

PROOF

STATE OF IOWA

Senate Journal

MONDAY, MARCH 25, 2024

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JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 25, 2024

The Senate met in regular session at 1:02 p.m., President Sinclair presiding.

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

The Journal of Thursday, March 21, 2024, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 21, 2024, **amended** the Senate amendment, **concurred** in the Senate amendment **as amended**, and **passed** the following bill in which the concurrence of the Senate is asked:

[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. ([S-5090](#))

RECESS

On motion of Senator Brown, the Senate recessed at 1:06 p.m. until the conclusion of the Pioneer Lawmakers Ceremony.

RECONVENED

The Senate reconvened at 2:14 p.m., President Sinclair presiding.

The Senate stood at ease at 2:14 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:10 p.m., President Sinclair presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Salmon and J. Taylor, until they arrive, on request of Senator Whitver; and Senators Bennett and Wahls, until they arrive, on request of Senator Jochum.

HOUSE AMENDMENTS CONSIDERED

[Senate File 2275](#)

Senator Whitver called up for consideration [Senate File 2275](#), a bill for an act requiring notice to the general assembly in appellate actions regarding the constitutionality of a statute and including effective date and applicability provisions, amended by the House in House amendment [S-5076](#), filed March 18, 2024.

Senator Boussetlot 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 Boussetlot 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. 2275](#)), the vote was:

Yeas, 35:

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

Nays, 11:

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

Absent, 4:

Bennett	Salmon	Taylor, J.	Wahls
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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 455](#)

Senator Whitver called up for consideration [Senate File 455](#), a bill for an act relating to the regulation of topsoil and storm water at construction sites, amended by the House in House amendment [S-5058](#), filed March 12, 2024.

Senator Webster 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 Webster 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. 455](#)), the vote was:

Yeas, 29:

Alons	Bousselot	Brown	Costello
Cournoyer	Dawson	De Witt	Dickey
Driscoll	Edler	Garrett	Green
Gruenhagen	Guth	Klimesh	Koelker
Kraayenbrink	Lofgren	McClintock	Reichman
Rowley	Rozenboom	Schultz	Sinclair
Webster	Westrich	Whitver	Zaun
Zumbach			

Nays, 18:

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

Absent, 3:

Salmon	Taylor, J.	Wahls
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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 345](#)

Senator Whitver called up for consideration [Senate File 345](#), a bill for an act relating to the regulation of certain tobacco products, providing penalties, and including effective date provisions, amended by the House in House amendment [S-5050](#), filed March 5, 2024.

Senator Dawson offered amendment [S-5091](#), filed by him from the floor to pages 1, 2, 6, and 7 of House amendment [S-5050](#), and moved its adoption.

Amendment [S-5091](#) was adopted by a voice vote.

Senator Dawson moved that the Senate concur in the House amendment, as amended.

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

Senator Dawson moved that the bill, as amended by the House, further amended 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. 345](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Salmon	Taylor, J.	Wahls
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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.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 345, 455, and 2275** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2117, 2157, and 2276.

Senate File 2117

On motion of Senator Klimesh, [Senate File 2117](#), a bill for an act relating to personal information of the previous owner of a motor vehicle, placed on the Unfinished Business Calendar on March 14, 2024, was taken up for consideration.

Senator Klimesh asked and received unanimous consent that [House File 2185](#) be **substituted** for [Senate File 2117](#).

House File 2185

On motion of Senator Klimesh, [House File 2185](#), a bill for an act relating to personal information of the previous owner of a motor vehicle, 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?” ([H.F. 2185](#)), the vote was:

Yeas, 39:

Alons	Bennett	Boulton	Bousselot
Brown	Costello	Cournoyer	Dawson
De Witt	Dickey	Driscoll	Edler
Evans	Garrett	Giddens	Green
Gruenhagen	Guth	Klimesh	Knox
Koelker	Kraayenbrink	Lofgren	McClintock
Quirnbach	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Sweeney
Trone Garriott	Webster	Westrich	Whitver
Winckler	Zaun	Zumbach	

Nays, 8:

Bisignano	Celsi	Donahue	Dotzler
Jochum	Petersen	Taylor, T.	Weiner

Absent, 3:

Salmon	Taylor, J.	Wahls
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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 Klimesh asked and received unanimous consent that [Senate File 2117](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2157](#)

On motion of Senator Sweeney, [Senate File 2157](#), a bill for an act relating to the operation of off-road utility vehicles on state park road systems, placed on the Unfinished Business Calendar on March 14, 2024, was taken up for consideration.

