

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, MARCH 3, 2021

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JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 3, 2021

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

Prayer was offered by the Honorable Sarah Trone Garriott, member of the Senate from Polk County, Windsor Heights, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Emily Vering.

The Journal of Tuesday, March 2, 2021, was approved.

ADJOURNMENT

On motion of Senator Sinclair, the Senate adjourned at 9:14 a.m. until 9:00 a.m., Thursday, March 4, 2021.

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 MANAGEMENT

Early Childhood Iowa State Board, pursuant to Iowa Code section 256I.4. Report received on March 2, 2021.

Goals and Objectives Report, pursuant to Iowa Code section 7E.3. Report received on March 3, 2021.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on March 3, 2021.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Ryan Boeding, Muscatine High School—For placing second in the 50-meter freestyle at the Iowa High School State Swim Meet. Senator Lofgren.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, March 3, 2021, 11:00 a.m.

Members Present: Sinclair, Chair; J. Taylor, Vice Chair; Quirnbach, Ranking Member; Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun.

Members Absent: None.

Committee Business: [SF 304](#)-Carlin, [SF 430](#)-Sinclair, [SF 452](#)-Cournoyer, [SSB 1219](#)-Johnson, and [SSB 1231](#)-Cournoyer.

Adjourned: 11:55 a.m.

JUDICIARY

Convened: Wednesday, March 3, 2021, 2:30 p.m.

Members Present: Zaun, Chair; Garrett, Vice Chair; Kinney, Ranking Member; Bisignano, Bolcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, and J. Taylor.

Members Absent: Whiting (excused).

Committee Business: [SSB 1225](#), [SSB 1226](#), [SF 151](#), [SF 372](#), [SSB 1154](#), [SSB 1017](#), [SF 497](#), [SSB 1108](#), [SSB 1232](#), [SSB 1238](#), [SF 505](#), [SF 506](#), [SSB 1040](#), and [SF 51](#).

Adjourned: 6:10 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Wednesday, March 3, 2021, 10:00 a.m.

Members Present: Sweeney, Chair; Driscoll, Vice Chair; Trone Garriott, Ranking Member; Boulton, Celsi, Cournoyer, Green, Lykam, Rozenboom, Shipley, J. Taylor, and Zumbach.

Members Absent: Hogg (excused).

Committee Business: [SSB 1218](#).

Adjourned: 10:15 a.m.

TRANSPORTATION

Convened: Wednesday, March 3, 2021, 1:00 p.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 1230](#), [SSB 1220](#), [SF 481](#), and [SF 503](#).

Adjourned: 1:40 p.m.

INTRODUCTION OF RESOLUTIONS

[Senate Joint Resolution 15](#), by committee on State Government, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

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

[Senate Joint Resolution 16](#), by committee on Natural Resources and Environment, a joint resolution proposing an amendment to the Constitution of the State of Iowa providing that hunting, trapping, fishing, and the taking of game and fish are a valued part of our heritage.

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

INTRODUCTION OF BILLS

[Senate File 524](#), by committee on Human Resources, a bill for an act establishing an inpatient psychiatric bed tracking system study committee.

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

[Senate File 525](#), by committee on Human Resources, a bill for an act relating to child welfare including the temporary custody of a child and judicial proceedings in child in need of assistance and termination of parental rights cases.

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

[Senate File 526](#), by committee on Human Resources, a bill for an act relating to the emergency detention of a person experiencing a mental health or substance use crisis and access centers.

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

[Senate File 527](#), by committee on Human Resources, a bill for an act relating to trusts for persons with disabilities.

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

[Senate File 528](#), by committee on Human Resources, a bill for an act relating to reports prepared by a chief medical officer, licensed physician, or a mental health professional concerning the hospitalization of a person with a mental illness.

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

[Senate File 529](#), by committee on Human Resources, a bill for an act relating to assisted reproduction fraud, and providing penalties.

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

[Senate File 530](#), by committee on Commerce, a bill for an act relating to financial institutions, including the assets, liabilities, and merger of state banks and state credit unions.

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

[Senate File 531](#), by committee on State Government, a bill for an act relating to the conduct of elections during emergencies.

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

[Senate File 532](#), by committee on Education, a bill for an act providing for a statement of professional recognition for licensed behavior analysts by the board of educational examiners and including effective date provisions.

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

[Senate File 533](#), by committee on Judiciary, a bill for an act relating to the possession of marijuana, and providing penalties.

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

[Senate File 534](#), by committee on Judiciary, a bill for an act relating to law enforcement and certain criminal offenses, and providing penalties.

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

[Senate File 535](#), by committee on Judiciary, a bill for an act relating to the acquisition and possession of weapons and providing penalties.

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

[Senate File 536](#), by committee on Judiciary, a bill for an act relating to operating-while-intoxicated offenses, including the lookback period for prior convictions, temporary restricted licenses, and ignition interlock devices, providing penalties, and making penalties applicable.

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

[Senate File 537](#), by committee on Judiciary, a bill for an act relating to tort liability, including employer liability in civil actions involving commercial motor vehicles and arising from an employee's negligence, punitive or exemplary damages, and noneconomic damages available against owners or operators of commercial motor vehicles.

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

STUDY BILLS RECEIVED

[SSB 1241](#) **Appropriations**

Relating to and making appropriations involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

SSB 1242 Appropriations

Making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions, and providing for properly related matters.

SSB 1243 Appropriations

Relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, area education agencies, and the state board of regents, and providing for related matters, and including effective date provisions.

SSB 1244 Appropriations

Relating to appropriations to the justice system and including effective date provisions.

