

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, JANUARY 26, 2023

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JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 26, 2023

The Senate met in regular session at 9:01 a.m., President Sinclair 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 Madeline Parrott.

The Journal of Wednesday, January 25, 2023, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:03 a.m. until 1:00 p.m., Monday, January 30, 2023.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Wednesday, January 25, 2023, 3:00 p.m.

Members Present: Zaun, Chair; Garrett, Vice Chair; Boulton, Ranking Member; Bisignano, Boussetot, Dawson, De Witt, Evans, Knox, Petersen, Quirmbach, Reichman, Rowley, Schultz, Shipley, J. Taylor, Webster, and Weiner.

Members Absent: None.

Committee Business: [SF 108](#), [SSB 1007](#), [SSB 1005](#), [SSB 1003](#), [SSB 1006](#), [SSB 1016](#), [SSB 1015](#), and [SSB 1063](#).

Adjourned: 4:40 p.m.

TECHNOLOGY

Convened: Thursday, January 26, 2023, 11:00 a.m.

Members Present: Cournoyer, Chair; Kraayenbrink, Vice Chair; Bennett, Ranking Member; Alons, Boussetot, Knox, Koelker, Reichman, J. Taylor, Webster, and Weiner.

Members Absent: Dotzler (excused).

Committee Business: Presentation by Dr. Matt Behrens, CIO of the OCIO.

Adjourned: 11:45 a.m.

TRANSPORTATION

Convened: Thursday, January 26, 2023, 10:30 a.m.

Members Present: Klimesh, Chair; Dickey, Vice Chair; T. Taylor, Ranking Member; Bennett, Bisignano, Boussetot, Brown, Celsi, Cournoyer, De Witt, Giddens, Koelker, Lofgren, Shipley, Webster, and Zumbach.

Members Absent: Rozenboom and Winckler (both excused).

Committee Business: [SSB 1062](#), [SSB 1031](#), [SSB 1030](#), [SSB 1026](#), [SSB 1061](#), [SSB 1027](#), [SSB 1060](#), and [SSB 1028](#).

Adjourned: 10:50 a.m.

INTRODUCTION OF RESOLUTIONS

[Senate Concurrent Resolution 3](#), by committee on Ethics, a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Ninetieth General Assembly.

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

[Senate Resolution 1](#), by committee on Ethics, a resolution relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Ninetieth General Assembly.

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

INTRODUCTION OF BILLS

[Senate File 141](#), by committee on Local Government, a bill for an act relating to access to and use of the county land record information system.

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

[Senate File 142](#), by committee on Judiciary, a bill for an act relating to criminal charges for domestic abuse assault.

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

[Senate File 143](#), by committee on Judiciary, a bill for an act relating to the state public defender pilot project for child welfare legal representation.

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

[Senate File 144](#), by committee on Judiciary, a bill for an act relating to an assault involving a laser pointed toward an aircraft, and making penalties applicable.

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

[Senate File 145](#), by Schultz, a bill for an act relating to a rifle season for hunting turkeys.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

[Senate File 146](#), by Sinclair, a bill for an act establishing a fair as a designated exempt entity and allowing for refunds of state sales tax in the performance of certain written contracts and including effective date and retroactive applicability provisions.

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

[Senate File 147](#), by committee on Judiciary, a bill for an act relating to paternity in certain actions before the juvenile court.

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

[Senate File 148](#), by committee on Judiciary, a bill for an act relating to noneconomic damage awards against health care providers, and including effective date and applicability provisions.

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

[Senate File 149](#), by committee on Judiciary, a bill for an act relating to civil actions associated with permissible physical contact between certain specified school employees or volunteers and students, including civil and criminal immunity, monetary damages, and attorney fees.

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

[Senate File 150](#), by committee on Judiciary, a bill for an act relating to an exception to the real estate transfer tax for deeds that transfer distributions of assets to beneficiaries of a trust.

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

[Senate File 151](#), by committee on Transportation, a bill for an act establishing a scenic byways enhancement fund, including by providing for voluntary contributions to the fund, and including effective date provisions.

