

AUG 8 1983

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House of Representatives

STATE OF IOWA
Seventieth General Assembly
STATE HOUSE
Des Moines, Iowa 50319

COMMITTEES

Local Government,
Vice Chair
Natural Resources
Transportation
Human Resources,
Appropriation Subcommittee

July 7, 1983

TO: Chairman, S.C.D. Commissioners
FROM: State Representative Jim Cooper

Re: HF 259

I would appreciate a few minutes of your time, as District Commissioners, to provide me your thinking in areas that affect our Soil Conservation Districts future.

In order to sample how our commissioners feel about these issues, enclosed is a short questionnaire. Please fill it out and return it to me along with any other comments you as commissioners believe people in the legislature may provide some help in the development of the Districts conservation program.

Also enclosed is a copy of House File 259 that I introduced into the House of Representatives this year along with an explanation of its rational.

I don't really consider this bill a political issue. In the 24 years I've served as a Soil District Commissioner of Lucas SCD, both of the political parties in Iowa have been consciencious in their conservation efforts. It is simply a concern with the direction of the administrative policies in recent years. And a closer tie to active Soil Conservation District Commissioner would be beneficial to the program. Thanking you in advance for your time and thoughts.

Respectfully,

Jim Cooper

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Explanation of HF 259

HF 259 is directed toward improving the operations of the State Soil Conservation Committee, to take political considerations out of the State Committee's composition and rely on the 100 Soil Conservation Districts to fill the positions with the best qualified Soil District Commissioner in their respective nine geographical locations in the state.

It is believed that the proposed change in composition of the State Committee would:

- (1) Give fair representation to the citizenry based on geographic areas;
- (2) Provide the state with the benefit of experienced State Soil Conservation Committee members who are actively engaged in a Soil Conservation District program in their communities;
- (3) Provide District input into the administrative rules procedure.
- (4) Provide the State Soil Conservation Committee with a membership that understands the nature of the problems uniquely distinct to the regions they represent.

AUG 20 1983

FEB 21 1983

HOUSE FILE 259

Agriculture

BY COOPER, BLACK, ROYER, JAY, TOFTE,
SKOW and VAN MAANEN

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to provide for the election of the state soil
2 conservation committee by soil conservation district
3 commissioners.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 259

1 Section 1. Section 467A.4, subsection 1, Code 1983, is
2 amended by striking the subsection and inserting in lieu
3 thereof the following:

4 1. a. The department of soil conservation is established
5 as an agency of the state to perform the functions conferred
6 upon it by this chapter. The department shall be administered
7 under the policies of the state soil conservation committee.
8 All rules adopted by the department must be approved by the
9 committee. The committee shall adopt a seal which shall be
10 judicially noticed. The committee may perform acts, hold
11 hearings, and adopt rules as necessary for the execution of
12 its functions under this chapter.

13 b. The state soil conservation committee shall consist
14 of nine voting members, each elected from one of the regions
15 provided in paragraph c by and from the soil conservation
16 district commissioners of that region. The elections shall
17 be conducted at a convention of the commissioners of the
18 region arranged by the department. The conventions shall
19 be held in September to fill a term beginning on the following
20 January first or within sixty days of a vacancy occurring.
21 The term of office of a committee member shall be three years
22 commencing on January 1.

23 c. The regions from which committee members shall be
24 elected and their designations are as follows:

25 (1) Lyon, Osceola, Sioux, O'Brien, Plymouth, Cherokee,
26 Woodbury, Ida, and Monona counties.

27 (2) Dickinson, Emmet, Kossuth, Clay, Palo Alto, Buena
28 Vista, Pocahontas, Humboldt, Sac, Calhoun, Webster, Wright,
29 and Hamilton counties.

30 (3) Winnebago, Worth, Mitchell, Howard, Hancock, Cerro
31 Gordo, Floyd, Chickasaw, Franklin, Butler, Hardin, and Grundy
32 counties.

33 ✓(4) Winneshiek, Allamakee, Fayette, Clayton, Bremer, Black
34 Hawk, Buchanan, Delaware, Dubuque, Jones, and Jackson counties.

