

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, APRIL 1, 2021

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JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 1, 2021

The Senate met in regular session at 9:06 a.m., President Pro Tempore Zaun 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 Ava Jane Moorlach.

The Journal of Wednesday, March 31, 2021, was approved.

BILLS PLACED ON THE UNFINISHED BUSINESS CALENDAR

Senator Whitver asked and received unanimous consent that the following bills be placed on the Unfinished Business Calendar:

SF 488 and attached HF 428	SF 401 and attached HF 284
SF 489 and attached HF 708	SF 408
SF 583 and attached HF 839	SF 415 and attached HF 513
SF 114 and attached HF 558	SF 416 and attached HF 514
SF 144 and attached HF 311	SF 439 and attached HF 435
SF 180 and attached HF 361	SF 440 and attached HF 433
SF 254 and attached HF 424	SF 451 and attached HF 426
SF 259 and attached HF 315	SF 454 and attached HF 556
SF 287 and attached HF 317	SF 458 and attached HF 747
SF 294 and attached HF 388	SF 460 and attached HF 583
SF 317 and attached HF 380	SF 480
SF 320 and attached HF 236	SF 492
SF 323 and attached HF 314	SF 520 and attached HF 739

SF 324 and attached HF 233	SF 523 and attached HF 805
SF 330	SF 527 and attached HF 835
SF 334	SF 537
SF 338 and attached HF 491	SF 544 and attached HF 605
SF 340 and attached HF 746	SF 553 and attached HF 719
SF 349	SF 557
SF 362 and attached HF 724	SF 561
SF 374	SF 564
SF 385 and attached HF 699	SF 570 and attached HF 603
SF 388 and attached HF 452	SF 582
SF 390 and attached HF 848	SJR 2 and attached HJR 5

BILLS REFERRED TO COMMITTEE

Senator Whitver asked and received unanimous consent that the following bills be referred from the Regular Calendar to the following committees:

SJR 15 State Government	SF 510 Veterans Affairs
SJR 16 Natural Resources and Environment	
SF 108 Local Government	SF 511 Veterans Affairs
SF 125 Human Resources	SF 512 Judiciary
SF 171 Judiciary	SF 513 Judiciary
SF 174 Judiciary	SF 515 Judiciary
SF 233 Transportation	SF 516 Judiciary
SF 241 Judiciary	SF 525 Human Resources
SF 255 Veterans Affairs	SF 526 Human Resources
SF 257 Veterans Affairs	SF 528 Human Resources
SF 332 Transportation	SF 530 Commerce
SF 335 State Government	SF 533 Judiciary
SF 337 State Government	SF 536 Judiciary
SF 339 Judiciary	SF 538 State Government
SF 355 State Government	SF 539 State Government
SF 386 Judiciary	SF 545 Education
SF 409 State Government	SF 552 Commerce
SF 410 State Government	SF 555 Human Resources
SF 414 State Government	SF 556 Judiciary
SF 417 State Government	SF 563 Local Government
SF 418 State Government	SF 565 Commerce
SF 420 Transportation	SF 572 Judiciary
SF 423 State Government	SF 573 State Government

[SF 449](#) Judiciary
[SF 465](#) Natural Resources and Environment
[SF 483](#) Agriculture
[SF 485](#) Labor and Business Relations
[SF 493](#) Labor and Business Relations

SPECIAL GUEST

Senator R. Smith introduced to the Senate chamber Congressman Randy Feenstra, former member of the Senate from Sioux County, Hull Iowa.

The Senate rose and expressed its welcome.

BILLS REFERRED TO COMMITTEE

President Pro Tempore Zaun announced that [House File 828](#) was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38; and that [House File 728](#) was referred from the committee on **Local Government** to the committee on **Ways and Means** under Senate Rule 38.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:24 a.m. until the completion of a meeting of the committee on Appropriations.

RECONVENED

The Senate reconvened at 10:32 a.m., President Pro Tempore Zaun presiding.

BILL PLACED ON THE UNFINISHED BUSINESS CALENDAR

Senator Sinclair asked and received unanimous consent that [Senate File 587](#) be placed on the Unfinished Business Calendar.

ADJOURNMENT

On motion of Senator Sinclair, the Senate adjourned at 10:41 a.m. until 1:00 p.m., Monday, April 5, 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 AGRICULTURE AND LAND STEWARDSHIP

Agriculture and Land Stewardship Expenditures, pursuant to 2020 Iowa Acts, [HF 2643](#), section 1. Report received on April 1, 2021.

