

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, APRIL 12, 2022

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JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 12, 2022

The Senate met in regular session at 9:05 a.m., President Chapman presiding.

Prayer was offered by the Honorable Zach Nunn, member of the Senate from Polk County, Altoona, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kennedy Haag.

The Journal of Monday, April 11, 2022, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate Resolution 111](#).

[Senate Resolution 111](#)

On motion of Senator Dotzler, [Senate Resolution 111](#), a resolution honoring Senator Jim Lykam for his years of service in the Iowa General Assembly, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Lykam.

Senator Lykam addressed the Senate with brief remarks.

Senator Dotzler moved the adoption of [Senate Resolution 111](#), which motion prevailed by a voice vote.

The Senate stood at ease at 9:51 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:45 a.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Rozenboom and Williams, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2185 and 2242.

[Senate File 2185](#)

On motion of Senator J. Taylor, [Senate File 2185](#), a bill for an act relating to documents that may be filed pro se by a defendant represented by counsel or an applicant for postconviction relief represented by counsel, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator J. Taylor asked and received unanimous consent that [House File 2222](#) be **substituted** for [Senate File 2185](#).

[House File 2222](#)

On motion of Senator J. Taylor, [House File 2222](#), a bill for an act relating to documents that may be filed pro se by a defendant represented by counsel or an applicant for postconviction relief represented by counsel, was taken up for consideration.

Senator J. Taylor 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. 2222](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Rozenboom Williams

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

WITHDRAWN

Senator J. Taylor asked and received unanimous consent that [Senate File 2185](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2242](#)

On motion of Senator Zaun, [Senate File 2242](#), a bill for an act relating to controlled substances, including amending the controlled substance schedules and information collection and reporting requirements under the Iowa prescription monitoring program, and including effective date provisions, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Zaun asked and received unanimous consent that [House File 2201](#) be **substituted** for [Senate File 2242](#).

House File 2201

On motion of Senator Zaun, [House File 2201](#), a bill for an act relating to controlled substances, including amending the controlled substance schedules and information collection and reporting requirements under the Iowa prescription monitoring program, and including effective date provisions, was taken up for consideration.

Senator Zaun 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. 2201](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Rozenboom	Williams
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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 Zaun asked and received unanimous consent that [Senate File 2242](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2201** and **2222** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [House File 2378](#).

[House File 2378](#)

On motion of Senator R. Smith, [House File 2378](#), a bill for an act relating to pari-mutuel wagering, concerning distribution of horse racing purse moneys and establishing a fund for certain race horse organizations, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

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?" ([H.F. 2378](#)), the vote was:

Yeas, 46:

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

Nays, 2:

Costello Guth

Absent, 2:

Rozenboom Williams

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

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 2382](#).

[Senate File 2382](#)

On motion of Senator Goodwin, [Senate File 2382](#), a bill for an act relating to electric motor vehicle registration fees for antique motor vehicles, was taken up for consideration.

Senator Goodwin 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. 2382](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Rozenboom Williams

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

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate Joint Resolution 2006](#).

[Senate Joint Resolution 2006](#)

On motion of Senator Dawson, [Senate Joint Resolution 2006](#), a joint resolution proposing an amendment to the Constitution of the State of Iowa requiring a two-thirds majority vote for certain state tax law changes, was taken up for consideration.

[Senate Joint Resolution 2006](#), a joint resolution proposing an amendment to the Constitution of the State of Iowa requiring a two-thirds majority vote for certain state tax law changes. BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA: Section 1. The following amendment to the Constitution of the State of Iowa is proposed: Article III, Legislative Department, Constitution of the State of Iowa, is hereby amended by adding the following new section: Sec. 41. **Two-thirds majority vote for state tax law changes.** Passage of a bill that increases the individual income tax rate or the corporate income tax rate shall require the affirmative votes of at least two-thirds of the members elected to each house of the general assembly. This requirement does not apply to taxes imposed at the option of a local government. Passage of a bill that establishes a new tax to be imposed by the state shall require the affirmative votes of at least two-thirds of the members elected to each house of the general assembly. A lawsuit challenging the proper enactment of a bill under this section must be filed no later than one year following the enactment. If such a lawsuit is not filed within the one-year limit, the bill shall be considered properly enacted under this section. Each bill to which this section applies must include a separate provision describing the requirements for enactment prescribed by this

section. The general assembly shall enact laws to implement this section. Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the general assembly to be chosen at the next general election for members of the general assembly, and shall be published as provided by law for three months previous to the date of that election.

Senator Dawson moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

On the question "Shall the resolution be adopted?" ([S.J.R. 2006](#)), the vote was:

Yeas, 30:

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

Nays, 18:

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

Absent, 2:

Rozenboom	Williams
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The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [Senate Joint Resolution 2006](#), [Senate File 2382](#), and [House File 2378](#) be **immediately messaged** to the House.

President Pro Tempore Zaun took the chair at 11:15 a.m.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate Resolution 112](#).

