

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, FEBRUARY 27, 2024

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JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 27, 2024

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

Prayer was offered by the Honorable Janice Weiner, member of the Senate from Johnson County.

The Journal of Monday, February 26, 2024, 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 26, 2024, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2096](#), a bill for an act repealing gender balance requirements for appointive bodies.

[Senate File 2161](#), a bill for an act relating to false reports to or communications with public safety entities, and providing penalties.

[Senate File 2204](#), a bill for an act relating to interests in agricultural land acquired or held by foreign businesses, foreign governments, or nonresident aliens, or by agents, trustees, or fiduciaries thereof, by providing for registration and reporting requirements, providing for enforcement, and providing penalties.

ALSO:: That the House has on February 26, 2024, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2239](#), a bill for an act relating to the dissemination and exhibition of obscene material to minors, and providing penalties.

Read first time and referred to committee on **Judiciary**.

[House File 2257](#), a bill for an act relating to meat and poultry inspection, by providing an exception for certain establishments engaged in the slaughter of poultry and the preparation of poultry products on a custom basis, and including implementation provisions.

Read first time and attached to [Senate File 2207](#).

[House File 2366](#), a bill for an act relating to probate law, including charitable organizations as named beneficiaries.

Read first time and referred to committee on **Judiciary**.

[House File 2513](#), a bill for an act authorizing the Iowa sheep and wool promotion board to issue orders for the suspension and recommencement of the assessment imposed on wool, and including effective date provisions.

Read first time and referred to committee on **Agriculture**.

[House File 2585](#), a bill for an act relating to health care facilities, including joint training sessions and review of certain citations for nursing facilities, and exceptions to on-site inspections of health care facilities following complaints.

Read first time and referred to committee on **Health and Human Services**.

The Senate stood at ease at 9:26 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:28 a.m., President Sinclair presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator De Witt, until he arrives, on request of Senator Whitver.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 2395](#).

[Senate File 2395](#)

On motion of Senator Costello, [Senate File 2395](#), a bill for an act relating to the opioid settlement fund, including appropriations of the moneys in the fund, and providing an effective date, was taken up for consideration.

Senator Petersen offered amendment [S-5025](#), filed by her from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5025](#) be adopted?" ([S.F. 2395](#)), the vote was:

Yeas, 17:

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

Nays, 32:

Alons	Bousselot	Brown	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Evans	Garrett	Green
Gruenhagen	Guth	Klimesh	Koelker
Kraayenbrink	Lofgren	Reichman	Rowley

Rozenboom	Salmon	Schultz	Shiple
Sinclair	Sweeney	Taylor, J.	Webster
Westrich	Whitver	Zaun	Zumbach

Absent, 1:

De Witt

Amendment [S-5025](#) lost.

Senator Petersen offered amendment [S-5026](#), 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-5026](#) be adopted?” ([S.F. 2395](#)), the vote was:

Yeas, 16:

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

Nays, 33:

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

Absent, 1:

De Witt

Amendment [S-5026](#) lost.

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

On the question “Shall the bill pass?” ([S.F. 2395](#)), the vote was:

Yeas, 36:

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

Nays, 13:

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

Absent, 1:

De Witt

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 2395](#) 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 461 and 2160.

[Senate File 461](#)

On motion of Senator Reichman, [Senate File 461](#), a bill for an act to include veterans in the small business linked investments program, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" ([S.F. 461](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

De Witt

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

[Senate File 2160](#)

On motion of Senator Edler, [Senate File 2160](#), a bill for an act relating to ambulatory surgical centers, was taken up for consideration.

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

On the question “Shall the bill pass?” ([S.F. 2160](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

De Witt

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 461** and **2160** 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 2292 and 2349.

[Senate File 2292](#)

On motion of Senator Koelker, [Senate File 2292](#), a bill for an act relating to regulation of vessels and equipment on public lakes by common interest communities and certain nonprofit corporations, was taken up for consideration.

Senator Koelker offered amendment [S-5024](#), filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-5024](#) was adopted by a voice vote.

Senator Koelker asked and received unanimous consent that [House File 2485](#) be **substituted** for [Senate File 2292](#).

[House File 2485](#)

On motion of Senator Koelker, [House File 2485](#), a bill for an act relating to regulation of vessels and equipment on public lakes by common interest communities and certain nonprofit corporations, was taken up for consideration.

Senator Koelker moved that the bill be read the last time now and placed upon 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. 2485](#)), the vote was:

Yeas, 44:

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

Nays, 5:

Bennett	Bisignano	Donahue	Dotzler
Taylor, T.			

