

PROOF

STATE OF IOWA

House Journal

THURSDAY, MARCH 27, 2008

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JOURNAL OF THE HOUSE

Seventy-fourth Calendar Day - Fifty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 27, 2008

The House met pursuant to adjournment at 9:18 a.m., Speaker pro tempore Bukta in the chair.

Prayer was offered by Reverend James Meadows, pastor of the Congregational Church of Christ, Fort Dodge. He was the guest of Representative Helen Miller of Webster County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hanne and Geneva Gaukel, twin granddaughters of Carolyn Gaukel, Sr. Administrative Assistant to the Speaker and the 5th grade students at Hanawalt Elementary School in Des Moines.

The Journal of Wednesday, March 26, 2008 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

De Boef of Keokuk, S. Olson of Clinton and Raecker of Polk on request of Rants of Woodbury.

INTRODUCTION OF BILLS

[House Joint Resolution 2005](#), by McCarthy, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of the World Food Prize Foundation.

Read first time and referred to committee on **administration and rules**.

House File 2665, by committee on ways and means, a bill for an act relating to the sales and use taxes on the operation of bingo games and including an effective date.

Read first time and placed on the **ways and means calendar**.

House File 2666, by committee on ways and means, a bill for an act relating to an adjustment in state foundation aid for certain school districts required to repay property taxes and providing an effective date.

Read first time and placed on the **ways and means calendar**.

SENATE MESSAGE CONSIDERED

Senate File 2131, by committee on agriculture, a bill for an act relating to the promotion of equines, by establishing an equine industry promotional commission and an equine industry promotional fund.

Read first time and referred to committee on **state government**.

SPECIAL PRESENTATION

Pella Tulip Festival

Van Engelenhoven of Marion presented to the House, Ally Huffman, Queen of the 2008 Pella Tulip Festival and escorted her and her court to the Speaker's station.

Queen Huffman presented her attendants, Cassidy Mejia, Robin Sadler, Nikki Sikkema and Emily Van Woerkom.

Also present from Pella were the parents of the Queen and her court, who wore native Dutch costumes and distributed the famous Pella Dutch cookies.

Queen Huffman and her court invited everyone to attend the Pella Tulip Festival on May 1st, 2nd and 3rd.

The House stood at ease at 9:28 a.m., until the fall of the gavel.

The House resumed session at 9:42 a.m., Bukta of Clinton in the chair.

ADOPTION OF [HOUSE RESOLUTION 111](#)

Upmeyer of Hancock and Smith of Marshall called up for consideration [House Resolution 111](#), a resolution recognizing the month of March 2008 as Deep Vein Thrombosis Awareness Month, and moved its adoption.

The motion prevailed and the resolution was adopted.

Reasoner of Union asked and received unanimous consent for the immediate consideration of [House File 2603](#).

CONSIDERATION OF BILLS
Regular Calendar

[House File 2603](#), a bill for an act authorizing certain advanced registered nurse practitioners to file certain periodic court reports on chronic substance abusers and persons with mental illness who do not require full-time placement in a treatment facility, was taken up for consideration.

Upmeyer of Hancock offered amendment [H-8131](#) filed by her and Smith of Marshall as follows:

[H-8131](#)

- 1 Amend [House File 2603](#) as follows:
- 2 1. Page 2, by striking lines 16 through 33 and
- 3 inserting the following: "and if a psychiatrist
- 4 licensed pursuant to chapter 148, 150, or 150A
- 5 personally evaluates the patient on at least an annual
- 6 basis.
- 7 b. (1) An advanced registered nurse practitioner
- 8 who is not certified as a psychiatric advanced
- 9 registered nurse practitioner but who meets the
- 10 qualifications set forth in the definition of a mental
- 11 health professional in section 228.1 on July 1, 2008,
- 12 may complete periodic reports pursuant to paragraph
- 13 "a".
- 14 (2) An advanced registered nurse practitioner in
- 15 the process of becoming qualified as a mental health
- 16 professional pursuant to section 228.1, may complete
- 17 periodic reports pursuant to paragraph "a" upon

