



## SIERRA CLUB IOWA CHAPTER

A BILL FOR

An Act relating to protecting the commons.

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

New section.

1. Legislative findings
  - a. Government is the trustee of all the things we share, such as water, wildlife, public universities, state parks, education, public health, roads and bridges, the air we breathe, the archaeological and historical record of the state.
  - b. The commons forms the cornerstone of the economy.
  - c. The state of Iowa has an interest in maintaining, protecting, and preserving the commons for today and for future generations.
  - d. The public has a right to benefit from the commons.
  - e. The government must protect and maintain the common resources for the public's use.
2. Definitions
  - a. Commons – the things we, the people, share
  - b. Common assets – physical items of the commons
3. The Attorney General will name a legal guardian for future generations. The legal guardian for future generations will review regulations and the budget for their impact on the common assets to include, but not limited to, such things as water, state parks, transportation, public health, and public schools. The legal guardian shall devote the guardian's entire time to the duties of the office.
  - a. The legal guardian shall initiate any legal action necessary to represent the interests of protecting the commons for future generations.
  - b. The legal guardian shall appear on behalf of future generations in any action involving the validity or enforcement of a statute or regulation.
  - c. The legal guardian shall advocate on behalf of protecting the commons for future generations regarding legislation pending in the Iowa General Assembly.
4. All proposed regulations shall include an assessment of the effect of the proposed regulation on the commons.
5. All state agencies will evaluate the common assets they manage and determine the cost for adequate care as a first step in setting the budget.
6. Each state agency shall set measurable goals for the protection, restoration, and enhancement of common assets.
7. The Iowa Workforce Development shall create a program to repair and restore public assets and restoring ecological integrity, including restoring prairie, woodland, and river ecosystems, modeled on the federal Works Progress Administration and Civilian Conservation Corps.

### EXPLANATION

**The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.**

This Act establishes the public trust doctrine and establishes the framework to protect the commons. The Attorney General will name a legal guardian for future generations. All proposed regulations shall have an assessment of the effect of the regulation on the commons. All state agencies will evaluate the common assets they manage and determine the costs for adequate care as the first step in setting the agency budget. Each agency will be charged with setting measurable goals for the protection, restoration, and enhancement of common assets. The Iowa Workforce Development shall create a program to repair and restore public assets, modeled on the federal Works Progress Administration and Civilian Conservation Corps.