S-3441	S. F.	500	Andy McKean Rod Halvorson
S-3442	S. F.	367	Merlin E. Bartz Mike Connolly
S-3443	S. F.	132	House amendment
S-3444	S. F.	229	House amendment
S-3445	H. F.	383	Merlin E. Bartz

AFTERNOON SESSION

The Senate reconvened at 1:22 p.m., President pro tempore Redfern presiding.

QUORUM CALL

Senator Iverson requested a non record roll call to determine that a quorum was present.

The vote revealed 31 present, 18 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Judge and Gronstal until they return on request of Senator Gronstal; Senator Vilsack until he returns on request of Senator Black of Jasper; Senator Deluhery until he returns on request of Senator Palmer; Senator McCoy until he returns on request of Senator Hammond; Senator Maddox until he returns on request of Senator Iverson and Senator Neuhauser until she returns on request of Senator Dvorsky.

CONSIDERATION OF BILLS
(Regular Calendar)

House File 275

On motion of Senator Lundby, House File 275, a bill for an act relating to trademarks and service marks registered with the secretary of state, with report of committee recommending passage, was taken up for consideration.

Senator Lundby moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 275) the vote was:

Ayes, 37:

Angelo
Black, J.

Bartz
Boettger

Behn
Borlaug

Black, D.
Connolly

Douglas	Drake	Fink	Flynn
Fraise	Freeman	Gettings	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Kibbie	King
Lundby	McKean	McKibben	McLaren
Palmer	Redfern	Redwine	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman			

Nays, none.

Absent or not voting, 12:

Dearden	Deluhery	Dvorsky	Gronstal
Judge	Kramer	Maddox	McCoy
Neuhauser	Rehberg	Vilsack	Zieman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 545

On motion of Senator Hammond, House File 545, a bill for an act relating to the criteria for placement of delinquent children, for whom guardianship has been transferred to the director of human services, in certain facilities, 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?" (H.F. 545) the vote was:

Ayes, 40:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Douglas	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gettings
Halvorson	Hammond	Hansen	Hedge
Horn	Iverson	Jensen	Kibbie
King	Lundby	McKean	McKibben
McLaren	Palmer	Redfern	Redwine

Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Zieman

Nays, none.

Absent or not voting, 9:

Dearden	Deluhery	Gronstal	Judge
Kramer	Maddox	McCoy	Neuhauser
Vilsack			

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 354

On motion of Senator Hedge, House File 354, a bill for an act relating to activities of a foreign corporation which do not constitute doing business in or deriving income from the state for state tax purposes and including effective and retroactive applicability date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Hedge moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 354) the vote was:

Ayes, 41:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Kibbie	King	Lundby	McCoy
McKean	McKibben	McLaren	Palmer
Redfern	Redwine	Rehberg	Rensink

Rittmer
Zieman

Schuerer

Szymoniak

Tinsman

Nays, none.

Absent or not voting, 8:

Dearden
Maddox

Gronstal
Neuhauser

Judge
Rife

Kramer
Vilsack

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 275, 354 and 545** be **immediately messaged** to the House.

UNFINISHED BUSINESS CALENDAR

Senate File 453

On motion of Senator Tinsman, Senate File 453, a bill for an act relating to school attendance and interagency efforts to address children's problems by applying school attendance requirements under the family investment program, providing for interagency agreements and attendance teams, and providing a civil penalty for truancy and placed on the Unfinished Business Calendar on April 3, 1997, was taken up for consideration.

Senator Tinsman offered amendment S—3415 filed by her on April 8, 1997, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3415 was adopted by a voice vote.

Senator Kibbie withdrew amendment S—3235 by him on March 26, 1997, to page 1 of the bill.

Senator Tinsman asked and received unanimous consent that **House File 597** be **substituted** for **Senate File 453** as amended.

(Action on House File 597 was deferred.)

The Senate stood at ease at 2:00 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:30 p.m., Senator Hedge presiding.

CONSIDERATION OF BILL
(Regular Calendar)

House File 232

On motion of Senator Angelo, House File 232, a bill for an act providing for court-ordered treatment of a criminal defendant judged mentally incapable of standing trial, with report of committee recommending passage, was taken up for consideration.

Senator Angelo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 232) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 3:

Dvorsky	Kramer	Neuhauser
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR
(Deferred April 7, 1997)

House File 542

The Senate resumed consideration House File 542, a bill for an act to prohibit acts by inmates of jails or correctional institutions which result in contact with bodily fluids or secretions or the casting or expelling of bodily fluids or secretions on jail and correctional employees, and providing penalties, deferred April 7, 1997.

Senator Vilsack offered amendment S—3390 filed by him on April 7, 1997, to page 1 of the bill.

President Kramer took the chair at 3:40 p.m.

Senator Vilsack moved the adoption of amendment S—3390.

Amendment S—3390 lost by a voice vote.

Senator Angelo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 542) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 1:

Hammond

Absent or not voting, 1:

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILL
(Regular Calendar)

House File 578

On motion of Senator Boettger, House File 578, a bill for an act providing for the continued operation of the department of human rights and including an effective date, 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. 578) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 9, 1997, passed the following bills in which the concurrence of the House was asked:

Senate File 296, a bill for an act relating to nonoccupational health care plan payments when an employer disputes workers' compensation liability.

Senate File 523, a bill for an act relating to health care facilities by requiring employment checks of health care facility employees and providing for a registry of persons who are certified as a nurse aide or medication aide.

ALSO: That the House has on April 9, 1997, 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 655, a bill for an act appropriating funds to the department of economic development, certain board of regents institutions, the department of workforce development, the public employment relations board, making statutory changes, and providing an effective date (S—3448 to H—1611).

UNFINISHED BUSINESS CALENDAR

Senate File 531

On motion of Senator Redfern, Senate File 531, a bill for an act relating to the increase in the physical plant and equipment levy and placed on the Unfinished Business Calendar on April 3, 1997, 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. 531) the vote was:

Ayes, 42:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Douglas	Drake	Dvorsky	Fink
Flynn	Freeman	Gettings	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Iverson	Jensen	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Redfern	Redwine	Rehberg
Rensink	Rife	Schuerer	Szymoniak
Tinsman	Zieman		

Nays, 6:

Connolly	Deluhery	Fraise	Judge
Palmer	Vilsack		

Absent or not voting, 1:

Rittmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

Senate File 532

On motion of Senator Redfern, Senate File 532, a bill for an act relating to tuition and fees charged by public school districts and providing an immediate effective date and placed on the Unfinished Business Calendar on April 3, 1997, was taken up for consideration.

Senator Connolly offered amendment S—3446 filed by him from the floor to pages 1-3 of the bill.

Senator Connolly called for a division of amendment S—3446: page 1, lines 2-50 and page 2, line 1 as division S—3446A; page 2, lines 2-50 and page 3, lines 1-2 as division S—3446B.

Senator Iverson raised the point of order that division S—3446A was not germane to the bill.

The Chair ruled the point well taken and division S—3446A out of order.

(Action on division S—3446B and Senate File 532 was deferred.)

The Senate stood at ease at 5:51 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 5:55 p.m., President Kramer presiding.

BUSINESS PENDING

Senate File 532

The Senate resumed consideration of Senate File 532 and division S—3446B by Senator Connolly.

Senator Connolly moved the adoption of division S—3446B.

A record roll call was requested.

On the question "Shall division S—3446B be adopted?" (S.F. 532) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 27:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen

King	Kramer	Lundby	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rittmer
Schuerer	Tinsman	Zieman	

Absent or not voting, 1:

Rife

Division S—3446B lost.

Senator Hansen asked and received unanimous consent that action on amendment S—3454 filed by Senators Hansen and Vilsack from the floor to page 4 and the title page of the bill be deferred for consideration of amendment S—3455.

Senator Hansen offered amendment S—3455 filed by Senators Hansen and Vilsack from the floor to page 4 and the title page of the bill.

Senator Redfern raised the point of order that amendment S—3455 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3455 out of order.

The Senate resumed consideration of amendment S—3454 by Senators Hansen and Vilsack to page 4 and the title page of the bill, previously deferred.

Senator Redfern raised the point of order that amendment S—3454 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3454 out of order.

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. 532) the vote was:

Ayes, 29:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Zieman			

Nays, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Vilsack

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 655

Senator Borlaug called up for consideration of House File 655, a bill for an act appropriating funds to the department of economic development, certain board of regents institutions, the department of workforce development, the public employment relations board, making statutory changes, and providing an effective date, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3448 to Senate amendment H—1611 filed April 9, 1997.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Borlaug 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. 655) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Freeman
Gettings	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Zieman			

Nays, 4:

Fraise	Gronstal	McCoy	Vilsack
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

House File 132

On motion of Senator Bartz, House File 132, a bill for an act relating to the liability of persons involved in domesticated animal activities, with report of committee recommending passage, was taken up for consideration.

Senator Redfern offered amendment S—3420 filed by him on April 8, 1997, to page 4 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 8, nays 27.

Amendment S—3420 lost.

Senator Bartz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 132) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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)

House File 126

On motion of Senator Drake, House File 126, a bill for an act relating to the state sales and use tax exemption on certain computers, machinery, equipment, and fuel, with report of committee recommending passage, was taken up for consideration.

Senator Vilsack offered amendment S—3337 filed by him on April 2, 1997, to page 2 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3337 be adopted?" (H.F. 126) the vote was:

Ayes, 19:

Black, D.	Dearden	Deluhery	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Horn	Judge	Kibbie	Neuhauser
Palmer	Szymoniak	Vilsack	

Nays, 30:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Connolly	Douglas
Drake	Freeman	Hedge	Iverson
Jensen	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Amendment S—3337 lost.

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. 126) the vote was:

Ayes, 43:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Douglas
Drake	Dvorsky	Flynn	Fraise
Freeman	Gettings	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 6:

Connolly	Dearden	Deluhery	Fink
Gronstal	Palmer		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR
(Deferred March 31, 1997)

House File 475

The Senate resumed consideration of House File 475, a bill for an act relating to the acquisition of a branch of a savings association by a newly chartered bank and providing an effective date, deferred March 31, 1997.

Senator Redfern asked and received unanimous consent that action on S—3311 filed by Senators Redfern, et al., on April 1, 1997, to page 1 of the bill be deferred.

Senator Redfern offered amendment S—3312 filed by Senators Redfern, et al., on April 1, 1997, to page 1 of the bill.

Senator Flynn raised the point of order that amendment S—3312 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3312 in order.

Senator Redfern moved the adoption of amendment S—3312 and requested a record roll call.

On the question "Shall amendment S—3312 be adopted?" (H.F. 475) the vote was:

Ayes, 17:

Bartz	Dearden	Deluhery	Douglas
Dvorsky	Gronstal	Hammond	Hansen
Horn	Iverson	Kramer	Lundby
Maddox	McCoy	Palmer	Redfern
Szymoniak			

Nays, 32:

Angelo	Behn	Black, D.	Black, J.
Boettger	Borlaug	Connolly	Drake

Fink	Flynn	Fraise	Freeman
Gettings	Halvorson	Hedge	Jensen
Judge	Kibbie	King	McKean
McKibben	McLaren	Neuhauser	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Vilsack	Zieman

Amendment S—3312 lost.

Senator Redfern asked and received unanimous consent to withdraw amendment S—3311, previously deferred.

Senator Jensen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 475) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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.

WITHDRAWN

Senator Jensen asked and received unanimous consent that Senate File 397 be withdrawn from further consideration of the Senate.

The Journal of Tuesday, April 8, 1997, was approved.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 9, 1997, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 391, 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 of the state, road use tax fund, and primary road fund, providing for the nonreversion of certain moneys, establishing a toll-free road and weather reporting system, eliminating the motor vehicle use tax as the funding source for the value-added agricultural products and processes financial assistance program and the renewable fuels and coproducts fund, and providing for the designation of access Iowa highways, and providing effective dates (S—3453).

INTRODUCTION OF BILL

Senate Resolution 7, by Hammond, Vilsack, Dvorsky, Kramer, and Gronstal, a senate resolution honoring Mr. Michael Gartner for winning the Pulitzer Prize for editorial writing.

Read first time and **passed on file**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 126, 132, 232, 475, 542, 578, 655** and **Senate Files 531** and **532** be **immediately messaged** to the House.

SEAT REASSIGNMENT

Senator Iverson asked and received unanimous consent that Senator Kramer move to seat #36 and that Senator-elect Patricia Harper assume seat #3 for the remainder of the Seventy-seventh General Assembly.

APPENDIX**EXPLANATION OF VOTES**

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 8, 1997, when the vote was taken on Senate Files 687 and 529.

Had I been present, I would have voted "aye" on the bills.

PATTY JUDGE

STUDY BILL RECEIVED**SSB 266 Ways & Means**

To increase the tuition and textbook tax credit to twenty percent of the first one thousand dollars of k through 12 tuition and textbook expenses and providing a retroactive applicability date.

REPORTS OF COMMITTEE MEETINGS**APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS**

Convened: April 8, 1997, 9:40 a.m.

Members Present: Freeman, Chair; King, Vice Chair; Halvorson, Ranking Member; Connolly and Douglas.

Members Absent: none.

Committee Business: Discussed proposed appropriations bill draft.

Adjourned: 10:38 a.m.

APPROP. SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: April 9, 1997, 10:45 a.m.

Members Present: Freeman, Chair; King, Vice Chair; Halvorson, Ranking Member; Connolly and Douglas.

Members Absent: none.

Committee Business: Handouts on welfare reform funding request were distributed.

Adjourned: 10:50 a.m.

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

S. R.	7	Rules and Administration
H. F.	708	Appropriations
H. F.	710	Appropriations

AMENDMENTS FILED

S-3446	S. F.	532	Mike Connolly
S-3447	H. F.	383	Merlin E. Bartz
S-3448	H. F.	655	House amendment
S-3449	H. F.	707	Andy McKean
S-3450	H. F.	707	Andy McKean
S-3451	S. F.	367	Merlin E. Bartz Mary Neuhauser
S-3452	H. F.	577	Robert Dvorsky
S-3453	S. F.	391	House amendment
S-3454	S. F.	532	Steven D. Hansen Tom Vilsack
S-3455	S. F.	532	Steven D. Hansen Tom Vilsack
S-3456	H. F.	577	Robert Dvorsky
S-3457	H. F.	636	Allen Borlaug Dick L. Dearden

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:42 p.m., until 9:00 a.m., Thursday, April 10, 1997.

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 10, 1997

The Senate met in regular session at 9:11 a.m.; President Kramer presiding.

Prayer was offered by Dr. Gary Rossberg, President of Cross Trainers Ministries of West Des Moines, Iowa

The Journal of Wednesday, April 9, 1997, was approved.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 7, a senate resolution honoring Mr. Michael Gartner for winning the Pulitzer Prize for editorial writing.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Iverson, Kramer, Gronstal, Fink, Jensen, Judge, Kibbie, Lundby, Maddox, Redfern and Rehberg. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Resolution 7.

Senate Resolution 7

On motion of Senator Hammond, Senate Resolution 7, a senate resolution honoring Mr. Michael Gartner for winning the Pulitzer Prize for editorial writing, with report of committee recommending passage, was taken up for consideration.

Senator Hammond escorted Mr. Gartner to the well of the Senate and the following resolution was read:

1 SENATE RESOLUTION 7
2 by: Hammond, Vilsack, Dvorsky, Kramer, And Gronstal
3 (Companion To LSB 2765hh By Doderer)
4 A Senate Resolution honoring Mr. Michael Gartner for
5 winning the Pulitzer Prize for editorial writing.
6 WHEREAS, Mr. Gartner's maternal grandfather, Dr.
7 John Charles Gay, edited the Waterloo Morning Tribune
8 and Mr. Gartner's father, Mr. Carl Gartner, was an
9 editor for the Des Moines Register for more than 40
10 years, ensuring that the pundit's genetic code spelled
11 out "newspaperman"; and
12 WHEREAS, whenever Mr. Gartner's education and
13 career paths led him from Iowa, his self-professed
14 love for this state eventually enticed him to return;
15 and
16 WHEREAS, Mr. Gartner's educational path took him to
17 Carleton College in Northfield, Minnesota, and New
18 York University where he received his juris doctorate
19 degree; and
20 WHEREAS, 14 years with the Wall Street Journal as a
21 reporter and editor, including five years as a page
22 one editor, prepared him for further career successes
23 as executive editor, and subsequently editor and
24 company president of the Des Moines Register and
25 Tribune; general news executive and subsequently
26 editor of the Gannett Company's Louisville Courier-
27 Journal and Times; president of NBC News; and for his
28 current full-time duties as editor and part-owner of
29 The Daily Tribune of Ames; and
30 WHEREAS, as a columnist for USA Today and the Wall

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1 Street Journal, commentator for Iowa public radio and
2 the Voice of America, and as a fellow at the Institute
3 of Politics at the Kennedy School of Government at
4 Harvard University, Mr. Gartner has ably represented
5 this state to the rest of the country; and
6 WHEREAS, Mr. Gartner has been praised for
7 transforming The Daily Tribune into a lively, well-
8 received community newspaper by emphasizing local news
9 and writing expressively about the problems of the
10 community of Ames and this state; and
11 WHEREAS, in an address to the joint convention of
12 the General Assembly on Pioneer Lawmakers' Day, March
13 28, 1995, the inveterate logophile described Iowa as
14 open, clean, and honest and observed that Iowans
15 believe in education, hard work, equality, and

16 selflessness; attributes which could also describe Mr.
17 Gartner; and
18 WHEREAS, journalism awards and service to
19 journalism are nothing new to Mr. Gartner, who served
20 as president of the American Society of Newspaper
21 Editors (ASNE); was a member of the Pulitzer Prize
22 Board for 10 years, serving as chairman in his final
23 year on the board; received the ASNE Distinguished
24 Writing Award for Editorial Writing and was runner-up
25 for that award for the following three years; and won
26 the Walker Stone Award for Editorial Writing; and
27 WHEREAS, the Pulitzer Prize is journalism's most
28 prestigious award; and
29 WHEREAS, it was announced on April 7, 1997, that
30 Michael Gartner of The Daily Tribune of Ames, Iowa, is

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1 the recipient of the 1997 Pulitzer Prize for editorial
2 writing, based on nine editorials he wrote during 1996
3 for The Daily Tribune; NOW THEREFORE,
4 BE IT RESOLVED BY THE SENATE, That the Senate
5 recognize and honor Mr. Michael Gartner for his
6 lifetime of work and achievements, especially his
7 outstanding accomplishment in winning the 1997
8 Pulitzer Prize for editorial writing, and mark its
9 appreciation for his steadfast love and enthusiasm for
10 the people and the state of Iowa.
11 BE IT FURTHER RESOLVED, That an official copy of
12 this Resolution be prepared for presentation to Mr.
13 Gartner.