18 meeting such qualifications, if such qualifications
19 are met by July 1, 2010."
20 2. Page 4, by striking lines 13 through 30 and
21 inserting the following: "paragraph "c", and if a
22 psychiatrist licensed pursuant to chapter 148, 150, or
23 150A personally evaluates the patient on at least an
24 annual basis.
25 b. (1) An advanced registered nurse practitioner
26 who is not certified as a psychiatric advanced
27 registered nurse practitioner but who meets the
28 qualifications set forth in the definition of a mental
29 health professional in section 228.1 on July 1, 2008,
30 may complete periodic reports pursuant to paragraph
31 "a".
32 (2) An advanced registered nurse practitioner in
33 the process of becoming qualified as a mental health
34 professional pursuant to section 228.1, may complete
35 periodic reports pursuant to paragraph "a" upon
36 meeting such qualifications, if such qualifications
37 are met by July 1, 2010."
38 3. Title page, line 2, by inserting after the
39 word "practitioners" the following: "and
40 psychiatrists".

Smith of Marshall offered the following amendment [H-8174](#), to amendment [H-8131](#), filed by him and moved its adoption:

[H-8174](#)

1 Amend the amendment, [H-8131](#), to [House File 2603](#) as
2 follows:
3 1. Page 1, line 7, by striking the figure "(1)".
4 2. Page 1, by striking lines 14 through 19.
5 3. Page 1, line 25, by striking the figure "(1)".
6 4. Page 1, by striking lines 32 through 37.
7 5. By renumbering as necessary.

Amendment [H-8174](#) was adopted.

On motion by Smith of Marshall, amendment [H-8131](#), as amended, was adopted.

Smith of Marshall moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2603](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Chambers	Clute	Cohoon
Dandekar	Davitt	Deyoe	Dolecheck
Drake	Foege	Ford	Forristall
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, T.	Palmer	Paulsen
Petersen	Pettengill	Quirk	Rants
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Zirkelbach	Bukta, Presiding

The nays were, none.

Absent or not voting, 4:

De Boef	Olson, R.	Olson, S.	Raecker
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

HOUSE FILES AND SENATE FILE PLACED ON THE UNFINISHED BUSINESS CALENDAR

McCarthy of Polk asked and received unanimous consent to place the following House Files and Senate File on the unfinished business calendar

[House File 2267](#)

[House File 2269](#)

[House File 2381](#)

[House File 2396](#)

[House File 2528](#)

[House File 2530](#)

[House File 2576](#)

[House File 2605](#)

[House File 2397](#)
[House File 2413](#)
[House File 2463](#)
[House File 2486](#)
[House File 2497](#)

[House File 2636](#)
[House File 2637](#)
[House File 2647](#)
[House File 2660](#)
[Senate File 2122](#)

[HOUSE FILE 2533](#) REFERRED

The Speaker announced that [House File 2533](#), previously placed on **calendar** was referred to committee on **appropriations**.

[HOUSE FILE 2566](#) REFERRED

The Speaker announced that [House File 2566](#), previously placed on **calendar** was referred to committee on **ways and means**.

[HOUSE FILE 2608](#) REFERRED

The Speaker announced that [House File 2608](#), previously placed on **calendar** was referred to committee on **appropriations**.

[SENATE JOINT RESOLUTION 2002](#) REREFERRED

The Speaker announced that [Senate Joint Resolution 2002](#), previously referred to committee on ways and means was rereferred to the **calendar**.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 26, 2008. Had I been present, I would have voted "aye" on House Files 2558, 2559, 2570, 2580, 2581, 2600 and [Senate File 2328](#). On March 27, 2008, I would have voted "aye" on [House File 2603](#).