35 (5) Crawford, Carroll, Harrison, Shelby, Audubon, Guthrie,

1 Pottawattamie, Cass, and Adair counties.

2 (6) Greene, Boone, Story, Marshall, Dallas, Polk, Jasper,
3 Madison, Warren, and Marion counties.

4 (7) Tama, Benton, Linn, Poweshiek, Iowa, Johnson, Cedar,
5 Muscatine, Clinton, Scott, Washington, and Louisa counties.

6 (8) Mills, Montgomery, Adams, Union, Clarke, Fremont,
7 Page, Taylor, Ringgold, and Decatur counties.

8 (9) Mahaska, Keokuk, Lucas, Monroe, Wapello, Jefferson,
9 Henry, Des Moines, Wayne, Appanoose, Davis, Van Buren, and
10 Lee counties.

11 d. The director of the state agricultural extension
12 services, the secretary of agriculture, the director of the
13 state conservation commission, the executive director of the
14 department of water, air and waste management, the state
15 conservationist of the United States soil conservation service,
16 and the president of the Iowa county engineers association
17 shall serve as ex officio, nonvoting members or may appoint
18 designees to serve in their place. The governor shall appoint
19 a representative of the mining industry as a nonvoting member
20 to serve at the governor's pleasure.

21 Sec. 2. Section 467A.4, subsection 3, Code 1983, is amended
22 to read as follows:

23 3. The committee shall designate its chairperson, and
24 may change the designation. ~~The-members-appointed-by-the~~
25 ~~governor-shall-serve-for-a-period-of-six-years.--Members-shall~~
26 ~~be-appointed-in-each-odd-numbered-year-to-succeed-members~~
27 ~~whose-terms-expire-as-provided-by-section-69.19---Appointments~~
28 ~~may-be-made-at-other-times-and-for-other-periods-as-necessary~~
29 ~~to-fill-vacancies-on-the-committee.--Members-shall-not-be~~
30 ~~appointed-to-serve-more-than-two-complete-six-year-terms-~~

31 Members designated to represent the secretary of agriculture,
32 the director of the state conservation commission, or the
33 executive director of the department of water, air and waste
34 management shall serve at the pleasure of the officer making
35 the designation. A majority of the voting members of the

1 committee constitutes a quorum, and the concurrence of a
2 majority of the voting members of the committee in any matter
3 within their duties is required for its determination. The
4 chairperson and members of the committee, who are not otherwise
5 in the employ of the state, or any political subdivision
6 except as a soil conservation district commissioner and a
7 member of the committee, shall receive forty dollars per diem
8 as compensation for their services in the discharge of their
9 duties as members of the committee. The committee shall
10 determine the number of days for which any committee member
11 may draw per diem compensation, but the total number of days
12 for which per diem compensation is allowed for the entire
13 committee shall not exceed four hundred days per year. They
14 are also entitled to expenses, including traveling expenses,
15 necessarily incurred in the discharge of their duties as
16 members of the committee. The per diem and expenses paid
17 to the committee members shall be paid from funds appropriated
18 to the committee. The committee shall provide for the
19 execution of surety bonds for all employees and officers who
20 are entrusted with funds or property, shall provide for the
21 keeping of a full and accurate record of all proceedings and
22 of all resolutions, regulations, and orders issued or adopted,
23 and shall provide for an annual audit of the accounts of
24 receipts and disbursements.

25 Sec. 3. The department of soil conservation shall arrange
26 the conventions as provided in this Act for the election of
27 members of the state soil conservation committee who shall
28 take office on January 1 following the enactment of this Act.
29 Notwithstanding section 1 of this Act, the initial terms of
30 the members elected from regions 1, 4, and 7 shall be one
31 year and the initial terms of those elected from regions 2,
32 5, and 8 shall be two years. Sections 1 and 2 of this Act
33 take effect January 1 following enactment.

34 EXPLANATION

35 This bill replaces the state soil conservation committee

1 appointed by the governor with one consisting of nine soil
2 conservation district commissioners elected at regional con-
3 ventions of district commissioners. The term of office would
4 be changed from six to three years. Nonvoting members are
5 retained. The new state soil conservation committee would
6 take office January 1 following enactment.

7 The bill takes effect July 1 following enactment.

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