Mr. Gartner address the Senate with brief remarks. The Senate rose to express congratulations for his accomplishments, and he was presented with a copy of Senate Resolution 7.

Senator Hammond moved the adoption of Senate Resolution 7, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Regular Calendar)

House File 308

On motion of Senator Angelo, House File 308, a bill for an act relating to notification requirements for communications between a debt collector and a debtor, with report of committee recommending passage, was taken up for consideration.

Senator Angelo moved that the bill be read the last time now and placed upon its passage, 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, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Flynn	Fraise	Freeman	Gettings
Gronstal	Halvorson	Hansen	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 3:

Dvorsky	Fink	Hammond
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 167

On motion of Senator Freeman, House File 167, a bill for an act relating to eligibility requirements for workers' compensation, 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. 167) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly

Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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 707

On motion of Senator McKean, House File 707, a bill for an act relating to substance abuse evaluation and education, use of ignition interlock devices, motor vehicle license revocations and payment of restitution by certain drivers; to civil liability, forfeiture, and criminal penalties arising from operation of a motor vehicle by a person whose license is suspended, denied, revoked, or barred; and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator McKean offered amendment S—3363 filed by the committee on Judiciary on April 7, 1997, to pages 1-4, 7, 8, 10, 12, 18, 21-24, 26-29 and the title page of the bill.

President pro tempore Redfern took the chair at 9:52 a.m.

Senator McKean offered amendment S—3449 filed by him on April 9, 1997, to amendment S—3363 and moved its adoption.

Amendment S—3449 was adopted by a voice vote.

Senator McKean offered amendment S—3450 filed by him on April 9, 1997, to amendment S—3363 and moved its adoption.

Amendment S—3450 was adopted by a voice vote.

Senator McKean moved the adoption of amendment S—3363 as amended, which motion prevailed by a voice vote.

Senator McCoy asked and received unanimous consent that action on **House File 707** be **deferred** for preparation of a fiscal note.

President Kramer took the chair at 10:12 a.m.

House File 133

On motion of Senator Schuerer, House File 133, a bill for an act relating to the offering of point of service plan options in certain health benefit plans, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak offered amendment S—3335 filed by Senators Szymoniak and Hammond on April 2, 1997, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3335 be adopted?" (H.F. 133) the vote was:

Ayes, 24:

Bartz	Black, D.	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Gettings	Halvorson	Hammond
Hansen	Horn	Jensen	Judge
Kibbie	Neuhauser	Palmer	Rensink
Rife	Rittmer	Szymoniak	Vilsack

Nays, 25:

Angelo	Behn	Black, J.	Boettger
Borlaug	Douglas	Flynn	Freeman
Gronstal	Hedge	Iverson	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Schuerer	Tinsman
Zieman			

Amendment S—3335 lost.

Senator Lundby asked and received unanimous consent to withdraw amendment S—3414 filed by Senators Lundby, et al., on April 8, 1997, to page 3 of the bill.

Senator Schuerer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 133) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Judge	Kibbie	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 1:

Jensen

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 9, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 715, 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.

This bill was read first time and **passed on file**.

CONSIDERATION OF BILL
(Regular Calendar)

House File 685

On motion of Senator Connolly, House File 685, a bill for an act relating to the required business hours of a motorcycle dealer, with report of committee recommending passage, was taken up for consideration.

Senator Hedge offered amendment S—3460 filed by him from the floor to page 1 and the title page of the bill.

Senator Connolly raised the point of order that amendment S—3460 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3460 out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gronstal until he returns on request of Senator Judge.

BUSINESS PENDING

House File 685

The Senate resumed consideration of House File 685.

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. 685) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Fink	Flynn	Fraise	Freeman
Gettings	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Vilsack
Zieman			

Nays, 1:

Dvorsky

Absent or not voting, 3:

Gronstal	Palmer	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 133, 167, 308 and 685** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 293

Senator Douglas called up for consideration Senate File 293, a bill for an act increasing the property damage limit for mandatory reporting of motor vehicle accidents, amended by the House and moved that the Senate concur in House amendment S—3381 filed April 7, 1997.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Douglas 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. 293) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraisé
Freeman	Gettings	Halvorson	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 2:

Gronstal Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 707

The Senate resumed consideration of House File 707, a bill for an act relating to substance abuse evaluation and education, use of ignition interlock devices, motor vehicle license revocations and

payment of restitution by certain drivers; to civil liability, forfeiture, and criminal penalties arising from operation of a motor vehicle by a person whose license is suspended, denied, revoked, or barred; and providing penalties, previously deferred.

Senator Iverson asked and received unanimous consent that action on **House File 707** be deferred.

RECESS

On motion of Senator Iverson, the Senate recessed at 11:30 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:55 p.m., President Kramer presiding.

QUORUM CALL

President Kramer requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

BUSINESS PENDING

House File 707

The Senate resumed consideration of House File 707, a bill for an act relating to substance abuse evaluation and education, use of ignition interlock devices, motor vehicle license revocations and payment of restitution by certain drivers; to civil liability, forfeiture, and criminal penalties arising from operation of a motor vehicle by a person whose license is suspended, denied, revoked, or barred; and providing penalties, previously deferred.

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. 707) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Deluhery	Douglas	Dvorsky	Fink
Flynn	Fraise	Freeman	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 3:

Drake	McLaren	Rife
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Absent or not voting, 1:

Dearden

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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1997, passed the following bills in which the concurrence of the House was asked:

Senate File 75, a bill for an act relating to the qualifications of groundwater professionals.

Senate File 118, 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.

Senate File 176, a bill for an act relating to child sexual abuse reporting.

Senate File 230, a bill for an act relating to child abuse provisions involving assessments performed by the department of human services in response to reports of child abuse and providing effective dates.

Senate File 280, a bill for an act providing immunity from civil liability for an employer or employer's representative who acts reasonably in providing information about a current or former employee of the employer.

Senate File 361, a bill for an act relating to the state workers' compensation coverage for students participating in school-to-work programs and providing for related matters.

Senate File 395, a bill for an act relating to the department of workforce development concerning the offsetting of unemployment compensation benefits, departmental liability for the release of unemployment compensation records, the voluntary shared work program, and workforce development services employees, and providing for an effective date.

Senate File 501, a bill for an act relating to the department of workforce development and the enforcement of employment laws concerning emergency and hazardous materials inventories, construction contractors, amusement rides, asbestos and employment agency licenses, wage assignments, and boxing and wrestling.

Senate File 516, a bill for an act revising public assistance provisions involving the family investment, job opportunities and basic skills, food stamp, and medical assistance programs administered by the department of human services, amending certain child support provisions, providing for fraudulent practices, and providing effective dates.

ALSO: That the House has on April 10, 1997, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 123, a bill for an act relating to runaway children, by defining when a child is a chronic runaway, authorizing county

runaway treatment plans, and providing for assessment and treatment procedures for chronic runaways (S—3463).

Senate File 193, a bill for an act relating to the election of trustees for special land use districts (S—3462).

ALSO: That the House has on April 10, 1997, passed the following bill in which the concurrence of the Senate is asked:

House File 717, a bill for an act to legalize the proceedings taken by the Sergeant Bluff city council to grant an urban revitalization tax exemption for certain property and providing an effective and retroactive applicability date.

This bill was read first time and **passed on file**.

The Senate stood at ease at 2:28 p.m., until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 3:10 p.m., President pro tempore Redfern presiding.

CONSIDERATION OF BILL (Regular Calendar)

House File 121

On motion of Senator Redwine, House File 121, a bill for an act relating to notification procedures prior to the performance of an abortion on or termination of parental rights of a minor and applicable penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Redwine offered amendment S—3333 filed by the committee on Human Resources on April 2, 1997, to pages 1, 3-6 and the title page of the bill and called for a division: lines 12 and 25 as division S—3333A; lines 3-6, 9-11 and 13-24 as division S—3333B; and lines 7-8 and 26-28 as division S—3333C.

Senator Vilsack asked and received unanimous consent that action on division S—3333A and **House File 121** be **deferred** (divisions S—3333B and S—3333C pending.)

President Kramer took the chair at 3:58 p.m.

CONSIDERATION OF BILL
(Regular Calendar)

House File 8

On motion of Senator Rittmer, House File 8, a bill for an act relating to the funding of state mandates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rittmer offered amendment S—3090 filed by the committee on State Government on February 26, 1997, to strike everything after the enacting clause of the bill.

Senator Iverson raised the point of order that amendment S—3090 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3090 out of order.

The Chair announced that with the ruling that amendment S—3090 was not germane, amendment S—3185 was out of order.

Senator Zieman offered amendment S—3354 filed by him on April 3, 1997, to pages 1 and 2 of the bill.

Senator Zieman asked and received unanimous consent that action on amendment S—3354 be temporarily deferred for consideration of amendment S—3469.

President pro tempore Redfern took the chair at 4:08 p.m.

Senator Halvorson offered amendment S—3469 filed by him from the floor to pages 1 and 2 of the bill, moved its adoption and requested a non record roll call.

The ayes were 22, nays 25.

Amendment S—3469 lost.

Senator Zieman moved the adoption of amendment S—3354, previously deferred.

A non record roll call was requested.

The ayes were 25, nays 20.

Amendment S—3354 was adopted.

Senator Iverson asked and received unanimous consent that action on **House File 8** be **deferred**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House File 707** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 537, by committee on Ways and Means, a bill for an act relating to reporting and depositing of local option sales and services taxes to the department of revenue and finance by retailers and increasing the amount of estimated distribution and frequency of distribution to cities and counties by the department of revenue and finance.

Read first time and **placed on Ways and Means Calendar**.

Senate File 538, by committee on Ways and Means, a bill for an act to increase the tuition and textbook tax credit to twenty percent of the first one thousand dollars of K through 12 tuition and textbook expenses and providing a retroactive applicability date.

Read first time and **placed on Ways and Means Calendar**.

BILLS ASSIGNED TO COMMITTEE

The Chair announced that the following bills were assigned to committee:

H.F.	715	Appropriations
H.F.	717	Judiciary

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1997, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 253, a bill for an act relating to the practice of veterinary medicine and providing a penalty (S—3465).

Senate File 503, a bill for an act relating to criminal justice, by providing for enhanced punishment for manufacturing methamphetamine in the presence of minors, providing restrictions on public nudity and actual or simulated public performance of sex acts in certain establishments, providing for abatement of nuisance created by certain establishments which allow or permit public nudity or actual or simulated public performances of sex acts in their establishment, making changes relating to permits and rights to carry and acquire weapons, providing for hormonal intervention therapy for persons convicted of certain sex offenses, authorizing probation supervision and revocation by administrative parole and probation judges in the sixth judicial district, providing restitution for death of a victim of a crime, and providing penalties and an effective date (S—3466).

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Borlaug for the remainder of the week on request of Senator Iverson.

The Senate stood at ease at 4:40 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 6:01 p.m., President pro tempore Redfern presiding.

APPENDIX**REPORT OF COMMITTEE MEETING****RULES AND ADMINISTRATION**

Convened: April 9, 1997, 8:43 p.m.

Members Present: Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Fink, Jensen, Judge, Kibbie, Lundby, Maddox, Redfern and Rehberg.

Members Absent: none.

Committee Business: Recommended passage of Senate Resolution 7.

Adjourned: 8:44 p.m.

STUDY BILLS RECEIVED**SSB 267 Ways & Means**

Relating to the tax treatment of financial institutions and its shareholders which have made an election under subchapter S of the Internal Revenue Code and including a retroactive applicability date provision.

SSB 268 Appropriations

Relating to and making supplemental appropriations for the fiscal year beginning July 1, 1996, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**House File 708**

APPROPRIATIONS: Rensink, Chair; D. Black and Hedge

House File 710

APPROPRIATIONS: Rittmer, Chair; Flynn and Jensen

SSB 268

APPROPRIATIONS: McLaren, Chair; Neuhauser and Rife

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 10th day of April, 1997:

Senate Files 126, 205 and 300.

MARY PAT GUNDERSON
Secretary of the Senate

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 9, 1997, when the vote was taken on House Files 275, 545 and 354.

Had I been present, I would have voted "aye" on the bills.

MICHAEL E. GRONSTAL

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 9, 1997, the governor approved and transmitted to the secretary of state the following bills:

S.F. 189 - Extending the regular program district cost guarantee for school districts for two years, and providing an effective date.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty-four eleventh grade students from Colo-Nesco High School, Colo, accompanied by Jack Roberts. Senator McKibben.

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: HOUSE FILE 306, a bill for an act relating to the individual income tax by extending the special method of computation of tax for value-added S corporation shareholders to all S corporation shareholders and eliminating the refund limitation and including effective and retroactive applicability date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Douglas, McKibben, Deluhery, Drake, Freeman, Hedge, Maddox, McLaren, Redfern and Vilsack. Nays, 3: Palmer, Connolly and Judge. Absent or not voting, 1: Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 355, 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 and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Douglas, McKibben, Palmer, Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, McLaren, Redfern and Vilsack. Nays, none. Absent or not voting, 1: Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 537 (SSB 263), a bill for an act relating to reporting and depositing of local option sales and services taxes to the department of revenue and finance by retailers and increasing the amount of estimated distribution and frequency of distribution to cities and counties by the department of revenue and finance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Douglas, McKibben, Palmer, Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, McLaren, Redfern and Vilsack. Nays, none. Absent or not voting, 1: Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 538 (SSB 266), a bill for an act to increase the tuition and textbook tax credit to twenty percent of the first one thousand dollars of K through 12 tuition and textbook expenses and providing a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Douglas, McKibben, Palmer, Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, McLaren, Redfern and Vilsack. Nays, 2: Judge and Vilsack. Absent or not voting, 1: Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3458	S. F.	236	Nancy Boettger Maggie Tinsman
S-3459	H. F.	662	O. Gene Maddox
S-3460	H. F.	685	H. Kay Hedge
S-3461	H. F.	330	Larry McKibben
S-3462	S. F.	193	House amendment
S-3463	S. F.	123	House amendment
S-3464	H. F.	697	Rodney Halvorson
S-3465	S. F.	253	House amendment
S-3466	S. F.	503	House amendment
S-3467	H. F.	121	Rodney Halvorson
S-3468	H. F.	121	Rodney Halvorson
S-3469	H. F.	8	Rodney Halvorson
S-3470	S. F.	519	House amendment

ANNOUNCEMENT OF VACANCY

President pro tempore Redfern announced that notification had been received from the office of Governor Branstad of the following vacancy in the Senate:

District 13 - Jim Lind, resignation effective March 21, 1997.

COMMITTEE ON CREDENTIALS

Senator Iverson moved that a committee on Credentials be appointed to examine and report on the elections in Senate District 13.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Maddox, Chair; McKean, Boettger, Black of Jasper and Judge.

The Senate stood at ease at 6:04 p.m. until the fall of the gavel.

The Senate resumed session at 6:08 p.m., President pro tempore Redfern presiding.

REPORT OF THE COMMITTEE ON CREDENTIALS

MADAM PRESIDENT: We, your committee on credentials, respectfully report that we find the person named in the attached copy of the certification of the Secretary of State duly elected to and entitled to a seat in the Senate for the 1997 Session of the Seventy-seventh General Assembly.

GENE MADDOX, Chair
ANDY McKEAN
NANCY BOETTGER
DENNIS H. BLACK
PATTY JUDGE

CERTIFICATION—STATE OF IOWA
OFFICE OF THE SECRETARY OF STATE

To the Honorable, the Secretary of Senate:

I, PAUL PATE, Secretary of the State of Iowa; custodian of the files and records pertaining to the elections in the state, do hereby certify that the State Canvassing Board has declared that at a special election held on April 8, 1997, Patricia Harper was elected to fill a vacancy in the office of State Senator of the Thirteenth District, for the balance of the term which began on January 9, 1995.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Statehouse, in Des Moines this 10th Day of April, 1997.

PAUL PATE, Secretary of State

Senator Maddox moved the adoption of the Report of the Committee on Credentials, which motion prevailed by a voice vote.

Senator Patricia Harper was escorted to the bar of the Senate by Senators Rittmer and Hammond, were duly sworn and subscribed her name to the oath of office.

BUSINESS PENDING

House File 121

The Senate resumed consideration of House File 121, a bill for an act relating to notification procedures prior to the performance of an abortion on or termination of parental rights of a minor and applicable penalties and division S—3333A by the committee on Human Resources, previously deferred (divisions S—3333B and S—3333C pending).

Senator Redwine moved the adoption of division S—3333A.

A record roll call was requested.

On the question "Shall division S—3333A be adopted?" (H.F. 121) the vote was:

Ayes, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Deluhery	Douglas	Flynn
Fraise	Freeman	Gettings	Hedge
Iverson	Jensen	Kibbie	King
McCoy	McKean	McKibben	McLaren
Redfern	Redwine	Rehberg	Rensink
Schuerer	Zieman		

Nays, 21:

Black, D.	Connolly	Dearden	Drake
Dvorsky	Fink	Gronstal	Halvorson
Hammond	Hansen	Harper	Horn
Judge	Kramer	Maddox	Neuhauser
Palmer	Rittmer	Szymoniak	Tinsman
Vilsack			

Absent or not voting, 3:

Borlaug

Lundby

Rife

Division S—3333A was adopted.

Senator Halvorson withdrew amendment S—3467 filed by him from the floor to division S—3333B.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Lundby and Rife until they return on request of Senator Bartz.

BUSINESS PENDING

House File 121

The Senate resumed consideration of House File 121.

Senator Redwine moved the adoption division S—3333B.

A record roll call was requested.

On the question "Shall division S—3333B be adopted?" (H.F. 121) the vote was:

Ayes, 21:

Angelo	Bartz	Behn	Black, J.
Boettger	Deluhery	Douglas	Flynn
Freeman	Hedge	Iverson	Jensen
Judge	King	McKean	McKibben
Redwine	Rehberg	Rensink	Schuerer
Zieman			

Nays, 27:

Black, D.	Connolly	Dearden	Drake
Dvorsky	Fink	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Harper	Horn	Kibbie	Kramer
Maddox	McCoy	McLaren	Neuhauser

Palmer
Szymoniak

Redfern
Tinsman

Rife
Vilsack

Rittmer

Absent or not voting, 2:

Borlaug

Lundby

Division S—3333B lost.

Senator Redwine moved the adoption of division S—3333C, which motion prevailed by a voice vote.

Senator Halvorson offered amendment S—3468 filed by him from the floor to pages 1, 3, 5 and 6 of the bill and called for a division: lines 3-26 as division S—3468A and lines 27-30 as division S—3468B.

Senator Halvorson moved the adoption of division S—3468A.

A non record roll call was requested.

The ayes were 10, nays 34.

Division S—3468A lost.

Senator Halvorson withdrew division S—3468B.

