

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, MAY 5, 2021

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JOURNAL OF THE SENATE

ONE HUNDRED FIFTEENTH CALENDAR DAY
SIXTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, May 5, 2021

The Senate met in regular session at 9:10 a.m., President Chapman presiding.

Prayer was offered by the Honorable Ken Rozenboom, member of the Senate from Mahaska County, Oskaloosa, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President Chapman.

The Journal of Monday, May 3, 2021, was approved.

The Senate stood at ease at 9:13 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:57 a.m., President Pro Tempore Zaun presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hogg, until he arrives, on request of Senator Wahls.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 610](#).

[Senate File 610](#)

On motion of Senator Chapman, [Senate File 610](#), a bill for an act prohibiting the mandatory disclosure of whether a person has received a vaccination for COVID-19, disqualifying certain entities from receiving state grants or contracts, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Chapman asked and received unanimous consent that [House File 889](#) be substituted for [Senate File 610](#).

[House File 889](#)

On motion of Senator Chapman, [House File 889](#), a bill for an act prohibiting the mandatory disclosure of whether a person has received a vaccination for COVID-19, disqualifying certain entities from receiving state grants or contracts, and including effective date provisions, was taken up for consideration.

Senator Chapman 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. 889](#)), the vote was:

Yeas, 32:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Reichman	Rozenboom
Schultz	ShIPLEY	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Whiting
Whitver	Williams	Zaun	Zumbach

Nays, 16:

Bisignano	Bolkcom	Boulton	Carlin
Celsi	Dotzler	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Taylor, T.	Trone Garriott	Wahls

Absent, 2:

Hogg Nunn

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

WITHDRAWN

President Chapman asked and received unanimous consent that [Senate File 610](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [House File 889](#) be **immediately messaged** to the House.

President Chapman took the chair at 12:05 p.m.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

[House File 744](#)

Senator Whitver called up for consideration [House File 744](#), a bill for an act providing for training, prohibitions, and requirements relating to first amendment rights at school districts and public institutions of higher education, amended by the Senate and further amended by the House in House amendment [S-3173](#) to Senate amendment [H-1359](#), filed April 28, 2021.

Senator Sinclair moved that the Senate concur in the House amendment to the Senate amendment.

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

Senator Sinclair moved that the bill, as amended by the Senate, further 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?” ([H.F. 744](#)), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Petersen	Quirnbach	Ragan	Reichman
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whiting
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Hogg Nunn

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

HOUSE AMENDMENTS CONSIDERED

[Senate File 356](#)

Senator Whitver called up for consideration [Senate File 356](#), a bill for an act limiting civil liability for persons involved in agricultural tourism, amended by the House in House amendment [S-3174](#), filed April 28, 2021.

Senator Zumbach 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 Zumbach 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. 356](#)), the vote was:

Yeas, 31:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Reichman	Rozenboom
Schultz	Shiple	Sinclair	Smith, R.
Sweeney	Taylor, J.	Whiting	Whitver
Williams	Zaun	Zumbach	

Nays, 17:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott
Wahls			

Absent, 2:

Hogg	Nunn
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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 541](#)

Senator Whitver called up for consideration [Senate File 541](#), a bill for an act relating to electronic transactions by permitting the use of distributed ledger technology and smart contracts, amended by the House in House amendment [S-3106](#), filed March 29, 2021.

Senator Cournoyer 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 Cournoyer 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. 541](#)), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Petersen	Quirnbach	Ragan	Reichman
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whiting
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Hogg Nunn

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

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [House File 384](#).

[House File 384](#)

On motion of Senator Johnson, [House File 384](#), a bill for an act relating to alcohol beverage control concerning certain class “C” liquor control licenses and the delivery of certain alcoholic beverages, placed on the Unfinished Business Calendar on April 8, 2021, with report of committee recommending passage, was taken up for consideration.

Senator Johnson offered amendment [S-3095](#), filed by the committee on State Government on March 24, 2021, to pages 1–4 and amending the title page of the bill.

Senator Johnson offered amendment [S-3149](#), filed by him on April 13, 2021, to pages 1–2, and 5 of amendment [S-3095](#), and moved its adoption.

Amendment [S-3149](#) to amendment [S-3095](#) was adopted by a voice vote.

Senator Johnson moved the adoption of amendment [S-3095](#), as amended.

Amendment [S-3095](#), as amended, was adopted by a voice vote.

Senator Johnson 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. 384](#)), the vote was:

Yeas, 45:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Chapman	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Petersen	Quirnbach	Ragan
Reichman	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whiting	Whitver	Williams	Zaun
Zumbach			

Nays, 3:

Celsi	Costello	Guth
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Absent, 2:

Hogg	Nunn
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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 356** and **541** and **House Files 384** and **744** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 524 and 753.

House File 524

On motion of Senator Rozenboom, House File 524, a bill for an act relating to motor vehicle accidents resulting in injury or death, and making penalties applicable, placed on the Unfinished Business Calendar on April 8, 2021, with report of committee recommending passage, was taken up for consideration.

Senator Garrett offered amendment S-3119, filed by him on April 5, 2021, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3119 was adopted by a voice vote.

