

PUBLIC HEALTH DEPARTMENT[641]

Adopted and Filed

Rulemaking related to plumbing and mechanical systems fair information practices and public records

The Department of Inspections, Appeals, and Licensing (DIAL) hereby rescinds Chapter 59, “Plumbing and Mechanical Systems Board—Fair Information Practices and Public Records,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code sections 17A.3 and 22.11.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 17A.3 and 22.11 and Executive Order 10 (January 10, 2023).

Purpose and Summary

This rulemaking rescinds Chapter 59 in accordance with the goals and directives of Executive Order 10. Chapter 59 contained standard provisions that are uniform across many boards and agencies. In light of the Plumbing and Mechanical Systems Board’s (Board’s) realignment with DIAL resulting from 2023 Iowa Acts, Senate File 514, it is unnecessary and unreasonably duplicative to repromulgate this chapter. Rather, the Board will be able to rely on DIAL’s 481—Chapter 5, “Public Records and Fair Information Practices,” which is substantively similar to 641—Chapter 59 and in line with a stated goal of Iowa Code chapter 17A to “simplify government by assuring a uniform minimum procedure to which all agencies will be held in the conduct of their most important functions.”

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on January 10, 2024, as **ARC 7326C**. Public hearings were held on January 30 and 31, 2024, at 9:20 a.m. at 6200 Park Avenue, Des Moines, Iowa. No one attended the public hearings. No public comments were received. No changes from the Notice have been made.

Adoption of Rulemaking

This rulemaking was adopted by the Board on April 16, 2024.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa in an amount requiring a fiscal impact statement pursuant to Iowa Code section 17A.4(4).

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition DIAL for a waiver of the discretionary provisions, if any, pursuant to 481—Chapter 6.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rulemaking will become effective on June 19, 2024.

The following rulemaking action is adopted:

ITEM 1. Rescind and reserve **641—Chapter 59**.

[Filed 4/24/24, effective 6/19/24]

[Published 5/15/24]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 5/15/24.