Senator Redwine moved that the bill be read the last time now and placed upon its passage, 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, 39:

Angelo
Black, J.
Douglas
Freeman
Hedge
Judge
Maddox
McLaren
Rehberg
Tinsman

Bartz
Boettger
Drake
Gettings
Horn
Kibbie
McCoy
Palmer
Rensink
Vilsack

Behn
Connolly
Flynn
Halvorson
Iverson
King
McKean
Redfern
Rittmer
Zieman

Black, D.
Deluhery
Fraise
Hansen
Jensen
Kramer
McKibben
Redwine
Schuerer

Nays, 8:

Dearden
Hammond

Dvorsky
Harper

Fink
Neuhauser

Gronstal
Szymoniak

Absent or not voting, 3:

Borlaug

Lundby

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President Kramer took the chair at 8:00 p.m.

UNFINISHED BUSINESS CALENDAR (Deferred April 9, 1997)

House File 597

On motion of Senator Tinsman, House File 597, a bill for an act relating to school attendance by applying school attendance requirements under the family investment program, and providing a civil penalty for truancy, applicability provisions, and an effective date, substituted for Senate File 453 and deferred on April 9, 1997, was taken up for consideration.

Senator Vilsack withdrew amendment S—3431 filed by him on April 8, 1997, to pages 1, 2, 5 and 6 of the bill.

Senator Tinsman offered amendment S—3418 filed by Senators Tinsman, et al., on April 8, 1997, to pages 1-6 of the bill.

Senator Vilsack withdrew amendment S—3427 filed by him on April 8, 1997, to amendment S—3418.

Senator Kibbie withdrew amendment S—3439 filed by him on April 9, 1997, to amendment S—3418.

Senator Hammond asked and received unanimous consent that action on amendment S—3418 be deferred.

Senator Szymoniak offered amendment S—3474 filed by Senators Szymoniak and Vilsack from the floor to pages 3 and 5 of the bill.

Senator Hammond called for a division of amendment S—3474: lines 3-9 as division S—3474A and lines 10-18 as division S—3474B.

Senator Szymoniak moved the adoption of division S—3478A and requested a non record roll call.

The ayes were 22, nays 24.

Amendment S—3474A lost.

Senator Szymoniak moved the adoption of division S—3474B.

Division S—3474B lost by a voice vote.

The Senate resumed consideration of amendment S—3418 by Senators Tinsman, et al., previously deferred.

Senator Hammond offered amendment S—3476 filed by her from the floor to amendment S—3418 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3476 to amendment S—3418 be adopted?" (H.F. 597) the vote was:

Ayes, 23:

Black, D.	Connolly	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraser	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Horn
Hudge	Kibbie	McCoy	Neuhauser
Palmer	Szymoniak	Vilsack	

Nays, 24:

Angelo	Bartz	Behn	Black, J.
Boettger	Douglas	Freeman	Hedge
Iverson	Jensen	King	Kramer
Maddox	McKean	McKibben	McLaren
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Tinsman	Zieman

Absent or not voting, 3:

Borlaug

Lundby

Rife

Amendment S—3476 lost.

Senator Tinsman moved the adoption of amendment S—3418, which motion prevailed by a voice vote.

Senator Szymoniak offered amendment S—3473 filed by Senators Szymoniak and Vilsack on April 10, 1997, to page 7 of the bill.

Senator Tinsman raised the point of order that amendment S—3473 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3473 out of order.

(Action on House File 597 was temporarily deferred.)

The Senate stood at ease at 9:10 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 10:22 p.m., President Kramer presiding.

CALL OF THE SENATE

The Chair announced the following Call of the Senate had been filed at the desk:

MADAM PRESIDENT: Pursuant to Rule 18 of the Rules of the Senate of the Seventy-seventh General Assembly, we, the undersigned, hereby request a Call of the Senate on House File 597.

MICHAEL E. GRONSTAL
PATTY JUDGE
TOM VILSACK
DENNIS BLACK
EUGENE FRAISE
MARY NEUHAUSER

BILL FINK
 MATT McCOY
 MIKE CONNOLLY
 STEVEN D. HANSEN

A non record roll call revealed all members present with the exception of Senators Gettings, Hammond, McLaren, Rife, Szymoniak and Rittmer who were absent, and Senators Lundby and Borlaug who were previously excused.

Senator Vilsack moved that the Senate adjourn until 1:00 p.m., Monday, April 14, 1997.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1997, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 519, a bill for an act relating to the authorized use and users of the Iowa communications network and providing an effective date (S—3470).

INTRODUCTION OF BILL

Senate Resolution 8, by Bartz, a senate resolution recognizing Sergeant Scott Harlan Siefken and his family and requesting federal assistance.

Read first time and **passed on file**.

A record roll call was requested on the motion to adjourn.

On the question "Shall the motion to adjourn be adopted?" the vote was:

Ayes, 19:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gronstal	Halvorson	Hansen	Harper

Horn	Judge	Kibbie	McCoy
Neuhauser	Palmer	Vilsack	

Nays, 23:

Angelo	Bartz	Behn	Black, J.
Boettger	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	King
Kramer	Maddox	McKean	McKibben
Redfern	Redwine	Rehberg	Rensink
Schuerer	Tinsman	Zieman	

Absent or not voting, 8:

Borlaug	Gettings	Hammond	Lundby
McLaren	Rife	Rittmer	Szymoniak

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Iverson asked and received unanimous consent that the following bills be placed on the Unfinished Business Calendar: House Files 81, 82, 114, 142, 178, 202, 226, 229, 233, 265, 299, 307, 336, 367, 371, 376, 383, 384, 410, 439, 449, 450, 456, 485, 492, 514, 540, 544, 552, 557, 612, 613, 615, 616, 625, 635, 637, 642, 643, 644, 647, 658, 661, 662, 666, 674, 680, 686, 693, 694, 697, 698, 701 and 702.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House File 121** be **immediately messaged** to the House.

The Senate stood at ease at 11:00 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 11:48 p.m., President Kramer presiding.

CALL OF THE SENATE LIFTED

Senator Iverson moved to lift the call of the Senate on House File 597 and requested a record roll call.

On the question "Shall the call be lifted?" the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gronstal	Halvorson	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Borlaug	Gettings	Hammond	Rife
Szymoniak			

The motion prevailed and the call was lifted.

CONSIDERATION OF BILL (Regular Calendar)

House File 331

On motion of Senator Redwine, House File 331, a bill for an act relating to the authorization of school officials to conduct searches of students, student protected areas, lockers, desks, and other facilities and spaces and including effective and applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Redwine offered amendment S—3356 filed by the committee on Education on April 3, 1997, to page 1 of the bill and called for a division: lines 3-30 and 34-43 as division S—3356A and lines 31-33 as division S—3356B.

Senator Redwine moved the adoption of division S—3356A, which motion prevailed by a voice vote.

Senator Vilsack asked and received unanimous consent that action on division S—3356B and **House File 331** be deferred.

BUSINESS PENDING

House File 597

The Senate resumed consideration of House File 597, a bill for an act relating to school attendance by applying school attendance requirements under the family investment program, and providing a civil penalty for truancy, applicability provisions, and an effective date, previously deferred.

Senator Hansen withdrew the following motion to reconsider filed by him from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which division S—3473A to House File 597 failed to be adopted by the Senate on April 10, 1997.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 597) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gronstal	Halvorson	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Borlaug	Gettings	Hammond	Rife
Szymoniak			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **House File 597** be **immediately messaged** to the House.

Senator Tinsman asked and received unanimous consent that **Senate File 453** be **withdrawn** from further consideration of the Senate.

APPENDIX

AMENDMENTS FILED

S-3470	S. F.	519	House amendment
S-3471	H. F.	8	Tom Vilsack
S-3472	H. F.	693	Tom Flynn
S-3473	H. F.	597	Elaine Szymoniak Tom Vilsack
S-3474	H. F.	597	Elaine Szymoniak Tom Vilsack
S-3475	H. F.	662	O. Gene Maddox
S-3476	H. F.	597	Johnie Hammond
S-3477	H. F.	698	Elaine Szymoniak Nancy Boettger James E. Black
S-3478	H. F.	708	Appropriations
S-3479	H. F.	710	Appropriations

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 708, a bill for an act relating to agriculture and natural resources by providing for appropriations, related statutory changes, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3478.

Final Vote Ayes, 24: McLaren, Kramer, Flynn, Behn, D. Black, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Horn, Jensen, Lundby, Maddox, McCoy, Neuhauser, Rehberg, Rensink, Rife, Rittmer, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Borlaug.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 710, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's alliance on substance abuse, and the commission of veterans affairs, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3479.

Final Vote Ayes, 24: McLaren, Kramer, Flynn, Behn, D. Black, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Horn, Jensen, Lundby, Maddox, McCoy, Neuhauser, Rehberg, Rensink, Rife, Rittmer, Tinsman and Vilsack. **Nays, none. Absent or not voting, 1:** Borlaug.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 12:45 a.m., until 10:00 a.m., Monday, April 14, 1997.

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 14, 1997

The Senate met in regular session at 10:14 a.m., President Kramer presiding.

Prayer was offered by the Honorable H. Kay Hedge, member of the Senate from Mahaska County, Fremont, Iowa.

The Journal of Thursday, April 10, 1997, was approved.

QUORUM CALL

Senator Boettger 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 AMENDMENT CONSIDERED

Senate File 433

Senator Fraise called up for consideration Senate File 433, a bill for an act relating to the definition and location of a land-leased community, amended by the House and moved that the Senate concur in House amendment S—3296 filed March 31, 1997.

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. 433) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
Kramer	Lundby	Maddox	McCoy
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Connolly	King	McKean	McKibben
Rife			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS CALENDAR

Senate File 339

On motion of Senator Schuerer, Senate File 339, 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 and placed on the Unfinished Business Calendar on April 3, 1997, was taken up for consideration.

Senator Schuerer offered amendment S—3248 filed by him on March 26, 1997, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3248 was adopted by a voice vote.

Senator Schuerer asked and received unanimous consent that **House File 550** be **substituted** for **Senate File 339** as amended.

House File 550

On motion of Senator Schuerer, House File 550, a bill for an act relating to the exemption of certain multiple employer welfare arrangements from regulation by the insurance division and providing an effective date, was taken up for consideration.

Senator Dvorsky asked and received unanimous consent that action on **House File 550** be **deferred**.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Iverson called up the following eligible appointees on the En Bloc Confirmation Calendar:

Mary J. Ackerman, Accountancy Examining Board.

Kevin W. Monson, Architectural Examining Board.

Margaret Susan Cigelman, Athletic Trainer Advisory Board.

Dorothy A. Anderson, Board of Behavioral Science Examiners.

Norma J. Papik, Board of Chiropractic Examiners.

Dr. Barbara A. Scheetz, Board of Optometry Examiners.

Curtis S. Jenkins, Board of Parole.

Alice B. Price, Board of Physical and Occupational Therapy Examiners.

William L. Connet and Rita J. Taylor, Board of Physician Assistant Examiners.

Elizabeth A. Mathis, Commission on Judicial Qualifications.

Jack F. Purcell, Commission on the Deaf.

Marcia J. Stark, Community Health Management Information System Governing Board.

David M. Røederer and Marvin L. Van Haaften, Criminal and Juvenile Justice Planning Advisory Council.

Rachelle L.K. Johnson, Drug Abuse Prevention and Education Advisory Council.

Kathryn A. Murphy, Environmental Protection Commission.

Mary E. Gesiriech, First in the Nation in Education Foundation Governing Board.

Betty Jean (BJ) Furgerson, Iowa Council on Human Investment.

Julie-Anita Ingoli, Iowa Emergency Response Commission.

Thomas C. Lillquist, Iowa Law Enforcement Academy Council.

Blanca G. Flores, Mohamad W. Khan, Jack L. Morlan and Robert L. Smith, Jr., Iowa State Civil Rights Commission.

Lannie L. Miller, Mental Health and Developmental Disabilities Commission.

Joseph W. Hanrahan, Deanne K. Raley and Terry A. Sweeney, Narcotics Enforcement Advisory Council.

Georganna T. Hinrichsen, Prevention of Disabilities Policy Council.

Russell D. Nading, Real Estate Commission.

Max A. Phillips, Small Business Advisory Council.

Dr. Gregory A. Hicklin, State Board for Respiratory Care.

Gary A. Kirchhof, State Board of Examiners for Nursing Home Administrators.

Stanley S. Wierson and Kathryn M. Youberg, State Citizen Foster Care Review Board.

Michael K. Gutttau, Superintendent of Banking.

Jay D. Stewart, Title Guaranty Division Board.

Senator Iverson moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Connolly	McKean	Rife
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The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

The Senate stood at ease at 10:35 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:55 a.m., President pro tempore Redfern presiding.

RECESS

On motion of Senator Iverson, the Senate recessed at 11:56 a.m., until 1:00 p.m.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Coach Mike Gerleman and the Creston High School Panthers - For winning the 1997 Class 3-A Boys' basketball state championship. Senator Angelo (3-22-97).

Creston High School Athletic Director Curt Olson, athletes and fans - For winning the sportsmanship award during the 1997 Boys' basketball state tournament. Senator Angelo (3-22-97).

Ben Gerleman and Kyle McCann, Creston - For being named co-captains of the Class 3-A Boys' basketball all-tournament team. Senator Angelo (3-22-97).

Carlisle High School Jazz Band - For winning the division 2-A jazz band championship. Senator Fink (4-7-97).

Sioux City North High Jazz I Band - For receiving 1st place recognition at the 1997 Iowa jazz band championships. Senator Hansen (4-9-97).

Justin Kisor, Sioux City - For being recognized as the outstanding trumpet soloist at the 1997 Iowa jazz band championships. Senator Hansen (4-9-97).

Rick Stone, Sioux City - For being recognized as the outstanding saxophone soloist at the 1997 Iowa jazz band championships. Senator Hansen (4-9-97).

Steven and Jayne Rosenboom, Bussey - For being named Southeast farm family of the year. Senator Hedge (4-10-97).

Joshua J. DeSotel, Anamosa - For achieving the rank of Eagle Scout. Senator McKean (4-13-97).

Derek A. Binneboese, Hinton - For achieving the rank of Eagle Scout. Senator Redwine (5-4-97).

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Members of the eighth grade class, Alden Community School, Alden, accompanied by Kristy Harris and Dave Harms. Senator Iverson.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 11, 1997, the governor approved and transmitted to the secretary of state the following bills:

S.F. 126 – Allowing a supervised, controlled burn for which a permit has been issued during an open burning ban.

S.F. 205 – Relating to continued eligibility under the new jobs and income program concerning the ownership of land by nonresident aliens and certain capital investment and job creation provisions.

S.F. 300– Relating to the prohibited sale of home testing kits for the human immunodeficiency virus.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS**

Convened: April 10, 1997, 4:50 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, D. Black, Douglas, Dvorsky, Freeman, Gronstal, Halvorson, Hammond, Hedge, Horn, Jensen, Lundby, Maddox, McCoy, Neuhauser, Rehberg, Rensink, Rife, Rittmer, Tinsman and Vilsack.

Members Absent: Borlaug (excused).

Committee Business: Recommended passage of House Files 708 and 710 as amended.

Adjourned: 5:52 p.m.

WAYS AND MEANS

Convened: April 10, 1997, 11:38 a.m.

Members Present: Douglas, Chair; McKibben, Vice Chair; Palmer, Ranking Member; Borlaug, Connolly, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, McLaren, Redfern and Vilsack.

Members Absent: Szymoniak (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 306 and 355; approved SSBs 263 and 266 as committee bills.

Adjourned: 12:38 p.m.

AMENDMENTS FILED

S-3480	H.F.	331	Tom Vilsack John Redwine Nancy Boettger
S-3481	H.F.	708	Patty Judge
S-3482	H.F.	710	John P. Kibbie
S-3483	H.F.	710	Tom Flynn
S-3484	H.F.	710	Patty Judge
S-3485	H.F.	710	Johnie Hammond
S-3486	H.F.	710	Robert E. Dvorsky Johnie Hammond
S-3487	S. F.	391	Mary Lou Freeman
S-3488	H.F.	81	Merlin E. Bartz Allen Borlaug Dick L. Dearden
S-3489	H.F.	331	Bill Fink
S-3490	H.F.	514	Jack Rife
S-3491	H.F.	708	Mike Connolly
S-3492	H.F.	514	Mary Neuhauser
S-3493	H.F.	697	Rod Halvorson
S-3494	H.F.	697	Rod Halvorson
S-3495	H.F.	697	Rod Halvorson
S-3496	H.F.	693	Tom Flynn

AFTERNOON SESSION

The Senate reconvened at 1:15 p.m., President Kramer presiding.

QUORUM CALL

Senator Iverson requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

LEAVES OF ABSENCE

Leave of absence was granted as follows:

Senator Vilsack until he returns on request of Senator Gronstal and Senator McKibben until he returns on request of Senator Boettger.

CONFIRMATION OF GOVERNOR'S APPOINTMENT
(Individual Confirmation Calendar)

Senator Redfern called up the appointment of Allan T. Thoms as Chair of the Utilities Board, placed on the Individual Confirmation Calendar on April 3, 1997, and found on page 1026 of the Senate Journal.

Senator Redfern moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McLaren
Neuhauser	Palmer	Redfern	Redwine

Rehberg
Schuerer

Rensink
Szymoniak

Rife
Tinsman

Rittmer
Zieman

Nays, none.

Absent or not voting, 2:

McKibben

Vilsack

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Connolly until he arrives on request of Senator Szymoniak.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Rife called up the appointment of Mark J. Schouten as a member of the Iowa Telecommunications and Technology Commission, placed on the Individual Confirmation Calendar on March 4, 1997, and found on page 483 of the Senate Journal.

Senator Rife moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Angelo
Black, J.
Deluhery
Fink
Gettings
Hansen
Iverson
King
McCoy
Neuhauser
Rehberg
Schuerer

Bartz
Boettger
Douglas
Flynn
Gronstal
Harper
Jensen
Kramer
McKean
Palmer
Rensink
Szymoniak

Behn
Borlaug
Drake
Fraise
Halvorson
Hedge
Judge
Lundby
McKibben
Redfern
Rife
Tinsman

Black, D.
Dearden
Dvorsky
Freeman
Hammond
Horn
Kibbie
Maddox
McLaren
Redwine
Rittmer
Zieman

Nays, none.

Absent or not voting, 2:

Connolly Vilsack

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Rife called up the appointment of Mary Jean Montgomery as a member of the Iowa Telecommunications and Technology Commission, placed on the Individual Confirmation Calendar on March 4, 1997, and found on page 483 of the Senate Journal.

Senator Rife moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Zieman

Nays, none.

Absent or not voting, 2:

Connolly Vilsack

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Redwine called up the appointment of Michael A. Fesler as a member of the Small Business Advisory Council, placed on the

Individual Confirmation Calendar on April 7, 1997, and found on page 1002 of the Senate Journal.

