

FEB 9 1998

LOCAL GOVERNMENT

HOUSE FILE

2176

BY ARNOLD and TEIG

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

A BILL FOR

1 An Act relating to soil and water conservation districts by
 2 providing for alternate commissioners.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

HF 2176

1 Section 1. NEW SECTION. 161A.6A ALTERNATE COMMISSIONERS.

2 1. The elected commissioners of a soil and water
3 conservation district may appoint one or more alternate
4 commissioners by a majority vote of all the elected
5 commissioners. An appointment expires on the first day of
6 January that is not a Sunday or holiday following the next
7 election for commissioners, as provided in section 161A.5. An
8 alternate commissioner may be removed at any time by a
9 majority vote of all the elected commissioners.

10 2. An elected commissioner who will be absent during a
11 meeting may designate an alternate commissioner to act on
12 behalf of the elected commissioner during the meeting,
13 including but not limited to voting by proxy on questions
14 presented to the commissioners. The term of the designation
15 shall expire upon the adjournment of the meeting. An elected
16 commissioner shall not designate an alternate commissioner
17 more than three times during a calendar year.

18 3. The designation of an alternate commissioner or a
19 revocation of that designation becomes effective when the
20 designating commissioner notifies the commissioners' secretary
21 or other officer or agent authorized to tabulate votes for the
22 commissioners. The designation must be made by completing a
23 form naming the designee, signed either personally by the
24 designating commissioner or by the designating commissioner's
25 attorney in fact. A designation or revocation cannot be made
26 retroactively applicable.

27 4. Not more than one alternate commissioner shall act as a
28 commissioner during a meeting. An alternate commissioner
29 shall not act for more than one commissioner during a meeting.
30 An alternate commissioner shall not designate another
31 alternate commissioner. An alternate commissioner shall not
32 vote on the appointment of another alternate commissioner or
33 on any other matter regarding a designation or revocation of a
34 designation.

35

EXPLANATION

1 Code chapter 161A provides for the administration of soil
2 and water conservation districts by elected commissioners.
3 This bill provides that the elected commissioners may appoint
4 one or more alternate commissioners. The bill provides that a
5 commissioner who will be absent during a meeting may designate
6 an alternate commissioner to act on behalf of the commissioner
7 during the meeting, including but not limited to voting by
8 proxy on questions presented to the commissioners. The bill
9 provides procedures for designating an alternate commissioner
10 and revoking the designation. The designation or revocation
11 becomes effective when the designating commissioner notifies
12 the commissioners' secretary or other officer or agent
13 authorized to tabulate votes for the commissioners. The
14 designation must be made by completing a form naming the
15 designee, signed either personally or on behalf of the
16 designating commissioner. The bill also places a number of
17 restrictions upon alternate commissioners. Generally, only
18 one alternate commissioner can be present at a meeting and
19 must act on behalf of only one elected commissioner. The bill
20 restricts the right of an alternate to vote on questions
21 affecting alternates.

22
23
24
25
26
27
28
29
30
31
32
33
34
35