Senator Rozenboom 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. 524), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Petersen	Quirnbach	Ragan	Reichman
Rozenboom	Schultz	Shipley	Sinclair

Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whiting
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Hogg	Nunn
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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.

[House File 753](#)

On motion of Senator Whiting, [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, placed on the Unfinished Business Calendar on April 8, 2021, with report of committee recommending passage, was taken up for consideration.

Senator Whiting 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. 753](#)), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Petersen	Quirnbach	Ragan	Reichman
Rozenboom	Schultz	Shiple	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whiting
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Hogg Nunn

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

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [House File 722](#).

[House File 722](#)

On motion of Senator Cournoyer, [House File 722](#), a bill for an act relating to the transfer, deposit, and appropriation of moneys to the teach Iowa scholar fund from the teacher shortage forgivable loan repayment fund and the teacher shortage loan forgiveness repayment fund, with report of committee recommending passage, was taken up for consideration.

Senator Cournoyer 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. 722](#)), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Petersen	Quirnbach	Ragan	Reichman
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whiting
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Hogg Nunn

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 **House Files 524, 722, and 753** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 12:31 p.m. until 2:00 p.m.

RECONVENED

The Senate reconvened at 2:34 p.m., President Chapman presiding.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 579](#).

[Senate File 579](#)

On motion of Senator Whiting, [Senate File 579](#), a bill for an act providing for business entities, providing for certain fees, and including effective date provisions, was taken up for consideration.

Senator Whiting offered amendment [S-3160](#), filed by him on April 20, 2021, to pages 41–42 of the bill, and moved its adoption.

Amendment [S-3160](#) was adopted by a voice vote.

Senator Whiting asked and received unanimous consent that [House File 844](#) be **substituted** for [Senate File 579](#).

[House File 844](#)

On motion of Senator Whiting, [House File 844](#), a bill for an act providing for business entities, providing for certain fees, and including effective date provisions, was taken up for consideration.

Senator Whiting 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. 844](#)), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Petersen	Quirnbach	Ragan	Reichman
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whiting
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Hogg	Nunn
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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 Whiting asked and received unanimous consent that [Senate File 579](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [House File 844](#) be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Whitver called up the appointment of Laura Sievers as a member of the Engineering and Land Surveying Examining Board, placed on the Individual Confirmation Calendar on April 21, 2021, found on page 941 of the Senate Journal.

Senator Brown moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Petersen	Quirnbach	Ragan	Reichman
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whiting
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Hogg Nunn

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Uriah Hansen as a member of the Natural Resource Commission, placed on the Individual Confirmation Calendar on April 21, 2021, found on page 942 of the Senate Journal.

Senator Rozenboom moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Petersen	Quirnbach	Ragan	Reichman
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whiting
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Hogg	Nunn
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Joseph S. Cortese II as Workers' Compensation Commissioner, placed on the Individual Confirmation Calendar on April 20, 2021, found on page 899 of the Senate Journal.

Senator Whiting moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

Bisignano	Boulton	Brown	Carlin
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Johnson	Kinney

Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Petersen	Quirmbach
Ragan	Reichman	Rozenboom	Schultz
Shiple	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whiting	Whitver	Williams
Zaun	Zumbach		

Nays, 2:

Bolkcom	Jochum
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Absent, 2:

Hogg	Nunn
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Dennis Mandsager as a member of the Iowa State Civil Rights Commission, placed on the Individual Confirmation Calendar on April 21, 2021, found on page 940 of the Senate Journal.

Senator Reichman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Petersen	Quirmbach	Ragan	Reichman
Rozenboom	Schultz	Shiple	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun	Zumbach		

Nays, 2:

Taylor, J. Whiting

Absent, 2:

Hogg Nunn

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 3:01 p.m. until 9:00 a.m., Thursday, May 6, 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

Joint Investment Trust Report—Department of Agriculture and Land Stewardship, pursuant to Iowa Code section 12B.10A. Report received on May 4, 2021.

ECONOMIC DEVELOPMENT AUTHORITY

Businesses and Community-Based Seed Capital Funds Tax Credits Report, pursuant to Iowa Code section 15E.46. Report received on May 4, 2021.

CERTIFICATES OF RECOGNITION

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

Cherisse Eatmon—For her work in the development of the State Future Caucus Network and her passion for working with young legislators in state houses across the country. Senator Wahls.

Shreya Khullar, West High School in Iowa City—For for inauguration as the very first Iowa Student Poet Ambassador. Senator Wahls.

STUDY BILL RECEIVED

SSB 1276 Ways and Means

Relating to state and local revenue and finance by modifying future tax contingencies, the state inheritance tax, mental health and disability services funding, school district funding, commercial and industrial property tax replacement payments, providing for housing incentives, providing for other properly related matters, making appropriations, and including effective date, applicability, and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENT

SSB 1276

WAYS AND MEANS: Dawson, Chair; Jochum and Schultz

WITHDRAWAL OF
GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on May 5, 2021:

I am withdrawing the name of Margaret McQuown for confirmation as a member of the State Soil Conservation Committee from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

AMENDMENT FILED

S-3199 H.F. 644 Chris Cournoyer