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**STATE OF IOWA**

**Senate Journal**

**THURSDAY, OCTOBER 28, 2021**

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# JOURNAL OF THE SENATE

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FIRST CALENDAR DAY  
FIRST SESSION DAY  
SECOND EXTRAORDINARY SESSION

Senate Chamber  
Des Moines, Iowa, Thursday, October 28, 2021

Pursuant to the proclamation of the Governor, the Honorable Kim Reynolds, convening the Eighty-Ninth General Assembly in Extraordinary Session, the Senate was called to order at 10:11 a.m. by the Honorable Jake Chapman, President of the Senate.

Prayer was offered by Honorable Zach Whiting, member of the Senate from Dickinson County, Spirit Lake, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President Chapman.

## COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

**STATE OF IOWA**  
*Executive Department*

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

### PROCLAMATION

**Whereas**, on February 12, 2021, the United States Census Bureau announced a significant delay in the delivery of redistricting data following the 2020 census; and

**Whereas**, on May 19, 2021, the 2021 Regular Session of the Eighty-Ninth General Assembly adjourned sine die without enacting a plan of legislative and congressional districting in accordance with Chapter 42 of the Iowa Code, due to the delay in delivery of Census Bureau data; and

**Whereas**, the Census Bureau has now released redistricting data to the State of Iowa; and

**Whereas**, Article III, Section 35 of the Constitution of the State of Iowa provides that if the apportionment of senatorial and representative districts fails to become law prior to September 15, 2021, “the supreme court shall cause the state to be apportioned into senatorial and representative districts to comply with the requirements of the Constitution prior to December 31 of such year”; and

**Whereas**, in an order dated September 14, 2021, the Iowa Supreme Court permitted the parties identified in chapter 42 of the Iowa Code to prepare an apportionment in accord with that chapter of the Iowa Code by December 1, 2021; and

**Whereas**, on October 5, 2021, the Eighty-Ninth General Assembly convened in extraordinary session and adjourned sine die without enacting a plan of legislative and congressional districting; and

**Whereas**, the Eighty-Ninth General Assembly should therefore convene in a second extraordinary session to consider and enact a plan of legislative and congressional districting in accordance with chapter 42 of the Iowa Code.

**Now, Therefore**, I, Kim Reynolds, Governor of the State of Iowa, by virtue of the authority vested in me by Article III, Section 2 and Article IV, Section 11 of the Constitution of the State of Iowa, do hereby convene the Eighty-Ninth General Assembly in extraordinary session in Des Moines, Iowa, at 10:00 a.m. on the Twenty-Eighth day of October, 2021. The purpose of the extraordinary session shall be for the General Assembly to consider and enact a plan of legislative and congressional districting in accordance with Chapter 42 of the Iowa Code.

(SEAL) IN TESTIMONY WHEREOF, I have hereunto  
subscribed my name and caused the Great Seal  
of the State of Iowa to be affixed at Des Moines,  
Iowa, this Eighth day of October in the year  
of our Lord Two Thousand Twenty-One.

KIM REYNOLDS, Governor

Attest:

PAUL D. PATE  
Secretary of State

#### ORGANIZATION OF THE SENATE

Senator Whitver moved that the selection of seats, determination of mileage of senators, assignment of press seats, and all other organizational or administrative matters not specifically provided for in Joint Rule 3 be the same for the Extraordinary Session as for the 2021 Regular Session of the Eighty-Ninth General Assembly.

The motion prevailed by a voice vote.

SECRETARY TO NOTIFY THE  
GOVERNOR AND THE HOUSE

Senator Whitver moved that the Secretary of the Senate be directed to send a written message to the Governor and the House of Representatives informing them that the Senate is organized and ready to transact business and receive any messages that they may transmit.

The motion prevailed by a voice vote.

Senator Whitver asked and received unanimous consent for the committee on State Government to meet at 11:00 a.m.

RECESS

On motion of Senator Whitver, the Senate recessed at 10:22 a.m. until the completion of a meeting of the committee on State Government.