Senator Redwine moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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.

DEFERRAL OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Deluhery called up the appointment of Diane E. Palmer as a member of the Board of Mortuary Science Examiners, placed on the Individual Confirmation Calendar on March 25, 1997, and found on page 795 of the Senate Journal.

Senator Halvorson asked and received unanimous consent that action on the appointment of Diane E. Palmer be deferred.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Halvorson called up the appointment of Daniel K. Danielson as a member of the Board of Mortuary Science Examiners, placed on the Individual Confirmation Calendar on March 25, 1997, and found on page 795 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, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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 Boettger called up the appointment of Charles Palmer as Director of the Department of Human Services, placed on the Individual Confirmation Calendar on April 7, 1997, and found on page 985 of the Senate Journal.

Senator Boettger moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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 Dearden called up the appointment of Albert G. Sorensen as a member of the Council on Human Services, placed on the Individual Confirmation Calendar on April 8, 1997, and found on page 1026 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, 44:

Angelo	Bartz	Behn	Black, J.
Borlaug	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn

Fraise	Freeman	Gettings	Gronstal
Halvorson	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Vilsack	Zieman

Nays, 5:

Black, D.	Boettger	King	Rehberg
Tinsman			

Absent or not voting, 1:

Connolly

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Dvorsky called up the appointment of Loren M. Wakefield as a member of the Commission on Community Action Agencies, placed on the Individual Confirmation Calendar on April 7, 1997, and found on page 985 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, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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 Hammond called up the appointment of Lois R. Kotz as a member of the Commission on Community Action Agencies, placed on the Individual Confirmation Calendar on April 7, 1997, and found on page 985 of the Senate Journal.

Senator Hammond moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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.

RECESS

On motion of Senator Iverson, the Senate recessed at 1:53 p.m., until 2:30 p.m.

RECONVENED

The Senate reconvened at 2:40 p.m., President Kramer presiding.

QUORUM CALL

Senator Iverson 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 391

Senator Freeman called up for consideration Senate File 391, 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 of the state, road use tax fund, and primary road fund, providing for the nonreversion of certain moneys, establishing a toll-free road and weather reporting system, eliminating the motor vehicle use tax as the funding source for the value-added agricultural products and processes financial assistance program and the renewable fuels and coproducts fund, and providing for the designation of access Iowa highways, and providing effective dates, amended by the House in House amendment S—3453 filed April 9, 1997.

Senator Freeman offered amendment S—3487 filed by her from the floor to House amendment S—3453 and moved its adoption.

Amendment S—3487 was adopted by a voice vote.

Senator Freeman 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 Freeman 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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fraise until he returns on request of Senator Gronstal.

BUSINESS PENDING

Senate File 391

The Senate resumed consideration of Senate File 391.

On the question "Shall the bill pass?" (S.F. 391) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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.

Senator Iverson asked and received unanimous consent that Senate File 391 be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Appropriations Calendar)

House File 708

On motion of Senator Rensink, House File 708, a bill for an act relating to agriculture and natural resources by providing for appropriations, related statutory changes, and providing an effective date, with report of committee recommending amendment and passage was taken up for consideration.

Senator Rensink offered amendment S—3478 filed by the committee on Appropriations on April 10, 1997, to pages 9, 10, 11, 16 and 18 of the bill.

Senator Iverson offered amendment S—3499 filed by Senators Iverson and Kibbie from the floor to amendment S—3478 and moved its adoption.

Amendment S—3499 was adopted by a voice vote.

Senator Rensink moved the adoption of amendment S—3478 as amended, which motion prevailed by a voice vote.

Senator Judge withdrew amendment S—3481 filed by her from the floor to pages 1 and 17 of the bill.

Senator Fink offered amendment S—3498 filed by him from the floor to page 10 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3498 be adopted?" (H.F. 708) the vote was:

Ayes, 21:

Connolly	Dearden	Deluhery	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen

Harper	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 29:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Douglas
Drake	Freeman	Hedge	Iverson
Jensen	King	Kramer	Lundby
Maddox	McKean	McKibben	McLaren
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Tinsman
Zieman			

Amendment S—3498 lost.

Senator Connolly offered amendment S—3491 filed by him from the floor to page 15 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3491 be adopted?" (H.F. 708) the vote was:

Ayes, 24:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Harper	Horn	Judge	Kibbie
King	Lundby	McCoy	Neuhauser
Palmer	Rittmer	Szymoniak	Vilsack

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hansen	Hedge	Iverson
Jensen	Kramer	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Schuerer
Tinsman	Zieman		

Amendment S—3491 lost.

Senator Rensink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 708) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 1:

Freeman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 433 and 293 be immediately messaged** to the House.

BUSINESS PENDING

House File 550

The Senate resumed consideration of House File 550, a bill for an act relating to the exemption of certain multiple employer welfare arrangements from regulation by the insurance division and providing an effective date, substituted for Senate File 339 as amended, previously deferred.

Senator Schuerer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 550) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Rensink

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Schuerer asked and received unanimous consent that **Senate File 339** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS CALENDAR

House File 178

On motion of Senator McKean, House File 178, a bill for an act relating to joint billing or collection of combined service accounts for sanitary districts and a city utility or combined utility system and to discontinue service for delinquency, and providing for the establishment of benefited districts and fees from the connection of

property to the sanitary facilities of a sanitary district, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

Senator Bartz took the chair at 3:37 p.m.

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. 178) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Rensink

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 644

On motion of Senator Schuerer, House File 644, a bill for an act relating to the relationship between a real estate broker or

salesperson and parties to certain real estate transactions and providing an effective date, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

Senator Vilsack asked and received unanimous consent that action on **House File 644** be **deferred**.

CONSIDERATION OF BILL
(Ways and Means Calendar)

House File 495

On motion of Senator McKibben, House File 495, a bill for an act relating to certain machinery, equipment, and computers for purposes of property taxation and providing an applicability date, with report of committee recommending passage, was taken up for consideration.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Kramer and Redfern until they return on request of Senator Freeman, Senator Rensink until he returns on request of Senator Jensen, Senator Gronstal until he returns on request of Senator Judge and Senator Iverson until he returns on request of Senator Boettger.

BUSINESS PENDING

House File 495

The Senate resumed consideration of House File 495

Senator McKibben moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 495) the vote was:

Ayes, 45:

Angelo
Black, J.

Bartz
Boettger

Behn
Borlaug

Black, D.
Connolly

Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Jensen	Judge	Kibbie	King
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redwine	Rehberg	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Gronstal	Iverson	Kramer	Redfern
Rensink			

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 229

On motion of Senator King, House File 229, a bill for an act relating to the availability of a map indicating the location of electric transmission lines related to the extension of a franchise, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

Senator King moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 229) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Halvorson	Hammond

Hansen	Harper	Hedge	Horn
Jensen	Judge	Kibbie	King
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redwine	Rehberg	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Gronstal	Iverson	Kramer	Redfern
Rensink			

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 394

On motion of Senator Schuerer, Senate File 394, a bill for an act relating to permissible charges which may be contracted for and received with respect to open-end credit, was taken up for consideration.

Senator Schuerer asked and received unanimous consent that House File 611 be substituted for Senate File 394.

House File 611

On motion of Senator Schuerer, House File 611, a bill for an act relating to permissible charges which may be contracted for and received with respect to open-end credit, was taken up for consideration.

Senator Hansen offered amendment S—3426 filed by him on April 8, 1997, to pages 1 and 2 of the bill.

Senator Hansen asked and received unanimous consent that action on amendment S—3426 be deferred.

Senator Deluhery offered amendment S—3277 filed by Senators Deluhery and Schuerer on March 26, 1997, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3277 was adopted by a voice vote.

With the adoption of amendment S—3277, the Chair ruled amendment S—3426 by Senator Hansen previously deferred, out of order.

Senator Dvorsky asked and received unanimous consent that action on **House File 611** be deferred.

HOUSE AMENDMENT CONSIDERED

Senate File 236

Senator Tinsman called up for consideration Senate File 236, a bill for an act relating to the certificate of need program, amended by the House in House amendment S—3421 filed on April 8, 1997.

Senator Boettger offered amendment S—3458 filed by Senators Boettger and Tinsman on April 10, 1997, to House amendment S—3421 and moved its adoption.

Amendment S—3458 was adopted by a voice vote.

Senator Tinsman moved that the Senate concur in the House amendment as amended, which motion prevailed by a voice vote.

Senator Tinsman 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. 236) the vote was:

Ayes, 49:

Angelo
Black, J.

Bartz
Boettger

Behn
Borlaug

Black, D.
Connolly

Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Hedge
Horn	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Iverson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

Senate File 494

On motion of Senator Tinsman, Senate File 494, a bill for an act relating to the regulation of the practice of respiratory care and placed on the Unfinished Business Calendar on April 3, 1997, was taken up for consideration.

Senator Tinsman asked and received unanimous consent that **House File 659** be substituted for **Senate File 494**.

House File 659

On motion of Senator Tinsman, House File 659, a bill for an act relating to the regulation of the practice of respiratory care, was taken up for consideration.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 659) the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	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 Tinsman asked and received unanimous consent that **Senate File 494** be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 132

Senator Borlaug called up for consideration Senate File 132, a bill for an act relating to state department of transportation operations, including regulating hazardous materials transport, regulating motor vehicle dealers, eliminating requirements that the department adopt administrative rules in certain instances, and establishing, making applicable, or enhancing penalties, amended by the House and moved that the Senate concur in House amendment S—3443 filed on April 9, 1997.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Borlaug 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. 132) the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	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)

House File 710

On motion of Senator Rittmer, House File 710, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's alliance on substance abuse, and the commission of veterans affairs, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rittmer offered amendment S-3479 filed by the committee on Appropriations on April 10, 1997, to pages 2, 19 and 25 of the bill and moved its adoption.

Amendment S—3479 was adopted by a voice vote.

Senator Flynn offered amendment S—3483 filed by him from the floor to page 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3483 be adopted?" (H.F. 710) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Lundby	Maddox	McKean
McLaren	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 3:

Halvorson	Kramer	McKibben
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Amendment S—3483 lost.

Senator Hammond offered amendment S—3485 filed by her from the floor to page 18 of the bill.

Senator Rittmer offered amendment S—3503 filed by Senators Rittmer and McLaren from the floor to amendment S—3485.

President pro tempore Redfern took the chair at 5:51 p.m.

Senator Rittmer moved the adoption of amendment S—3503.

A record roll call was requested.

On the question "Shall amendment S—3503 to amendment S—3485 be adopted?" (H.F. 710) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Freeman
Hedge	Iverson	Jensen	King
Kramer	Maddox	McKean	McKibben
McLaren	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Zieman			

Nays, 24:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Horn	Judge
Kibbie	Lundby	McCoy	Neuhauser
Palmer	Szymoniak	Tinsman	Vilsack

Absent or not voting, 1:

Drake

Amendment S—3503 was adopted.

Senator Hammond moved the adoption of amendment S—3485 as amended.

Amendment S—3485 as amended was adopted by a voice vote.

Senator Judge offered amendment S—3484 filed by her from the floor, to pages 18 and 27 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3484 be adopted?" (H.F. 710) the vote was:

Ayes, 23:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Horn	Judge
Kibbie	McCoy	Neuhauser	Palmer
Rensink	Szymoniak	Vilsack	

Nays, 25:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Jensen	King
Kramer	Lundby	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Tinsman
Zieman			

Absent or not voting, 2:

Iverson Rife

Amendment S—3484 lost.

Senator Dvorsky offered amendment S—3486 filed by Senators Dvorsky and Hammond from the floor to page 24 of the bill.

Senator Bartz called for a division of amendment S—3486: lines 2 and 3 as division S—3486A and lines 5-19 as division S—3486B.

Senator Dvorsky moved the adoption of division S—3486A.

A record roll call was requested.

On the question "Shall division S—3486A be adopted?" (H.F. 710) the vote was:

Ayes, 22:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise

Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Horn	Judge
Kibbie	McCoy	Neuhauser	Palmer
Szymoniak	Vilsack		

Nays, 28:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Division S—3486A lost.

Senator Dvorsky asked and received unanimous consent to withdraw division S—3486B.

Senator Kibbie offered amendment S—3482 filed by him from the floor to page 26 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3482 be adopted?" (H.F. 710) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Black, D.	Connolly	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Horn
Judge	Kibbie	McCoy	Neuhauser
Palmer	Szymoniak	Vilsack	

Nays, 24:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Freeman
Hedge	Iverson	Jensen	King
Maddox	McKean	McKibben	McLaren

Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Tinsman	Zieman

Absent or not voting, 3:

Kramer	Lundby	Rife
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Amendment S—3482 lost.

Senator Palmer offered amendment S—3507 filed by him from the floor to pages 27 and 28 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3507 be adopted?" (H.F. 710) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 28:

Bartz	Black, D.	Connolly	Dearden
Deluhery	Douglas	Dvorsky	Fink
Flynn	Fraise	Freeman	Gettings
Gronstal	Halvorson	Hammond	Hansen
Harper	Horn	Judge	Kibbie
Lundby	McCoy	McKibben	McLaren
Neuhauser	Palmer	Szymoniak	Vilsack

Nays, 20:

Angelo	Behn	Black, J.	Boettger
Borlaug	Drake	Hedge	Iverson
Jensen	King	Maddox	McKean
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Tinsman	Zieman

Absent or not voting, 2:

Kramer	Rife
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Amendment S—3507 was adopted.

Senator Szymoniak offered amendment S—3497 filed by Senators Szymoniak, Flynn and Rittmer from the floor to page 27 of the bill and moved its adoption.

Amendment S—3497 was adopted by a voice vote.

Senator Palmer offered amendment S—3508 filed by him from the floor to page 7 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3508 be adopted?” (H.F. 710) the vote was:

Ayes, 22:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Horn	Judge
Kibbie	McCoy	Neuhauser	Palmer
Szymoniak	Vilsack		

Nays, 28:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Amendment S—3508 lost.

MOTION TO RECONSIDER ADOPTED

Senator McLaren filed the following motion to reconsider from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3507 to House File 710 was adopted by the Senate on April 14, 1997.

President Kramer took the chair at 7:31 p.m.

Senator McLaren 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. 710) the vote was:

Ayes, 28:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Nays, 22:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Horn	Judge
Kibbie	McCoy	Neuhauser	Palmer
Szymoniak	Vilsack		

The motion prevailed and amendment S—3507 by Senator Palmer to pages 27 and 28 of the bill was taken up for reconsideration.

Senator Palmer moved the adoption of amendment S—3507.

A record roll call was requested.

On the question "Shall amendment S—3507 be adopted?" (H.F. 710) the vote was:

Ayes, 24:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Horn
Judge	Kibbie	Lundby	McCoy
Neuhauser	Palmer	Szymoniak	Vilsack

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Hedge	Iverson	Jensen	King

Kramer	Maddox	McKean	McKibben
McLaren	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Amendment S—3507 lost.

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. 710) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gronstal	Halvorson	Hammond	Hansen
Harper	Hedge	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 4:

Connolly	Gettings	Horn	Neuhauser
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 236 and House Files 708, 710, 178, 550, 495, 659 and 229** be immediately messaged to the House.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 14, 1997, passed the following bills in which the concurrence of the House was asked:

Senate File 30, a bill for an act relating to the exemption from sales, services, and use taxes of adjuvants and surfactants used to enhance the application of fertilizers, limestone, herbicides, pesticides, and insecticides in agricultural production and providing effective and retroactive applicability date provisions.

Senate File 80, a bill for an act relating to police bicycles.

Senate File 95, 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 an effective date and the Act's applicability.

Senate File 131, a bill for an act relating to fraudulent practices involving family investment and medical assistance program benefits and making penalties applicable.

Senate File 219, a bill for an act relating to trespassing or stray livestock and providing remedies and an effective date.

Senate File 235, a bill for an act providing authority to soil and water conservation district commissioners to allocate moneys for the emergency restoration of permanent soil and water conservation practices.

Senate File 238, a bill for an act repealing the procedures for disposition of the contents of a decedent's safe deposit box and providing an effective date.

Senate File 499, a bill for an act relating to privileges and prohibitions for certain persons including those relating to motor vehicle licenses and to the regulation of tobacco, tobacco products, or cigarettes, and providing penalties.

Senate File 522, a bill for an act relating to legal settlement regarding community-based providers of treatment or services.

ALSO: That the House has on April 14, 1997, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 163, a bill for an act relating to the sale of cigarettes and tobacco products through vending machines (S—3510).

Senate File 451, a bill for an act relating to milk and milk products, providing for the issuance of licenses and permits, fees, and providing penalties (S—3502).

INTRODUCTION OF BILLS

Senate File 539, by Lundby, Horn, and Dvorsky, a bill for an act to legalize the proceedings taken by the Cedar Rapids Community School District to participate in an instructional support program and providing an effective and retroactive applicability date.

Read first time and **passed on file**.

Senate File 540, by Iverson, a bill for an act relating to workers' compensation by repealing the second injury compensation Act, eliminating the second injury fund, providing for the resolution of claims against the fund, including the imposition of an employer surcharge, providing for employee compensation for certain subsequent injuries, and providing an effective date.

Read first time and **passed on file**.

APPENDIX**PROOF OF PUBLICATION**

Verified proof of publication of Senate File 539 in accordance with Section 585.1 of the Code was filed with the Secretary of the Senate.

SUBCOMMITTEE ASSIGNMENTS**Senate File 534**

HUMAN RESOURCES: Boettger, Chair; J. Black and Dearden

Senate File 535

HUMAN RESOURCES: Boettger, Chair; J. Black and Dearden

House File 717

JUDICIARY: Hansen, Chair; King and Tinsman

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-seven eighth grade students from River Valley Middle School, Quimby, accompanied by Mike Nugent and others. Senators Freeman and King.

Thirty-six fifth and sixth grade students from Kanawha Elementary School, Kanawha, accompanied by Renita Kahlstorf. Senator Black of Kossuth.

Senator Iverson welcomed the Honorable Jack Kemp, former U.S. Congressman, who was present in the Senate chamber.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to a standing committee for investigation were placed on the En Bloc Calendar with recommendation for confirmation on April 14, 1997:

JUDICIARY

Mildred E. Elliott, Board of Corrections.

Chief Douglas W. Book, Drug Abuse Prevention and Education Advisory Council.

Donald L. Decker, State Judicial Nominating Commission.

