

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, MARCH 14, 2023

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JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 14, 2023

The Senate met in regular session at 9:03 a.m., President Sinclair presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Josephine Kelly.

The Journal of Monday, March 13, 2023, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Petersen, until she arrives, on request of Senator Wahls.

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

The Senate resumed session at 10:41 a.m., President Sinclair presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Garrett and Zumbach, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 319](#).

[Senate File 319](#)

On motion of Senator Dickey, [Senate File 319](#), a bill for an act concerning private sector employee drug testing, was taken up for consideration.

Senator Dickey moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 319](#)), the vote was:

Yeas, 32:

Alons	Bousselot	Brown	Costello
Cournoyer	Dawson	De Witt	Dickey
Driscoll	Edler	Evans	Green
Gruenhagen	Guth	Klimesh	Koelker
Kraayenbrink	Lofgren	McClintock	Reichman
Rowley	Rozenboom	Salmon	Schultz
ShIPLEY	Sinclair	Sweeney	Taylor, J.
Webster	Westrich	Whitver	Zaun

Nays, 15:

Bennett	Bisignano	Boulton	Celsi
Donahue	Dotzler	Giddens	Jochum
Knox	Quirnbach	Taylor, T.	Trone Garriott
Wahls	Weiner	Winckler	

Absent, 3:

Garrett	Petersen	Zumbach
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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 Whitver asked and received unanimous consent that [Senate File 319](#) be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

[Senate File 75](#)

Senator Whitver called up for consideration [Senate File 75](#), a bill for an act relating to certain health facilities including ambulatory surgical centers and rural emergency hospitals, including licensing requirements and fees, providing penalties and making penalties applicable, providing emergency rulemaking authority, and including applicability and effective date provisions, amended by the House in House amendment [S-3062](#), filed March 7, 2023.

Senator Costello moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Costello 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 voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 75](#)), the vote was:

Yeas, 47:

Alons	Bennett	Bisignano	Boulton
Bousselot	Brown	Celsi	Costello
Cournoyer	Dawson	De Witt	Dickey
Donahue	Dotzler	Driscoll	Edler
Evans	Giddens	Green	Gruenhagen
Guth	Jochum	Klimesh	Knox
Koelker	Kraayenbrink	Lofgren	McClintock
Quirnbach	Reichman	Rowley	Rozenboom
Salmon	Schultz	Shipley	Sinclair
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Webster	Weiner	Westrich
Whitver	Winckler	Zaun	

Nays, none.

Absent, 3:

Garrett Petersen Zumbach

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [Senate File 75](#) be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 144 and 201.

[Senate File 144](#)

On motion of Senator Dawson, [Senate File 144](#), a bill for an act relating to an assault involving a laser pointed toward an aircraft, and making penalties applicable, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 144](#)), the vote was:

Yeas, 47:

Alons	Bennett	Bisignano	Boulton
Bousselot	Brown	Celsi	Costello
Cournoyer	Dawson	De Witt	Dickey
Donahue	Dotzler	Driscoll	Edler
Evans	Giddens	Green	Gruenhagen
Guth	Jochum	Klimesh	Knox
Koelker	Kraayenbrink	Lofgren	McClintock
Quirnbach	Reichman	Rowley	Rozenboom
Salmon	Schultz	Shipley	Sinclair
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Webster	Weiner	Westrich
Whitver	Winckler	Zaun	

Nays, none.

Absent, 3:

Garrett Petersen Zumbach

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

Senate File 201

On motion of Senator Cournoyer, [Senate File 201](#), a bill for an act relating to the criminal offense of stalking committed while utilizing a technological device and providing penalties, was taken up for consideration.

Senator Cournoyer offered amendment [S-3072](#), filed by her from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-3072](#) was adopted by a voice vote.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 201](#)), the vote was:

Yeas, 47:

Alons	Bennett	Bisignano	Boulton
Bousselot	Brown	Celsi	Costello
Cournoyer	Dawson	De Witt	Dickey
Donahue	Dotzler	Driscoll	Edler
Evans	Giddens	Green	Gruenhagen
Guth	Jochum	Klimesh	Knox
Koelker	Kraayenbrink	Lofgren	McClintock
Quirnbach	Reichman	Rowley	Rozenboom
Salmon	Schultz	Shipley	Sinclair
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Webster	Weiner	Westrich
Whitver	Winckler	Zaun	

Nays, none.

Absent, 3:

Garrett Petersen Zumbach

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 144** and **201** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 362](#).

