

PROOF

STATE OF IOWA

Senate Journal

MONDAY, MARCH 4, 2024

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JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 4, 2024

The Senate met in regular session at 1:00 p.m., President Sinclair presiding.

Prayer was offered by the Honorable Jason Schultz, member of the Senate from Crawford County.

The Journal of Thursday, February 29, 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 29, 2024, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2095](#), a bill for an act relating to the exercise of religion, and including effective date and applicability provisions.

ALSO: That the House has on February 29, 2024, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 295](#), a bill for an act concerning the creation, administration, and termination of adult and minor guardianships and conservatorships. ([S-5037](#))

ALSO: That the House has on February 29, 2024, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2015](#), a bill for an act relating to special landowner deer hunting licenses.

Read first time and attached to [Senate File 2242](#).

[House File 2453](#), a bill for an act relating to the penalty for public employees and public officials taking money from a public employer.

Read first time and attached to [Senate File 2336](#).

[House File 2462](#), a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, resolve inconsistencies and conflicts, remove ambiguities, and provide for Code editor directives.

Read first time and attached to [Senate File 2351](#).

[House File 2466](#), a bill for an act relating to the administration of elections.

Read first time and attached to [Senate File 2376](#).

[House File 2482](#), a bill for an act concerning benefits relating to members of the public safety peace officers' retirement, accident, and disability system, and the municipal fire and police retirement system.

Read first time and referred to committee on **State Government**.

[House File 2484](#), a bill for an act relating to the use of deer depredation licenses.

Read first time and referred to committee on **Natural Resources and Environment**.

[House File 2486](#), a bill for an act relating to continuing education requirements for licensed professions and occupations.

Read first time and referred to committee on **State Government**.

[House File 2488](#), a bill for an act relating to prior authorizations and exemptions by health benefit plans and utilization review organizations.

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

[House File 2556](#), a bill for an act relating to damages against participants in firearms regulation violations by political subdivisions, and including effective date provisions.

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

[House File 2558](#), a bill for an act relating to higher education, including by modifying the responsibilities of private institutions of higher education, community colleges, the state board of regents, and institutions of higher education governed by the state board of regents, modifying provisions related to diversity, equity, and inclusion policies, tuition, and administrator hiring at state universities, membership of the state board of regents, and student-employer work and tuition programs at state universities and community colleges, and including applicability provisions.

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

[House File 2568](#), a bill for an act relating to nonvehicular traffic, including pedestrian conveyances and bicyclists' right-of-way at certain crosswalks, and making penalties applicable.

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

[House File 2569](#), a bill for an act relating to the improvement of United States highway 30, including prioritization by the state transportation commission and restrictions on associated use of eminent domain.

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

[House File 2573](#), a bill for an act relating to the use of telemedicine in the issuance of a certification to receive a medical cannabidiol registration card.

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

[House File 2581](#), a bill for an act relating to required timing for notices regarding underground facility excavations and enforcement of excavation provisions, and including penalties.

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

[House File 2592](#), a bill for an act relating to the placement of a police officer on a Brady-Giglio list, including the right of a police officer to petition the court and the standard of proof required for actions regarding such placement.

Read first time and attached to [Senate File 2338](#).

[House File 2593](#), a bill for an act relating to the review of an officer-involved shooting case by a county attorney.

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

[House File 2600](#), a bill for an act relating to the venue for prosecution of a controlled substance violation resulting in the death or serious bodily injury of another.

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

[House File 2603](#), a bill for an act relating to previous law enforcement certification by other states.

Read first time and attached to [Senate File 2276](#).

[House File 2612](#), a bill for an act relating to area education agencies, including by modifying provisions related to the duties and powers of area education agencies, the membership of area education agency boards of directors, oversight by the department of education, funding, and establishing a task force related to area education agency operations, and including effective date and applicability provisions.

Read first time and attached to [Senate File 2386](#).

The Senate stood at ease at 1:09 p.m. until the fall of the gavel for the purpose of party caucuses.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator T. Taylor, until he arrives, on request of Senator Jochum; and Senators De Witt, Gruenhagen, and J. Taylor, 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 2191](#).

[Senate File 2191](#)

On motion of Senator Westrich, [Senate File 2191](#), a bill for an act relating to the development of a policy governing responses to a fire alarm activated on school grounds outside of a scheduled fire drill by school districts, accredited nonpublic schools, charter schools, and innovation zone schools, and including effective date provisions, was taken up for consideration.

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

On the question “Shall the bill pass?” ([S.F. 2191](#)), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

De Witt	Gruenhagen	Taylor, J.	Taylor, T.
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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 2191](#) 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 2196, 2243, 2290, and 2325.

[Senate File 2196](#)

On motion of Senator Green, [Senate File 2196](#), a bill for an act relating to the provision of information relating to school immunization exemptions, was taken up for consideration.