AMENDMENTS FILED

S-3497	H. F.	710	Elaine Szymoniak Tom Flynn Sheldon Rittmer
S-3498	H. F.	708	Bill Fink
S-3499	H. F.	708	Stewart Iverson, Jr. John P. Kibbie
S-3500	H. F.	514	Mary Neuhauser
S-3501	S. F.	390	Patty Judge Merlin E. Bartz
S-3502	S. F.	451	House amendment
S-3503	H. F.	710	Sheldon Rittmer Derryl McLaren
S-3504	S. F.	538	Robert E. Dvorsky
S-3505	H. F.	453	Neal Schuerer
S-3506	H. F.	715	Elaine Szymoniak
S-3507	H. F.	710	William D. Palmer
S-3508	H. F.	710	William D. Palmer
S-3509	S. F.	528	Allen Borlaug Patty Judge Merlin E. Bartz Bill Fink Larry McKibben Dennis H. Black
S-3510	S. F.	163	House amendment
S-3511	H. F.	644	Rod Halvorson
S-3512	H. F.	644	Tom Vilsack

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 14, 1997, when the vote was taken on House Files 550, 178, 495 and 229.

Had I been present, I would have voted "aye" on the bills.

WILMER RENSINK

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

S. F.	539	Judiciary
S. R.	8	Rules and Administration

ANNOUNCEMENT BY THE MINORITY LEADER

Minority Leader Gronstal announced to the President of the Senate on April 14, 1997, the following committee appointment:

Effective immediately, on a temporary basis, Pat Harper will be taking my place on the Appropriations Committee.

A permanent resolution to the committee assignments will not be reached until we further explore our alternatives.

ADJOURNMENT

On motion of Senator Iverson, the Senator adjourned at 8:10 p.m., until 9:00 a.m., Tuesday, April 15, 1997.

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 15, 1997

The Senate met in regular session at 9:12 a.m., President Kramer presiding.

Prayer was offered by the Reverend Richard Blodgett, pastor of the Emmanuel Church of Nazarene, Council Bluffs, Iowa, and Candy Boucher of Des Moines sang "Amazing Grace".

The Journal of Monday, April 14, 1997, was approved.

UNFINISHED BUSINESS CALENDAR
(Deferred April 14, 1997)

House File 611

The Senate resumed consideration of House File 611, a bill for an act relating to permissible charges which may be contracted for and received with respect to open-end credit, deferred April 14, 1997.

Senator Schuerer asked and received unanimous consent that action on **House File 611** be **deferred**.

House File 644

The Senate resumed consideration of House File 644, a bill for an act relating to the relationship between a real estate broker or salesperson and parties to certain real estate transactions and providing an effective date, deferred April 14, 1997.

Senator Vilsack offered amendment S—3512 filed by him on April 14, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3512 was adopted by a voice vote.

Senator Halvorson offered amendment S—3511 filed by him on April 14, 1997, to page 1 of the bill, moved its adoption and requested a non record roll call.

The ayes were 20, nays 29.

Amendment S—3511 lost.

SPECIAL GUEST

Senator Dvorsky presented Coach Dan Gable, wrestling coach for the University of Iowa.

Coach Gable addressed the Senate briefly and the Senate rose in welcome.

BUSINESS PENDING

House File 644

The Senate resumed consideration of House File 644.

Senator Schuerer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 644) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Fink	Flynn	Fraise	Freeman
Gettings	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 2:

Gronstal Halvorson

Absent or not voting, 1:

Dvorsky

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Iverson asked and received unanimous consent to call up the following appointees on the En Bloc Confirmation Calendar:

Richard G. Moore, Administrator of the Division of Criminal and Juvenile Justice Planning.

Dennis Ruffcorn, Board of Barber Examiners.

Mildred E. Elliott, Board of Corrections.

Dr. Donna M. Norman, Board of Medical Examiners.

Chief Douglas W. Book, Drug Abuse Prevention and Education Advisory Council.

Jacklyn K. Van Ekeren, Iowa Comprehensive Petroleum Underground Storage Tank Fund Board.

Catherine S. Brown, Landscape Architectural Examining Board.

Dorothy D. Warren, State Board for Respiratory Care.

Donald L. Decker, State Judicial Nominating Commission.

Senator Iverson moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 50:

Angelo
Black, J.
Dearden
Dvorsky

Bartz
Boettger
Deluhery
Fink

Behn
Borlaug
Douglas
Flynn

Black, D.
Connolly
Drake
Fraise

Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House File 644** be **immediately messaged** to the House.

The Senate stood at ease at 9:58 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:06 a.m., President Kramer presiding.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar) (Deferred April 14, 1997)

The Senate resumed consideration of the appointment of Diane E. Palmer as a member of the Board of Mortuary Science Examiners, deferred April 14, 1997.

President pro tempore Redfern took the chair at 11:25 a.m.

Senator Deluhery moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly

Dearden	Deluhery	Douglas	Drake
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Hammond	Hansen
Harper	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lundby	Maddox	McCoy
McKibben	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 3:

Dvorsky	Halvorson	McKean
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The appointee, having received a two-thirds vote was declared to have been confirmed by the Senate.

UNFINISHED BUSINESS CALENDAR

Senate File 528

On motion of Senator Borlaug, Senate File 528, a bill for an act relating to the cleanup and reuse of contaminated property, environmental remediation standards and review procedures, participation in the remediation of contaminated property, liability for the voluntary cleanup of contaminated property, liability protections, and establishing a land recycling fund and placed on the Unfinished Business Calendar on April 3, 1997, was taken up for consideration.

Senator Borlaug offered amendment S—3509 filed by Senators Borlaug, et al., on April 14, 1997, to pages 1-10, 12-17 and 20-22 of the bill.

Senator Borlaug offered amendment S—3513 filed by Senators Borlaug and Fink from the floor to amendment S—3509 and moved its adoption.

Amendment S—3513 was adopted by a voice vote.

Senator Borlaug moved the adoption of amendment S—3509 as amended.

Amendment S—3509 as amended was adopted by a voice vote.

Senator Borlaug moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 528) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rittmer
Schuerer	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.

Senator Iverson asked and received unanimous consent that **Senate File 528 be immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 541, by Iverson and Gronstal, a bill for an act relating to child day care provisions involving group day care homes and establishing a child care home pilot project.

Read first time and **passed on file**.

Senate File 542, by committee on Appropriations, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1996, and providing an effective date.

Read first time and placed on Appropriations Calendar.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 1997, passed the following bills in which the concurrence of the House was asked:

Senate File 232, a bill for an act relating to notarial acts and providing an effective date.

Senate File 417, a bill for an act providing for the amount of a surety bond required to be executed by a treasurer of an extension council.

ALSO: That the House has on April 15, 1997, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 214, a bill for an act relating to the regulation of the use and disposal of sewage sludge and providing a penalty (S—3517).

Senate File 362, a bill for an act establishing a wildlife depredation unit within the department of natural resources, allowing the discharge of firearms in state parks for certain purposes, providing for the issuance of additional free deer hunting licenses, subjecting violators to an existing penalty, and providing an effective date (S—3518).

RECESS

On motion of Senator Iverson, the Senate recessed at 11:58 a.m., until 1:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 14, 1997, 8:16 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Halvorson, Hammond, Harper, Hedge, Horn, Jensen, Maddox, McCoy, Neuhauser, Rehberg, Rensink, Rife, Rittmer, Tinsman and Vilsack.

Members Absent: Lundby (excused).

Committee Business: Amended and approved SSB 268 as a committee bill and recommended passage of Senate File 161.

Adjourned: 8:58 p.m.

JUDICIARY

Convened: April 14, 1997, 8:09 p.m.

Members Present: McKean, Chair; Maddox, Vice Chair; Neuhauser, Ranking Member; Angelo, Boettger, Drake, Fraise, Halvorson, McKibben, Redfern and Vilsack.

Members Absent: Hammond, Hansen, King and Tinsman (all excused).

Committee Business: Assigned bills to subcommittees and recommended confirmation of governor's appointees.

Adjourned: 8:12 p.m.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 15th day of April, 1997:

Senate Files 104, 222, 457, 296 and 523.

MARY PAT GUNDERSON
Secretary of the Senate

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 161, a bill for an act modifying the holding temperature required for the storage of eggs sold at retail.

Recommendation: DO PASS.

Final Vote Ayes, 24: McLaren, Kramer, Flynn, Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Halvorson, Hammond, Harper, Hedge, Horn, Jensen, Maddox, McCoy, Neuhauser, Rehberg, Rensink, Rife, Rittmer, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 542 (SSB 268), a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1996, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote Ayes, 24: McLaren, Kramer, Flynn, Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Halvorson, Hammond, Harper, Hedge, Horn, Jensen, Maddox, McCoy, Neuhauser, Rehberg, Rensink, Rife, Rittmer, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Lundby.

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 542 and they were attached to the committee report.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Four eleventh and twelfth grade students from Jefferson-Scranton High School, Jefferson, accompanied by Jan Rosdail. Senator Behn.

Fifty-two fifth grade students from Jordan Creek Elementary School, West Des Moines, accompanied by Sarah Gostonczik and Mike Gabrielson. Senator Kramer.

SUBCOMMITTEE ASSIGNMENTS

Senate File 539

JUDICIARY: McKean, Chair; Angelo and Hammond

House File 715

APPROPRIATIONS: Tinsman, Chair; Hammond and McLaren

AMENDMENTS FILED

S-3513	S. F.	528	Allen Borlaug Bill Fink
S-3514	H. F.	611	Robert E. Dvorsky
S-3515	H. F.	611	Robert E. Dvorsky
S-3516	H. F.	697	Don Gettings
S-3517	S. F.	214	House amendment
S-3518	S. F.	362	House amendment
S-3519	H. F.	697	Mary A. Lundby Merlin E. Bartz
S-3520	S. F.	538	Tom Vilsack Rod Halvorson
S-3521	S. F.	538	Tom Vilsack

AFTERNOON SESSION

The Senate reconvened at 1:16 p.m., President pro tempore Redfern presiding.

QUORUM CALL

Senator Iverson 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)

House File 306

Senator McKibben called up for consideration, House File 306, a bill for an act relating to the individual income tax by extending the special method of computation of tax for value-added S corporation shareholders to all S corporation shareholders and eliminating the refund limitation and including effective and retroactive applicability date provisions, with report of committee recommending passage, was taken up for consideration.

Senator McKibben moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 306) the vote was:

Ayes, 41:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Deluhery	Douglas
Drake	Fink	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hansen
Harper	Hedge	Horn	Iverson
Jensen	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 7:

Connolly
Judge

Dearden
Neuhauser

Dvorsky
Palmer

Hammond

Present, 2:

Black, J.

Flynn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **House File 306** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 519

Senator Rife called up for consideration Senate File 519, a bill for an act relating to the authorized use and users of the Iowa communications network and providing an effective date, amended by the House in House amendment S—3470 filed April 10, 1997.

The Senate stood at ease at 1:50 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 2:35 p.m., President pro tempore Redfern presiding.

BUSINESS PENDING

Senate File 519

The Senate resumed consideration of Senate File 519.

Senator Connolly asked and received unanimous consent that action on House amendment S—3470 and **Senate File 519** be **deferred**.

CONSIDERATION OF BILL

(Ways and Means Calendar)

Senate File 538

On motion of Senator Palmer, Senate File 538, a bill for an act to increase the tuition and textbook tax credit to twenty percent of the

first one thousand dollars of K through 12 tuition and textbook expenses and providing a retroactive applicability date, was taken up for consideration.

Senator Vilsack offered amendment S—3521 filed by him from the floor to page 1 of the bill.

Senator Douglas raised the point of order that amendment S—3521 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3521 in order.

Senator Iverson asked and received unanimous consent that action on amendment S—3521 and **Senate File 538** be deferred.

BUSINESS PENDING

Senate File 519

The Senate resumed consideration of Senate File 519, a bill for an act relating to the authorized use and users of the Iowa communications network and providing an effective date and House amendment S—3470, previously deferred.

Senator Connolly offered amendment S—3525 filed by Senators Connolly and Flynn from the floor to House amendment S—3470.

Senator Rife raised the point of order that amendment S—3525 to House amendment S—3470 was not germane.

The Chair ruled the point well taken and amendment S—3525 out of order.

Senator Rife moved that the Senate concur in the House amendment.

A non record roll call was requested.

The ayes were 38, nays 2.

The motion prevailed and the Senate concurred in the House amendment.

Senator Rife 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. 519) the vote was:

Ayes, 35:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Douglas
Drake	Flynn	Fraise	Freeman
Hansen	Hedge	Iverson	Jensen
Kibbie	King	Kramer	Maddox
McCoy	McKean	McKibben	McLaren
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 15:

Connolly	Dearden	Deluhery	Dvorsky
Fink	Gettings	Gronstal	Halvorson
Hammond	Harper	Horn	Judge
Lundby	Neuhauser	Palmer	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that an immediate message be sent to the House on **Senate File 519**.

BUSINESS PENDING

Senate File 538

The Senate resumed consideration of Senate File 538, a bill for an act to increase the tuition and textbook tax credit to twenty percent of the first one thousand dollars of K through 12 tuition and textbook expenses and providing a retroactive applicability date and amendment S—3521 by Senator Vilsack to page 1 of the bill, previously deferred.

Senator Vilsack moved the adoption of amendment S—3521.

A record roll call was requested.

On the question "Shall amendment S—3521 be adopted?" (S.F. 538) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 31:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Horn	Judge
Kibbie	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	Neuhauser
Redfern	Rife	Rittmer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 19:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	McLaren	Palmer	Redwine
Rehberg	Rensink	Schuerer	

Amendment S—3521 was adopted.

Senator Iverson asked and received unanimous consent that action on **Senate File 538** be **deferred**.

UNFINISHED BUSINESS CALENDAR

House File 383

On motion of Senator Rittmer, House File 383, a bill for an act relating to information centers and rest areas on interstate or primary highways and providing effective and retroactive applicability dates, with report of committee recommending passage

and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

President Kramer took the chair at 4:08 p.m.

Senator Bartz withdrew amendments S—3447 and S—3445 filed by him on April 9, 1997, to page 1 of the bill.

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. 383) the vote was:

Ayes, 49:

Angelo	Behn	Black, D.	Black, J.
Boettger	Borlaug	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Present, 1:

Bartz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **House File 383** be **immediately messaged** to the House.

UNFINISHED BUSINESS CALENDAR

House File 233

On motion of Senator Lundby, House File 233, a bill for an act relating to cooperative associations, by providing for the filing of documents and providing for the effective date of a merger or consolidation, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Connolly for the remainder of the day on request of Senator Gronstal.

BUSINESS PENDING

House File 233

The Senate resumed consideration of House File 233.

Senator Lundby moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 233) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Connolly

McKibben

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 109

Senator King called up for consideration Senate File 109, a bill for an act relating to workers' compensation coverage for employment outside of the state, amended by the House, and moved that the Senate concur in House amendment S—3382 filed April 7, 1997.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator King 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. 109) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Fraise	Freeman	Gettings
Gronstal	Halvorson	Hammond	Hansen
Harper	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lundby	Maddox	McCoy
McKean	McLaren	Neuhauser	Palmer
Redfern	Redwine	Rehberg	Rensink
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Present, 1:

Flynn

Absent or not voting, 4:

Connolly

McKibben

Rife

Rittmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House File 233** be **immediately messaged** to the House and to send an immediate message to the House on Senate File 109.

INTRODUCTION OF BILL

Senate File 543, by Iverson and Gronstal, a bill for an act relating to public retirement systems by providing for the exclusion of certain publicly elected officials from membership, and the calculation of dividends for certain retirees, under the Iowa public employees' retirement system.

Read first time and **passed on file**.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 1997, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 529, 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 (S—3527).

ALSO: That the House has on April 15, 1997, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 236, a bill for an act relating to eligibility for unemployment compensation benefits for temporary employees of a temporary employment firm.

House File 645, 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 and including an effective date provision.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

S. F.	541	Human Resources
S. F.	543	State Government

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S-3521 to Senate File 538 was adopted by the Senate on April 15, 1997.

MATT McCOY

AMENDMENTS FILED

S-3523	S. F.	538	Mike Connolly
S-3524	H. F.	697	Mary Lundby Merlin E. Bartz
S-3522	H. F.	694	Steven D. Hansen
S-3525	S. F.	519	Mike Connolly Tom Flynn
S-3526	S. F.	538	Rod Halvorson
S-3527	S. F.	529	House amendment
S-3528	H. F.	698	Elaine Szymoniak

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:01 p.m., until 9:00 a.m., Wednesday, April 16, 1997.

JOURNAL OF THE SENATE

NINETY-FOURTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 16, 1997

The Senate met in regular session at 9:20 a.m., President Kramer presiding.

Prayer was offered by Father Ralph Simington, pastor of St. Mary's Catholic Church, Manchester, Iowa.

The Journal of Tuesday, April 15, 1997, was approved.

UNFINISHED BUSINESS CALENDAR

House File 376

On motion of Senator Boettger, House File 376, a bill for an act relating to child welfare provisions involving juvenile justice dispositional orders, hearings, and placements and providing an effective date, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Connolly until he arrives on request of Senator Flynn; Senator McCoy until he arrives on request of Senator Gronstal; Senator Redwine until he arrives on request of Senator Schuerer and Senator Neuhauser until she arrives on request of Senator Dvorsky.

BUSINESS PENDING

House File 376

The Senate resumed consideration of House File 376.

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. 376) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McKean	McKibben	McLaren	Palmer
Redfern	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Connolly	McCoy	Neuhauser	Redwine
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

House File 701

On motion of Senator Gronstal, House File 701, a bill for an act relating to the requirements for portability and continuity of health care coverage for individuals among certain types of health care coverage, and related matters, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, 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. 701) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Boettger	Borlaug	Dearden	Deluhery
Douglas	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gettings
Gronstal	Halvorson	Hammond	Hansen
Harper	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lundby	Maddox	McKean
McKibben	McLaren	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Black, J.	Connolly	McCoy	Neuhauser
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR (Deferred April 15, 1997)

House File 611

The Senate resumed consideration of House File 611, a bill for an act relating to permissible charges which may be contracted for and received with respect to open-end credit, deferred April 15, 1997.

Senator Dvorsky offered amendment S—3514 filed by him on April 15, 1997, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 29.

Amendment S—3514 lost.

Senator Dvorsky offered amendment S—3515 filed by him on April 15, 1997, to page 2 of the bill.

Senator Schuerer raised the point of order that amendment S—3515 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3515 out of order.

Senator Schuerer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 611) the vote was:

Ayes, 31:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Deluhery	Douglas
Drake	Flynn	Freeman	Hansen
Hedge	Iverson	Jensen	King
Kramer	Lundby	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Zieman	

Nays, 17:

Black, D.	Dearden	Dvorsky	Fink
Fraise	Gettings	Gronstal	Halvorson
Hammond	Harper	Horn	Judge
Kibbie	Neuhauser	Palmer	Szymoniak
Vilsack			

Absent or not voting, 2:

Connolly	McCoy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 1997, passed the following bill in which the concurrence of the House was asked:

Senate File 460, a bill for an act relating to membership on the workforce development board and providing an effective date.

