

OBSOLETE BOARDS AND COMMISSIONS JOINT SUBCOMMITTEE
OF THE
STANDING COMMITTEES ON STATE GOVERNMENT

Report to Members of the
Second Session of the Sixty-seventh General Assembly

State of Iowa
1978

FINAL REPORT
of the
JOINT SUBCOMMITTEE ON OBSOLETE BOARDS AND COMMISSIONS
of the
SENATE AND HOUSE COMMITTEES ON STATE GOVERNMENT

December, 1977

The Joint Subcommittee on Obsolete Boards and Commissions of the Standing Committees on State Government was established by the Legislative Council at its August 9-10, 1977 meeting. The Joint Subcommittee was charged with the responsibility to review the organizational structure of various state agencies, identify unnecessary or obsolete boards, commissions, committees or councils, sections and chapters of the Code, and recommend administrative and legislative changes to modernize the operations of state government.

The membership of the Joint Subcommittee included the following:

Representative W.R. Monroe, Jr., Chairperson
Senator Richard F. Drake, Vice Chairperson
Senator Louis P. Culver
Senator Minnette F. Doderer
Senator Bob Rush
Senator Roger J. Shaff
Representative Donald D. Avenson
Representative William B. Griffiee
Representative LaVern R. Harvey
Representative James C. West

The Joint Subcommittee was authorized and held four meetings during the 1977 interim on October 4, October 21, November 17 and December 19. During these meetings, the Joint Subcommittee requested and received testimony for the Office of the Governor, the Department of Environmental Quality, the Iowa Natural Resources Council, the Department of Soil Conservation, the State Conservation Commission, the Office for Planning and Programming, the Department of Agriculture, the Department of Health, the Department of Public Instruction, the Department of Social Services, and the Iowa Beer and Liquor Control Department. These state agencies were requested to present an organizational chart of their respective agencies showing any board, commission, committee or council associated with the agencies, its authority, and its origin. In addition, each agency was asked to identify obsolete laws under their respective administrative jurisdictions and areas of overlapping or duplicatory authority. The Joint Subcommittee received recommendations from Mr. Joseph Royce, Staff Legal Counsel, Administrative Rules Review Committee and reviewed the recommendations of the 1975 Republican Task Force to Review and Modernize Iowa Laws.

The following are among the obsolete sections and agencies, duplicatory and overlapping authorities and reorganization proposals recommended to the Joint Subcommittee:

1. Consolidation of the executive committee and the four policy-making commissions of the Department of Environmental Quality into a single commission.
2. Redistribute the authority of the Department of Agriculture and the Department of Environmental Quality relating to pesticides and agricultural chemicals to avoid unnecessary duplication of rule-making and enforcement procedures.
3. Abolish the Iowa Natural Resources Council and transfer its powers and duties to other state agencies having responsibilities related to the use and conservation of natural resources such as the Department of Environmental Quality, the State Conservation Commission and the Iowa Geological Survey.
4. Repeal or revise Chapter 207 relating to the standards and labeling requirements for paints and oils, Chapter 209 relating to sanitary requirements and labeling of mattresses, Chapter 214A relating to standards and tests for motor vehicle fuel, Chapter 216 relating to the labeling of prison-made goods, Chapter 28C relating to the interagency liaison committee, Chapter 287 relating to societies and fraternities, Sections 286A.3 and 286A.8 relating to aid to junior colleges, and a number of other sections recommended by the Department of Public Instruction, the Department of Social Services, and the Department of Health, and the Iowa Beer and Liquor Control Department.

The Joint Subcommittee recommends the following proposed legislation for consideration and passage during the 1978 Session of the Sixty-seventh General Assembly:

1. A bill for An Act to reorganize the Department of Environmental Quality, to redistribute the authority over agricultural chemicals between the Departments of Agriculture and Environmental Quality, to transfer the powers and duties of the Iowa Natural Resources Council to the Department of Environmental Quality and the State Conservation Commission, and to abolish the Iowa Natural Resources Council and the Geological Board.

a. This bill creates an Environmental Quality Commission to replace the present four commissions and executive committee in the Department of Environmental Quality.

b. The Iowa Natural Resources Council is abolished as of January 1, 1979 and its powers and duties relating to the administration of the state water plan and to regulate the diversion, pumping or taking of water from any water course or underground source are transferred to the Department of Environmental Quality and its powers and duties relating to flood plain management, inspection of dams, water impoundments, and stream flow control are transferred to the State Conservation Commission.

c. The authority of the Department of Agriculture and the Department of Environmental Quality to regulate the use, sale and application of agricultural chemicals is redistributed. The Department of Environmental Quality may exercise authority over agricultural chemicals as they impact the overall environment and their disposal. The Department of Agriculture may exercise authority over the formulation, application, and other conditions of use of such chemicals and enforce the rules adopted by the Department of Environmental Quality.

d. The Geology Board is abolished and the state geologist is appointed directly by the governor.

2. A bill for An Act to clarify the applicability of certain sections of the Code to the women's reformatory and the Iowa security medical facility.

This bill makes it explicit that the provisions contained in Chapter 246 of the Code relating to the penitentiary and the men's reformatory regarding insurrection, credit for time served, reduction of sentence, forfeiture of reduction, separate sentences, and special reductions for trustees also apply to the inmates of the women's reformatory and the Iowa security medical facility.

3. A bill for An Act relating to obsolete or inconsistent provisions of the Code.

This bill makes coordinating amendments to Chapter 286A of the Code relating to public junior and community colleges which are replaced by merged area schools and repeals various sections of the Code relating to the inactive national guard, the separate processing of certain claims against the national guard, the regulation of mining camps, the duties of business managers at certain institutions and the cost of returning inmates to the women's reformatory. The bill also repeals seven chapters of the Code relating to a separate state appeals board for certain construction contracts, the interagency liaison committee, certain advertising by government surplus stores, the Iowa horse and mule breeders association, the regulation of lead-based paints and certain oils, the regulation of mattresses, and the prohibition against high school fraternities and sororities.