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**STATE OF IOWA**

**Senate Journal**

**THURSDAY, FEBRUARY 18, 2021**

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# JOURNAL OF THE SENATE

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THIRTY-NINTH CALENDAR DAY  
TWENTY-FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, February 18, 2021

The Senate met in regular session at 9:05 a.m., Senator R. Smith presiding.

Prayer was offered by the Honorable Tom Shipley, member of the Senate from Adams County, Nodaway, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Sam Wilson.

The Journal of Wednesday, February 17, 2021, was approved.

## HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 17, 2021, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 130](#), a bill for an act relating to a temporary exception to a limitation on compensation for a member of a board of directors of a school corporation, and including effective date provisions.

[Senate File 285](#), a bill for an act relating to suspension of a student's participation in the all Iowa opportunity scholarship program.

[Senate File 343](#), a bill for an act relating to authorized access to certain confidential records by employees of the department of corrections, a judicial district department of correctional services, and the board of parole.

ALSO: That the House has on February 17, 2021, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 365](#), a bill for an act relating to the service of notices of garnishment by sheriffs.

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

[House File 385](#), a bill for an act relating to open enrollment of certain students and the determination of good cause and including applicability provisions.

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

[House File 418](#), a bill for an act relating to property tax levies, exemptions, classifications, assessment limitations, and administration, and including effective date and applicability provisions.

Read first time and attached to **similar** [Senate File 365](#).

[House File 428](#), a bill for an act relating to the national guard of the state concerning armory board leases, persons subject to the code of military justice, criminal justice reporting, and scholarship and loan repayment programs.

Read first time and **passed on file**.

[House File 433](#), a bill for an act relating to court reporters, including the reporting of adoption hearings and uncertified shorthand reporter appointments.

Read first time and **passed on file**.

[House File 456](#), a bill for an act creating a special motion for expedited relief in actions involving the exercise of the right of freedom of speech and of the press, the right to assemble and petition, and the right of association.

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

[House File 468](#), a bill for an act establishing requirements relating to the residency of persons accepted for admission to the state university of Iowa's colleges of medicine and dentistry and requiring an annual report.

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

[House File 487](#), a bill for an act relating to medical residency positions and audition clinicals for medical students and medical residency position applicants meeting certain criteria.

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

[House File 488](#), a bill for an act relating to health-related data including hospital data and certain information included in reportable disease reports.

Read first time and referred to committee on **Human Resources**.

[House File 489](#), a bill for an act relating to the requirements for a sex offender to be granted a modification of sex offender registry requirements.

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

[House File 490](#), a bill for an act relating to the use of campaign signs by candidates and political committees for federal office and making penalties applicable.

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

[House File 491](#), a bill for an act relating to the sale or lease of real estate by regulatory agency officials and employees to persons subject to the agency's regulatory authority, and making penalties applicable.

Read first time and attached to **companion** [Senate File 338](#).

[House File 495](#), a bill for an act relating to certain reporting dates for cities which receive road use tax fund moneys.

Read first time and attached to **companion** [Senate File 319](#).

## ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:08 a.m. until 1:00 p.m., Monday, February 22, 2021.

## 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:

#### ATTORNEY GENERAL

Iowa Consumer Credit Code Annual Report, pursuant to Iowa Code section 537.6104. Report received on February 17, 2021.

### REPORT OF COMMITTEE MEETING

#### TRANSPORTATION

**Convened:** Thursday, February 18, 2021, 10:00 a.m.

**Members Present:** Brown, Chair; Dickey, Vice Chair; Giddens, Ranking Member; Bisignano, Driscoll, Klimesh, Koelker, Lykam, Rozenboom, Shipley, J. Smith, T. Taylor, and Zumbach.