RECONVENED

The Senate reconvened at 12:20 p.m., President Chapman presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on October 28, 2021, **adopted** the following resolution in which the concurrence of the Senate is asked:

[House Concurrent Resolution 13](#), a concurrent resolution to provide for the business of the second extraordinary session of the 2021 legislative session.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [House Concurrent Resolution 13](#).

[House Concurrent Resolution 13](#)

On motion of Senator Whitver, [House Concurrent Resolution 13](#), a concurrent resolution to provide for the business of the second extraordinary session of the 2021 legislative session, was taken up for consideration.

Senator Whitver moved the adoption of [House Concurrent Resolution 13](#).

A record roll call was requested.

On the question “Shall the resolution be adopted?” ([H.C.R. 13](#)), the vote was:

Yeas, 32:

|              |          |            |          |
|--------------|----------|------------|----------|
| Brown        | Carlin   | Chapman    | Costello |
| Cournoyer    | Dawson   | Dickey     | Driscoll |
| Edler        | Garrett  | Goodwin    | Green    |
| Guth         | Johnson  | Klimesh    | Koelker  |
| Kraayenbrink | Lofgren  | Nunn       | Reichman |
| Rozenboom    | Schultz  | Shipley    | 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, 1:

Hogg

The resolution, 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 Concurrent Resolution 13](#) be **immediately messaged** to the House.

The Senate stood at ease at 12:28 p.m. until the fall of the gavel.

The Senate resumed session at 1:01 p.m., President Chapman presiding.

#### INTRODUCTION OF BILL

[Senate File 621](#), by committee on State Government, a bill for an act providing for congressional and legislative districts and including effective date provisions.

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

#### FINAL COMMITTEE REPORT OF BILL ACTION

##### STATE GOVERNMENT

**Bill Title:** [SENATE FILE 621 \(SSB 1279\)](#), a bill for an act providing for congressional and legislative districts and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

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

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

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 621](#).

[Senate File 621](#)

On motion of Senator R. Smith, [Senate File 621](#), a bill for an act providing for congressional and legislative districts and including effective date provisions, was taken up for consideration.

Senator R. Smith offered amendment [S-3246](#), filed by him from the floor to pages 6 and 9 of the bill, and moved its adoption.

Amendment [S-3246](#) was adopted by a voice vote.

Senator R. Smith 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?" ([S.F. 621](#)), 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     |
| Nunn         | Petersen       | Quirnbach | Ragan      |
| Reichman     | Schultz        | Shipley   | Sinclair   |
| Smith, J.    | Smith, R.      | Sweeney   | Taylor, J. |
| Taylor, T.   | Trone Garriott | Wahls     | Whiting    |
| Whitver      | Williams       | Zaun      | Zumbach    |

Nays, 1:

Rozenboom

Absent, 1:

Hogg

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 [Senate File 621](#) be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 1:12 p.m. until 2:30 p.m.

RECONVENED

The Senate reconvened at 2:46 p.m., President Chapman presiding.

Senator Whitver asked and received unanimous consent for the committee on Commerce to meet.

RECESS

On motion of Senator Whitver, the Senate recessed at 2:46 p.m. until 4:00 p.m.

RECONVENED

The Senate reconvened at 5:42 p.m., President Chapman presiding.

## HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on October 28, 2021, passed the following bill in which the concurrence of the Senate is asked:

[House File 902](#), a bill for an act relating to COVID-19 vaccination requirements by employers and unemployment insurance and including effective date provisions.

Read first time and **placed on calendar**.

## INTRODUCTION OF BILL

[Senate File 622](#), by committee on Commerce, a bill for an act relating to COVID-19 vaccination requirements by employers and unemployment insurance and including effective date provisions.

Read first time under Rule 28 and attached to **companion [House File 902](#)**.

