

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, FEBRUARY 20, 2024

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JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 20, 2024

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

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

The Journal of Monday, February 19, 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 19, 2024, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 591](#), a bill for an act relating to the midwest interstate passenger rail compact, and including effective date provisions.

Read first time and attached to [Senate File 2315](#).

[House File 2100](#), a bill for an act relating to reinsurance requirements for county and state mutual insurance associations.

Read first time and attached to [Senate File 2293](#).

[House File 2101](#), a bill for an act relating to the acquisition of water, sanitary sewer, and storm water utilities by rate-regulated public utilities.

Read first time and attached to [Senate File 2181](#).

[House File 2237](#), a bill for an act relating to the operation of all-terrain and off-road utility vehicles on state park road systems.

Read first time and attached to [Senate File 2157](#).

[House File 2249](#), a bill for an act relating to trapping by persons under the age of sixteen.

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

[House File 2260](#), a bill for an act relating to the practices of performing rights societies.

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

[House File 2262](#), a bill for an act relating to money transmission services, providing penalties, and including effective date and retroactive applicability provisions.

Read first time and attached to [Senate File 2294](#).

[House File 2305](#), a bill for an act relating to child care center staff requirements for providing flex care to children up to five years of age.

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

[House File 2306](#), a bill for an act relating to the membership of the commission of veterans affairs.

Read first time and referred to committee on **Veterans Affairs**.

[House File 2316](#), a bill for an act providing an alternative to filing a bond as a condition of registering and titling certain motor vehicles.

Read first time and attached to [Senate File 2308](#).

[House File 2325](#), a bill for an act relating to inspections for violations relating to retailers of cigarettes, tobacco, tobacco products, alternative nicotine products, and vapor products that provide for use or consumption of regulated products on the retailer's premises.

Read first time and attached to [Senate File 2023](#).

[House File 2326](#), a bill for an act relating to real estate brokers, and the rental or leasing of real estate, and including effective date and applicability provisions.

Read first time and attached to [Senate File 2382](#).

[House File 2390](#), a bill for an act relating to certain powers and duties of the department of inspections, appeals, and licensing including confidentiality of information and records, and dependent adult abuse, and making penalties applicable.

Read first time and attached to [Senate File 2295](#).

[House File 2394](#), a bill for an act relating to the wholesaling of residential property by a wholesaler, and providing civil penalties.

Read first time and attached to [Senate File 2290](#).

[House File 2400](#), a bill for an act relating to contracts and payments for dental care service plans.

Read first time and attached to [Senate File 2384](#).

[House File 2421](#), a bill for an act relating to firearms by limiting civil liability of federal firearms licensees who enter into voluntary firearm hold agreements with individuals.

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

[House File 2446](#), a bill for an act providing for certain business entities by establishing a military service filing fee waiver, and including effective date provisions.

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

The Senate stood at ease at 9:08 a.m. until the fall of the gavel for the purpose of party caucuses.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators De Witt, Garrett, Koelker, and McClintock, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2116, 2161, and 2262.

[Senate File 2116](#)

On motion of Senator Klimesh, [Senate File 2116](#), a bill for an act relating to nonpedestrian travel on roadways based on lane designations, including the manner of overtaking other vehicles, providing penalties, and making penalties applicable, 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. 2116](#)), the vote was:

Yeas, 38:

Alons	Bisignano	Boulton	Bousselot
Brown	Costello	Cournoyer	Dawson
Dickey	Donahue	Driscoll	Edler

Evans	Giddens	Green	Gruenhagen
Guth	Klimesh	Knox	Kraayenbrink
Lofgren	Reichman	Rowley	Rozenboom
Salmon	Schultz	Shiple	Sinclair
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Webster	Westrich	Whitver
Zaun	Zumbach		

Nays, 8:

Bennett	Celsi	Dotzler	Jochum
Petersen	Quirnbach	Weiner	Winckler

Absent, 4:

De Witt	Garrett	Koelker	McClintock
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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 2161](#)

On motion of Senator Dawson, [Senate File 2161](#), a bill for an act relating to false reports to or communications with public safety entities, 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. 2161](#)), the vote was:

Yeas, 46:

Alons	Bennett	Bisignano	Boulton
Bousselot	Brown	Celsi	Costello
Cournoyer	Dawson	Dickey	Donahue
Dotzler	Driscoll	Edler	Evans
Giddens	Green	Gruenhagen	Guth
Jochum	Klimesh	Knox	Kraayenbrink
Lofgren	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, 4:

De Witt Garrett Koelker McClintock

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

[Senate File 2262](#)

On motion of Senator Dawson, [Senate File 2262](#), a bill for an act relating to a probation officer's access to confidential information filed with the court for securing an arrest or search warrant, 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. 2262](#)), the vote was:

Yeas, 46:

Alons	Bennett	Bisignano	Boulton
Bousselot	Brown	Celsi	Costello
Cournoyer	Dawson	Dickey	Donahue
Dotzler	Driscoll	Edler	Evans
Giddens	Green	Gruenhagen	Guth
Jochum	Klimesh	Knox	Kraayenbrink
Lofgren	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, 4:

De Witt Garrett Koelker McClintock

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 2116, 2161, and 2262** 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 2205, 2285, and 2291.

[Senate File 2205](#)

On motion of Senator Webster, [Senate File 2205](#), a bill for an act relating to requirements for the hiring of civil service positions, was taken up for consideration.

Senator Webster offered amendment [S-5017](#), filed by him 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-5017](#) was adopted by a voice vote.

With the adoption of amendment [S-5017](#), the Chair ruled amendment [S-5013](#), filed by Senator Webster on February 19, 2024, to page 1 of the bill out of order.

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. 2205](#)), the vote was:

Yeas, 46:

Alons	Bennett	Bisignano	Boulton
Bousselot	Brown	Celsi	Costello
Cournoyer	Dawson	Dickey	Donahue
Dotzler	Driscoll	Edler	Evans
Giddens	Green	Gruenhagen	Guth
Jochum	Klimesh	Knox	Kraayenbrink
Lofgren	Petersen	Quirnbach	Reichman
Rowley	Rozenboom	Salmon	Schultz

Shipleigh	Sinclair	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Webster
Weiner	Westrich	Whitver	Winckler
Zaun	Zumbach		

Nays, none.

Absent, 4:

De Witt	Garrett	Koelker	McClintock
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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 2285](#)

On motion of Senator Rowley, [Senate File 2285](#), a bill for an act relating to the elimination of certain required reports by and duties of the department of health and human services, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Rowley offered amendment [S-5016](#), filed by him from the floor to pages 1–2 of the bill, and moved its adoption.

Amendment [S-5016](#) was adopted by a voice vote.

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. 2285](#)), the vote was:

Yeas, 46:

Alons	Bennett	Bisignano	Boulton
Bousselot	Brown	Celsi	Costello
Cournoyer	Dawson	Dickey	Donahue
Dotzler	Driscoll	Edler	Evans
Giddens	Green	Gruenhagen	Guth
Jochum	Klimesh	Knox	Kraayenbrink
Lofgren	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, 4:

De Witt	Garrett	Koelker	McClintock
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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 2291](#)

On motion of Senator Gruenhagen, [Senate File 2291](#), a bill for an act relating to real estate brokers and brokerage agreements, was taken up for consideration.

Senator Gruenhagen 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. 2291](#)), the vote was:

Yeas, 46:

Alons	Bennett	Bisignano	Boulton
Bousselot	Brown	Celsi	Costello
Cournoyer	Dawson	Dickey	Donahue
Dotzler	Driscoll	Edler	Evans
Giddens	Green	Gruenhagen	Guth
Jochum	Klimesh	Knox	Kraayenbrink
Lofgren	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, 4:

De Witt	Garrett	Koelker	McClintock
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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 2205, 2285, and 2291** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 10:44 a.m. until 1:00 p.m.

RECONVENED

The Senate reconvened at 1:03 p.m., President Sinclair 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 20, 2024, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2098](#), a bill for an act relating to an assault committed by a person against whom a protective order is issued, and providing penalties.

Read first time and attached to [Senate File 2174](#).

[House File 2136](#), a bill for an act relating to medical personnel authorized to withdraw a specimen of blood from a person suspected of operating while intoxicated.

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

[House File 2153](#), a bill for an act relating to the college student aid commission's reporting requirements.

Read first time and attached to [Senate File 2366](#).

[House File 2248](#), a bill for an act relating to robbery in the first degree, robbery in the second degree, and the applicable statutes of limitations.

Read first time and attached to [Senate File 2282](#).

[House File 2264](#), a bill for an act relating to the use of county funds by ecclesiastical and sectarian institutions.

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

[House File 2265](#), a bill for an act relating to the notice requirement for the renewal or nonrenewal of personal lines policies, and including effective date provisions.