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

[Senate File 152](#), by committee on Transportation, a bill for an act relating to third-party testers who administer the knowledge and driving skills tests required for a commercial learner's permit or commercial driver's license.

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

[Senate File 153](#), by committee on Transportation, a bill for an act relating to single-trip permits for vehicles of excessive size and weight during special or emergency situations.

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

[Senate File 154](#), by committee on Transportation, a bill for an act exempting hydroexcavation equipment from certain size, weight, load, and permit requirements on highways.

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

[Senate File 155](#), by committee on Transportation, a bill for an act relating to commercial driver's licenses and commercial learner's permits, including compliance with federal regulations, and making penalties applicable.

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

[Senate File 156](#), by committee on Transportation, a bill for an act relating to restricted commercial driver's licenses for certain persons employed in designated farm-related service industries.

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

[Senate File 157](#), by committee on Transportation, a bill for an act authorizing certain persons to administer the final field test of an approved driver education course.

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

[Senate File 158](#), by Salmon and Westrich, a bill for an act modifying the periods of time to bring certain civil actions, including by victims of sexual abuse, minors, and persons with mental illness, entitling certain cases to a preference in trial order, and including effective date provisions.

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

[Senate File 159](#), by Salmon, a bill for an act relating to education, including modifying the responsibilities of the state board of education and school districts, prohibiting instruction related to gender identity or sexual orientation in school districts and charter schools in kindergarten through grade eight, modifying provisions associated with the human growth and development instruction and health screenings provided in school districts, charter schools, and innovation zone schools, and providing civil penalties.

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

[Senate File 160](#), by Salmon, Evans, J. Taylor, Zaun, Guth, Green, Alons, De Witt, Rowley, Garrett, Sweeney, and Westrich, a bill for an act relating to the prescribing and dispensing authority of practitioners.

Read first time under Rule 28 and referred to committee on **Health and Human Services**.

[Senate File 161](#), by Sinclair, a bill for an act relating to the physical education and physical activities requirements that apply to students enrolled in school districts, accredited nonpublic schools, and charter schools.

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

[Senate File 162](#), by Alons, a bill for an act relating to the charging procedure for scheduled violations for exceeding weight limits on an axle or vehicle.

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

[Senate File 163](#), by Edler, a bill for an act relating to motor vehicle window tint, including an application process for approved window tint status, making appropriations, providing penalties, and making penalties applicable.

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

[Senate File 164](#), by committee on Transportation, a bill for an act relating to the use of child restraint devices by certain children traveling in motor vehicles.

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

STUDY BILLS RECEIVED

[SSB 1088](#) **Local Government**

Relating to certain filing deadlines for property tax credits available to certain elderly, disabled, and low-income persons and including effective date and applicability provisions.

[SSB 1089](#) **Local Government**

Relating to certain deadlines relating to the informal review and protest of property assessments in counties declared to be a disaster area.

[SSB 1090](#) **Local Government**

Relating to the filing of a trade name by a business.

[SSB 1091](#) **Local Government**

Relating to certain emergency services provided by a city.

[SSB 1092](#) **Local Government**

Allowing counties to collect a fee for the issuance and renewal of driver's licenses and nonoperator's identification cards to persons who reside outside the county.

[SSB 1093](#) **Local Government**

Relating to requirements for the division, subdivision, and consolidation of parcels.

SSB 1094 State Government

Concerning public contracts with companies that boycott certain companies or that engage in nonpecuniary social investment policies.

SUBCOMMITTEE ASSIGNMENTS**Senate File 98**

STATE GOVERNMENT: Kraayenbrink, Chair; Boussetot and Jochum

Senate File 117

STATE GOVERNMENT: Boussetot, Chair; Salmon and Weiner

Senate File 119

STATE GOVERNMENT: Koelker, Chair; Bisignano and Cournoyer

Senate File 123

STATE GOVERNMENT: Dawson, Chair; Bisignano and Cournoyer

SSB 1081

(Reassigned)

EDUCATION: Kraayenbrink, Chair; Celsi, Cournoyer, Donahue, Evans, Garrett, Giddens, Green, Gruenhagen, Quirmbach, Rozenboom, Salmon, Sinclair, J. Taylor, Trone Garriott, and Westrich

