

House Study Bill 711

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
AGRICULTURE AND LAND
STEWARDSHIP BILL)

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

A BILL FOR

1 An Act providing for an equine industry development commission
2 and related fund.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5440DP 81
5 da/je/5

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1 1 Section 1. NEW SECTION. 175B.1 DEFINITIONS.
1 2 1. "Commission" means the equine industry development
1 3 commission established pursuant to section 175B.2.
1 4 2. "Department" means the department of agriculture and
1 5 land stewardship.
1 6 3. "Fund" means the equestrian industry development fund
1 7 created pursuant to section 175B.6.
1 8 4. "Secretary" means the secretary of agriculture.
1 9 Sec. 2. NEW SECTION. 175B.2 EQUINE INDUSTRY DEVELOPMENT
1 10 COMMISSION.
1 11 1. An equine industry development commission is
1 12 established within the department.
1 13 2. The commission shall be composed of the following
1 14 members:
1 15 a. Three nonvoting, ex officio members who shall include
1 16 all of the following:
1 17 (1) The secretary of agriculture or a designee appointed
1 18 by the secretary.
1 19 (2) Two persons appointed by the president of Iowa state
1 20 university who shall include both of the following:
1 21 (a) A licensed veterinarian specializing in equine health
1 22 who is associated with the college of veterinary medicine.
1 23 (b) A state equine specialist associated with the
1 24 department of animal science and the college of agriculture.
1 25 b. Eleven voting members who shall be appointed by the
1 26 secretary. The voting members must be presently actively
1 27 engaged or have long been actively engaged in providing for
1 28 the care and management of equines, including breeds of equine
1 29 common in this state. Eight of the members shall be actively
1 30 engaged in areas of equine expertise, which shall include at
1 31 least all of the following:
1 32 (1) Racing or speed events, which may include
1 33 quarterhorse, thoroughbred, or harness racing.
1 34 (2) Ring or arena events or judging competitions, which
1 35 may include shows, exhibitions, rodeos, or other contests.
2 1 (3) Recreational activities, which may include trail
2 2 riding.
2 3 (4) Activities which involve pulling wagons, carts,
2 4 carriages, or agricultural equipment or implements.
2 5 (5) Ranching activities such as herding and roping
2 6 livestock.
2 7 (6) Breeding equine.
2 8 (7) Support services providing for routine care and
2 9 management, which may include auctioneers, stables, trainers,
2 10 tack dealers, feed dealers, or ferrriers.
2 11 (8) The practice of veterinary medicine.
2 12 3. The secretary shall appoint the voting members based on
2 13 a list of nominations submitted by organizations representing
2 14 areas of equine expertise as certified by the department
2 15 according to requirements of the department. Appointments of
2 16 voting members are subject to the requirements of sections
2 17 69.16 and 69.16A. In addition, the appointments shall be
2 18 geographically balanced. Unless the secretary determines that

2 19 it is not feasible, at least one person appointed as a voting
2 20 member shall reside in each of the state's congressional
2 21 districts at the time of appointment.

2 22 4. The voting members shall serve five-year terms
2 23 beginning and ending as provided in section 69.19. However,
2 24 the secretary shall appoint initial members to serve for less
2 25 than five years to ensure members serve staggered terms. A
2 26 member is eligible for reappointment. A vacancy on the
2 27 commission shall be filled for the unexpired portion of the
2 28 regular term in the same manner as regular appointments are
2 29 made.

2 30 5. The commission shall elect a chairperson from among its
2 31 voting members each year on a rotating basis as provided by
2 32 the commission. The commission shall meet on a regular basis
2 33 and at the call of the chairperson or upon the written request
2 34 to the chairperson of five or more voting members.

2 35 6. Members are not entitled to receive compensation but
3 1 shall receive reimbursement of expenses from the department as
3 2 provided in section 7E.6.

3 3 7. Six voting members constitute a quorum and the
3 4 affirmative vote of a majority of the voting members present
3 5 is necessary for any substantive action to be taken by the
3 6 commission. The majority shall not include any member who has
3 7 a conflict of interest and a statement by a member that the
3 8 member has a conflict of interest is conclusive for this
3 9 purpose. A vacancy in the membership does not impair the
3 10 duties of the commission.

3 11 Sec. 3. NEW SECTION. 175B.3 COMMISSION'S MISSION.

3 12 The commission is the principal public organization devoted
3 13 to promoting the collective interests of the state's equine
3 14 industry. The commission's mission is to establish, improve,
3 15 and expand best management practices, preserve and enhance
3 16 equine breeds, and promote equestrian businesses and
3 17 activities in this state in order to create and capitalize
3 18 upon economic opportunities, improve the environment, and
3 19 enhance the health and quality of life for Iowans.

3 20 Sec. 4. NEW SECTION. 175B.4 COMMISSION DUTIES.

3 21 In carrying out its mission, as provided in section 175B.3,
3 22 the commission may do all of the following:

3 23 1. Monitor the equine industry in this state, including
3 24 conditions, practices, policies, programs, and regulations
3 25 affecting the equine industry, and periodically advise the
3 26 secretary regarding its findings and recommendations or
3 27 proposals. In monitoring the equine industry, the commission
3 28 may conduct surveys, sponsor meetings or public hearings,
3 29 collect data, cooperate with interested private or public
3 30 organizations, and consult with persons actively engaged in
3 31 improving or expanding the equine industry.

