

# House Study Bill 254

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
AGRICULTURE BILL BY  
CHAIRPERSON MERTZ)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act providing for an equine industry promotional commission  
2 and related fund, and providing an appropriation.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 2426HC 82  
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 promotional  
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 equine industry promotional 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 PROMOTIONAL  
1 10 COMMISSION.  
1 11 1. An equine industry promotional 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 the secretary's  
1 18 designee.  
1 19 (2) The dean of the college of agriculture at Iowa state  
1 20 university or the dean's designee.  
1 21 (3) A licensed veterinarian associated with the veterinary  
1 22 teaching hospital at the college of veterinary medicine at  
1 23 Iowa state university who is appointed by the dean of the  
1 24 college.  
1 25 b. Eleven voting members who shall be appointed by the  
1 26 governor. 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 as a member in  
2 12 good standing of the American association of equine  
2 13 practitioners.  
2 14 3. The governor shall appoint the voting members based on  
2 15 a list of nominations submitted by organizations or  
2 16 individuals representing areas of equine expertise.  
2 17 Appointments of voting members are subject to the requirements  
2 18 of sections 69.16 and 69.16A. In addition, the appointments

2 19 shall be geographically balanced. Unless the governor  
2 20 determines that it is not feasible, at least one person  
2 21 appointed as a voting member shall reside in each of the  
2 22 state's congressional districts at the time of appointment.  
2 23 4. Except for initial appointees, the voting members shall  
2 24 serve three-year terms. However, the governor shall appoint  
2 25 initial members to serve for two-year or three-year terms to  
2 26 ensure the appointment of at least one member each year. A  
2 27 member is eligible for reappointment but shall not serve for  
2 28 more than two consecutive terms. A vacancy on the commission  
2 29 shall be filled for the unexpired portion of the regular term  
2 30 in the same manner as regular appointments are made. A member  
2 31 filling an unexpired term shall not serve for more than seven  
2 32 consecutive years. A former member may be appointed to the  
2 33 commission if the former member has not served on the  
2 34 commission for two years.

2 35 5. The commission shall elect a chairperson and other  
3 1 officers from among its voting members as provided by the  
3 2 commission. The commission shall meet on a regular basis and  
3 3 at the call of the chairperson or upon the written request to  
3 4 the chairperson of five or more voting members. The  
3 5 commission shall adopt rules for the conduct of its business  
3 6 and may provide for the establishment of committees.

3 7 6. Members are not entitled to receive compensation but  
3 8 shall receive reimbursement of expenses from the department as  
3 9 provided in section 7E.6.

3 10 7. Six voting members constitute a quorum and the  
3 11 affirmative vote of a majority of the voting members present  
3 12 is necessary for any substantive action to be taken by the  
3 13 commission. The majority shall not include any member who has  
3 14 a conflict of interest and a statement by a member that the  
3 15 member has a conflict of interest is conclusive for this  
3 16 purpose. A vacancy in the membership does not impair the  
3 17 duties of the commission.

3 18 Sec. 3. NEW SECTION. 175B.3 COMMISSION'S MISSION.

3 19 The commission is the principal public organization devoted  
3 20 to promoting the collective interests of the state's equine  
3 21 industry.

3 22 Sec. 4. NEW SECTION. 175B.4 COMMISSION DUTIES.

3 23 In carrying out its mission, as provided in section 175B.3,  
3 24 the commission may do all of the following:

- 3 25 1. Market and promote the equine industry.
- 3 26 2. Maintain an accurate and current database regarding the  
3 27 equine industry and equine communities.
- 3 28 3. Collect and disseminate accurate information regarding  
3 29 equines to the equine industry and equine communities.
- 3 30 4. Initiate or support equine educational programs.
- 3 31 5. Initiate or support equine research.

3 32 Sec. 5. NEW SECTION. 175B.5 DEPARTMENT DUTIES.