Status of Technology Upgrades or Enhancements for State Agencies Quarterly Report, pursuant to Iowa Code section 8B.9. Report received on March 31, 2021.

CHIEF INFORMATION OFFICER

Status of Technology Upgrades or Enhancements for State Agencies Quarterly Report, pursuant to Iowa Code section 8B.9. Report received on March 31, 2021.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Wednesday, March 31, 2021, 3:05 p.m.

Members Present: Schultz, Chair; Koelker, Vice Chair; Lykam, Ranking Member; Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Mathis, Petersen, Quirnbach, Sinclair, R. Smith, Wahls, Whiting, and Williams.

Members Absent: None.

Committee Business: None.

Adjourned: 4:15 p.m.

EDUCATION

Convened: Thursday, April 1, 2021, 11:30 a.m.

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

Members Absent: Kraayenbrink and Sweeney (both excused).

Committee Business: [HF 532](#)-Senator Sinclair w/amendment, [HF 813](#)-Senator Sinclair, and [HF 468](#)-Senator Taylor w/amendment.

Adjourned: 2:35 p.m.

HUMAN RESOURCES

Convened: Thursday, April 1, 2021, 1:00 p.m.

Members Present: Edler, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Carlin, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, and Trone Garriott.

Members Absent: Sweeney (excused).

Committee Business: Consideration of Governor Appointments: Jacob Porter, John Willey, and Ellen Hayes. Consideration of bills: [HF 780](#) and [HF 302](#).

Adjourned: 1:35 p.m.

JUDICIARY

Convened: Wednesday, March 31, 2021, 1:00 p.m.

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

Members Absent: None.

Committee Business: [HF 753](#), [HF 710](#), [HF 303](#), [HF 709](#), [HF 416](#), [HF 554](#), [HF 757](#), [HF 821](#), [HF 819](#), and [HF 743](#).

Adjourned: 2:40 p.m.

STATE GOVERNMENT

Convened: Tuesday, March 30, 2021, 3:00 p.m.

Members Present: R. Smith, Chair; Cournoyer, Vice Chair; Bisignano, Ranking Member; Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz.

Members Absent: Goodwin (excused).

Committee Business: None.

Adjourned: 3:45 p.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 6](#), by Whitver, a resolution deferring action on the confirmation of certain appointments.

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

INTRODUCTION OF BILLS

[Senate File 589](#), by committee on Ways and Means, a bill for an act relating to access to a copy of an original birth certificate by an adoptee or an entitled person, providing for fees, and including effective date provisions.

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

[Senate File 590](#), by committee on Ways and Means, a bill for an act relating to the creation of land banks.

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

STUDY BILL RECEIVED

[SSB 1256](#) 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 ASSIGNMENT

[SSB 1256](#)

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom, Celsi, Costello, Cournoyer, Dotzler, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Lofgren, Mathis, Petersen, Ragan, Reichman, Rozenboom, J. Smith, T. Taylor, and Williams.

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: [SENATE FILE 587](#), a bill for an act relating to state and local government financing, programs, and operations, by modifying provisions relating to mental health and disability services funding, school district funding, commercial and industrial property tax replacement payments, and other specified tax provisions, making appropriations, providing penalties, and including effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 12: Lofgren, Costello, Cournoyer, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Reichman, Rozenboom, and Williams. Nays, 8: Bolkcom, Celsi, Dotzler, Mathis, Petersen, Ragan, J. Smith, and T. Taylor. Absent, 1: Kraayenbrink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: [HOUSE FILE 304](#), a bill for an act relating to personal delivery devices, providing penalties, and making penalties applicable.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3114](#).

Final Vote: Yeas, 15: Schultz, Koelker, Lykam, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Mathis, Sinclair, R. Smith, Wahls, Whiting, and Williams. Nays, 2: Petersen and Quirnbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 498](#), a bill for an act relating to the practices of performing rights societies.

Recommendation: DO PASS.

Final Vote: Yeas, 17: Schultz, Koelker, Lykam, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Mathis, Petersen, Quirnbach, Sinclair, R. Smith, Wahls, Whiting, and Williams. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 606](#), a bill for an act permitting the economic development authority to consider whether a proposed project under the high quality jobs program will include a licensed child care center when determining the eligibility of a business to participate in the program.

Recommendation: DO PASS.