Senator Sweeney offered amendment [S-5093](#), filed by her from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment [S-5093](#) was adopted by a voice vote.

Senator Sweeney asked and received unanimous consent that [House File 2237](#) be **substituted** for [Senate File 2157](#).

[House File 2237](#)

On motion of Senator Sweeney, [House File 2237](#), a bill for an act relating to the operation of off-road utility vehicles on state park road systems, was taken up for consideration.

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?" ([H.F. 2237](#)), the vote was:

Yeas, 45:

Alons	Bennett	Boulton	Bousselot
Brown	Costello	Cournoyer	Dawson
De Witt	Dickey	Donahue	Dotzler
Driscoll	Edler	Evans	Garrett
Giddens	Green	Gruenhagen	Guth
Jochum	Klimesh	Knox	Koelker
Kraayenbrink	Lofgren	McClintock	Petersen
Quirnbach	Reichman	Rowley	Rozenboom

Schultz	Shipley	Sinclair	Sweeney
Taylor, T.	Trone Garriott	Webster	Weiner
Westrich	Whitver	Winckler	Zaun
Zumbach			

Nays, 2:

Bisignano	Celsi
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Absent, 3:

Salmon	Taylor, J.	Wahls
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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 Sweeney asked and received unanimous consent that [Senate File 2157](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2276](#)

On motion of Senator Rowley, [Senate File 2276](#), a bill for an act relating to previous law enforcement certification by other states, placed on the Unfinished Business Calendar on March 14, 2024, was taken up for consideration.

Senator Rowley asked and received unanimous consent that [House File 2603](#) be **substituted** for [Senate File 2276](#).

[House File 2603](#)

On motion of Senator Rowley, [House File 2603](#), a bill for an act relating to previous law enforcement certification by other states, 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?” ([H.F. 2603](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Salmon	Taylor, J.	Wahls
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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 Rowley asked and received unanimous consent that [Senate File 2276](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2185, 2237, and 2603** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2338 and 2339; and [House File 2488](#).

[Senate File 2338](#)

On motion of Senator Dawson, [Senate File 2338](#), 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, placed on the Unfinished Business Calendar on March 14, 2024, was taken up for consideration.

Senator Dawson offered amendment [S-5092](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-5092](#) was adopted by a voice vote.

Senator Dawson asked and received unanimous consent that [House File 2592](#) be **substituted** for [Senate File 2338](#).

[House File 2592](#)

On motion of Senator Dawson, [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, 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?" ([H.F. 2592](#)), the vote was:

Yeas, 47:

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

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

Nays, none.

Absent, 3:

Salmon	Taylor, J.	Wahls
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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 Dawson asked and received unanimous consent that [Senate File 2338](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2339](#)

On motion of Senator Boussetot, [Senate File 2339](#), a bill for an act relating to controlled substances, including certain controlled substances schedules and precursor substances reporting requirements, making penalties applicable, and including effective date provisions, placed on the Unfinished Business Calendar on March 14, 2024, was taken up for consideration.

Senator Boussetot asked and received unanimous consent that [House File 2166](#) be **substituted** for [Senate File 2339](#).

[House File 2166](#)

On motion of Senator Boussetot, [House File 2166](#), a bill for an act relating to controlled substances, including certain controlled substances schedules and precursor substances reporting requirements, making penalties applicable, and including effective date provisions, was taken up for consideration.

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?” ([H.F. 2166](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Salmon	Taylor, J.	Wahls
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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 2339](#) be **withdrawn** from further consideration of the Senate.