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

On the question "Shall the bill pass?" ([S.F. 2196](#)), the vote was:

Yeas, 31:

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

Nays, 15:

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

Absent, 4:

De Witt	Gruenhagen	Taylor, J.	Taylor, T.
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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 2243](#)

On motion of Senator Alons, [Senate File 2243](#), a bill for an act relating to sexual exploitation of a minor by the creation, adaptation, or modification of a visual depiction to give the appearance that an identifiable minor is engaged in a prohibited sexual act or the simulation of a prohibited sexual act, and making penalties applicable, 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. 2243](#)), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

De Witt	Gruenhagen	Taylor, J.	Taylor, T.
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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 2290](#)

On motion of Senator Bousselot, [Senate File 2290](#), a bill for an act relating to the wholesaling of residential property by a wholesaler, and providing civil penalties, was taken up for consideration.

Senator Bousselot asked and received unanimous consent that [House File 2394](#) be **substituted** for [Senate File 2290](#).

[House File 2394](#)

On motion of Senator Bousselot, [House File 2394](#), a bill for an act relating to the wholesaling of residential property by a wholesaler, and providing civil penalties, was taken up for consideration.

Senator Bousselot moved that the bill be read the last time now and placed upon 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. 2394](#)), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

De Witt	Gruenhagen	Taylor, J.	Taylor, T.
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Bousselot asked and received unanimous consent that [Senate File 2290](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2325](#)

On motion of Senator Webster, [Senate File 2325](#), a bill for an act relating to city civil service employees and related procedures and including effective date provisions, was taken up for consideration.

Senator Webster offered amendment [S-5038](#), filed by him from the floor to pages 2–4 of the bill, and moved its adoption.

Amendment [S-5038](#) was adopted by a voice vote.

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

On the question “Shall the bill pass?” ([S.F. 2325](#)), the vote was:

Yeas, 37:

Alons	Bisignano	Boulton	Bousselot
Brown	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Evans	Garrett	Giddens	Green
Guth	Klimesh	Koelker	Kraayenbrink
Lofgren	McClintock	Reichman	Rowley
Rozenboom	Salmon	Schultz	Shiple
Sinclair	Sweeney	Trone Garriott	Wahls
Webster	Westrich	Whitver	Zaun
Zumbach			

Nays, 9:

Bennett	Celsi	Donahue	Jochum
Knox	Petersen	Quirnbach	Weiner
Winckler			

Absent, 4:

De Witt	Gruenhagen	Taylor, J.	Taylor, T.
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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 2196, 2243, and 2325** and **House File 2394** 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 2362 and 2370.

[Senate File 2362](#)

On motion of Senator Rowley, [Senate File 2362](#), a bill for an act relating to residential and motor vehicle service contracts and licenses, was taken up for consideration.

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

On the question “Shall the bill pass?” ([S.F. 2362](#)), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

De Witt	Gruenhagen	Taylor, J.	Taylor, T.
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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 2370](#)

On motion of Senator Bousselot, [Senate File 2370](#), a bill for an act concerning the executive branch rulemaking process and other agency functions and related matters, was taken up for consideration.

Senator Bousselot offered amendment [S-5041](#), filed by him from the floor to pages 1, 10–13, and 19–20 of the bill, and moved its adoption.

Amendment [S-5041](#) was adopted by a voice vote.

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

On the question “Shall the bill pass?” ([S.F. 2370](#)), the vote was:

Yeas, 31:

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

Nays, 15:

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

Absent, 4:

De Witt	Gruenhagen	Taylor, J.	Taylor, T.
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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 RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate Joint Resolution 2002](#).

[Senate Joint Resolution 2002](#)

On motion of Senator Sweeney, [Senate Joint Resolution 2002](#), a joint resolution designating the American cream draft horse as the official state horse of the State of Iowa, was taken up for consideration.