Read first time and attached to [Senate File 2359](#).

[House File 2269](#), a bill for an act relating to the salaries of assessors who are appointed to serve a previous assessor's unexpired term.

Read first time and attached to [Senate File 2028](#).

[House File 2328](#), a bill for an act relating to the use capacity of campground septic systems.

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

[House File 2404](#), a bill for an act relating to processes overseen by the department of health and human services, including internal adoption information sharing, dependent adult abuse matters, juvenile justice court filings, and mandatory reporter training.

Read first time and attached to [Senate File 2355](#).

[House File 2405](#), a bill for an act relating to the investment of funds by life insurance companies and associations.

Read first time and attached to [Senate File 2297](#).

[House File 2464](#), a bill for an act relating to government records of firearms, and payment card transactions involving firearms and ammunition, and providing civil penalties.

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

[House File 2490](#), a bill for an act relating to the reorganization of county and state mutual insurance associations.

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

The Senate stood at ease at 1:05 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 1:37 p.m., President Sinclair presiding.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2095 and 2096.

[Senate File 2095](#)

On motion of Senator Schultz, [Senate File 2095](#), a bill for an act relating to the exercise of religion, and including effective date and applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Weiner offered amendment [S-5018](#), filed by her 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-5018](#) be adopted?" ([S.F. 2095](#)), the vote was:

Yeas, 16:

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

Nays, 31:

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

Absent, 3:

De Witt	Garrett	McClintock
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Amendment [S-5018](#) lost.

Senator Schultz 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. 2095](#)), the vote was:

Yeas, 31:

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

Nays, 16:

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

Absent, 3:

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

The Senate stood at ease at 3:09 p.m. until the fall of the gavel.

The Senate resumed session at 4:10 p.m., President Sinclair presiding.

[Senate File 2096](#)

On motion of Senator Schultz, [Senate File 2096](#), a bill for an act repealing gender balance requirements for appointive bodies, with report of committee recommending passage, was taken up for consideration.

Senator Schultz 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. 2096](#)), the vote was:

Yeas, 32:

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

Nays, 15:

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

Absent, 3:

De Witt	Garrett	McClintock
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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 2095** and **2096** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 5:07 p.m. until 9:00 a.m., Wednesday, February 21, 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 ADMINISTRATIVE SERVICES

State Fleet Qualified Renewable Fuels Compliance Annual Report pursuant to Iowa Code section 8A.369. Report received on February 20, 2024.

INTRODUCTION OF BILL

[Senate File 2394](#), by Koelker, a bill for an act relating to economic development by establishing the Iowa major events and tourism program and fund, modifying the sports tourism and marketing infrastructure program, and making appropriations.

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

STUDY BILLS RECEIVED

[SSB 3183](#) **Appropriations**

Relating to the maximum amount of available resources disregarded under the Medicaid for employed people with disabilities program.

SSB 3184 Appropriations

Relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2133**

APPROPRIATIONS: Kraayenbrink, Chair; Dotzler and Koelker

Senate File 2259

WAYS AND MEANS: Dickey, Chair; Dotzler and Schultz

Senate File 2266

WAYS AND MEANS: Klimesh, Chair; Winckler and Zaun

Senate File 2288

WAYS AND MEANS: Brown, Chair; Petersen and Rowley

Senate File 2347

WAYS AND MEANS: Bousselot, Chair; Klimesh and Quirmbach

Senate File 2350

WAYS AND MEANS: Rowley, Chair; Petersen and Sweeney

Senate File 2354

APPROPRIATIONS: Edler, Chair; Costello and Petersen

Senate File 2373

APPROPRIATIONS: Kraayenbrink, Chair; J. Taylor and Winckler

Senate File 2375

APPROPRIATIONS: Kraayenbrink, Chair; Celsi and Rowley

House File 2136

JUDICIARY: Rowley, Chair; Knox and J. Taylor

[House File 2421](#)

JUDICIARY: Webster, Chair; Schultz and Weiner

[SSB 3183](#)

APPROPRIATIONS: Costello, Chair; Donahue and Edler

[SSB 3184](#)

APPROPRIATIONS: Koelker, Chair; Petersen and Zumbach

AMENDMENTS FILED

<u>S-5016</u>	<u>S.F. 2285</u>	David Rowley
<u>S-5017</u>	<u>S.F. 2205</u>	Scott Webster
<u>S-5018</u>	<u>S.F. 2095</u>	Janice Weiner