ALSO: That the House has on April 15, 1997, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 515, a bill for an act relating to juvenile justice and youthful offenders, by making changes in provisions relating to illegal purchase or possession of alcohol and tobacco by juveniles and youthful offenders, making changes relating to dramshop liability, providing for notification of school officials of possession of alcohol by students, providing for the taking of fingerprints and photographs of certain juveniles, permitting victims to make oral victim impact statements in juvenile proceedings, making changes related to the supplying of alcohol to persons under the age of twenty-one, providing for sharing of information regarding delinquent juveniles and juveniles under the jurisdiction of various social services agencies, providing for shared jurisdiction between the adult and juvenile courts over youthful offenders, changing the criteria for placement in the state training school or other facility, making changes relating to state reimbursement for expenses of court-appointed attorneys in juvenile court, permitting the release of information relating to juveniles who have escaped from a detention facility, providing for notification of juvenile court authorities of unexcused absences or suspensions or expulsions of students who are on probation, providing for bailiff and other law enforcement assistance to associate juvenile judges, including arrest or disposition or custody or adjudication data in criminal history data kept by the department of public safety, authorizing school officials to conduct searches of students and their lockers and other spaces and to report possession or use of alcohol or controlled substances to law enforcement authorities (S—3526)

ALSO: That the House has on April 15, 1997, 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 121, a bill for an act relating to notification procedures prior to the performance of an abortion on or termination of parental rights of a minor and applicable penalties (S—3530 to H—1691).

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 376 and 701** be **immediately messaged** to the House.

UNFINISHED BUSINESS CALENDAR

House File 384

On motion of Senator King, House File 384, a bill for an act to include certain products containing ephedrine as schedule V controlled substances, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration

Senator King moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 384) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Connolly McCoy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 360

On motion of Senator Redfern, Senate File 360, a bill for an act authorizing the utilities board to issue certificates of public convenience and necessity to municipal telecommunications utilities, regulating certain municipal utilities as competitive local exchange service providers, and including effective date and retroactive applicability provisions, placed on the Unfinished Business Calendar on April 3, 1997, was taken up for consideration.

Senator Redfern asked and received unanimous consent that **House File 596** be substituted for **Senate File 360**.

House File 596

On motion of Senator Redfern, House File 596, a bill for an act authorizing the utilities board to issue certificates of public convenience and necessity to municipal telecommunications utilities, regulating certain municipal utilities as competitive local exchange service providers, and including effective date and retroactive applicability provisions, 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. 596) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Connolly McCoy

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 360** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS CALENDAR

Senate File 500

On motion of Senator Rife, Senate File 500, a bill for an act relating to pari-mutuel racing and excursion boat gambling, and providing penalties and an effective date, placed on the Unfinished Business Calendar on April 3, 1997, was taken up for consideration.

Senator McKean offered amendment S—3441 filed by Senators McKean and Halvorson on April 9, 1997, to pages 1 and 3 of the bill.

Senator Rife raised the point of order that amendment S—3441 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3441 in order.

Senator McKean moved the adoption of amendment S—3441.

A record roll call was requested.

On the question "Shall amendment S—3441 be adopted?" (S.F. 500) the vote was:

Ayes, 31:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Drake
Dvorsky	Fink	Flynn	Fraise

Freeman	Halvorson	Hammond	Hansen
Harper	Hedge	Jensen	King
Kramer	McKean	McKibben	Neuhauser
Redfern	Redwine	Rensink	Rittmer
Schuerer	Tinsman	Zieman	

Nays, 17:

Dearden	Deluhery	Douglas	Gettings
Gronstal	Horn	Iverson	Judge
Kibbie	Lundby	Maddox	McCoy
McLaren	Palmer	Rehberg	Rife
Szymoniak			

Absent or not voting, 2:

Connolly	Vilsack
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Amendment S—3441 was adopted.

Senator Rittmer offered amendment S—3534 filed by Senators Rittmer, Drake and Borlaug from the floor to pages 1 and 3 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3534 be adopted?" (S.F. 500) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Angelo	Borlaug	Dearden	Deluhery
Douglas	Drake	Fink	Flynn
Freeman	Gronstal	Hansen	Horn
Iverson	Judge	Kibbie	Kramer
Lundby	McCoy	McLaren	Palmer
Rehberg	Rittmer	Tinsman	

Nays, 25:

Bartz	Behn	Black, D.	Black, J.
Boettger	Dvorsky	Fraise	Gettings

Halvorson	Hammond	Harper	Hedge
Jensen	King	Maddox	McKean
Neuhauser	Redfern	Redwine	Rensink
Rife	Schuerer	Szymoniak	Vilsack
Zieman			

Absent or not voting, 2:

Connolly McKibben

Amendment S—3534 lost.

Senator Rife offered amendment S—3535 filed by him from the floor to pages 3, 5 and the title page of the bill.

Senator McCoy raised the point of order that amendment S—3535 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3535 out of order.

Senator Rife asked and received unanimous consent that action on the following motion to reconsider filed by him from the floor be deferred:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3534 to Senate File 500 failed to be adopted by the Senate on April 16, 1997.

Senator Rife asked and received unanimous consent that action on **Senate File 500** be **deferred**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 384 and 596** be **immediately messaged** to the House.

UNFINISHED BUSINESS CALENDAR (Deferred April 9, 1997)

House File 577

The Senate resumed consideration of House File 577, a bill for an act relating to continuing education requirements of real estate appraisers, deferred April 9, 1997.

Senator Dvorsky withdrew amendments S—3452 and S—3456 filed by him on April 9, 1997, to page 1 and the title page of the bill.

Senator Fink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 577) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Connolly Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

House File 439

On motion of Senator Tinsman, House File 439, a bill for an act relating to the development of a repository for criminal history, abuse and sex offender registries, and nurse aide and other health profession certification and licensing information, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 439) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Néuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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 449

On motion of Senator Tinsman, House File 449, a bill for an act to prohibit sex acts when one participant was prevented from consenting by a controlled substance including flunitrazepam, and providing penalties, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 449) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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 Iverson asked and received unanimous consent that **House Files 439, 449 and 577** be **immediately messaged** to the House.

RECESS

On motion of Senator Iverson, the Senate recessed at 11:26 a.m., until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:10 p.m., President Kramer presiding.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 16, 1997, passed the following bill in which the concurrence of the House was asked:

Senate File 240, 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.

ALSO: That the House has on April 16, 1997, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 432, a bill for an act relating to the disposition of private property condemned under eminent domain (S—3540).

ALSO: That the House has on April 16, 1997, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 92, a bill for an act relating to eligibility for receipt of moneys under the school improvement technology program.

House File 416, a bill for an act relating to regulation of trucks and certain other large motor vehicles, including maximum vehicle weights, defining terms, providing effective dates, and making penalties applicable.

House File 542, a bill for an act to prohibit acts by inmates of jails or correctional institutions which result in contact with bodily fluids or secretions or the casting or expelling of bodily fluids or secretions on jail and correctional employees, and providing penalties.

House File 644, a bill for an act relating to the relationship between a real estate broker or salesperson and parties to certain real estate transactions and providing an effective date.

House File 692, a bill for an act relating to the criteria for issuance of handicapped special plates and making a civil penalty applicable.

QUORUM CALL

Senator Iverson requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

UNFINISHED BUSINESS CALENDAR

House File 680

On motion of Senator Boettger, House File 680, a bill for an act relating to election of mayors in certain cities and providing an immediate effective date, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, 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. 680) the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Szymoniak
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Connolly	Lundby	Rife	Tinsman
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 615

On motion of Senator Angelo, House File 615, a bill for an act relating to abandoned coal mines expenditures, including reclamation

of land and drainage abatement, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

Senator Angelo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 615) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Connolly Tinsman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 615 and 680** be **immediately messaged** to the House.

UNFINISHED BUSINESS CALENDAR (Deferred April 11, 1997)

House File 331

The Senate resumed consideration of House File 331, a bill for an act relating to the authorization of school officials to conduct searches of students, student protected areas, lockers, desks, and other

facilities and spaces and including effective and applicability provisions and division S—3356B by the committee on Education to page 1 of the bill, deferred April 11, 1997.

Senator Fink offered amendment S—3489 filed by him on April 14, 1997, to division S—3356B and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3489 to division S—3356B be adopted?" (H.F. 331) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Black, D.	Dearden	Deluhery	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Horn	Judge
Kibbie	Kramer	Lundby	McCoy
Neuhauser	Palmer	Szymoniak	Vilsack

Nays, 24:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Hedge	Iverson	Jensen	King
Maddox	McKean	McKibben	McLaren
Redfern	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Zieman

Absent or not voting, 2:

Connolly	Tinsman
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Amendment S—3489 lost.

Senator Fink asked and received unanimous consent that action on division S—3356B and **House File 331** be deferred.

UNFINISHED BUSINESS CALENDAR

House File 698

On motion of Senator Szymoniak, House File 698, a bill for an act relating to child abuse information and the central registry for child

abuse information maintained by the department of human services and providing an effective date, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

Senator Szymoniak offered amendment S—3477 filed by Senators Szymoniak, Boettger and Black of Kossuth on April 10, 1997, to pages 1 and 3-18 of the bill.

Senator Szymoniak offered amendment S—3528 filed by her from the floor to pages 1 and 11 of amendment S—3477 and moved its adoption.

Amendment S—3528 was adopted by a voice vote.

Senator King asked and received unanimous consent that action on amendment S—3477 as amended and House File 698 be deferred.

House File 514

On motion of Senator Douglas, House File 514, a bill for an act relating to financial liability coverage and registration requirements for motor vehicles in this state, providing for the seizure of motor vehicle registration plates, and providing penalties and effective dates, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

Senator Rife offered amendment S—3490 filed by him on April 14, 1997, to strike everything after the enacting clause and to the title page of the bill.

Senator Maddox took the chair at 2:47 p.m.

Senator Rife moved the adoption of amendment S—3490 and requested a record roll call.

President Kramer took the chair at 2:54 p.m.

On the question "Shall amendment S—3490 be adopted?" (H.F. 514) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Black, D.	Black, J.	Borlaug	Drake
Dvorsky	Fink	Gronstal	Hammond
Harper	Horn	Iverson	Judge
Kibbie	Maddox	McCoy	McLaren
Neuhauser	Palmer	Rife	Vilsack

Nays, 29:

Angelo	Bartz	Behn	Boettger
Dearden	Deluhery	Douglas	Flynn
Fraise	Freeman	Gettings	Halvorson
Hansen	Hedge	Jensen	King
Kramer	Lundby	McKean	McKibben
Redfern	Redwine	Rehberg	Rensink
Rittmer	Schuerer	Szymoniak	Tinsman
Zieman			

Absent or not voting, 1:

Connolly

Amendment S—3490 lost.

Senator Neuhauser offered amendment S—3500 filed by her on April 14, 1997, to pages 1 and 11 of the bill and moved its adoption.

Amendment S—3500 lost by a voice vote.

Senator Vilsack offered amendment S—3544 filed by Senators Vilsack and Drake from the floor to page 4 of the bill and moved its adoption.

Amendment S—3544 was adopted by a voice vote.

Senator Neuhauser offered amendment S—3492 filed by her on April 14, 1997, to page 6 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3492 be adopted?" (H.F. 514) the vote was:

Ayes, 26:

Black, D.	Dearden	Deluhery	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Hedge
Horn	Judge	Kibbie	Lundby
McCoy	Neuhauser	Palmer	Rife
Szymoniak	Vilsack		

Nays, 23:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Iverson
Jensen	King	Kramer	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rittmer
Schuerer	Tinsman	Zieman	

Absent or not voting, 1:

Connolly

Amendment S—3492 was adopted.

Senator Douglas offered amendment S—3541 filed by her from the floor to pages 2, 9 and 10 of the bill and moved its adoption.

Amendment S—3541 was adopted by a voice vote.

Senator Neuhauser asked and received unanimous consent that action on **House File 514** be **deferred**.

UNFINISHED BUSINESS CALENDAR

House File 647

On motion of Senator Schuerer, House File 647, a bill for an act defining the crime of theft to include the utterance of a financial instrument for the use of property which knowingly will not be paid

when presented to a financial institution and making a penalty applicable, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

Senator Schuerer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 647) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Judge	Kibbie	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Connolly	Jensen	Tinsman
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 450

On motion of Senator Rittmer, House File 450, a bill for an act relating to application of the penalty for improperly passing a stopped school bus, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

Senator Maddox took the chair at 3:38 p.m.

Senator Rittmer asked and received unanimous consent that action on **House File 450** be deferred.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: HOUSE FILE 715, 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: DO PASS.

Final Vote: Ayes, 14: McLaren, Kramer, Behn, Borlaug, Douglas, Freeman, Hedge, Jensen, Lundby, Maddox, Rehberg, Rensink, Rittmer and Tinsman. Nays, 9: Flynn, D. Black, Dvorsky, Halvorson, Hammond, Harper, Horn, Neuhauser and Vilsack. Absent or not voting, 2: McCoy and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Boettger asked and received unanimous consent to take up for consideration House File 715.

House File 715

On motion of Senator Tinsman, House File 715, 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, with report of committee recommending passage, was taken up for consideration.

Senator Iverson asked and received unanimous consent that action on **House File 715** be deferred.

BUSINESS PENDING

House File 698

The Senate resumed consideration of House File 698, a bill for an act relating to child abuse information and the central registry for

child abuse information maintained by the department of human services and providing an effective date and amendment S—3477 as amended, previously deferred.

Senator King offered amendment S—3547 filed by him from the floor to amendment S—3477.

Senator Szymoniak called for a division of amendment S—3547 to amendment S—3477: lines 4-8 as division S—3547A; and lines 9-49 as division S—3547B.

Senator King withdrew division S—3547A to amendment S—3477.

Senator King moved the adoption of division S—3547B to amendment S—3477, which motion prevailed by a voice vote.

Senator Szymoniak moved the adoption of amendment S—3477 as amended, which motion prevailed by a voice vote.

President Kramer took the chair at 4:16 p.m.

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. 698) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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 Iverson asked and received unanimous consent that **House Files 647 and 698** be **immediately messaged** to the House.

UNFINISHED BUSINESS CALENDAR

House File 662

On motion of Senator Maddox, House File 662, a bill for an act relating to the defense of criminal charges, by making changes in the penalties applicable to certain offenses for which appointment of counsel is required, providing county attorneys or their designees with access to the centralized employee registry for purposes of collection of restitution, making changes relating to the determination of a person's indigency, prohibiting the submission of false information on an affidavit of financial status, requiring the state to enforce liens for restitution in criminal cases, and providing penalties, with report of committee recommending passage and placed on the Unfinished Business Calendar, was taken up for consideration.

Senator Maddox offered amendment S—3459 filed by him on April 10, 1997, to pages 6, 7 and 9 of the bill and moved its adoption.

Amendment S—3459 was adopted by a voice vote.

Senator Maddox offered amendment S—3475 filed by him on April 10, 1997, to page 8 of the bill and moved its adoption.

Amendment S—3475 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. 662) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McLaren	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Zieman	

Nays, none.

Present, 1:

Vilsack

Absent or not voting, 2:

Connolly McKibben

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **House File 662** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Pending February 27, 1997)

Senate File 161

The Senate resumed consideration of Senate File 161, a bill for an act modifying the holding temperature required for the storage of eggs sold at retail, referred to the committee on Appropriations on February 27, 1997, with report of committee on Appropriations recommending passage on April 15, 1997, was taken up for further consideration.

Senator Rife moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 161) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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 Iverson asked and received unanimous consent that **Senate File 161** be **immediately messaged** to the House.

BUSINESS PENDING

House File 514

The Senate resumed consideration of House File 514, a bill for an act relating to financial liability coverage and registration requirements for motor vehicles in this state, providing for the seizure of motor vehicle registration plates, and providing penalties and effective dates, previously deferred.

Senator Neuhauser withdrew amendment S—3550 filed by her from the floor to pages 1, 2, 4-6 and 10-12 of the bill.

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. 514) the vote was:

Ayes, 37:

Angelo	Bartz	Behn	Boettger
Connolly	Dearden	Deluhery	Douglas
Flynn	Fraise	Freeman	Gettings
Halvorson	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
Palmer	Redfern	Redwine	Rife
Rittmer	Schuerer	Tinsman	Vilsack
Zieman			

Nays, 12:

Black, D.	Black, J.	Borlaug	Drake
Dvorsky	Fink	Gronstal	Hammond
Neuhauser	Rehberg	Rensink	Szymoniak

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.

BUSINESS PENDING

House File 331

The Senate resumed consideration of House File 331, a bill for an act relating to the authorization of school officials to conduct searches of students, student protected areas, lockers, desks, and other facilities and spaces and including effective and applicability

provisions and division S—3356B by committee on Education to page 1 of the bill, previously deferred.

Senator Redwine moved the adoption of division S—3356B.

A record roll call was requested.

On the question "Shall division S—3356B be adopted?" (H.F. 331) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Horn	Judge
Kibbie	Lundby	McCoy	Neuhauser
Palmer	Szymoniak	Vilsack	

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Maddox	McKean
McKibben	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 1:

McLaren

Division S—3356B lost.

Senator Neuhauser withdrew amendment S—3231 filed by her on March 25, 1997, to page 1 of the bill.

Senator Fink offered amendment S—3551 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—3551 be adopted?" (H.F. 331) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Horn
Judge	Kibbie	McCoy	Neuhauser
Palmer	Rife	Szymoniak	Vilsack

Nays, 25:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Hedge	Iverson	Jensen	King
Kramer	Lundby	Maddox	McKean
McKibben	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Tinsman
Zieman			

Absent or not voting, 1:

McLaren

Amendment S—3551 lost.

Senator Vilsack offered amendment S—3542 filed by Senators Vilsack, Redwine and Boettger from the floor to page 2 of the bill and moved its adoption.

Amendment S—3542 was adopted by a voice vote.

Senator Vilsack asked and received unanimous consent to withdraw amendment S—3480 filed by Senators Vilsack, Redwine and Boettger on April 14, 1997, to page 2 of the bill.

Senator Redwine moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 331) the vote was:

Ayes, 43:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Fink	Flynn	Fraise	Freeman
Gettings	Halvorson	Hansen	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
Palmer	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 6:

Dvorsky	Gronstal	Hammond	Harper
Neuhauser	Rife		

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.

Senator Iverson asked and received unanimous consent that **House File 331** be **immediately messaged** to the House.

UNFINISHED BUSINESS CALENDAR

House File 694

On motion of Senator Angelo, House File 694, a bill for an act extending the provisions relating to the eradication of brucellosis to apply to animals other than bovine animals, making penalties applicable, and providing an effective date, with report of committee recommending amendment and passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

Senator Angelo offered amendment S—3303 filed by the committee on Agriculture on April 1, 1997, to pages 6, 9, 10 and 12 of the bill and moved its adoption.

Amendment S—3303 was adopted by a voice vote.

