



STATE OF IOWA

KIM REYNOLDS, GOVERNOR
ADAM GREGG, LT. GOVERNOR

KRISTEN STIFFLER, EXECUTIVE DIRECTOR

Friday, March 22, 2024, at 1:15 p.m.
6200 Park Ave.
Room 126
Des Moines, IA 50321

March Meeting Minutes

I. **Roll Call**

The meeting was called to order by Commissioner White at 1:18 pm. All commissioners in attendance. Commissioner Kooiker via zoom due to being with family, Commissioner Kennedy via zoom due to illness and Commissioner Ordaz via zoom due to family reasons.

II. **Recognition of Staff, Interns, Public, and Press**

III. **Acceptance of Minutes - January and February**

No motion made. Tabled until April meeting.

IV. **Acceptance of Agenda**

Commissioner Kooiker's substitute motion did not make this agenda. It will be added to Old Business on April's agenda. As noted in February's minutes, Commissioner Kooiker offered an amended motion to continue the conversation to the next meeting and request for additional data around the impact to the cases at ICRC and any implications to federal contracts.

Commissioner Mandsager made a motion, Commissioner DeKock seconded, carried unanimously.

V. **Public Comment (oral or written)** – pursuant to temporary public decorum rules adopted on May 19, 2023, public comment shall be limited to four minutes

Commissioner Mandsager pointed out the dates on the public comment rule, appearing to expire. This will be discussed at a future meeting.

NAACP - Betty Andrews submitted a written document. Also provided verbal comment opposing SF2385.

Ralph Rosenberg public comment via zoom with his opposition to SF2385, Commissioner White approved to come back to public comment at 1:56 pm after starting the Executive Director report began.

VI. **Standing Business**

1. Director's Report

a. Written report submitted

Stiffler acknowledged the quality of the report was not what she anticipated and will

Commissioner Mandsager asked a question about the lobbyists. Stiffler re-emphasized her response that Commissioner Ordaz sent to everyone that the designated lobbyists are not lobbying, but provide information to legislators.

2. Legislative Update

a. Written report within Director Report submitted

Commissioner White asked a question to clarify religious group and response provided by Katie Fiala

Commissioner Mandsager asked questions about religious bills and a response provided by Katie Fiala. Commissioner Mandsager asked a follow up question on specialized training for those addressing these cases. Katia Fiala responded with maybe.

b. Religious freedom bills: HF 229, SSB 1164, SF 2286, SF 2095/HF 2454

c. HF 2389 (requires sex at birth on driver's license, etc.)

VII. Old Business

1. SF2385 - Presentation of the proposed bill by Executive Director, Kristen Stiffler

Executive Director Stiffler explained SF2385 as written for the legislative session. Explained the Commissioner roles all stay the same as all activities can be done as desired, just not mandated as written today. Highlighted primary roles and functions of staff within the ICRC.

2. Further discussion and consideration of SF2385

Commissioner Mandsager provided his perspective on SF2385 and his research on Hawaii Commission. Recommended full study of 216. Emphasized position from motion at last meeting that the Commission has more duties and latitude in 216 than is being performed and should be fulfilling those duties.

Commissioner Kooiker posed a question to NAACP to ask if they have visited with our Director and/or Governor's office on this legislation. If yes/no, asked for elaboration. Betty provided a response that they have not met with the Director on this specifically. Did meet with the Governor's office last week and shared the outcome of that meeting that the Governor's office appeared to share NAACP's concerns.

Commissioner Kooiker had a follow up question to Director Stiffler asking if this legislative action is to pass as is, would individual Commissioners be able to contact the Governor's office as we have in the past, referencing staffing concerns. Would those be allowable under the new rule? ED Stiffler responded that those are still all allowable as we are still appointees of the Governor.

Commissioner Kooiker commented that he does not support taking action on all bills but should not want to lose the option to. Shared the example of City of Sheldon that though a veto has not been

made in perhaps decades, the option to veto should not be taken away. Made a statement he wrote but not making a motion yet. He asked for feedback.