SSB 1088

LOCAL GOVERNMENT: Guth, Chair; Webster and Weiner

SSB 1089

LOCAL GOVERNMENT: Lofgren, Chair; Webster and Weiner

SSB 1090

LOCAL GOVERNMENT: Westrich, Chair; Knox and Shipley

SSB 1091

LOCAL GOVERNMENT: Driscoll, Chair; Klimesh and Quirmbach

SSB 1092

LOCAL GOVERNMENT: Westrich, Chair; Shipley and Winckler

[SSB 1093](#)

LOCAL GOVERNMENT: Shipley, Chair; Webster and Winckler

[SSB 1094](#)

STATE GOVERNMENT: Kraayenbrink, Chair; Boulton and Boussetot

FINAL COMMITTEE REPORTS OF BILL ACTION

ETHICS

Bill Title: [SENATE CONCURRENT RESOLUTION 3 \(SSB 1074\)](#), a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Ninetieth General Assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 6: Shipley, Costello, Winckler, Evans, Jochum, and T. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 1 \(SSB 1075\)](#), a resolution relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Ninetieth General Assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 6: Shipley, Costello, Winckler, Evans, Jochum, and T. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: [SENATE FILE 108](#), a bill for an act relating to the employment of unauthorized aliens and providing penalties.

Recommendation: DO PASS.

Final Vote: Yeas, 12: Zaun, Garrett, Boussetot, Dawson, De Witt, Evans, Reichman, Rowley, Schultz, Shipley, J. Taylor, and Webster. Nays, 6: Boulton, Bisignano, Knox, Petersen, Quirnbach, and Weiner. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 142 \(SSB 1006\)](#), a bill for an act relating to criminal charges for domestic abuse assault.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 18: Zaun, Garrett, Boulton, Bisignano, Bouselot, Dawson, De Witt, Evans, Knox, Petersen, Quirnbach, Reichman, Rowley, Schultz, Shipley, J. Taylor, Webster, and Weiner. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 143 \(SSB 1015\)](#), a bill for an act relating to the state public defender pilot project for child welfare legal representation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 18: Zaun, Garrett, Boulton, Bisignano, Bouselot, Dawson, De Witt, Evans, Knox, Petersen, Quirnbach, Reichman, Rowley, Schultz, Shipley, J. Taylor, Webster, and Weiner. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 144 \(SSB 1016\)](#), a bill for an act relating to an assault involving a laser pointed toward an aircraft, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 18: Zaun, Garrett, Boulton, Bisignano, Bouselot, Dawson, De Witt, Evans, Knox, Petersen, Quirnbach, Reichman, Rowley, Schultz, Shipley, J. Taylor, Webster, and Weiner. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 147 \(SSB 1003\)](#), a bill for an act relating to paternity in certain actions before the juvenile court.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 18: Zaun, Garrett, Boulton, Bisignano, Bouselot, Dawson, De Witt, Evans, Knox, Petersen, Quirnbach, Reichman, Rowley, Schultz, Shipley, J. Taylor, Webster, and Weiner. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 148 \(SSB 1063\)](#), a bill for an act relating to noneconomic damage awards against health care providers, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Zaun, Garrett, Bousset, Dawson, De Witt, Evans, Reichman, Rowley, Schultz, Shipley, and Webster. Nays, 7: Boulton, Bisignano, Knox, Petersen, Quirnbach, J. Taylor, and Weiner. 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 Judiciary Committee on [Senate File 148](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 149 \(SSB 1005\)](#), a bill for an act relating to civil actions associated with permissible physical contact between certain specified school employees or volunteers and students, including civil and criminal immunity, monetary damages, and attorney fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Garrett, Bousset, Dawson, De Witt, Evans, Knox, Reichman, Rowley, Schultz, Shipley, J. Taylor, and Webster. Nays, 5: Boulton, Bisignano, Petersen, Quirnbach, and Weiner. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 150 \(SSB 1007\)](#), a bill for an act relating to an exception to the real estate transfer tax for deeds that transfer distributions of assets to beneficiaries of a trust.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 18: Zaun, Garrett, Boulton, Bisignano, Bousset, Dawson, De Witt, Evans, Knox, Petersen, Quirnbach, Reichman, Rowley, Schultz, Shipley, J. Taylor, Webster, and Weiner. Nays, none. 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 Judiciary Committee on [Senate File 150](#), and they were attached to the committee report.