[House File 2488](#)

On motion of Senator Edler, [House File 2488](#), a bill for an act relating to prior authorizations and exemptions by health benefit plans and utilization review organizations, placed on the Unfinished Business Calendar on March 21, 2024, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Edler offered amendment [S-5063](#), filed by the committee on Health and Human Services on March 18, 2024, to pages 1 and 3 and amending the title page of the bill.

Senator Petersen raised the point of order that amendment [S-5063](#) was not germane to the bill.

The Chair ruled the point not well-taken and amendment [S-5063](#) in order.

Senator Petersen asked and received unanimous consent that action on amendment [S-5063](#) and [House File 2488](#) be **deferred**.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2166** and **2592** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 4:09 p.m. until 9:00 a.m., Tuesday, March 26, 2024.

APPENDIX

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF EDUCATION

Additional Data Report, pursuant to Iowa Code section 260C.14. Report received on March 25, 2024.

Child Development Coordination Council Annual Report, pursuant to Iowa Code section 256A.3. Report received on March 25, 2024.

Gap Tuition Assistance Program Report, pursuant to Iowa Code section 260I. Report received on March 25, 2024.

Iowa Association of School Boards Annual Report, pursuant to Iowa Code section 279.38. Report received on March 25, 2024.

Kindergarten Literacy Assessment (KLA) Report, pursuant to Iowa Code section 279.60. Report received on March 25, 2024.

Pathways for Academic Career and Employment (PACE) Program Report, pursuant to Iowa Code section 260H. Report received on March 25, 2024.

SAVE/SILO Report, pursuant to Iowa Code section 256.9. Report received on March 25, 2024.

Workforce Training and Economic Development (WTED) Fund Annual Report, pursuant to Iowa Code section 260C.18A. Report received on March 25, 2024.

STUDY BILLS RECEIVED

[SSB 3194](#) **Ways and Means**

Relating to the correction and substitution of death certificates.

[SSB 3195](#) **Ways and Means**

Relating to civil liability and associated insurance requirements of alcoholic beverage licensees or permittees who also sell or serve consumable hemp products.

SUBCOMMITTEE ASSIGNMENTS

[House File 674](#) (Reassigned)

WAYS AND MEANS: Klimesh, Chair; Rowley and T. Taylor

[House File 681](#) (Reassigned)

WAYS AND MEANS: Driscoll, Chair; Jochum and Sweeney

[House File 2626](#)

WAYS AND MEANS: Koelker, Chair; Dawson and Quirnbach

[House File 2648](#)

WAYS AND MEANS: Koelker, Chair; Dickey and Dotzler

[House File 2649](#)

WAYS AND MEANS: Dawson, Chair; Jochum and Koelker

[House File 2655](#)

WAYS AND MEANS: Boussetlot, Chair; Brown and Petersen

[SSB 3194](#)

WAYS AND MEANS: Rowley, Chair; Dawson and Winckler

[SSB 3195](#)

WAYS AND MEANS: Dawson, Chair; Dotzler and Driscoll

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 2389](#), the following correction was made:

1. Page 15, line 18: changed “qoods” to “goods”.

W. CHARLES SMITHSON
Secretary of the Senate

NOTICE OF HEARING

Pursuant to Senate Rule 59, a hearing on the confirmation of McKenzie Snow as Director of the Department of Education is scheduled for Tuesday, March 26, 2024, at 7:30 a.m. in Senate Room 22. The hearing is for a maximum duration of sixty minutes, including questions from the subcommittee and statements by members of the public. Members of the public may submit questions to the subcommittee of Senators Jeff Taylor, Ken Rozenboom, or Herman Quirnbach prior to the hearing. Only members of the subcommittee shall be permitted to ask questions of Director Snow or other senators. Members of the public may make statements at the hearing up to a maximum of two minutes per speaker. Statements by the public at the hearing shall be for a maximum of thirty minutes.

AMENDMENTS FILED

S-5090	H.F. 2612	House
S-5091	S.F. 345	Dan Dawson
S-5092	S.F. 2338	Dan Dawson
S-5093	S.F. 2157	Annette Sweeney
S-5094	H.F. 2531	Chris Cournoyer
S-5095	H.F. 2302	Nate Boulton
S-5096	H.F. 2488	Molly Donahue