**Members Absent:** None.

**Committee Business:** [SSB 1138](#), [SSB 1156](#), [SSB 1166](#), and [SSB 1155](#).

**Adjourned:** 10:45 a.m.

## INTRODUCTION OF RESOLUTIONS

[Senate Joint Resolution 11](#), by Whiting, a joint resolution requesting the call of a convention for the purpose of proposing an amendment to the Constitution of the United States limiting the number of terms of office that may be served by federal legislators.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate Joint Resolution 12](#), by Whiting, Zaun, Dawson, Shipley, and Guth, a joint resolution calling for an Article V convention in order to propose amendments to the Constitution of the United States that impose fiscal restraints, limit the power and jurisdiction of the federal government, and impose limits on the number of terms that a person may serve in Congress, and requesting Congress to similarly propose such amendments.

Read first time under Rule 28 and referred to committee on **State Government**.

## INTRODUCTION OF BILLS

[Senate File 402](#), by Chapman, Whiting, Williams, Shipley, Reichman, J. Taylor, Kraayenbrink, Green, Dickey, Edler, Goodwin, Cournoyer, Sweeney, Carlin, R. Smith, Klimesh, Garrett, Sinclair, Schultz, Zaun, Lofgren, Brown, Costello, Guth, Driscoll, Johnson, Rozenboom, Koelker, Zumbach, and Dawson, a bill for an act prohibiting the state or a political subdivision of the state from entering into contracts with, or providing tax incentives or any other benefits to, certain companies that censor online content, and including effective date and applicability provisions.

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

[Senate File 403](#), by Koelker, a bill for an act relating to property law by modifying provisions relating to rental properties, manufactured home communities, mobile home parks, and manufactured mobile home communities, modifying provisions governing actions relating to such properties, making penalties applicable, and including effective date and applicability provisions.

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

[Senate File 404](#), by Koelker, a bill for an act relating to new state welcome signs along highways, and making appropriations.

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

[Senate File 405](#), by J. Taylor, a bill for an act relating to the frequency of meetings of a committee created to establish the minimum rate to be earned on state funds placed in time deposits.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 406](#), by Bolkcom, Petersen, J. Smith, Trone Garriott, and Dotzler, a bill for an act relating to marijuana, including the manufacture, delivery, and possession of marijuana and the licensure of retail marijuana, providing fees, including excise taxes, establishing funds, and including penalties.

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

[Senate File 407](#), by Bolkcom, Petersen, J. Smith, Trone Garriott, Celsi, T. Taylor, Boulton, Jochum, Bisignano, and Dotzler, a bill for an act relating to marijuana, including the manufacture, delivery, and possession of marijuana, providing fees, providing penalties, and including effective date provisions.

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

[Senate File 408](#), by committee on State Government, a bill for an act relating to the delivery of alcoholic beverages by retailers.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 409](#), by committee on State Government, a bill for an act relating to filing complaints with the Iowa public information board.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 410](#), by committee on State Government, a bill for an act relating to the removal, transfer, and transportation of human remains by an unlicensed employee or agent of a funeral director.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 411](#), by Johnson and Koelker, a bill for an act providing a rebate on the renewal of certain licenses or permits for the sale of alcoholic beverages for on-premises consumption and including effective date provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 412](#), by Boulton, T. Taylor, Kinney, Bolkcom, Bisignano, Celsi, Trone Garriott, J. Smith, Giddens, Petersen, Mathis, Lykam, Ragan, Wahls, Quirnbach, Jochum, Hogg, and Dotzler, a bill for an act establishing an essential worker hazard pay grant fund and program to be administered by the economic development authority, and including effective date provisions.

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

[Senate File 413](#), by committee on State Government, a bill for an act relating to the conduct of elections, including absentee ballots and voter list maintenance activities, making penalties applicable, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.