Absent, 1:

De Witt

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

WITHDRAWN

Senator Koelker asked and received unanimous consent that [Senate File 2292](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2349](#)

On motion of Senator Dawson, [Senate File 2349](#), a bill for an act relating to defense subpoenas in criminal cases, and providing penalties, 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. 2349](#)), the vote was:

Yeas, 35:

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

Nays, 14:

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

Absent, 1:

De Witt

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 2349](#) and [House File 2485](#) be **immediately messaged** to the House.

The Senate stood at ease at 11:38 a.m. until the fall of the gavel.

The Senate resumed session at 12:59 p.m., President Sinclair presiding.

QUORUM CALL

Senator Whitver requested a nonrecord roll call to determine that a quorum was present.

The Chair declared a quorum present.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 2391](#).

[Senate File 2391](#)

On motion of Senator Driscoll, [Senate File 2391](#), a bill for an act prohibiting the misbranding of certain food products, and providing penalties, was taken up for consideration.

Senator Driscoll offered amendment [S-5023](#), filed by her from the floor, striking and replacing everything after the enacting clause of the bill.

Senator Bisignano offered amendment [S-5028](#), filed by Senators Bisignano and Wahls from the floor to page 1 of amendment [S-5023](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5028](#) to amendment [S-5023](#) be adopted?” ([S.F. 2391](#)), the vote was:

Yeas, 16:

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

Nays, 33:

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

Absent, 1:

De Witt

Amendment [S-5028](#) to amendment [S-5023](#) lost.

Senator Bisignano offered amendment [S-5029](#), filed by Senators Bisignano and Wahls from the floor to pages 2–5 and 7 of amendment [S-5023](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5029](#) to amendment [S-5023](#) be adopted?” ([S.F. 2391](#)), the vote was:

Yeas, 16:

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

Nays, 33:

Alons	Bousselot	Brown	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Evans	Garrett	Green

Gruenhagen	Guth	Klimesh	Koelker
Kraayenbrink	Lofgren	McClintock	Reichman
Rowley	Rozenboom	Salmon	Schultz
Shiple	Sinclair	Sweeney	Taylor, J.
Webster	Westrich	Whitver	Zaun
Zumbach			

Absent, 1:

De Witt

Amendment [S-5029](#) to amendment [S-5023](#) lost.

Senator Driscoll moved the adoption of amendment [S-5023](#).

Amendment [S-5023](#) was adopted by a voice vote.

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

On the question "Shall the bill pass?" ([S.F. 2391](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

De Witt

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 2391](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:31 p.m. until 9:00 a.m., Wednesday, February 28, 2024.

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:

STATEWIDE FIRE AND POLICE RETIREMENT SYSTEM BOARD OF TRUSTEES

Annual Report, pursuant to Iowa Code section 411.5. Report received on February 26, 2024.

INTRODUCTION OF BILLS

[Senate File 2399](#), by Driscoll, a bill for an act relating to persons who qualify for the military service tax exemption, and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

[Senate File 2400](#), by Driscoll, a bill for an act excluding the net capital gain from the sale of certain livestock from the computation of net income for purposes of the individual income tax, and including retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

SUBCOMMITTEE ASSIGNMENTS

[House File 2232](#)

STATE GOVERNMENT: Driscoll, Chair; Webster and Winckler

[House File 2260](#)

COMMERCE: Klimesh, Chair; Bisignano and Rowley

[House File 2276](#)

LOCAL GOVERNMENT: Webster, Chair; Klimesh and Winckler

[House File 2306](#)

VETERANS AFFAIRS: Reichman, Chair; Salmon and Wahls

[House File 2464](#)

COMMERCE: Schultz, Chair; Bisignano and Dawson

[House File 2490](#)

COMMERCE: Rowley, Chair; Schultz and Trone Garriott

[House File 2512](#)

STATE GOVERNMENT: Cournoyer, Chair; Celsi and Koelker

[House File 2515](#)

STATE GOVERNMENT: Brown, Chair; Salmon and Weiner

[House File 2539](#)

STATE GOVERNMENT: Webster, Chair; Giddens and Kraayenbrink

APPOINTED POSITIONS

The initial submission for the Board of Barbering and Cosmetology Arts and Sciences listed 7 open appointment positions requiring gubernatorial action. However, there were only 3 open positions requiring appointment.

AMENDMENTS FILED

<u>S-5023</u>	<u>S.F. 2391</u>	Dawn Driscoll
<u>S-5024</u>	<u>S.F. 2292</u>	Carrie Koelker
<u>S-5025</u>	<u>S.F. 2395</u>	Janet Petersen
<u>S-5026</u>	<u>S.F. 2395</u>	Janet Petersen
<u>S-5027</u>	<u>S.F. 2106</u>	Adrian Dickey
<u>S-5028</u>	<u>S.F. 2391</u>	Tony Bisignano Zach Wahls
<u>S-5029</u>	<u>S.F. 2391</u>	Tony Bisignano Zach Wahls