

House File 180 - Introduced

HOUSE FILE 180

BY UPMEYER, ARNOLD, BALTIMORE,
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VAN ENGELENHOVEN,
VANDER LINDEN, WAGNER,
WINDSCHITL, WORTHAN, and
QUIRK

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:

1 Section 1. Section 455A.6, subsection 5, Code 2011, is
2 amended by striking the subsection and inserting in lieu
3 thereof the following:

4 5. Six members of the commission is a quorum, and a majority
5 of the commission membership may act in any matter within the
6 jurisdiction of the commission.

7 Sec. 2. Section 455A.6, subsection 6, paragraph a, Code
8 2011, is amended to read as follows:

9 a. Establish policy for the department and adopt rules,
10 pursuant to chapter 17A, necessary to provide for the
11 effective administration of chapter 455B, 455C, or 459. The
12 commission shall have only that authority or discretion which
13 is explicitly delegated to or conferred upon the commission by
14 chapter 455B, 455C, or 459, and shall not expand or enlarge on
15 that authority or discretion.

16

EXPLANATION

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

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