[Senate File 414](#), by committee on State Government, a bill for an act prohibiting payment of workers' compensation benefits to alien dependents designated as terrorists pursuant to federal law or subject to federal arrest warrants.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 415](#), by committee on State Government, a bill for an act relating to pari-mutuel wagering on horse or dog races licensed in a foreign jurisdiction.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 416](#), by committee on State Government, a bill for an act relating to the practice of pharmacy, and providing for a repeal.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 417](#), by committee on State Government, a bill for an act relating to certain fees of the secretary of state.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 418](#), by committee on State Government, a bill for an act providing for a monument to Martin Treptow on the capitol complex grounds.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 419](#), by committee on Transportation, a bill for an act relating to the display of registration plates on motor vehicles.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 420](#), by committee on Transportation, a bill for an act relating to private land available for public use for recreational purposes.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 421](#), by committee on Transportation, a bill for an act prohibiting interference with the transportation of an agricultural animal, and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 422](#), by committee on Transportation, a bill for an act authorizing the department of transportation to issue special permits allowing the transportation of loads of relief supplies that exceed statutory weight limits during periods of national emergency.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 423](#), by committee on State Government, a bill for an act relating to the confirmation by the senate of certain appointees, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 424](#), by committee on State Government, a bill for an act relating to the licensure of persons completing an apprenticeship, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 425](#), by committee on State Government, a bill for an act relating to the definition of meeting and public notice requirements under the open meetings law.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 426](#), by Klimesh, a bill for an act relating to the acquisition of title to abandoned property in the unincorporated area of a county.

Read first time under Rule 28 and referred to committee on **Local Government**.

[Senate File 427](#), by Rozenboom, a bill for an act relating to deer population management, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

#### STUDY BILL RECEIVED

#### [SSB 1214](#)    **Agriculture**

Regulating the application of pesticides, including by providing for the certification of applicators, and certain actions taken by the department of agriculture and land stewardship against private applicators, and providing penalties.

#### SUBCOMMITTEE ASSIGNMENTS

##### [Senate File 346](#)

WAYS AND MEANS: Goodwin, Chair; Quirmbach and Schultz

##### [Senate File 347](#)

WAYS AND MEANS: Whiting, Chair; Dickey and Quirmbach

##### [Senate File 375](#)

NATURAL RESOURCES AND ENVIRONMENT: Cournoyer, Chair; Celsi and Green

##### [Senate File 393](#)

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Dotzler and Whiting

##### [Senate File 396](#)

NATURAL RESOURCES AND ENVIRONMENT: Green, Chair; J. Taylor and Trone  
Garriott

##### [SSB 1214](#)

AGRICULTURE: Zumbach, Chair; Driscoll and Kinney

##### [SSB 1214](#)

(Reassigned)

AGRICULTURE: Driscoll, Chair; Kinney and Zumbach

## FINAL COMMITTEE REPORTS OF BILL ACTION

## STATE GOVERNMENT

**Bill Title:** [SENATE FILE 408 \(SSB 1163\)](#), a bill for an act relating to the delivery of alcoholic beverages by retailers.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 13: R. Smith, Cournoyer, Bisignano, Boulton, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, 1: Celsi. Absent, 1: Brown.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 409 \(SSB 1116\)](#), a bill for an act relating to filing complaints with the Iowa public information board.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: R. Smith, Cournoyer, Bisignano, Boulton, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Absent, 1: Brown.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 410](#) (formerly [SF 107](#)), a bill for an act relating to the removal, transfer, and transportation of human remains by an unlicensed employee or agent of a funeral director.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: R. Smith, Cournoyer, Bisignano, Boulton, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Absent, 1: Brown.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 413 \(SSB 1199\)](#), a bill for an act relating to the conduct of elections, including absentee ballots and voter list maintenance activities, making penalties applicable, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 10: R. Smith, Cournoyer, Brown, Dawson, Goodwin, Guth, Johnson, Koelker, Reichman, and Schultz. Nays, 5: Bisignano, Boulton, Celsi, Giddens, and Jochum. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** \*[SENATE FILE 414 \(SSB 1115\)](#), a bill for an act prohibiting payment of workers' compensation benefits to alien dependents designated as terrorists pursuant to federal law or subject to federal arrest warrants.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: R. Smith, Cournoyer, Bisignano, Boulton, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Absent, 1: Brown.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 414](#), and they were attached to the committee report.

