

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, FEBRUARY 28, 2023

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JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 28, 2023

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

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Gavin Walters.

The Journal of Monday, February 27, 2023, was approved.

BILLS REFERRED TO COMMITTEE

President Sinclair announced that **Senate Files 196, 284, 363, and 390** were referred from the **Regular Calendar** to the committee on **Ways and Means** under Senate Rule 38.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:18 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:19 a.m., President Sinclair presiding.

CONSIDERATION OF RESOLUTIONS
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate Resolution 3](#) and [Senate Concurrent Resolution 4](#).

[Senate Resolution 3](#)

On motion of Senator Kraayenbrink, [Senate Resolution 3](#), a resolution designating February 28, 2023, as Community College Day, with report of committee recommending passage, was taken up for consideration.

Senator Kraayenbrink moved the adoption of [Senate Resolution 3](#), which motion prevailed by a voice vote.

[Senate Concurrent Resolution 4](#)

On motion of Senator Whitver, [Senate Concurrent Resolution 4](#), a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Ninetieth General Assembly, with report of committee recommending passage, was taken up for consideration.

Senator Whitver moved the adoption of [Senate Concurrent Resolution 4](#), which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [Senate Concurrent Resolution 4](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:23 a.m. until 9:00 a.m., Wednesday, March 1, 2023.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Tuesday, February 28, 2023, 1:10 p.m.

Members Present: Driscoll, Chair; Rozenboom, Vice Chair; Bisignano, Ranking Member; Alons, Boulton, Costello, Dotzler, Edler, Giddens, Green, Gruenhagen, McClintock, Shipley, Sweeney, T. Taylor, and Zumbach.

Members Absent: None.

Committee Business: [SSB 1183](#) with amendment and [SF 404](#).

Adjourned: 1:20 p.m.

HEALTH AND HUMAN SERVICES

Convened: Tuesday, February 28, 2023, 10:35 a.m.

Recessed: 11:10 a.m.

Reconvened: 11:45 a.m.

Members Present: Edler, Chair; Costello, Vice Chair; Trone Garriott, Ranking Member; Alons, Donahue, Evans, Garrett, Guth, Jochum, Petersen, Rowley, Salmon, and Sweeney.

Members Absent: None.

Committee Business: Consideration and passage of the following bills: [SSB 1167](#), [SSB 1166](#), [SSB 1117](#), and [SSB 1105](#).

Adjourned: 12:10 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, February 28, 2023, 9:15 a.m.

Members Present: Whitver, Chair; Sinclair, Vice Chair; Wahls, Ranking Member; Brown, Jochum, Lofgren, Reichman, and Trone Garriott.

Members Absent: Zaun (excused).

Committee Business: [SR 3](#).

Adjourned: 9:20 a.m.

VETERANS AFFAIRS

Convened: Tuesday, February 28, 2023, 11:15 a.m.

Members Present: Reichman, Chair; Salmon, Vice Chair; Dotzler, Ranking Member; Alons, Bennett, Costello, Dawson, Edler, Lofgren, McClintock, Weiner, and Winckler.

Members Absent: None.

Committee Business: [SSB 1174](#).

Adjourned: 11:20 a.m.

INTRODUCTION OF RESOLUTION

[Senate Joint Resolution 11](#), by Trone Garriott, a joint resolution proposing an amendment to the Constitution of the State of Iowa recognizing a right of persons to food and a fundamental right to be free from hunger.

Read first time under Rule 28 and referred to committee on **State Government**.

INTRODUCTION OF BILLS

[Senate File 443](#), by committee on Local Government, a bill for an act relating to county supervisors, concerning county supervisor representation plans and county supervisor vacancies, and including effective date provisions.

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

[Senate File 444](#), by committee on Veterans Affairs, a bill for an act relating to matters under the purview of the department of veterans affairs, including county commissions of veteran affairs and cemetery expenditures.

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

[Senate File 445](#), by committee on Local Government, a bill for an act relating to protests considered by local boards of review and including effective date and applicability provisions.