## FINAL COMMITTEE REPORT OF BILL ACTION

## COMMERCE

**Bill Title:** [SENATE FILE 622 \(SSB 1280\)](#), a bill for an act relating to COVID-19 vaccination requirements by employers and unemployment insurance and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**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.

## CONSIDERATION OF BILL

(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 622](#).

### Senate File 622

On motion of Senator Schultz, [Senate File 622](#), a bill for an act relating to COVID-19 vaccination requirements by employers and unemployment insurance and including effective date provisions, was taken up for consideration.

Senator Schultz asked and received unanimous consent that [House File 902](#) be **substituted** for [Senate File 622](#).

### House File 902

On motion of Senator Schultz, [House File 902](#), a bill for an act relating to COVID-19 vaccination requirements by employers and unemployment insurance and including effective date provisions, was taken up for consideration.

Senator Schultz 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. 902](#)), the vote was:

Yeas, 45:

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

Nays, 4:

Bolkcom                      Celsi                      Jochum                      Trone Garriott

Absent, 1:

Hogg

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

#### WITHDRAWN

Senator Schultz asked and received unanimous consent that [Senate File 622](#) be **withdrawn** from further consideration of the Senate.

#### IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [House File 902](#) be **immediately messaged** to the House.

#### 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 October 28, 2021, passed the following bill in which the concurrence of the House was asked:

[Senate File 621](#), a bill for an act providing for congressional and legislative districts and including effective date provisions.

ALSO: That the House has on October 28, 2021, **adopted** the following resolution in which the concurrence of the Senate is asked:

[House Concurrent Resolution 14](#), a concurrent resolution to provide for adjournment sine die.

Read first time and **placed on calendar**.

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [House Concurrent Resolution 14](#).

[House Concurrent Resolution 14](#)

On motion of Senator Whitver, [House Concurrent Resolution 14](#), a concurrent resolution to provide for adjournment sine die, was taken up for consideration.

Senator Whitver moved the adoption of [House Concurrent Resolution 14](#), which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [House Concurrent Resolution 14](#) be **immediately messaged** to the House.

SECRETARY TO NOTIFY THE  
GOVERNOR AND THE HOUSE

Senator Whitver moved that the Secretary of the Senate be directed to send a written message to the Governor and the House of Representatives informing them that the Senate has completed its duties.

The motion prevailed by a voice vote.

FINAL ADJOURNMENT

By virtue of [House Concurrent Resolution 14](#), duly adopted, President Chapman declared the 2021 Second Extraordinary Session of the Eighty-Ninth General Assembly adjourned sine die.

**APPENDIX****REPORTS OF COMMITTEE MEETINGS****COMMERCE**

**Convened:** Thursday, October 28, 2021, 2:55 p.m.

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

**Members Absent:** None.

**Committee Business:** Subcommittee of the whole for [SSB 1280](#). Consideration for [SSB 1280](#).

**Adjourned:** 4:30 p.m.

**STATE GOVERNMENT**

**Convened:** Thursday, October 28, 2021, 11:55 a.m.

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

**Members Absent:** Johnson (excused).

**Committee Business:** Subcommittee of the whole for [SSB 1279](#). Consideration for [SSB 1279](#).

**Adjourned:** 12:05 p.m.

**INTRODUCTION OF RESOLUTION**

[Senate Concurrent Resolution 9](#), by Whitver and Wahls, a concurrent resolution to provide for adjournment sine die.

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

## STUDY BILLS RECEIVED

**SSB 1279 State Government**

Providing for congressional and legislative districts and including effective date provisions.

**SSB 1280 Commerce**

Relating to COVID-19 vaccination requirements by employers and unemployment insurance and including effective date provisions.

## SUBCOMMITTEE ASSIGNMENTS

**SSB 1279**

STATE GOVERNMENT: R. Smith, Chair; Bisignano, Boulton, Brown, Celsi, Cournoyer, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz

**SSB 1280**

COMMERCE: Schultz, Chair; Petersen and Williams

## AMENDMENT FILED

**S-3246 S.F. 621 Roby Smith**