Final Vote: Yeas, 17: Schultz, Koelker, Lykam, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Mathis, Petersen, Quirnbach, Sinclair, R. Smith, Wahls, Whiting, and Williams. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 730](#), a bill for an act relating to unfair or deceptive acts or practices in the rental of vehicles and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Yeas, 17: Schultz, Koelker, Lykam, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Mathis, Petersen, Quirnbach, Sinclair, R. Smith, Wahls, Whiting, and Williams. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: [HOUSE FILE 813](#), a bill for an act modifying and establishing charter school programs and making appropriations.

Recommendation: DO PASS.

Final Vote: Yeas, 8: Sinclair, J. Taylor, Carlin, Cournoyer, Goodwin, Johnson, Rozenboom, and Zaun. Nays, 5: Quirnbach, Celsi, Giddens, J. Smith, and Trone Garriott. Absent, 2: Kraayenbrink and Sweeney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: [HOUSE FILE 302](#), a bill for an act establishing a graduated eligibility phase-out program for state child care assistance.

Recommendation: DO PASS.

Final Vote: Yeas, 12: Edler, Costello, Mathis, Bolkcom, Carlin, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, and Trone Garriott. Nays, none. Absent, 1: Sweeney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: [HOUSE FILE 303](#), a bill for an act relating to confidential communications between a peer support group counselor and specified individuals.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 554](#), a bill for an act relating to the vacation of certain termination of parental rights orders.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 709](#), a bill for an act relating to pretrial contact between a prosecuting witness who is a minor and the defendant.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 710](#), a bill for an act relating to child endangerment committed by a sex offender, and providing penalties.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 743](#), a bill for an act providing for representation of adoptive parents by local public defenders.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 753](#), a bill for an act relating to unintentionally causing the death of a person by operating a motor vehicle at an excessive speed, providing penalties, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 757](#), a bill for an act relating to driver's license restrictions, including ignition interlock device requirements for a first operating-while-intoxicated offense.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 819](#), a bill for an act relating to fundamental parental rights.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Zaun, Garrett, Dawson, Johnson, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting. Nays, 5: Kinney, Bisignano, Bolcom, Boulton, and Petersen. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 821](#), a bill for an act creating a civil action relating to harassment by the reporting of false information to law enforcement authority.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: [HOUSE FILE 551](#), a bill for an act relating to authorized methods of take for a resident hunting deer using a license issued to a nonambulatory person.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3113](#).

Final Vote: Yeas, 11: Sweeney, Driscoll, Trone Garriott, Boulton, Celsi, Cournoyer, Green, Rozenboom, Shipley, J. Taylor, and Zumbach. Nays, none. Absent, 2: Hogg and Lykam.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: [HOUSE FILE 285](#), a bill for an act relating to professional standards for the certification or designation of music therapists and providing penalties.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 768](#), a bill for an act concerning licensing of and sales by native distilleries, beer manufacturers, native breweries, and native wine manufacturers.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 785](#), a bill for an act relating to amusement concessions.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: [SENATE FILE 589](#) (formerly [SF 559](#)), a bill for an act relating to access to a copy of an original birth certificate by an adoptee or an entitled person, providing for fees, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Dawson, Goodwin, Jochum, Bolkcom, Brown, Carlin, Dickey, Dotzler, Green, Petersen, Quirnbach, Schultz, Sinclair, R. Smith, T. Taylor, and Whiting. Nays, none. Absent, 1: Sweeney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 590](#) (formerly [SF 100](#)), a bill for an act relating to the creation of land banks.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Dawson, Goodwin, Jochum, Bolkcom, Brown, Carlin, Dickey, Dotzler, Green, Petersen, Quirnbach, Schultz, Sinclair, R. Smith, T. Taylor, and Whiting. Nays, none. Absent, 1: Sweeney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on [Senate File 590](#), and they were attached to the committee report.

ALSO:

Bill Title: [HOUSE FILE 693](#), a bill for an act relating to matters under the purview of the utilities division of the department of commerce.

Recommendation: DO PASS.

Final Vote: Yeas, 16: Dawson, Goodwin, Jochum, Bolkcom, Brown, Carlin, Dickey, Dotzler, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, T. Taylor, and Whiting. Nays, none. Absent, 1: Sweeney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**GOVERNOR'S APPOINTEES PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

HUMAN RESOURCES

Jacob Porter – Health Facilities Council

John Willey – Council on Human Services

Ellen Hayes – Board of Sign Language Interpreters and Translitterators

STATE GOVERNMENT

Zachary Dalluge – Board of Barbering

Ryan Hughes – Board of Podiatry

AMENDMENTS FILED

S-3113	H.F. 551	Natural Resources and Environment
S-3114	H.F. 304	Commerce