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

[Senate File 446](#), by committee on Local Government, a bill for an act relating to required considerations by a county compensation board.

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

[Senate File 447](#), by committee on Local Government, a bill for an act authorizing length of service award programs for volunteer fire fighters, volunteer emergency medical care providers, and reserve peace officers, and making appropriations.

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

[Senate File 448](#), by committee on Local Government, a bill for an act relating to the composition and procedures of county compensation boards.

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

[Senate File 449](#), by committee on Workforce, a bill for an act relating to the driving privileges of persons issued an instruction permit who are employed, and providing penalties.

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

[Senate File 450](#), by committee on Local Government, a bill for an act relating to the collection of delinquent judgments owed to a county or city, and including effective date provisions.

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

[Senate File 451](#), by committee on Local Government, a bill for an act relating to sessions of the local board of review and including effective date provisions.

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

[Senate File 452](#), by Boulton, a bill for an act relating to the Iowa law enforcement academy including accreditation, and establishing a law enforcement agency tuition fund.

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

[Senate File 453](#), by Koelker, a bill for an act relating to live downed electrical wires, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 454](#), by committee on Local Government, a bill for an act relating to civil service requirements for the hiring of certain city public safety positions.

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

[Senate File 455](#), by committee on Local Government, a bill for an act relating to the regulation of topsoil and storm water at construction sites.

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

[Senate File 456](#), by Salmon, a bill for an act requiring written permission from a county sheriff before an arrest, search, or seizure may be conducted within a county under the county sheriff's jurisdiction by any federal or out-of-state law enforcement officer or agent and any Iowa law enforcement officer or agent from outside the county sheriff's jurisdiction.

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

[Senate File 457](#), by committee on Local Government, a bill for an act relating to city civil service and including effective date provisions.

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

[Senate File 458](#), by T. Taylor, Dotzler, Bennett, Giddens, Knox, Trone Garriott, Celsi, Weiner, Wahls, Quirmbach, Boulton, Petersen, Winckler, Donahue, Bisignano, and Jochum, a bill for an act concerning employment matters involving public employees including collective bargaining, educator employment matters, personnel records and settlement agreements, city civil service requirements, and health insurance matters, and including effective date, applicability, and transition provisions.

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

[Senate File 459](#), by Jochum, Knox, Giddens, Weiner, Petersen, Quirmbach, Donahue, Dotzler, Winckler, Boulton, Wahls, Bisignano, T. Taylor, Trone Garriott, Bennett, and Celsi, a bill for an act increasing the earned income tax credit available against the Iowa individual income tax, and including retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 460](#), by Jochum, Knox, Giddens, Weiner, Petersen, Quirmbach, Donahue, Dotzler, Winckler, Boulton, Wahls, Bisignano, T. Taylor, Trone Garriott, Bennett, and Celsi, a bill for an act relating to the child and dependent and early childhood development tax credits, and including retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 461](#), by committee on Veterans Affairs, a bill for an act to include veterans in the small business linked investments program.

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

[Senate File 462](#), by committee on Health and Human Services, a bill for an act relating to the Medicaid program including third-party recovery and taxation of Medicaid managed care organization premiums.

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

[Senate File 463](#), by Driscoll, a bill for an act relating to the review of an officer-involved shooting case by a county attorney, and the jurisdiction of a peace officer to make an arrest in the state.

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

STUDY BILLS RECEIVED

[SSB 1199](#) **Commerce**

Relating to required timing for notices regarding underground facility excavations.

[SSB 1200](#) **State Government**

Relating to information made available to the auditor of state.

[SSB 1201](#) **Natural Resources and Environment**

Relating to agricultural land restoration for electric transmission lines, making penalties applicable, and including applicability provisions.

[SSB 1202](#) **Judiciary**

Relating to the authority of a peace officer to make an arrest anywhere within the state.

SSB 1203 Transportation

Urging the members of Congress to amend federal law to increase the maximum gross weight allowed for motor vehicles operated on the interstate road system in Iowa and bordering states.