SSB 1245 Appropriations

Relating to appropriations to the judicial branch.

SSB 1246 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.

SSB 1247 Ways and Means

Relating to pandemic relief by excluding certain COVID-19 related grants from the individual and corporate income taxes, and including effective date and retroactive applicability provisions.

SSB 1248 Ways and Means

Exempting from the individual income tax all pay received from the federal government for certain military service in support of the national guard and including retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 359**

(Reassigned)

WAYS AND MEANS: Sweeney, Chair; Brown and Jochum

Senate File 442

WAYS AND MEANS: Dawson, Chair; Goodwin and Quirmbach

Senate File 518

EDUCATION: Sinclair, Chair; Giddens and Rozenboom

Senate File 519

STATE GOVERNMENT: Schultz, Chair; Celsi and Guth

House File 562

STATE GOVERNMENT: R. Smith, Chair; Boulton and Goodwin

SSB 1241

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom and Lofgren

SSB 1242

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom and Lofgren

SSB 1243

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom and Lofgren

SSB 1244

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom and Lofgren

SSB 1245

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom and Lofgren

[SSB 1246](#)

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom and Lofgren

[SSB 1247](#)

WAYS AND MEANS: Brown, Chair; Petersen and R. Smith

[SSB 1248](#)

WAYS AND MEANS: Carlin, Chair; Dotzler and Green

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: *[SENATE FILE 530 \(SSB 1224\)](#), a bill for an act relating to financial institutions, including the assets, liabilities, and merger of state banks and state credit unions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Schultz, Koelker, Brown, Goodwin, Johnson, Klimesh, Mathis, Sinclair, R. Smith, Whiting, and Williams. Nays, 5: Lykam, Bisignano, Petersen, Quirnbach, and Wahls. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on [Senate File 530](#), and they were attached to the committee report.

EDUCATION

Bill Title: [SENATE FILE 532 \(SSB 1231\)](#), a bill for an act providing for a statement of professional recognition for licensed behavior analysts by the board of educational examiners and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Sinclair, J. Taylor, Quirnbach, Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: [SENATE FILE 524 \(SSB 1227\)](#), a bill for an act establishing an inpatient psychiatric bed tracking system study committee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Carlin, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Sweeney, and Trone Garriott. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 525](#) (formerly [SF 473](#)), a bill for an act relating to child welfare including the temporary custody of a child and judicial proceedings in child in need of assistance and termination of parental rights cases.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Carlin, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Sweeney, and Trone Garriott. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 526 \(SSB 1234\)](#), a bill for an act relating to the emergency detention of a person experiencing a mental health or substance use crisis and access centers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Edler, Costello, Carlin, Garrett, Green, Johnson, Lofgren, and Sweeney. Nays, 5: Mathis, Bolkcom, Jochum, Ragan, and Trone Garriott. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 527 \(SSB 1228\)](#), a bill for an act relating to trusts for persons with disabilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Carlin, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Sweeney, and Trone Garriott. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 528 \(SSB 1229\)](#), a bill for an act relating to reports prepared by a chief medical officer, licensed physician, or a mental health professional concerning the hospitalization of a person with a mental illness.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Carlin, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Sweeney, and Trone Garriott. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 529 \(SSB 1223\)](#), a bill for an act relating to assisted reproduction fraud, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Carlin, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Sweeney, and Trone Garriott. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: [SENATE FILE 533 \(SSB 1226\)](#), a bill for an act relating to the possession of marijuana, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Absent, 1: Whiting.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 534](#) (formerly [SF 497](#)), a bill for an act relating to law enforcement and certain criminal offenses, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Zaun, Garrett, Kinney, Dawson, Johnson, Reichman, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 4: Bisignano, Bolkom, Boulton, and Petersen. Absent, 1: Whiting.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 535 \(SSB 1232\)](#), a bill for an act relating to the acquisition and possession of weapons and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Zaun, Garrett, Dawson, Johnson, Reichman, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 5: Kinney, Bisignano, Bolkom, Boulton, and Petersen. Absent, 1: Whiting.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 536](#) (formerly [SF 506](#)), a bill for an act relating to operating-while-intoxicated offenses, including the lookback period for prior convictions, temporary restricted licenses, and ignition interlock devices, providing penalties, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Zaun, Garrett, Dawson, Johnson, Reichman, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 5: Kinney, Bisignano, Bolkom, Boulton, and Petersen. Absent, 1: Whiting.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 537 \(SSB 1238\)](#), a bill for an act relating to tort liability, including employer liability in civil actions involving commercial motor vehicles and arising from an employee's negligence, punitive or exemplary damages, and noneconomic damages available against owners or operators of commercial motor vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Zaun, Dawson, Johnson, Reichman, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 6: Garrett, Kinney, Bisignano, Bolkom, Boulton, and Petersen. Absent, 1: Whiting.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *[SENATE JOINT RESOLUTION 16 \(SSB 1218\)](#), a joint resolution proposing an amendment to the Constitution of the State of Iowa providing that hunting, trapping, fishing, and the taking of game and fish are a valued part of our heritage.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Sweeney, Driscoll, Trone Garriott, Boulton, Celsi, Cournoyer, Green, Lykam, Rozenboom, Shipley, J. Taylor, and Zumbach. Nays, none. Absent, 1: Hogg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on [Senate Joint Resolution 16](#), and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: [SENATE JOINT RESOLUTION 15 \(SSB 1211\)](#), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 531 \(SSB 1204\)](#), a bill for an act relating to the conduct of elections during emergencies.

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.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 531](#), and they were attached to the committee report.