Senator Hansen offered amendment S—3522 filed by him on April 15, 1997, to page 14 and the title page of the bill.

Senator Rensink raised the point of order that amendment S—3522 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3522 out of order.

Senator Angelo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 694) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Redfern

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 16, 1997, 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 236, a bill for an act relating to the certificate of need program.

ALSO: That the House has on April 16, 1997, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 128, a bill for an act relating to the statistical reporting of terminations of pregnancy and establishing a penalty (S—3553).

ALSO: That the House has on April 16, adopted the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 18, a concurrent resolution recognizing the 150th anniversary of the founding of the University of Iowa.

This resolution was read first time and **passed on file**.

House Concurrent Resolution 21, a concurrent resolution establishing a special commission to study and make recommendations concerning urban planning, growth management of cities, and protection of farmland.

This resolution was read first time and **passed on file**.

ALSO: That the House has on April 16, 1997, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 708, a bill for an act relating to agriculture and natural resources by providing for appropriations, related statutory changes, and providing an effective date.

House File 710, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's alliance on substance abuse, and the commission of veterans affairs, and providing an effective date.

ALSO: That the House has on April 16, 1997, 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 579, a bill for an act relating to the membership of the medical assistance advisory council (S—3545 to H—1646).

INTRODUCTION OF BILLS

Senate File 544, by committee on Ways and Means, a bill for an act relating to the designation of unincorporated areas of a county as rural improvement zones, providing for improvement projects in the zones, authorizing the issuance of certificates of indebtedness, and payment of the indebtedness by tax increment financing and an annual standby tax by such zones.

Read first time and **placed on Ways and Means Calendar.**

Senate File 545, by committee on Ways and Means, a bill for an act relating to the nonrenewal or suspension of motor vehicle licenses for failure to pay indebtedness owed to or being collected by the state in pilot project counties, and providing an effective date.

Read first time and **placed on Ways and Means Calendar.**

HOUSE AMENDMENT CONSIDERED

Senate File 193

Senator Black of Kossuth called up for consideration Senate File 193, a bill for an act relating to the election of trustees for special land use districts, amended by the House and moved that the Senate concur in House amendment S—3462 filed April 10, 1997.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Black of Kossuth 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. 193) the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

House File 142

On motion of Senator Dearden, House File 142, a bill for an act relating to the hunting of deer with a pistol or revolver and providing a penalty, with report of committee recommending amendment and passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

Senator Dearden offered amendment S—3200 filed by the committee on Natural Resources on March 20, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3200 was adopted by a voice vote.

Senator King withdrew amendment S—3531 filed by him from the floor to page 1 of the bill.

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. 142) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Dearden
Deluhery	Douglas	Flynn	Horn
Iverson	King	Kramer	Lundby
McCoy	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rittmer
Schuerer	Zieman		

Nays, 24:

Connolly	Drake	Dvorsky	Fink
Fraise	Freeman	Gettings	Gronstal
Halvorson	Hammond	Hansen	Harper
Hedge	Jensen	Judge	Kibbie
Maddox	McKean	Neuhauser	Palmer
Rife	Szymoniak	Tinsman	Vilsack

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 694 and 142** and **Senate File 193** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 16, 1997, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 241, a bill for an act adopting the uniform transfer on death security registration Act (S—3556).

APPENDIX**REPORT OF THE SECRETARY OF THE SENATE**

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 528, the following corrections were made:

1. Page 7, line 26, the number "455H.302" was changed to the number "455H.301".
2. Page 7, line 33, the word and number "subsection 3" were changed to the word and number "subsection 2".
3. Page 15, line 34, the number "455H.302" was changed to the number "455H.301".
4. Page 19, line 27, the number "455H.302" was changed to the number "455H.301".
5. Page 20, line 3, the number "455H.302" was changed to the number "455H.302".
6. Page 26, line 24, the number "455H.303" was changed to the number "455H.301".
7. Page 28, line 16, the number "455H.302" was changed to the number 455H.301".

MARY PAT GUNDERSON
Secretary of the Senate

EXPLANATIONS OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 16, 1997, when the vote was taken on House File 376.

Had I been present, I would have voted "aye".

JOHN REDWINE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 16, 1997, when the vote was taken on House Files 615 and 680.

Had I been present, I would have voted "aye" on both bills.

MAGGIE TINSMAN

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 16, 1997, when the vote was taken on House File 662.

Had I been present, I would have voted "aye".

LARRY McKIBBEN

STUDY BILLS RECEIVED

SSB 269 Agriculture

A senate resolution to request that the Legislative Council establish a study committee to consider issues relating to holding legal or equitable interests in agricultural land.

SSB 270 Ways and Means

Providing for the creation of an Iowa educational savings plan trust, addressing tax aspects, and containing applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 543

STATE GOVERNMENT: Rittmer, Chair; Kibbie and McKibben

SSB 269

AGRICULTURE: Rensink, Chair; Behn and Kibbie

SSB 270

WAYS AND MEANS: Borlaug, Chair; Hedge and Vilsack

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 16th day of April, 1997:

Senate Files 75, 118, 230, 395, 501, 516 and 361.

MARY PAT GUNDERSON
Secretary of the Senate

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 611 passed the Senate on April 16, 1997.

PATRICK J. DELUHERY

MADAM PRESIDENT: I move to reconsider the vote by which House File 611 passed the Senate on April 16, 1997.

NEAL SCHUERER

MADAM PRESIDENT: I move to reconsider the vote by which House File 514 passed the Senate on April 16, 1997.

JACK RIFE

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Three fifth grade students from Winterset school, accompanied by Linda Jones. Senator Douglas.

Forty students, members of the Camp Fire girls and boys from Cedar Rapids, Lisbon, Mount Vernon and Marion, accompanied by Halane Cummings. Senator Dvorsky.

Twenty sixth grade students from Hoover Elementary School, Iowa City, accompanied by Mrs. Myrik, Mrs. McNeil and Mrs. Farraj. Senator Dvorsky.

Thirty students from Collins-Maxwell High School, Maxwell, accompanied by JoAnn Triggs. Senators Hammond and McKibben.

Twenty-two eighth grade students from West Marshall High School, State Center, accompanied by Pat Anderson. Senator McKibben.

Fifty-one ninth grade students from Oelwein High School, Oelwein, accompanied by Steve Pike. Senator Rehberg.

Thirty sixth grade students from Hoover Elementary School, Iowa City, accompanied by Ronda Myrvick. Senator Neuhauser.

Senator Szymoniak presented five government group visitors who are in Iowa for three weeks to learn about government through the Community Connections program sponsored by the Iowa Council for International Understanding who provide training on contract with the Ukraine and Moldova concerning government, business, and the legal system for foreign visitors to the United States.

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE FILE 543, a bill for an act relating to public retirement systems by providing for the exclusion of certain publicly elected officials from membership, and the calculation of dividends for certain retirees, under the Iowa public employees' retirement system.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Rittmer, Lundby, Kibbie, Borlaug, Deluhery, Drake, Fink, Gronstal, Halvorson, King, McLaren, Rife and Szymoniak. Nays, none. Pass, 2: McKibben and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 445, a bill for an act relating to the budgets of county emergency management agencies and providing an applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Douglas, McKibben, Palmer, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, Redfern, Szymoniak and Vilsack. Nays, none. Absent or not voting, 3: Borlaug, Connolly and McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 544 (SSB 259), a bill for an act relating to the designation of unincorporated areas of a county as rural improvement zones, providing for improvement projects in the zones, authorizing the issuance of certificates of indebtedness, and payment of the indebtedness by tax increment financing and an annual standby tax by such zones.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Douglas, McKibben, Palmer, Borlaug, Drake, Freeman, Hedge, Judge, Maddox, Redfern, Szymoniak and Vilsack. Nays, 1: Deluhery. Absent or not voting, 2: Connolly and McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 544 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 545 (SSB 262), a bill for an act relating to the nonrenewal or suspension of motor vehicle licenses for failure to pay

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Douglas, McKibben, Palmer, Borlaug, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, Redfern, Szymoniak and Vilsack. Nays, none. Absent or not voting, 2: Connolly and McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 545 and they were attached to the committee report.

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

H. C. R.	18	Education
H. C. R.	21	Local Government
S. F.	540	Business and Labor

AMENDMENTS FILED

S-3529	S. F.	515	House amendment
S-3530	H.F.	121	House amendment
S-3531	H.F.	142	Steve King
S-3532	S. F.	542	Tom Vilsack Mary Lou Freeman Patty Judge
S-3533	S. F.	500	Jack Rife
S-3534	S. F.	500	Sheldon Rittmer Richard F. Drake Allen Borlaug
S-3535	S. F.	500	Jack Rife
S-3536	H.F.	697	James E. Black
S-3537	S. F.	529	Mary A. Lundby
S-3538	H.F.	697	James E. Black
S-3539	H.F.	697	James E. Black
S-3540	S. F.	432	House amendment
S-3541	H.F.	514	JoAnn Douglas
S-3542	H.F.	331	Tom Vilsack

			John Redwine
			Nancy Boettger
S-3543	S. F.	500	Merlin E. Bartz
S-3544	H.F.	514	Tom Vilsack
			Richard F. Drake
S-3545	H.F.	579	House amendment
S-3546	H.F.	625	Robert Dvorsky
			Mary A. Lundby
S-3547	H.F.	698	Steve King
S-3548	H.F.	715	Robert E. Dvorsky
S-3549	H.F.	715	Merlin E. Bartz
S-3550	H.F.	514	Mary Neuhauser
S-3551	H.F.	331	Bill Fink
S-3552	H.F.	612	Nancy Boettger
			Tom Vilsack
			Wilmer Rensink
			Maggie Tinsman
			Elaine Szymoniak
S-3553	S. F.	128	House amendment
S-3554	H.F.	715	Elaine Szymoniak
S-3555	S. F.	543	O. Gene Maddox
			Elaine Szymoniak
S-3556	S. F.	241	House amendment
S-3557	H.F.	715	Wally E. Horn

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 7:40 p.m., until 9:00 a.m., Thursday, April 17, 1997.

JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 17, 1997

The Senate met in regular session at 9:10 a.m., President Kramer presiding.

Prayer was offered by the Reverend Connie O. McWilliams, pastor of the Reorganized Church of Jesus Christ of Latter Day Saints, Persia, Iowa.

The Journal of Wednesday, April 16, 1997, was approved.

INTRODUCTION OF BILLS

Senate File 546, by committee on Ways and Means, a bill for an act relating to the administration of state individual income, corporate, franchise, motor fuel, and other taxes; collection of taxes and use of collection receipts; property taxes; property tax credits and replacement claims; sales, services, and use taxes and the imposition thereof on sales of prepaid telephone calling cards and prepaid authorization numbers; tax refund setoffs; and other duties of the department and director of revenue and finance; providing a penalty; and including effective and retroactive applicability date provisions.

Read first time and **placed on Ways and Means Calendar**.

Senate File 547, by committee on Ways and Means, a bill for an act relating to veterans' benefits, veterans preference, veterans' claims, and providing a penalty.

Read first time and **placed on Ways and Means Calendar**.

MOTIONS TO RECONSIDER WITHDRAWN

House File 611

Senators Deluhery and Schuerer withdrew the motions to reconsider House File 611, a bill for an act relating to permissible

charges which may be contracted for and received with respect to open-end credit, filed by them on April 16, 1997, and found on page 1228 of the Senate Journal.

Senator Iverson asked and received unanimous consent that **House File 611** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 379

Senator Drake called up for consideration Senate File 379, a bill for an act providing for maintenance and repair of out-of-state commercial vehicles and providing an effective date, amended by the House and moved that the Senate concur in House amendment S—3384 filed on April 7, 1997.

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Szymoniak until she arrives on request of Senator Connolly.

BUSINESS PENDING

Senate File 379

The Senate resumed consideration of Senate File 379.

On the question "Shall the bill pass?" (S.F. 379) the vote was:

Ayes, 45:

Angelo
Black, J.

Bartz
Boettger

Behn
Borlaug

Black, D.
Connolly

Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Palmer	Redwine	Rehberg	Rensink
Rife	Rittmer	Schuerer	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Jensen	Neuhauser	Redfern	Szymoniak
Tinsman			

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 393

On motion of Senator Schuerer, Senate File 393, a bill for an act amending the uniform securities Act relating to the registration of securities and the registration of broker-dealers and agents, establishing fees, and providing an effective date, placed on the Unfinished Business Calendar on April 3, 1997, was taken up for consideration.

Senator Schuerer offered amendment S—3250 filed by Senators Schuerer and Jensen on March 26, 1997, to pages 2, 4, 6 and 7 of the bill and moved its adoption.

Amendment S—3250 was adopted by a voice vote.

Senator Schuerer asked and received unanimous consent that **House File 553** be substituted for **Senate File 393**.

House File 553

On motion of Senator Schuerer, House File 553, a bill for an act amending the uniform securities Act relating to the registration of

securities and the registration of broker-dealers and agents, establishing fees, and providing an effective date, was taken up for consideration.

Senator Schuerer offered amendment S—3251 filed by him on March 26, 19997, to page 1 of the bill and moved its adoption.

Amendment S—3251 was adopted by a voice vote.

Senator Schuerer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 553) the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Neuhauser	Palmer	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	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 Iverson asked and received unanimous consent that **House File 553** be **immediately messaged** to the House and to send an immediate message to the House on **Senate File 379**.

Senator Schuerer asked and received unanimous consent that **Senate File 394** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS CALENDAR

House File 612

On motion of Senator Boettger, House File 612, a bill for an act relating to child support recovery, providing penalties, and providing effective dates, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

Senator Boettger offered amendment S—3552 filed by Senators Boettger, et al., on April 16, 1997, to pages 26, 27, 31, 35, 41, 46, 115, 116, 119, 120, 125, 127-130, 136, 138, 139 and 144 of the bill and moved its adoption.

Amendment S—3552 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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dvorsky until he returns on request of Senator Neuhauser.

BUSINESS PENDING

House File 612

The Senate resumed consideration of House File 612.

On the question "Shall the bill pass?" (H.F. 612) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond

Hansen	Harper	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Dvorsky

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **House File 612** be **immediately messaged** to the House.

UNFINISHED BUSINESS CALENDAR

Senate File 478

On motion of Senator Schuerer, Senate File 478, a bill for an act relating to the grounds for termination of parental rights of a putative father and placed on the Unfinished Business Calendar on April 3, 1997, was taken up for consideration.

Senator Schuerer offered amendment S—3417 filed by him on April 8, 1997, to strike everything after the enacting clause of the bill.

Senator Vilsack raised the point of order that Senate File 478 was not eligible for consideration under Senate rules.

The Chair ruled the point not well taken and that consideration of Senate File 478 with subsequent substitution, debate and disposition of House File 453 was in order.

Senator Schuerer moved the adoption of amendment S—3417.

Amendment S—3417 was adopted by a voice vote.

Senator Schuerer asked and received unanimous consent that **House File 453** be substituted for **Senate File 478** as amended.

House File 453

On motion of Senator Schuerer, House File 453, a bill for an act relating to the grounds for termination of parental rights of a putative father, was taken up for consideration.

Senator Schuerer offered amendment S—3505 filed by him on April 14, 1997, to pages 1-3 of the bill and moved its adoption.

Amendment S—3505 was adopted by a voice vote.

Senator Schuerer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 453) the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	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.

House File 81

On motion of Senator Freeman, House File 81, a bill for an act relating to the qualifications for the successful completion of an approved hunter safety and ethics education course, with report of committee recommending passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration.

Senator Bartz asked and received unanimous consent to withdraw amendment S—3488 filed by Senators Bartz, Borlaug and Dearden on April 14, 1997, to page 1 of the bill.

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. 81) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Neuhauser	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Harper Rittmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Iverson asked and received unanimous consent that **House File 81** be **immediately messaged** to the House.

Senate File 317

On motion of Senator Behn, Senate File 317, a bill for an act relating to the determination of annual salaries for deputy sheriffs and placed on the Unfinished Business Calendar on April 3, 1997, was taken up for consideration.

Senator Behn asked and received unanimous consent that **House File 515 be substituted for Senate File 317.**

House File 515

On motion of Senator Behn, House File 515, a bill for an act relating to the determination of annual salaries for deputy sheriffs, was taken up for consideration.

Senator Dearden offered amendment S—3375 filed by him on April 7, 1997, to page 1 of the bill and moved its adoption.

Amendment S—3375 was adopted by a voice vote.

Senator Behn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Judge until she returns on request of Senator Gronstal.

BUSINESS PENDING**House File 515**

The Senate resumed consideration of House File 515.

On the question "Shall the bill pass?" (H.F. 515) the vote was:

Ayes, 48:

Angelo
Black, J.

Bartz
Boettger

Behn
Borlaug

Black, D.
Connolly

Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Kibbie
King	Kramer	Lundby	Maddox
McCoy	McKean	McKibben	Neuhauser
Palmer	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Judge McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Behn asked and received unanimous consent that **Senate File 317** be **withdrawn** from further consideration of the Senate.

Senator Iverson asked and received unanimous consent that **House File 515** be **immediately messaged** to the House.

RECESS

On motion of Senator Iverson, the Senate recessed at 11:43 a.m., until 1:00 p.m.

APPENDIX

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: *SENATE FILE 546 (SSB 264), a bill for an act relating to the administration of state individual income, corporate, franchise, motor fuel, and other taxes; collection of taxes and use of collection receipts; property taxes; property tax credits and replacement claims; sales, services, and use taxes and the imposition thereof on sales of prepaid telephone calling cards and prepaid authorization numbers; tax refund setoffs; and other duties of the department and director of revenue and finance; providing a penalty; and including effective and retroactive applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Douglas, McKibben, Palmer, Borlaug, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, Redfern, Szymoniak and Vilsack. Nays, none. Absent or not voting, 2: Connolly and McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 546 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 547 (formerly Senate File 256), a bill for an act relating to veterans' benefits, veterans preference, veterans' claims, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Douglas, McKibben, Palmer, Borlaug, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, Redfern, Szymoniak and Vilsack. Nays, none. Absent or not voting, 2: Connolly and McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 547 and they were attached to the committee report.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 16, 1997, 8:16 a.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, D. Black, Borlaug, Douglas, Dvorsky, Freeman, Halvorson, Hammond, Harper, Hedge, Horn, Jensen, Lundby, Maddox, Neuhauser, Rehberg, Rensink, Rife, Rittmer, Tinsman and Vilsack.

Members Absent: McCoy (excused).

Committee Business: Recommended passage of House File 715.

Adjourned: 9:08 a.m.

WAYS AND MEANS

Convened: April 16, 1997, 11:37 a.m.

Members Present: Douglas, Chair; McKibben, Vice Chair; Palmer, Ranking Member; Borlaug, Deluhery, Drake, Freeman, Hedge, Judge, Maddox, McLaren, Redfern, Szymoniak and Vilsack.