SUBCOMMITTEE ASSIGNMENTS**Senate File 352**

WAYS AND MEANS: Klimesh, Chair; Dawson and Winckler

Senate File 355

WAYS AND MEANS: Driscoll, Chair; Klimesh and Quirmbach

Senate File 380

WAYS AND MEANS: Rowley, Chair; Dawson and T. Taylor

Senate File 392

WAYS AND MEANS: Cournoyer, Chair; Rowley and Winckler

Senate File 407

STATE GOVERNMENT: Schultz, Chair; Bousselot and Celsi

Senate File 408

WAYS AND MEANS: Dawson, Chair; Koelker and Petersen

Senate File 413

COMMERCE: Schultz, Chair; Bousselot and Trone Garriott

Senate File 423

COMMERCE: Dawson, Chair; Jochum and Schultz

Senate File 424

COMMERCE: Bousselot, Chair; Petersen and Rowley

Senate File 428

COMMERCE: Brown, Chair; Giddens and Schultz

[Senate File 429](#)

COMMERCE: Schultz, Chair; Petersen and Webster

[Senate File 430](#)

JUDICIARY: Boussetot, Chair; Quirnbach and Shipley

[Senate File 432](#)

WORKFORCE: Schultz, Chair; Dickey and Donahue

[Senate File 433](#)

JUDICIARY: Garrett, Chair; Quirnbach and Reichman

[Senate File 438](#)

STATE GOVERNMENT: Cournoyer, Chair; Boulton and Dawson

[Senate File 439](#)

STATE GOVERNMENT: Boussetot, Chair; Koelker and Weiner

[Senate File 441](#)

STATE GOVERNMENT: Webster, Chair; Brown and Giddens

[Senate File 442](#)

STATE GOVERNMENT: Cournoyer, Chair; Jochum and Webster

[Senate File 452](#)

JUDICIARY: Shipley, Chair; Boulton and Rowley

[Senate File 456](#)

JUDICIARY: Shipley, Chair; Quirnbach and Rowley

[House File 138](#)

(Reassigned)

STATE GOVERNMENT: McClintock, Chair; Bisignano and Boussetot

[House File 333](#)

STATE GOVERNMENT: Webster, Chair; Bisignano and McClintock

[SSB 1199](#)

COMMERCE: Brown, Chair; Giddens and Webster

[SSB 1200](#)

STATE GOVERNMENT: Boussetot, Chair; Koelker and Weiner

[SSB 1201](#)

NATURAL RESOURCES AND ENVIRONMENT: Sweeney, Chair; Knox and Shipley

[SSB 1202](#)

JUDICIARY: Dawson, Chair; Knox and Zaun

[SSB 1203](#)

TRANSPORTATION: Klimesh, Chair; Bennett, Bisignano, Boussetot, Brown, Celsi, Cournoyer, De Witt, Dickey, Giddens, Koelker, Lofgren, Rozenboom, Shipley, T. Taylor, Webster, Winckler, and Zumbach