“To the State Legislature: The Commissioners of the Iowa Civil Rights Commission respect our director and staff and appreciate their service. We encourage you to oppose SF2385, on the grounds that while the Commissioners have been largely deferential to Staff and Our Director, we the Commissioners also serve as an important and diverse check and balance at the agency.”

Commissioner White commented in agreement the concern of losing the checks and balances of the Commission to the ICRC Executive Director. Recommended that language be added to acknowledge that there is still that separation. White noted there have been interim directors from time to time too, and it isn't clear how the process will work with an interim director.

Commissioner Mandsager commented around 216.5a and how it is written. Stiffler noted that some of this language dates to the late 1970's.

Commissioner Kooiker noted that the intent should not be construed as wanting to weigh in on all issues, but that we do not want to lose the ability to weigh in on issues when desired. Noted the impact it will have on future Commissioners. Commissioner Kooiker asked Commissioner White if he should make a motion that the Commission draft a letter to oppose, with the help of the NAACP or if there is agreement with his statement as read. Commissioner White responded with her thoughts and was open to the idea.

Commissioner Mandsager recommended that the letter be provided in Word draft formats and share with Commissioners for input. Recommended a lobbyist declaration in addition to a memo to the Governor's office. A Commissioner would need to register as a lobbyist.

Commissioner Kooiker made a motion to oppose SF2385 on the grounds previously stated (printed above) and formulate a committee. Seconded by Commissioner Kennedy. Mandsager asked that the language in the motion be clarified to remove reference to “ground previously stated” and just say “motion to oppose SF 2385 and form the committee”. Kooiker amended his motion accordingly and Kennedy agreed AACP agreed on the motion when asked for input. Vote taken, ayes have it, motion carried.

Commissioner White had to leave; Commissioner Ordaz took over chairing the meeting at 2:50 pm.

Commissioner Ordaz asked if we are going to have a separate meeting to discuss the File a declaration before the legislation goes home. Commissioner Mandsager stated it makes sense to file a lobbyist declaration before the legislature goes home. Commissioner Mandsager thinks Commissioner Ordaz, as chair, would call for a special meeting as soon as the draft is done. Commissioner Ordaz to coordinate a meeting time.

Commissioner Kooiker noted that Commissioner Ordaz can weigh in to file a lobbyist declaration now to acknowledge that a formal letter will be coming. Also noted was that as Chair, the lobbyist declaration can be filed now if Commissioner Ordaz is comfortable doing so. She has the authority to do so based on what they just did. Commissioner Ordaz will reach out to the commissioners for help. Commissioner Mandsager noted Chapter 68B gives the lobbyist rules.

VIII. **New Business**

IX. Commissioners' Reports

Commissioner Holly White – absent for this portion of the meeting

Commissioner Marcelena Ordaz - No report

Commissioner Dennis Mandsager - Started to review church doctrine on discrimination, quite a variety. Reviewed Iowa Democrat and GOP platforms. Has attended hearings, looked at ACLU and NAACP websites, monitors who files declarations on civil rights bills. Encourages commissioners to look at One Iowa action website. Gives clear perspective as to how LGBTQ community looks at legislation, even if he doesn't necessarily agree with it all.

Commissioner Sam Kooiker - No report

Commissioner Don DeKock - Spent some time in office a few weeks ago, worked with Kaitlin on cleaning up some questions in a report.

Commissioner Daniel Kenned - No report, thanks Betty, Ralph, and David for speaking.

X. Set Next Meeting

April 19, 2024, at 1:15pm, Commissioner Mandsager will join via Zoom while on vacation. Commissioner Ordaz gave one more thanks to guests for their valuable thoughts and insight.

XI. Adjournment

Motion to Adjourn by Commissioner Mandsager, second by Commissioner DeKock at 2:59. All in favor.

DocuSigned by:

Marcelena Ordaz

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7/31/2024