**ALSO:**

**Bill Title:** [SENATE FILE 415 \(SSB 1150\)](#), a bill for an act relating to pari-mutuel wagering on horse or dog races licensed in a foreign jurisdiction.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 11: R. Smith, Cournoyer, Bisignano, Boulton, Dawson, Goodwin, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, 3: Celsi, Giddens, and Guth. Absent, 1: Brown.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 416 \(SSB 1111\)](#), a bill for an act relating to the practice of pharmacy, and providing for a repeal.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: R. Smith, Cournoyer, Bisignano, Boulton, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Absent, 1: Brown.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 417 \(SSB 1084\)](#), a bill for an act relating to certain fees of the secretary of state.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: R. Smith, Cournoyer, Bisignano, Boulton, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Absent, 1: Brown.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 418](#) (formerly [SF 227](#)), a bill for an act providing for a monument to Martin Treptow on the capitol complex grounds.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 9: R. Smith, Cournoyer, Dawson, Goodwin, Guth, Johnson, Koelker, Reichman, and Schultz. Nays, 5: Bisignano, Boulton, Celsi, Giddens, and Jochum. Absent, 1: Brown.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [\\*SENATE FILE 423 \(SSB 1148\)](#), a bill for an act relating to the confirmation by the senate of certain appointees, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 9: R. Smith, Cournoyer, Dawson, Goodwin, Guth, Johnson, Koelker, Reichman, and Schultz. Nays, 5: Bisignano, Boulton, Celsi, Giddens, and Jochum. Absent, 1: Brown.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 423](#), and they were attached to the committee report.

**ALSO:**

**Bill Title:** [\\*SENATE FILE 424 \(SSB 1149\)](#), a bill for an act relating to the licensure of persons completing an apprenticeship, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: R. Smith, Cournoyer, Bisignano, Boulton, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Absent, 1: Brown.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 424](#), and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*[SENATE FILE 425 \(SSB 1114\)](#), a bill for an act relating to the definition of meeting and public notice requirements under the open meetings law.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 9: R. Smith, Cournoyer, Dawson, Goodwin, Guth, Johnson, Koelker, Reichman, and Schultz. Nays, 5: Bisignano, Boulton, Celsi, Giddens, and Jochum. Absent, 1: Brown.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 425](#), and they were attached to the committee report.

#### TRANSPORTATION

**Bill Title:** [SENATE FILE 419 \(SSB 1156\)](#), a bill for an act relating to the display of registration plates on motor vehicles.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 8: Brown, Dickey, Klimesh, Koelker, Lykam, Rozenboom, Shipley, and Zumbach. Nays, 5: Giddens, Bisignano, Driscoll, J. Smith, and T. Taylor. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 420 \(SSB 1155\)](#), a bill for an act relating to private land available for public use for recreational purposes.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 8: Brown, Dickey, Driscoll, Klimesh, Koelker, Rozenboom, Shipley, and Zumbach. Nays, 5: Giddens, Bisignano, Lykam, J. Smith, and T. Taylor. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 421 \(SSB 1166\)](#), a bill for an act prohibiting interference with the transportation of an agricultural animal, and providing penalties.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 13: Brown, Dickey, Giddens, Bisignano, Driscoll, Klimesh, Koelker, Lykam, Rozenboom, Shipley, J. Smith, T. Taylor, and Zumbach. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 422 \(SSB 1138\)](#), a bill for an act authorizing the department of transportation to issue special permits allowing the transportation of loads of relief supplies that exceed statutory weight limits during periods of national emergency.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 13: Brown, Dickey, Giddens, Bisignano, Driscoll, Klimesh, Koelker, Lykam, Rozenboom, Shipley, J. Smith, T. Taylor, and Zumbach. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.