FINAL COMMITTEE REPORTS OF BILL ACTION

HEALTH AND HUMAN SERVICES

Bill Title: [SENATE FILE 462](#) ([SSB 1167](#)), a bill for an act relating to the Medicaid program including third-party recovery and taxation of Medicaid managed care organization premiums.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Edler, Costello, Alons, Evans, Garrett, Guth, Rowley, Salmon, and Sweeney. Nays, 4: Trone Garriott, Donahue, Jochum, and Petersen. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: [SENATE FILE 443](#) (formerly [SF 314](#)), a bill for an act relating to county supervisors, concerning county supervisor representation plans and county supervisor vacancies, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Green, Lofgren, Weiner, Driscoll, Guth, Klimesh, Knox, Shipley, Webster, Westrich, and Winckler. Nays, none. Excused, 1: Quirmbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 445](#) (formerly [SF 278](#)), a bill for an act relating to protests considered by local boards of review and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Green, Lofgren, Weiner, Driscoll, Guth, Klimesh, Knox, Shipley, Webster, Westrich, and Winckler. Nays, none. Excused, 1: Quirmbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Local Government Committee on [Senate File 445](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 446](#) (formerly [SF 32](#)), a bill for an act relating to required considerations by a county compensation board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Green, Lofgren, Weiner, Driscoll, Guth, Klimesh, Knox, Shipley, Webster, Westrich, and Winckler. Nays, none. Excused, 1: Quirmbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 447](#) (formerly [SF 272](#)), a bill for an act authorizing length of service award programs for volunteer fire fighters, volunteer emergency medical care providers, and reserve peace officers, and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Green, Lofgren, Weiner, Driscoll, Guth, Klimesh, Knox, Shipley, Webster, Westrich, and Winckler. Nays, none. Excused, 1: Quirmbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 448](#) (formerly [SF 170](#)), a bill for an act relating to the composition and procedures of county compensation boards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Green, Lofgren, Driscoll, Guth, Klimesh, Shipley, Webster, and Westrich. Nays, 3: Weiner, Knox, and Winckler. Excused, 1: Quirmbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 450](#) (formerly [SF 293](#)), a bill for an act relating to the collection of delinquent judgments owed to a county or city, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Green, Lofgren, Weiner, Driscoll, Guth, Klimesh, Knox, Shipley, Webster, Westrich, and Winckler. Nays, none. Excused, 1: Quirmbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 451](#) (formerly [SF 169](#)), a bill for an act relating to sessions of the local board of review and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Green, Lofgren, Weiner, Driscoll, Guth, Klimesh, Knox, Shipley, Webster, Westrich, and Winckler. Nays, none. Excused, 1: Quirmbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [*SENATE FILE 454](#) (formerly [SF 266](#)), a bill for an act relating to civil service requirements for the hiring of certain city public safety positions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Green, Lofgren, Weiner, Driscoll, Guth, Klimesh, Knox, Shipley, Webster, Westrich, and Winckler. Nays, none. Excused, 1: Quirmbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Local Government Committee on [Senate File 454](#), and they were attached to the committee report.

ALSO:

Bill Title: [*SENATE FILE 455](#) (formerly [SF 34](#)), a bill for an act relating to the regulation of topsoil and storm water at construction sites.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Green, Lofgren, Driscoll, Guth, Klimesh, Shipley, Webster, and Westrich. Nays, 3: Weiner, Knox, and Winckler. Excused, 1: Quirmbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Local Government Committee on [Senate File 455](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 457](#) (formerly [SF 231](#)), a bill for an act relating to city civil service and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Green, Lofgren, Driscoll, Guth, Klimesh, Shipley, Webster, and Westrich. Nays, 3: Weiner, Knox, and Winckler. Excused, 1: Quirmbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Local Government Committee on [Senate File 457](#), and they were attached to the committee report.

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 3](#), a resolution designating February 28, 2023, as Community College Day.

Recommendation: DO PASS.

Final Vote: Yeas, 8: Whitver, Sinclair, Wahls, Brown, Jochum, Lofgren, Reichman, and Trone Garriott. Nays, none. Excused, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: [SENATE FILE 444](#) (formerly [SF 236](#)), a bill for an act relating to matters under the purview of the department of veterans affairs, including county commissions of veteran affairs and cemetery expenditures.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Reichman, Salmon, Alons, Costello, Dawson, Edler, McClintock, and Weiner. Nays, none. Excused, 4: Dotzler, Bennett, Lofgren, and Winckler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 461](#) ([SSB 1174](#)), a bill for an act to include veterans in the small business linked investments program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Reichman, Salmon, Dotzler, Alons, Bennett, Costello, Dawson, Edler, Lofgren, McClintock, Weiner, and Winckler. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WORKFORCE

Bill Title: *[SENATE FILE 449](#) ([SSB 1154](#)), a bill for an act relating to the driving privileges of persons issued an instruction permit who are employed, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Dickey, McClintock, Boulton, Driscoll, Guth, Kraayenbrink, Rowley, Schultz, and J. Taylor. Nays, 3: Donahue, Dotzler, and T. Taylor. Excused, 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 Workforce Committee on [Senate File 449](#), and they were attached to the committee report.