LOCAL GOVERNMENT

Bill Title: *[SENATE FILE 141 \(SSB 1029\)](#), a bill for an act relating to access to and use of the county land record information system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Green, Lofgren, Weiner, Driscoll, Guth, Klimesh, Knox, Quirnbach, Shipley, Webster, Westrich, and Winckler. Nays, none. 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 Local Government Committee on [Senate File 141](#), and they were attached to the committee report.

TRANSPORTATION

Bill Title: [SENATE FILE 151 \(SSB 1031\)](#), a bill for an act establishing a scenic byways enhancement fund, including by providing for voluntary contributions to the fund, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Klimesh, Dickey, T. Taylor, Bennett, Bisignano, Boussetot, Brown, Celsi, Cournoyer, De Witt, Giddens, Koelker, Lofgren, Shipley, Webster, and Zumbach. Nays, none. Excused, 2: Rozenboom and Winckler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 152 \(SSB 1060\)](#), a bill for an act relating to third-party testers who administer the knowledge and driving skills tests required for a commercial learner's permit or commercial driver's license.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Klimesh, Dickey, T. Taylor, Bennett, Bisignano, Boussetot, Brown, Celsi, Cournoyer, De Witt, Giddens, Koelker, Lofgren, Shipley, Webster, and Zumbach. Nays, none. Excused, 2: Rozenboom and Winckler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 153 \(SSB 1061\)](#), a bill for an act relating to single-trip permits for vehicles of excessive size and weight during special or emergency situations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Klimesh, Dickey, T. Taylor, Bennett, Bisignano, Boussetot, Brown, Celsi, Cournoyer, De Witt, Giddens, Koelker, Lofgren, Shipley, Webster, and Zumbach. Nays, none. Excused, 2: Rozenboom and Winckler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 154 \(SSB 1030\)](#), a bill for an act exempting hydroexcavation equipment from certain size, weight, load, and permit requirements on highways.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Klimesh, Dickey, T. Taylor, Bennett, Bisignano, Boussetot, Brown, Celsi, Cournoyer, De Witt, Giddens, Koelker, Lofgren, Shipley, Webster, and Zumbach. Nays, none. Excused, 2: Rozenboom and Winckler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 155 \(SSB 1062\)](#), a bill for an act relating to commercial driver's licenses and commercial learner's permits, including compliance with federal regulations, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Klimesh, Dickey, T. Taylor, Bennett, Bisignano, Boussetot, Brown, Celsi, Cournoyer, De Witt, Giddens, Koelker, Lofgren, Shipley, Webster, and Zumbach. Nays, none. Excused, 2: Rozenboom and Winckler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 156 \(SSB 1027\)](#), a bill for an act relating to restricted commercial driver's licenses for certain persons employed in designated farm-related service industries.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Klimesh, Dickey, T. Taylor, Bennett, Bisignano, Boussetot, Brown, Celsi, Cournoyer, De Witt, Giddens, Koelker, Lofgren, Shipley, Webster, and Zumbach. Nays, none. Excused, 2: Rozenboom and Winckler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 157 \(SSB 1028\)](#), a bill for an act authorizing certain persons to administer the final field test of an approved driver education course.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Klimesh, Dickey, T. Taylor, Bennett, Bisignano, Boussetot, Brown, Celsi, Cournoyer, De Witt, Giddens, Koelker, Lofgren, Shipley, Webster, and Zumbach. Nays, none. Excused, 2: Rozenboom and Winckler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 164 \(SSB 1026\)](#), a bill for an act relating to the use of child restraint devices by certain children traveling in motor vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Klimesh, Dickey, T. Taylor, Bennett, Bisignano, Boussetot, Brown, Celsi, Cournoyer, De Witt, Giddens, Koelker, Lofgren, Shipley, Webster, and Zumbach. Nays, none. Excused, 2: Rozenboom and Winckler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on [Senate File 164](#), and they were attached to the committee report.