

House File 527 - Introduced

HOUSE FILE _____
BY UPMEYER

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

A BILL FOR

1 An Act relating to the rulemaking authority and voting
2 requirements of the environmental protection commission.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2610HH 83
5 jr/nh/8

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1 1 Section 1. Section 455A.6, subsection 5, Code 2009, is
1 2 amended by striking the subsection and inserting in lieu
1 3 thereof the following:
1 4 5. Six members of the commission is a quorum, and a
1 5 majority of the commission membership may act in any matter
1 6 within the jurisdiction of the commission.
1 7 Sec. 2. Section 455A.6, subsection 6, paragraph a, Code
1 8 2009, is amended to read as follows:
1 9 a. Establish policy for the department and adopt rules,
1 10 pursuant to chapter 17A, necessary to provide for the
1 11 effective administration of chapter 455B, 455C, or 459. The
1 12 commission shall have only that authority or discretion which
1 13 is explicitly delegated to or conferred upon the commission by
1 14 chapter 455B, 455C, or 459, and shall not expand or enlarge on
1 15 that authority or discretion.

1 16 EXPLANATION

1 17 Under current law five members of the environmental
1 18 protection commission is a quorum, and a majority of a quorum
1 19 may take action. This bill sets the quorum at six members and
1 20 requires five votes to take action.

1 21 The bill also would limit the commission's authority to
1 22 implement the provisions of Code chapter 455B, 455C, or 459 to
1 23 the authority that is explicitly set out in those chapters.

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