3 32 2. Initiate or support programs or projects which enhance
3 33 the care and management of equines. The programs or projects
3 34 may include establishing, improving, or expanding continuing
3 35 education, clinical services, and diagnostic and therapeutic
4 1 techniques. The commission may provide technical assistance
4 2 to owners, trainers, stables, veterinarians, and ferrriers and
4 3 assist businesses that provide for equine services, including
4 4 auctioneers, tack dealers, and feed dealers.

4 5 3. Provide for educational and promotional events and
4 6 materials, including strategies to increase the public
4 7 awareness of equine breeds, equine events and activities, the
4 8 value of equine ownership, and traditions associated with
4 9 equines and equestrians, especially among families and young
4 10 persons.

4 11 4. Assist in the establishment, improvement, or expansion
4 12 of private and public equestrian infrastructure, including but
4 13 not limited to stables, training schools, recreational trails,
4 14 historic farms, and spectator facilities.

4 15 5. Assist state and local governments when considering
4 16 legislative or administrative measures which impact the equine
4 17 industry.

4 18 a. The commission may advise the department when it adopts
4 19 rules relating to the equine industry and may recommend model
4 20 ordinances and regulations pertaining to zoning and the care
4 21 and custody of equines.

4 22 b. The commission shall not expend moneys on a political
4 23 issue, activity, or candidate. It may comment upon
4 24 legislation but shall not directly or indirectly attempt to
4 25 influence the passage of legislation.

4 26 Sec. 5. NEW SECTION. 175B.5 DEPARTMENT DUTIES.

4 27 The department shall assist the commission in carrying out
4 28 its mission as provided in section 175B.3 by doing all of the
4 29 following:

4 30 1. Furnishing facilities, supplies, and clerical
4 31 assistance.
4 32 2. Executing contracts with or awarding moneys for
4 33 programs or projects as provided in section 175B.4.
4 34 3. Administering the equestrian industry development fund
4 35 as provided in section 175B.6.

5 1 Sec. 6. NEW SECTION. 175B.6 EQUESTRIAN INDUSTRY
5 2 DEVELOPMENT FUND.

5 3 1. An equestrian industry development fund is created in
5 4 the state treasury under the control of the department. The
5 5 fund is composed of moneys appropriated by the general
5 6 assembly and moneys available to and obtained or accepted by
5 7 the department from the United States or private sources for
5 8 placement in the fund.

5 9 2. Moneys in the fund are appropriated to the department
5 10 exclusively to assist the commission in carrying out its
5 11 duties as provided in section 175B.4.

5 12 3. Section 8.33 shall not apply to moneys in the fund.
5 13 Notwithstanding section 12C.7, moneys earned as income or
5 14 interest from the fund shall remain in the fund until expended
5 15 as provided in this section.

5 16 EXPLANATION

5 17 This bill establishes an equine industry development
5 18 commission which is housed in the department of agriculture
5 19 and land stewardship. The commission is composed of the
5 20 secretary of agriculture (secretary) and two persons
5 21 representing Iowa state university who serve as nonvoting, ex
5 22 officio members. The commission includes 11 voting members
5 23 appointed by the secretary who are actively engaged or have
5 24 long been actively engaged in providing for the care and
5 25 management of equines. The bill requires that a number of the
5 26 appointees have expertise in diverse areas of equine
5 27 endeavors, including racing, ring or arena events,
5 28 recreational activities, power-related activities such as
5 29 pulling wagons or plows, ranching, breeding, providing support
5 30 services, and providing veterinary care. The bill provides a
5 31 number of procedures for the appointment of members, voting,
5 32 conduct of meetings, and reimbursement of members, which are
5 33 consistent with other statutes establishing citizen appointed
5 34 bodies.

5 35 The bill states that the commission's mission is to
6 1 establish, improve, and expand best management practices,
6 2 preserve and enhance equine breeds, promote equestrian
6 3 businesses and activities in this state in order to create and
6 4 capitalize upon economic opportunities, improve the quality of
6 5 the environment, and enhance the health and quality of life
6 6 for Iowans.

6 7 The bill authorizes the commission to perform a number of
6 8 duties required to accomplish its mission, including
6 9 monitoring the equine industry in this state, initiating or
6 10 supporting programs and projects which enhance the care and
6 11 management of equines, providing for educational and
6 12 promotional events and materials, supporting private and
6 13 public equestrian infrastructure, and assisting governments
6 14 when considering legislative or administrative measures. The
6 15 department is required to assist the commission in carrying
6 16 out its mission, including providing for facilities and
6 17 clerical support.

6 18 The bill establishes an equestrian industry development
6 19 fund under the control of the department. Moneys in the fund
6 20 are appropriated to the department exclusively to assist the
6 21 commission in carrying out its duties.

6 22 LSB 5440DP 81

6 23 da:nh/je/5.1