[Senate File 362](#)

On motion of Senator Shipley, [Senate File 362](#), a bill for an act relating to conforming statute of limitations provisions related to the fraud in assisted reproduction Act, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, 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:

Yeas, 47:

Alons	Bennett	Bisignano	Boulton
Bousselot	Brown	Celsi	Costello
Cournoyer	Dawson	De Witt	Dickey
Donahue	Dotzler	Driscoll	Edler
Evans	Giddens	Green	Gruenhagen
Guth	Jochum	Klimesh	Knox
Koelker	Kraayenbrink	Lofgren	McClintock
Quirnbach	Reichman	Rowley	Rozenboom
Salmon	Schultz	Shipley	Sinclair
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Webster	Weiner	Westrich
Whitver	Winckler	Zaun	

Nays, none.

Absent, 3:

Garrett Petersen Zumbach

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [Senate File 362](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 381](#).

[Senate File 381](#)

On motion of Senator Shipley, [Senate File 381](#), a bill for an act regarding special minor's driver's licenses, and making penalties applicable, was taken up for consideration.

Senator Shipley offered amendment [S-3064](#), filed by him on March 9, 2023, to pages 1 and 2 and amending the title page of the bill, and moved its adoption.

Amendment [S-3064](#) was adopted by a voice vote.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 381](#)), the vote was:

Yeas, 35:

Alons	Boulton	Bousselot	Brown
Costello	Cournoyer	Dawson	De Witt
Dickey	Driscoll	Edler	Evans
Giddens	Green	Gruenhagen	Guth

Klimesh	Knox	Koelker	Kraayenbrink
Lofgren	McClintock	Reichman	Rowley
Rozenboom	Salmon	Schultz	Shipley
Sinclair	Sweeney	Taylor, J.	Webster
Westrich	Whitver	Zaun	

Nays, 12:

Bennett	Bisignano	Celsi	Donahue
Dotzler	Jochum	Quirnbach	Taylor, T.
Trone Garriott	Wahls	Weiner	Winckler

Absent, 3:

Garrett	Petersen	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 549](#).

[Senate File 549](#)

On motion of Senator Boussetot, [Senate File 549](#), a bill for an act relating to captive insurance companies, and including applicability provisions, was taken up for consideration.

Senator Boussetot offered amendment [S-3073](#), filed by him from the floor to pages 1, 2, and 19 of the bill, and moved its adoption.

Amendment [S-3073](#) was adopted by a voice vote.

Senator Boussetot moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 549](#)), the vote was:

Yeas, 47:

Alons	Bennett	Bisignano	Boulton
Bousselot	Brown	Celsi	Costello
Cournoyer	Dawson	De Witt	Dickey
Donahue	Dotzler	Driscoll	Edler
Evans	Giddens	Green	Gruenhagen
Guth	Jochum	Klimesh	Knox
Koelker	Kraayenbrink	Lofgren	McClintock
Quirnbach	Reichman	Rowley	Rozenboom
Salmon	Schultz	Shipley	Sinclair
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Webster	Weiner	Westrich
Whitver	Winckler	Zaun	

Nays, none.

Absent, 3:

Garrett	Petersen	Zumbach
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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 Whitver asked and received unanimous consent that **Senate Files 381** and **549** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 388, 490, and 516.

[Senate File 388](#)

On motion of Senator Alons, [Senate File 388](#), a bill for an act relating to conflicts between federal funding and the office of the chief information officer, was taken up for consideration.

Senator Alons moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 388](#)), the vote was:

Yeas, 47:

Alons	Bennett	Bisignano	Boulton
Bousselot	Brown	Celsi	Costello
Cournoyer	Dawson	De Witt	Dickey
Donahue	Dotzler	Driscoll	Edler
Evans	Giddens	Green	Gruenhagen
Guth	Jochum	Klimesh	Knox
Koelker	Kraayenbrink	Lofgren	McClintock
Quirnbach	Reichman	Rowley	Rozenboom
Salmon	Schultz	Shipley	Sinclair
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Webster	Weiner	Westrich
Whitver	Winckler	Zaun	

Nays, none.

Absent, 3:

Garrett	Petersen	Zumbach
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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 490](#)

On motion of Senator Klimesh, [Senate File 490](#), a bill for an act relating to persons authorized to receive a copy of a written accident report filed by a law enforcement officer, was taken up for consideration.

Senator Klimesh moved that the bill be read the last time now and placed upon its passage, 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:

Yeas, 47:

Alons	Bennett	Bisignano	Boulton
Bousselot	Brown	Celsi	Costello
Cournoyer	Dawson	De Witt	Dickey
Donahue	Dotzler	Driscoll	Edler
Evans	Giddens	Green	Gruenhagen
Guth	Jochum	Klimesh	Knox
Koelker	Kraayenbrink	Lofgren	McClintock

Quirnbach	Reichman	Rowley	Rozenboom
Salmon	Schultz	Shiple	Sinclair
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Webster	Weiner	Westrich
Whitver	Winckler	Zaun	

Nays, none.