Members Absent: Connolly (excused).

Committee Business: Assigned bill to a subcommittee; amended and approved SSBs 262, 264, 259 and Senate File 256 as committee bills; recommended passage of Senate File 445.

Adjourned: 12:20 p.m.

SUBCOMMITTEE ASSIGNMENT

Senate File 540

BUSINESS AND LABOR: Rife, Chair; Gettings and Zieman

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 453 passed the Senate on April 17, 1997.

ROD HALVORSON

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fourteen twelfth grade students from Whiting Middle School, Whiting, accompanied by Carolann Ooten. Senator King.

AMENDMENTS FILED

S-3558	H.F.	715	Patty Judge
S-3559	H.F.	693	Larry McKibben Mary Neuhauser
S-3560	H.F.	715	Johnie Hammond Robert E. Dvorsky
S-3561	H.F.	715	Johnie Hammond
S-3562	H.F.	715	Johnie Hammond Mike Connolly
S-3563	H.F.	693	Steven D. Hansen
S-3564	S. F.	542	Steven D. Hansen
S-3565	S. F.	530	Richard F. Drake Nancy Boettger Steve King Tom Flynn
S-3566	S. F.	445	Mary Lou Freeman
S-3567	H.F.	693	Mary Neuhauser
S-3568	H.F.	693	Mary Neuhauser

AFTERNOON SESSION

The Senate reconvened at 1:05 p.m., President pro tempore Redfern presiding.

INTRODUCTION OF BILL

Senate File 548, by Iverson and Gronstal, a bill for an act relating to the administration of lasix to horses at a pari-mutuel racetrack and subjecting violators to civil and criminal penalties, and providing an effective date.

Read first time and assigned to committee on State Government.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 17, 1997, passed the following bill in which the concurrence of the House was asked:

Senate File 174, a bill for an act relating to the operation of motorboats on artificial lakes.

ALSO: That the House has on April 17, 1997, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 177, a bill for an act relating to motor vehicle operator prohibitions and restrictions including exhibition driving, littering, blood alcohol test certificates, and handicapped parking, and by establishing or making existing penalties applicable (S—3573).

Senate File 442, a bill for an act relating to the designation of certain correctional facilities (S—3572)

ALSO: That the House has on April 17, 1997, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 331, a bill for an act relating to the authorization of school officials to conduct searches of students, student protected

areas, lockers, desks, and other facilities and spaces and including effective and applicability provisions.

House File 611, a bill for an act relating to permissible charges which may be contracted for and received with respect to open-end credit.

ALSO: That the House has on April 17, 1997, passed the following bills in which the concurrence of the Senate is asked:

House File 266, a bill for an act relating to the administration of state individual income, corporate, motor fuel, and other taxes; property taxes, property tax credits and replacement claims; sales, services, and use taxes; tax refund setoffs; and other duties of the department and director of revenue and finance; providing a penalty; and providing a retroactive applicability date provision.

This bill was read first time and **passed on file**.

House File 721, a bill for an act relating to an insurance premium tax credit for eligible businesses under the new jobs and income program.

This bill was read first time and **passed on file**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schuerer until he returns on request of Senator Redwine.

QUORUM CALL

Senator Iverson requested a non record roll call to determine that a quorum was present.

The vote revealed 34 present, 16 absent and a quorum present.

The Senate stood at ease at 1:25 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:45 p.m., President pro tempore Redfern presiding.

QUORUM CALL

Senator Boettger requested a non record roll call to determine that a quorum was present.

The vote revealed 37 present, 13 absent and a quorum present.

UNFINISHED BUSINESS CALENDAR (Deferred April 16, 1997)

House File 715

The Senate resumed consideration of House File 715, 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, deferred April 16, 1997.

Senator Horn offered amendment S—3557 filed by him on April 16, 1997, to page 13 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3557 be adopted?" (H.F. 715) the vote was:

Ayes, 23:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Horn	Judge
Kibbie	Lundby	McCoy	Neuhauser
Palmer	Szymoniak	Vilsack	

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Schuerer
Tinsman	Zieman		

Absent or not voting, 1:

Rittmer

Amendment S—3557 lost.

Senator Judge offered amendment S—3558 filed by her from the floor to page 15 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3558 be adopted?" (H.F. 715) the vote was:

Ayes, 23:

Angelo	Black, D.	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gettings	Gronstal	Halvorson
Hammond	Hansen	Harper	Horn
Judge	Kibbie	McCoy	Neuhauser
Palmer	Szymaniak	Vilsack	

Nays, 27:

Bartz	Behn	Black, J.	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	King
Kramer	Lundby	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Zieman	

Amendment S—3558 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy until he returns on request of Senator Dearden.

BUSINESS PENDING

House File 715

The Senate resumed consideration of House File 715.

Senator Szymoniak offered amendment S—3554 filed by her on April 16, 1997, to page 15 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 25.

Amendment S—3554 lost.

Senator Vilsack offered amendment S—3579 filed by him from the floor to pages 19 and 20 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3579 be adopted?” (H.F. 715) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Horn	Judge
Kibbie	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 25:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	King
Kramer	Lundby	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Schuerer	Tinsman
Zieman			

Absent or not voting, 4:

Jensen	McCoy	Rife	Rittmer
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Amendment S—3579 lost.

Senator Hammond withdrew amendment S—3561 filed by her from the floor to page 20 of the bill.

Senator Hansen withdrew amendment S—3577 filed by him from the floor to page 27 of the bill.

Senator Hammond offered amendment S—3578 filed by her from the floor to page 28 of the bill.

President Kramer took the chair at 4:05 p.m.

Senator Hammond moved the adoption of amendment S—3578.

A record roll call was requested.

On the question "Shall amendment S—3578 be adopted?" (H.F. 715) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Horn	Judge
Kibbie	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 25:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Jensen	King
Kramer	Lundby	Maddox	McKean
McKibben	Redfern	Redwine	Rehberg
Rensink	Rife	Schuerer	Tinsman
Zieman			

Absent or not voting, 4:

Iverson	McCoy	McLaren	Rittmer
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Amendment S—3578 lost.

Senator Hammond offered amendment S—3562 filed by Senators Hammond and Connolly from the floor to page 32 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3562 be adopted?" (H.F. 715) the vote was:

Ayes, 20:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Horn	Judge
Kibbie	Neuhauser	Szymoniak	Vilsack

Nays, 25:

Angelo	Bartz	Behn	Black, J.
Boettger	Douglas	Drake	Freeman
Hedge	Iverson	King	Kramer
Lundby	Maddox	McKean	McKibben
McLaren	Redfern	Redwine	Rehberg
Rensink	Rittmer	Schuerer	Tinsman
Zieman			

Absent or not voting, 5:

Borlaug	Jensen	McCoy	Palmer
Rife			

Amendment S—3562 lost.

Senator Dvorsky offered amendment S—3586 filed by him from the floor to page 32 of the bill and moved its adoption.

Amendment S—3586 lost by a voice vote.

Senator Dvorsky withdrew amendment S—3548 filed by him on April 16, 1997, to page 32 of the bill.

Senator Dvorsky offered amendment S—3575 filed by him from the floor to page 32 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3575 be adopted?" (H.F. 715) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise

Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Horn	Judge
Kibbie	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 28:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rife
Rittmer	Schuerer	Tinsman	Zieman

Absent or not voting, 1:

McCoy

Amendment S—3575 lost.

Senator Szymoniak offered amendment S—3583 filed by her from the floor to pages 32 and 33 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 25.

Amendment S—3583 lost.

Senator Szymoniak offered amendment S—3506 filed by her on April 14, 1997, to pages 41, 53 and 55 of the bill and moved its adoption.

Amendment S—3506 was adopted by a voice vote.

Senator Hansen offered amendment S—3582 filed by Senators Hansen, et al., from the floor to page 46 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3582 be adopted?" (H.F. 715) the vote was:

Ayes, 22:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Horn	Judge
Kibbie	Lundby	Neuhauser	Palmer
Szymoniak	Vilsack		

Nays, 26:

Angelo	Behn	Black, J.	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	King
Kramer	Maddox	McKean	McKibben
McLaren	Redfern	Redwine	Rehberg
Rensink	Rife	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 2:

Bartz	McCoy
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Amendment S—3582 lost.

Senator Hammond asked and received unanimous consent to withdraw amendment S—3560 filed by Senators Hammond and Dvorsky from the floor to page 48 of the bill.

Senator Hammond offered amendment S—3576 filed by Senators Hammond and Dvorsky from the floor to page 48 of the bill.

Senator Dvorsky asked and received unanimous consent that action on amendment S—3576 be deferred.

Senator Bartz withdrew amendment S—3549 filed by him on April 16, 1997, to page 51 of the bill.

Senator Harper offered amendment S—3585 filed by Senators Harper, Hansen and Halvorson from the floor to page 57 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3585 be adopted?" (H.F. 715) the vote was:

Ayes, 21:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Horn	Judge
Kibbie	Neuhauser	Palmer	Szymoniak
Vilsack			

Nays, 27:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McKibben	McLaren	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Tinsman	Zieman	

Absent or not voting, 2:

McCoy Redfern

Amendment S—3585 lost.

Senator Neuhauser offered amendment S—3584 filed by her 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—3584 be adopted?" (H.F. 715) the vote was:

Ayes, 20:

Black, D.	Connolly	Deluhery	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Harper	Horn	Judge	Kibbie
Neuhauser	Palmer	Szymoniak	Vilsack

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake

Freeman	Iverson	Jensen	King
Kramer	Lundby	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 4:

Dearden	Hedge	McCoy	Rife
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Amendment S—3584 lost.

Senator Dvorsky offered amendment S—3581 filed by him from the floor to pages 10 and 49 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3581 be adopted?" (H.F. 715) the vote was:

Ayes, 19:

Black, D.	Connolly	Deluhery	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Harper	Horn	Judge	Kibbie
Neuhauser	Szymoniak	Vilsack	

Nays, 27:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Lundby	Maddox
McKean	McKibben	McLaren	Redfern
Redwine	Rehberg	Rensink	Rittmer
Schuerer	Tinsman	Zieman	

Absent or not voting, 4:

Dearden	McCoy	Palmer	Rife
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Amendment S—3581 lost.

Senator Dvorsky offered amendment S—3588 filed by him from the floor to pages 26 and 50 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3588 be adopted?" (H.F. 715) the vote was:

Ayes, 18:

Black, D.	Connolly	Deluhery	Dvorsky
Fink	Flynn	Fraise	Gettings
Gronstal	Halvorson	Hammond	Hansen
Harper	Horn	Judge	Kibbie
Neuhauser	Vilsack		

Nays, 26:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rehberg	Rensink	Rittmer	Schuerer
Tinsman	Zieman		

Absent or not voting, 6:

Dearden	Lundby	McCoy	Palmer
Rife	Szymoniak		

Amendment S—3588 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dearden until he returns on request of Senator Dvorsky.

BUSINESS PENDING

House File 715

The Senate resumed consideration of House File 715.

Senator Hammond offered amendment S—3590 filed by her from the floor to pages 32 and 55 of the bill.

Senator Tinsman called for a division of amendment S—3590: lines 3-28 as division S—3590A and lines 29 and 30 as division S—3590B.

Senator Hammond moved the adoption of division S—3590A.

A record roll call was requested.

On the question "Shall division S—3590A be adopted?" (H.F. 715) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Black, D.	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Harper	Horn	Judge
Kibbie	McCoy	Neuhauser	Palmer
Szymoniak	Vilsack		

Nays, 25:

Angelo	Bartz	Behn	Black, J.
Boettger	Borlaug	Douglas	Drake
Freeman	Hedge	Iverson	Jensen
King	Kramer	Maddox	McKean
McKibben	McLaren	Redfern	Redwine
Rensink	Rittmer	Schuerer	Tinsman
Zieman			

Absent or not voting, 3:

Lundby	Rehberg	Rife
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Division S—3590A lost.

Senator Hammond moved the adoption of division S—3590B, which motion prevailed by a voice vote.

Senator Szymoniak withdrew amendment S—3592 filed by her from the floor to page 32 of the bill.

Senator Szymoniak offered amendment S—3596 filed by her from the floor to page 32 of the bill and moved its adoption.

Amendment S—3596 was adopted by a voice vote.

Senator Vilsack offered amendment S—3595 filed by him from the floor to page 37 of the bill and moved its adoption.

Amendment S—3595 was adopted by a voice vote.

Senator Hammond asked and received unanimous consent to withdraw amendment S—3576 by Senators Hammond and Dvorsky to page 48 of the bill, previously deferred.

Senator Hammond offered amendment S—3597 filed by Senators Hammond and Dvorsky from the floor to page 48 of the bill and moved its adoption.

Amendment S—3597 was adopted by a voice vote.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 715) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black, D.
Black, J.	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Fink	Fraise	Freeman	Gettings
Gronstal	Halvorson	Hammond	Hansen
Hedge	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Palmer	Redfern	Redwine
Rehberg	Rensink	Rife	Rittmer
Schuerer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 5:

Dvorsky	Flynn	Harper	Horn
Neuhauser			

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 693

On motion of Senator McKibben, House File 693, a bill for an act relating to civil actions and statutes of limitations in civil actions, the rate of interest on judgments and decrees, procedures for furnishing patient records of plaintiffs, comparative fault in consortium claims, damages in civil actions, and joint and several liability, with report of committee recommending amendment and passage and placed on the Unfinished Business Calendar on April 10, 1997, was taken up for consideration

Senator Bartz took the chair at 6:45 p.m.

Senator McKibben asked and received unanimous consent that action on **House File 693** be **deferred**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House File 715** be **immediately messaged** to the House.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 9, by Bartz, Boettger, Black Of Kossuth, Rensink, Kibbie, Judge, Behn, Fink, Hedge, and Borlaug, a concurrent resolution to request that the Congress of the United States maintain and renew its commitment to America's corn growers and this nation's ethanol industry by supporting a tax exemption and by taking other actions to increase this nation's commitment to the production and use of ethanol.

Read first time and **passed on file**.

Senate Concurrent Resolution 13, by Dvorsky, Neuhauser, Horn, McKean, Tinsman, McKibben, Hedge, and Kramer, a concurrent resolution recognizing the 150th anniversary of the founding of the University of Iowa.

Read first time and **passed on file**.

APPENDIX**STUDY BILL RECEIVED****SSB 271 Appropriations**

Relating to the funding of, operation of, and appropriation of moneys to the college student aid commission, the department of cultural affairs, the department of education, the state board of regents, to the transfer of moneys from the interest for Iowa schools fund, and making related statutory changes and providing effective date and applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 548**

STATE GOVERNMENT: Rife, Chair; Borlaug and Kibbie

SSB 271

APPROPRIATIONS: McLaren, Chair; Horn and Rehberg

COMMITTEE REPORTS**BUSINESS AND LABOR**

Final Bill Action: SENATE FILE 540, a bill for an act relating to workers' compensation by repealing the second injury compensation Act, eliminating the second injury fund, providing for the resolution of claims against the fund, including the imposition of an employer surcharge, providing for employee compensation for certain subsequent injuries, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Rife, King, Behn, Freeman, Gettings, Horn, Jensen, Schuerer and Zieman. Nays, 2: Dearden and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 539, a bill for an act to legalize the proceedings taken by the Cedar Rapids Community School District to participate in an instructional support program and providing an effective and retroactive applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern and Vilsack. Nays, none. Absent or not voting, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 717, a bill for an act to legalize the proceedings taken by the Sergeant Bluff city council to grant an urban revitalization tax exemption for certain property and providing an effective and retroactive applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: McKean, Maddox, Neuhauser, Angelo, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, King, McKibben, Redfern and Vilsack. Nays, none. Absent or not voting, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 8, a senate resolution recognizing Sergeant Scott Harlan Siefken and his family and requesting federal assistance.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Iverson, Gronstal, Fink, Jensen, Kibbie, Maddox, Redfern and Rehberg. Nays, none. Absent or not voting, 3: Kramer, Judge and Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

President Kramer announced the assignment of the following bills to committee:

S. C. R.	13	Education
S. R.	9	Agriculture
H. F.	266	Ways and Means
H. F.	721	Ways and Means

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate on April 16, 1997.

Had I been present, I would have voted "nay" on House File 611 and "aye" on House Files 376, 701, 384, 596, 577, 439, 449, 680, 615, 647, 698, 662 and Senate File 161.

MIKE CONNOLLY

AMENDMENTS FILED

S-3569	H. F.	693	Mary A. Lundby
S-3570	H. F.	674	Johnie Hammond
S-3571	H. F.	453	Neal Schuerer
S-3572	S. F.	442	House amendment
S-3573	S. F.	177	House amendment
S-3574	H. F.	693	Steven D. Hansen
S-3575	H. F.	715	Robert E. Dvorsky
S-3576	H. F.	715	Johnie Hammond
			Robert E. Dvorsky
S-3577	H. F.	715	Steven D. Hansen
S-3578	H. F.	715	Johnie Hammond
S-3579	H. F.	715	Tom Vilsack
S-3580	S. F.	542	Tom Flynn
			Don Gettings
			Robert E. Dvorsky
			Patrick J. Deluhery
			Mike Connolly
			Mary Neuhauser
			Rod Halvorson
			Eugene S. Fraise
			Matt McCoy
			Tom Vilsack
			Patricia Harper
			Dennis H. Black
			Patty Judge
			Steven D. Hansen
			Bill Fink
			Wally E. Horn
			Johnie Hammond
S-3581	H. F.	715	Robert E. Dvorsky
S-3582	H. F.	715	Steven D. Hansen
			Dennis Black
			Rod Halvorson
			Robert E. Dvorsky
S-3583	H. F.	715	Elaine Szymoniak
S-3584	H. F.	715	Mary Neuhauser
S-3585	H. F.	715	Patricia Harper
			Steven D. Hansen
			Rod Halvorson

S-3586	H.F.	715	Robert E. Dvorsky
S-3587	H.F.	693	Tom Vilsack
S-3588	H.F.	715	Robert E. Dvorsky
S-3589	H.F.	635	Robert E. Dvorsky
S-3590	H.F.	715	Johnie Hammond
S-3591	H.F.	697	Don Gettings
S-3592	H.F.	715	Elaine Szymoniak
S-3593	H.F.	693	Larry McKibben Richard F. Drake
S-3594	H.F.	514	Mary A. Lundby
S-3595	H.F.	715	Tom Vilsack
S-3596	H.F.	715	Elaine Szymoniak
S-3597	H.F.	715	Johnie Hammond Robert E. Dvorsky
S-3598	H.F.	693	Rod Halvorson
S-3599	H.F.	693	Rod Halvorson
S-3600	H.F.	693	Rod Halvorson

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:49 p.m., until 9:00 a.m., Friday, April 18, 1997.