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

Senate Joint Resolution 2002, a joint resolution designating the American cream draft horse as the official state horse of the State of Iowa. WHEREAS, the American cream draft horse is the only draft horse breed native to the United States; and WHEREAS, the American cream draft horse is a breed that traces its bloodline back to a mare named “Old Granny”, which is believed to have been foaled in Iowa around the turn of the last century, first appearing in records from a farm sale in the city of Jewell, in Story county, Iowa, in 1911; and WHEREAS, the breed was recognized by the Iowa department of agriculture in 1950, based on a 1948 recommendation by the national stallion enrollment board; and WHEREAS, in 1944, the American cream horse association of America was chartered by Mr. C.T. Rierson, and his assistant Mrs. Karene (Bunker) Topp, of Radcliffe, Iowa, the culmination of almost 40 years of interest in creating a new breed of American draft horse; and WHEREAS, in 1993, members of the organization voted to amend the organization’s articles of incorporation to change its name to the American cream draft horse association; and WHEREAS, the American cream draft horse is immediately identifiable by its cream coat, pink skin, and amber-colored eyes, specific traits of the famous champagne dilution gene; and WHEREAS, in 1990, genetic testing found that, compared with other draft breeds and based upon gene marker data, the American cream draft horse formed a distinct group within the draft horses; and WHEREAS, the breed is closely associated with Iowa’s farming heritage — having a wide chest; sloping shoulders; a short, strong back; well-muscled hindquarters with strong, well-proportioned legs set well apart; strong hooves; and a gentle disposition; NOW THEREFORE, BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA: Section 1. STATE HORSE DESIGNATED. The American cream draft horse is designated and shall be officially known as the state horse of Iowa. Sec. 2. APPROPRIATE REPRESENTATIONS. The state records commission shall cooperate with the American cream draft horse association to obtain appropriate pictures and other representations of the American cream draft horse and shall display the pictures and representations in an appropriate place in the state historical museum. Sec. 3. OFFICIAL REGISTER. The editor of the Iowa official register shall cooperate with the American cream draft horse association to include an appropriate picture and commentary of the American cream draft horse in the Iowa official register along with the pictures of the state rock, state flower, state bird, and state tree.

On the question “Shall the resolution be adopted?” ([S.J.R. 2002](#)), the vote was:

Yeas, 43:

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

Nays, 3:

Dickey	Donahue	Dotzler
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Absent, 4:

De Witt	Gruenhagen	Taylor, J.	Taylor, T.
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The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [Senate Joint Resolution 2002](#) and **Senate Files 2362** and **2370** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bisignano, until he arrives, on request of Senator Jochum.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 2381](#).

[Senate File 2381](#)

On motion of Senator Edler, [Senate File 2381](#), a bill for an act relating to certain cost controls for health care services, was taken up for consideration.

Senator Edler offered amendment [S-5039](#), filed by him from the floor to pages 1–4 and 7–9 and amending the title page of the bill, and moved its adoption.

Amendment [S-5039](#) was adopted by a voice vote.

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. 2381](#)), the vote was:

Yeas, 45:

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

Nays, none.

Absent, 5:

Bisignano	De Witt	Gruenhagen	Taylor, J.
Taylor, T.			

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 Whitver asked and received unanimous consent that [Senate File 2381](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 3:37 p.m. until 9:00 a.m., Tuesday, March 5, 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:

DEPARTMENT OF WORKFORCE DEVELOPMENT

Unemployment Compensation Trust Fund Report, pursuant to Iowa Code section 96.35. Report received on March 4, 2024.

SUBCOMMITTEE ASSIGNMENTS

[House File 2013](#)

STATE GOVERNMENT: Driscoll, Chair; Dawson and Winckler

[House File 2210](#)

STATE GOVERNMENT: Driscoll, Chair; Celsi and Kraayenbrink

[House File 2278](#)

EDUCATION: Green, Chair; Giddens and Westrich

[House File 2299](#)

STATE GOVERNMENT: Cournoyer, Chair; Giddens and Westrich

[House File 2304](#)

TRANSPORTATION: Webster, Chair; Bisignano and Klimesh

[House File 2307](#)

TRANSPORTATION: Boussetot, Chair; Cournoyer and Winckler

[House File 2375](#)

STATE GOVERNMENT: Schultz, Chair; Bisignano and Boussetot

[House File 2393](#)

EDUCATION: Green, Chair; Garrett and Trone Garriott

[House File 2448](#)

STATE GOVERNMENT: Cournoyer, Chair; Dawson and Weiner

[House File 2451](#)

TRANSPORTATION: Klimesh, Chair; Dickey and T. Taylor

[House File 2465](#)

EDUCATION: Rozenboom, Chair; Giddens and Kraayenbrink

[House File 2553](#)

EDUCATION: Kraayenbrink, Chair; Celsi and Evans

[House File 2554](#)

COMMERCE: Boussetot, Chair; Brown and Wahls

[House File 2579](#)

TRANSPORTATION: Dickey, Chair; Bennett and Webster

[House File 2581](#)

COMMERCE: Brown, Chair; Boussetot and Giddens

[House File 2586](#)

EDUCATION: Evans, Chair; Garrett and Quirnbach

[House File 2615](#)

EDUCATION: Green, Chair; Garrett and Trone Garriott

[House File 2617](#)

EDUCATION: J. Taylor, Chair; Quirnbach and Salmon

BILL REFERRED TO COMMITTEE

The following bill was referred to the following committee:

[House File 2554](#) Commerce

AMENDMENTS FILED

S-5037	S.F. 295	House
S-5038	S.F. 2325	Scott Webster
S-5039	S.F. 2381	Jeff Edler
S-5040	S.F. 2334	Lynn Evans
S-5041	S.F. 2370	Mike Boussetot