Absent, 3:

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

President Pro Tempore Zaun took the chair at 11:30 a.m.

[Senate File 516](#)

On motion of Senator Sweeney, [Senate File 516](#), a bill for an act relating to the management of open space properties and recreational trails, was taken up for consideration.

Senator Sweeney offered amendment [S-3071](#), filed by her from the floor to page 4 of the bill, and moved its adoption.

Amendment [S-3071](#) was adopted by a voice vote.

Senator Sweeney moved that the bill be read the last time now and placed upon its passage, 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:

Yeas, 33:

Alons	Bousselot	Brown	Costello
Cournoyer	Dawson	De Witt	Dickey
Driscoll	Edler	Evans	Giddens
Green	Gruenhagen	Guth	Klimesh
Koelker	Kraayenbrink	Lofgren	McClintock
Reichman	Rowley	Rozenboom	Salmon
Schultz	Shiple	Sinclair	Sweeney
Taylor, J.	Webster	Westrich	Whitver
Zaun			

Nays, 14:

Bennett	Bisignano	Boulton	Celsi
Donahue	Dotzler	Jochum	Knox
Quirnbach	Taylor, T.	Trone Garriott	Wahls
Weiner	Winckler		

Absent, 3:

Garrett	Petersen	Zumbach
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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 Whitver asked and received unanimous consent that **Senate Files 388, 490, and 516** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 11:48 a.m. until 9:00 a.m., Wednesday, March 15, 2023.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

CHIEF INFORMATION OFFICER

Information Technology Services Financial Report, pursuant to Iowa Code section 8B.21. Report received on March 14, 2023.

INTRODUCTION OF RESOLUTION

[Senate Resolution 6](#), by Shipley, a resolution honoring and congratulating John D. Lawrence for his dedicated service to Iowa State University of Science and Technology, the State of Iowa, and all Iowans.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

STUDY BILL RECEIVED

[SSB 1206](#) Natural Resources and Environment

Designating the American cream draft horse as the official state horse of the State of Iowa.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 113](#)

(Reassigned)

WAYS AND MEANS: Dickey, Chair; Dawson and Jochum

[House File 131](#)

COMMERCE: Boussetot, Chair; Giddens and Klimesh

[House File 136](#)

COMMERCE: Rowley, Chair; Giddens and Schultz

[House File 305](#)

JUDICIARY: Webster, Chair; De Witt and Quirnbach

[House File 319](#)

HEALTH AND HUMAN SERVICES: Edler, Chair; Costello and Jochum

[House File 332](#)

STATE GOVERNMENT: Brown, Chair; Koelker and Weiner

[House File 398](#)

JUDICIARY: Reichman, Chair; J. Taylor and Weiner

[House File 424](#)

STATE GOVERNMENT: Driscoll, Chair; Jochum and Koelker

[House File 425](#)

HEALTH AND HUMAN SERVICES: Sweeney, Chair; Alons and Trone Garriott

[House File 497](#)

STATE GOVERNMENT: Salmon, Chair; Celsi and Webster

[House File 583](#)

TRANSPORTATION: Zumbach, Chair; Bennett and Koelker

[House File 584](#)

HEALTH AND HUMAN SERVICES: Guth, Chair; Evans and Trone Garriott

[House File 588](#)

TRANSPORTATION: De Witt, Chair; Webster and Winckler

[House File 617](#)

COMMERCE: Brown, Chair; Giddens and Klimesh

[House File 621](#)

HEALTH AND HUMAN SERVICES: Costello, Chair; Donahue and Edler

[House File 630](#)

JUDICIARY: Zaun, Chair; Evans and Knox

[SSB 1206](#)

NATURAL RESOURCES AND ENVIRONMENT: Sweeney, Chair; Green and Knox

BILLS REFERRED TO COMMITTEE

The following bills were referred to the following committees:

<u>House File 536</u>	Judiciary
<u>House File 541</u>	Local Government
<u>House File 590</u>	Transportation
<u>House File 626</u>	Health and Human Services

AMENDMENTS FILED

<u>S-3071</u>	<u>S.F. 516</u>	Annette Sweeney
<u>S-3072</u>	<u>S.F. 201</u>	Chris Cournoyer
<u>S-3073</u>	<u>S.F. 549</u>	Mike Busselot
<u>S-3074</u>	<u>S.F. 455</u>	Scott Webster