

#### 455A.4 General powers and duties of the director.

1. Except as otherwise provided by law and subject to rules adopted by the natural resource commission and the environmental protection commission, the director shall:

- a. Plan, direct, coordinate, and execute the functions vested in the department.
- b. Provide overall supervision, direction, and coordination of functions to be administered by the administrators under [chapters 321G, 321I, 455B, 455C, 456A, 456B, 457A, 458A, 459, 459A, 459B, 461A, 462A, 462B, 464A, 465C, 473, 481A, 481B, 483A, 484A, and 484B](#).
- c. Annually compile a comprehensive program budget which reflects all fiscal matters related to the operation of the department and each program, subprogram, and activity in the department in accordance with [section 8.23](#).
- d. Submit a biennial or an annual report to the governor and the general assembly, in accordance with [chapter 7A](#).
- e. Employ personnel as necessary to carry out the functions vested in the department consistent with [chapter 8A, subchapter IV](#), unless the positions are exempt from that subchapter.
- f. Devote full time to the duties of the director's office.
- g. Not be a candidate for nor hold any other public office or trust, nor be a member of a political committee.
- h. Maintain an office at the state capitol complex, which is open at all reasonable times for the conduct of public business.
- i. Adopt rules in accordance with [chapter 17A](#) as necessary or desirable for the organization or reorganization of the department.
- j. In the administration of programs relating to water quality improvement and watershed improvements, cooperate with the department of agriculture and land stewardship in order to maximize the receipt of federal funds.

2. All powers and duties vested in the director may be delegated by the director to an employee of the department, but the director retains the responsibility for an employee's acts within the scope of the delegation.

3. The director and other officers and employees of the department are entitled to receive, in addition to salary, their actual and necessary travel and related expenses incurred in the performance of official business.

4. The director shall obtain an adequate public employees fidelity bond to cover those officers and employees of the department accountable for property or funds of this state.

5. The department may accept payment of any fees, interest, penalties, subscriptions, or other payments due or collected by the department, or any portion of such payments, by credit card. The department may adjust the amount of the payment to reflect the costs of processing the payment as determined by the treasurer of state and the payment by credit card shall include, in addition to all other charges, any discount charged by the credit card issuer.

6. The department is, except as otherwise provided by law, empowered to make and execute agreements, contracts, grants, and other instruments necessary to carry out the department's obligations. The department's obligations shall not be expanded or enlarged by this authority beyond the powers specifically delegated to or conferred upon the department.

[86 Acts, ch 1245, §1804; 90 Acts, ch 1105, §1; 90 Acts, ch 1108, §2; 91 Acts, ch 154, §1; 92 Acts, ch 1160, §22; 2003 Acts, ch 145, §262; 2004 Acts, ch 1132, §89; 2005 Acts, ch 137, §1; 2006 Acts, ch 1010, §117; 2007 Acts, ch 211, §37; 2009 Acts, ch 155, §19, 34; 2018 Acts, ch 1023, §1; 2018 Acts, ch 1044, §1](#)

Referred to in [§455B.298, 455E.11, 465A.4](#)

Subsection 1, paragraph b amended

NEW subsection 6