[Senate Resolution 112](#)

On motion of Senator Klimesh, [Senate Resolution 112](#), a resolution honoring Senator Jim Carlin for his service in the Iowa Senate, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Carlin.

Senator Carlin addressed the Senate with brief remarks.

Senator Klimesh moved the adoption of [Senate Resolution 112](#), which motion prevailed by a voice vote.

President Chapman took the chair at 12:22 p.m.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Whitver called up the appointment of Rodney Bradley as a member of the State Board of Education, placed on the Individual Confirmation Calendar on March 1, 2022, found on page 427 of the Senate Journal.

Senator J. Taylor 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	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Zaun	Zumbach

Nays, none.

Absent, 2:

Rozenboom Williams

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

Senator Whitver called up the appointment of Cindy Dietz as a member of the State Board of Education, placed on the Individual Confirmation Calendar on March 30, 2022, found on page 668 of the Senate Journal.

Senator Sinclair 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	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Schultz

Shiple	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Zaun	Zumbach

Nays, none.

Absent, 2:

Rozenboom Williams

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

Senator Whitver called up the appointment of Cassandra Halls as a member of the State Board of Education, placed on the Individual Confirmation Calendar on March 30, 2022, found on page 668 of the Senate Journal.

Senator Sinclair 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	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirnbach
Ragan	Reichman	Rowley	Schultz
Shiple	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Zaun	Zumbach

Nays, none.

Absent, 2:

Rozenboom Williams

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

Senator Whitver called up the appointment of Michael Cavin as Executive Director of the Board of Educational Examiners, placed on the Individual Confirmation Calendar on March 1, 2022, found on page 427 of the Senate Journal.

Senator Sinclair 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	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirnbach
Ragan	Reichman	Rowley	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Zaun	Zumbach

Nays, none.

Absent, 2:

Rozenboom Williams

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

Senator Whitver called up the appointment of Steven Lukan as Executive Director of the Iowa Department of Veterans Affairs, placed on the Individual Confirmation Calendar on April 6, 2022, found on page 727 of the Senate Journal.

Senator Lofgren 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	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Zaun	Zumbach

Nays, none.

Absent, 2:

Rozenboom Williams

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

Senator Whitver called up the appointment of Matthew Peterson as Commandant of the Iowa Veterans Home, placed on the Individual Confirmation Calendar on February 15, 2022, found on page 297 of the Senate Journal.

Senator Edler 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	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Schultz

Shiple	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Zaun	Zumbach

Nays, none.

Absent, 2:

Rozenboom Williams

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

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolutions 114 and 113.

Senate Resolution 114

On motion of Senator Sinclair, [Senate Resolution 114](#), a resolution honoring Senator Zach Nunn for his service in the Iowa Senate, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Nunn.

Senator Nunn addressed the Senate with brief remarks.

Senator Sinclair moved the adoption of [Senate Resolution 114](#), which motion prevailed by a voice vote.

Senate Resolution 113

On motion of Senator Sinclair, [Senate Resolution 113](#), a resolution honoring Senator Tim Goodwin for his years of service in the Iowa Senate, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Goodwin.

Senator Goodwin addressed the Senate with brief remarks.

Senator Sinclair moved the adoption of [Senate Resolution 113](#), which motion prevailed by a voice vote.

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 April 12, 2022, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

[House File 2340](#), a bill for an act relating to public safety nuisances concerning licensed premises where alcoholic beverages, wine, or beer is sold or consumed.

[House File 2390](#), a bill for an act relating to child welfare, including provisions relating to foster care and the child advocacy board.

ALSO: That the House has on April 12, 2022, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 333](#), a bill for an act relating to authorized emergency vehicles, making penalties applicable, and including effective date and applicability provisions. ([S-5123](#))

[Senate File 2287](#), a bill for an act relating to used catalytic converter transactions, providing penalties, and making penalties applicable. ([S-5122](#))

[Senate File 2297](#), a bill for an act relating to jury service disqualification for certain felons. ([S-5126](#))

[Senate File 2374](#), a bill for an act relating to alcoholic beverage control and licensing, providing for fees, and including effective date provisions. ([S-5124](#))

[Senate File 2376](#), a bill for an act relating to annual all-systems permits issued by the department of transportation for vehicles of excessive weight, and including effective date provisions. ([S-5125](#))

ADJOURNMENT

On motion of Senator Goodwin, the Senate adjourned at 2:00 p.m. until 9:00 a.m., Wednesday, April 13, 2022.

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****House File 2576**

WAYS AND MEANS: Zaun, Chair; Goodwin and Jochum

House File 2578

APPROPRIATIONS: Costello, Chair; Edler and Ragan

House File 2579

APPROPRIATIONS: Johnson, Chair; Lofgren and Petersen

AMENDMENTS FILED

<u>S-5122</u>	<u>S.F. 2287</u>	House
<u>S-5123</u>	<u>S.F. 333</u>	House
<u>S-5124</u>	<u>S.F. 2374</u>	House
<u>S-5125</u>	<u>S.F. 2376</u>	House
<u>S-5126</u>	<u>S.F. 2297</u>	House