RAECKER of Polk

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
Chief Clerk of the House

- 2008\2538 Dorothy Bisenius, Cascade – For celebrating her 101st birthday.
- 2008\2539 Margaret Stadtmueller, Monticello – For celebrating her 100th birthday.
- 2008\2540 Warren and Ruby Beatty, Keosauqua – For celebrating their 60th wedding anniversary.
- 2008\2541 Fred Parson, Van Buren – For being inducted into the Iowa High School Athletic Association's Hall of Fame.
- 2008\2542 Mike Breitbach and the Breitbach Family, Balltown – For being Iowa's oldest bar and restaurant, and for rebuilding after the devastating December fire.
- 2008\2543 Edward J. Lukan, New Vienna – For 50 years of employment and ownership of Lukan Service Station.
- 2008\2544 Jim Anderson, Chariton – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2008\2545 Nellie Collins, Albia – For celebrating her 95th birthday.
- 2008\2546 Keith Andrews, Russell – For celebrating his 95th birthday.
- 2008\2547 Betty Osenbaugh, Lucas – For celebrating her 90th birthday.
- 2008\2548 Jim and Judi Wright, Russell – For celebrating their 50th wedding anniversary.
- 2008\2549 Phil and Dru Thorne, Chariton – For celebrating their 50th wedding anniversary.
- 2008\2550 William and Phyllis Hughes, Eddyville – For celebrating their 60th wedding anniversary.
- 2008\2551 Helen Kielkopf, Hedrick – For celebrating her 90th birthday.
- 2008\2552 Beatrice Dovorak, Chelsea – For celebrating her 80th birthday.
- 2008\2553 Catherine Schmidt, Victor – For celebrating her 80th birthday.
- 2008\2554 Dora Gritsch, Brooklyn – For celebrating her 90th birthday.
- 2008\2555 Arlene Pfannebecker, Martinsburg – For celebrating her 80th birthday.
- 2008\2556 Virginia Hepker, North English – For celebrating her 90th birthday.
- 2008\2557 Charles White, Keota – For celebrating his 80th birthday.

- 2008\2558 Melvin Trumpold, Middle Amana – For celebrating his 80th birthday.
- 2008\2559 Arland Wyant, North English – For celebrating his 90th birthday.
- 2008\2560 Gilbert Von Ahsen, Williamsburg – For celebrating his 90th birthday.
- 2008\2561 Ivan Kahler, Parnell – For celebrating his 80th birthday.
- 2008\2562 Marlan McWilliams, Brooklyn – For celebrating his 80th birthday.
- 2008\2563 Lynn Roth, Brooklyn – For celebrating his 80th birthday.
- 2008\2564 Darold Dietz, Tipton – For celebrating his 80th birthday.
- 2008\2565 Jean Stuckey, Tipton – For celebrating her 80th birthday.
- 2008\2566 Alreta Crock, Olin – For celebrating her 80th birthday.
- 2008\2567 Don Crock, Tipton – For celebrating his 80th birthday.
- 2008\2568 Joseph Thomas, Tipton – For celebrating his 80th birthday.
- 2008\2569 Betty Anderson, Tipton – For celebrating her 80th birthday.
- 2008\2570 Harlan Ferguson, West Branch – For celebrating his 80th birthday.
- 2008\2571 Mildred Lovetinsky, Iowa City – For celebrating her 80th birthday.
- 2008\2572 Doris Lynch, West Branch – For celebrating her 80th birthday.
- 2008\2573 Clara Schroeder, Bennett – For celebrating her 80th birthday.
- 2008\2574 Margaret Garmon, Tipton – For celebrating her 80th birthday.
- 2008\2575 Eunice Oneil, West Branch – For celebrating her 80th birthday.
- 2008\2576 Margo Sievers, Sioux Rapids – For being named Teacher of the Year by the Iowa Reading Association.

SUBCOMMITTEE ASSIGNMENT

[Senate File 2283](#)

Transportation: Windschitl, Chair; Dandekar and Gaskill.

AMENDMENTS FILED

[H-8333](#)[S.F. 2281](#)

Heaton of Henry

H-8334	H.F.	2660	Abdul-Samad of Polk T. Taylor of Linn
H-8335	S.F.	2278	Tymeson of Madison
H-8336	S.F.	2278	Tymeson of Madison
H-8337	S.F.	2278	Van Fossen of Scott
H-8338	S.F.	2278	Tymeson of Madison
H-8339	S.F.	2278	Windschitl of Harrison
H-8340	S.F.	2278	Kaufmann of Cedar
H-8341	S.F.	2282	Kaufmann of Cedar
H-8342	S.F.	2282	Sands of Louisa Paulsen of Linn
H-8343	H.F.	2660	L. Miller of Scott Abdul-Samad of Polk
H-8344	H.F.	2660	Zirkelbach of Jones T. Taylor of Linn Lukan of Dubuque
H-8345	S.F.	2216	Chambers of O'Brien
H-8346	S.F.	2216	Raecker of Polk
H-8347	S.F.	2216	Raecker of Polk

On motion by McCarthy of Polk the House adjourned at 10:10 a.m., until 1:00 p.m., Monday, March 31, 2008.