3 33 The department shall assist the commission in carrying out  
3 34 its mission as provided in section 175B.3 by doing all of the  
3 35 following:

- 4 1 1. Furnishing facilities, supplies, and clerical  
4 2 assistance.
- 4 3 2. Assisting the commission in carrying out its duties as  
4 4 provided in section 175B.4.
- 4 5 3. Administering the equine industry promotional fund as  
4 6 provided in section 175B.6.

4 7 Sec. 6. NEW SECTION. 175B.6 EQUINE INDUSTRY PROMOTIONAL  
4 8 FUND.

4 9 1. An equine industry promotional fund is created in the  
4 10 state treasury under the administration of the department and  
4 11 the control of the commission. The fund is composed of moneys  
4 12 appropriated by the general assembly and moneys available to  
4 13 and obtained or accepted by the department from the United  
4 14 States or private sources for placement in the fund.

4 15 2. Moneys in the fund are appropriated to the commission  
4 16 exclusively to assist the commission in carrying out its  
4 17 duties as provided in section 175B.4, and the department in  
4 18 carrying out its duties as provided in section 175B.5.

4 19 3. Section 8.33 shall not apply to moneys in the fund.  
4 20 Notwithstanding section 12C.7, moneys earned as income or  
4 21 interest from the fund shall remain in the fund until expended  
4 22 as provided in this section.

4 23 Sec. 7. APPROPRIATION == EQUINE INDUSTRY PROMOTIONAL FUND.

4 24 There is appropriated from the general fund of the state to  
4 25 the department of agriculture and land stewardship for the  
4 26 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
4 27 the following amount, or so much thereof as is necessary, to  
4 28 be used for the purposes designated:

4 29 For deposit in the equine industry promotional fund as

4 30 provided in section 175B.6, and for salaries, support,  
4 31 maintenance, miscellaneous purposes, and for not more than the  
4 32 following full-time equivalent positions:  
4 33 ..... \$ 50,000  
4 34 ..... FTEs 1.00

4 35 EXPLANATION

5 1 This bill establishes an equine industry promotional  
5 2 commission which is housed in the department of agriculture  
5 3 and land stewardship. The commission is composed of both  
5 4 nonvoting, ex officio members and voting members. The  
5 5 nonvoting, ex officio members include the secretary of  
5 6 agriculture or the secretary's designee, the dean of the  
5 7 college of agriculture at Iowa state university or the dean's  
5 8 designee, and a licensed veterinarian appointed by the dean of  
5 9 the college of veterinary medicine at Iowa state university.  
5 10 The commission includes 11 voting members appointed by the  
5 11 governor who are actively engaged or have long been actively  
5 12 engaged in providing for the care and management of equines.  
5 13 The bill requires that a number of the appointees have  
5 14 expertise in diverse areas of equine endeavors, including  
5 15 racing, ring, or arena events, recreational activities,  
5 16 power-related activities such as pulling wagons or plows,  
5 17 ranching, breeding, providing support services, and providing  
5 18 veterinary care. The bill provides a number of procedures for  
5 19 the appointment of members, voting, conduct of meetings, and  
5 20 reimbursement of members, which are consistent with other  
5 21 statutes establishing citizen-appointed bodies.

5 22 The bill states that the commission's mission is to promote  
5 23 the collective interests of the state's equine industry.

5 24 The bill authorizes the commission to perform a number of  
5 25 duties required to accomplish its mission, including marketing  
5 26 and promoting the equine industry, maintaining an accurate and  
5 27 current database regarding the equine industry, collecting and  
5 28 disseminating accurate information regarding equines, and  
5 29 initiating and supporting educational or research programs.

5 30 The bill establishes an equine industry promotional fund  
5 31 under the control of the commission. Moneys in the fund are  
5 32 appropriated to the commission exclusively to assist the  
5 33 commission in carrying out its duties.

5 34 The bill appropriates moneys from the general fund for  
5 35 deposit into the equine industry promotional fund to carry out  
6 1 the provisions of the bill.

6 2 LSB 2426HC 82

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