

*Reprinted*

FILED FEB 19 1991

SENATE FILE 182  
BY COMMITTEE ON LOCAL  
GOVERNMENT

(SUCCESSOR TO SSB 171)

Passed Senate, Date 2/25/91 (p. 432) Passed House, Date 4/15/91 (P. 1237)  
Vote: Ayes 47 Nays 0 Vote: Ayes 92 Nays 0  
Approved May 17, 1991

A BILL FOR

- 1 An Act relating to administrative rulemaking.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 182

S-3056

- 1 Amend Senate File 182 as follows:
- 2 1. Page 1, line 9, by inserting after the word
- 3 "costs." the following: "The affected political
- 4 subdivision shall cooperate in the preparation of the
- 5 fiscal note."

By ALVIN V. MILLER

S-3056 FILED FEBRUARY 19, 1991

*Adopted 2/25*

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1 Section 1. Section 25B.6, Code 1991, is amended to read as  
2 follows:

3 25B.6 STATE RULES.

4 A state administrative rule, filed proposed pursuant to  
5 chapter 17A, which necessitates additional expenditures by  
6 political subdivisions or agencies and entities which contract  
7 with a political subdivision to provide services ~~beyond that~~  
8 ~~which are explicitly provided by state law~~ shall be  
9 accompanied by a fiscal note outlining the costs. The fiscal  
10 note shall be submitted to the administrative rules  
11 coordinator for publication in the Iowa administrative  
12 bulletin along with the notice of intended action.

13 EXPLANATION

14 This bill requires a state administrative rule which  
15 necessitates additional expenditures by a political  
16 subdivision or its service providers to be accompanied by a  
17 fiscal note, and requires the fiscal note to be published  
18 along with the notice of intended action in the Iowa  
19 administrative bulletin.

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6 political subdivisions or agencies and entities which contract  
7 with a political subdivision to provide services ~~beyond-that~~  
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9 accompanied by a fiscal note outlining the costs. The  
10 affected political subdivision shall cooperate in the  
11 preparation of the fiscal note. The fiscal note shall be  
12 submitted to the administrative rules coordinator for  
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14 notice of intended action.

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HOUSE AMENDMENT TO  
SENATE FILE 182

S-3438

1 Amend Senate File 182, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, line 10, by inserting after the word  
4 "subdivision" the following: ", or an entity  
5 representing the affected political subdivision,".

RECEIVED FROM THE HOUSE

S-3438 FILED APRIL 16, 1991

*Adopted as amended by 3525 4/23/91 (p. 1405)*

SENATE FILE 182

S-3525

1 Amend the House amendment, S-3438, to Senate File  
2 182, as amended, passed, and reprinted by the Senate,  
3 as follows:  
4 1. Page 1, by inserting before line 3 the follow-  
5 ing:  
6 "\_\_\_\_\_. Page 1, line 4, by inserting before the  
7 word "A" the following: "A state agency or department  
8 shall not propose or adopt an administrative rule  
9 which exceeds its statutory authority by mandating  
10 expenditures by political subdivisions, or agencies  
11 and entities which contract with political  
12 subdivisions to provide services."  
13 \_\_\_\_\_ . Page 1, by striking line 5 and inserting the  
14 following: "chapter 17A, which necessitates  
15 additional annual expenditures exceeding one hundred  
16 thousand dollars by"."  
17 2. Page 1, by inserting after line 5 the follow-  
18 ing:  
19 "\_\_\_\_\_. Page 1, by inserting after line 14 the  
20 following:  
21 "The fiscal note shall also be submitted to the  
22 legislative fiscal committee of the legislative  
23 council. Beginning in the first full fiscal year  
24 after adoption of the state administrative rule, the  
25 fiscal committee shall annually prepare a report for  
26 each fiscal note submitted detailing the fiscal impact  
27 of the administrative rule on the affected political  
28 subdivision, or agencies and entities which contract  
29 with the political subdivision to provide services.  
30 The report shall be transmitted to the governor and  
31 the general assembly."  
32 3. By renumbering as necessary.

By H. KAY HEDGE  
LINN FUHRMAN  
RAY TAYLOR

S-3525 FILED APRIL 22, 1991

*Adopted 4/23/91 (p. 1404)*

SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 182  
H-3828

1 Amend the House amendment, S-3438, to Senate File  
2 182, as amended, passed, and reprinted by the Senate,  
3 as follows:

4 1. Page 1, by inserting before line 3 the follow-  
5 ing:

6 "\_\_\_\_\_. Page 1, line 4, by inserting before the  
7 word "A" the following: "A state agency or department  
8 shall not propose or adopt an administrative rule  
9 which exceeds its statutory authority by mandating  
10 expenditures by political subdivisions, or agencies  
11 and entities which contract with political  
12 subdivisions to provide services."

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14 following: "chapter 17A, which necessitates  
15 additional annual expenditures exceeding one hundred  
16 thousand dollars by"."

17 2. Page 1, by inserting after line 5 the follow-  
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20 following:

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24 after adoption of the state administrative rule, the  
25 fiscal committee shall annually prepare a report for  
26 each fiscal note submitted detailing the fiscal impact  
27 of the administrative rule on the affected political  
28 subdivision, or agencies and entities which contract  
29 with the political subdivision to provide services.  
30 The report shall be transmitted to the governor and  
31 the general assembly."

32 3. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-3828 FILED APRIL 25, 1991

*House concurred 4/30/91 (p 1927)*

MILLER, CH.  
JENSEN  
VANSE HOF

SSB 171  
LOCAL GOVERNMENT

SENATE FILE 182  
BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL  
BY CHAIRPERSON MILLER)

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

A BILL FOR

- 1 An Act relating to administrative rulemaking.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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2 follows:

3 25B.6 STATE RULES.

4 A state administrative rule, filed proposed pursuant to  
5 chapter 17A, which necessitates additional expenditures by  
6 political subdivisions or agencies and entities which contract  
7 with a political subdivision to provide services ~~beyond-that~~  
8 ~~which-are-explicitly-provided-by-state-law~~ shall be  
9 accompanied by a fiscal note outlining the costs. The fiscal  
10 note shall be submitted to the administrative rules  
11 coordinator for publication in the Iowa administrative  
12 bulletin along with the notice of intended action.

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EXPLANATION

14 This bill requires a state administrative rule which  
15 necessitates additional expenditures by a political  
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SENATE FILE 182

AN ACT  
RELATING TO ADMINISTRATIVE RULEMAKING.

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

Section 1. Section 25B.6, Code 1991, is amended to read as follows:

25B.6 STATE RULES.

A state agency or department shall not propose or adopt an administrative rule which exceeds its statutory authority by mandating expenditures by political subdivisions, or agencies and entities which contract with political subdivisions to provide services. A state administrative rule, filed proposed pursuant to chapter 17A, which necessitates additional annual expenditures exceeding one hundred thousand dollars by political subdivisions or agencies and entities which contract with a political subdivision to provide services beyond that which are explicitly provided by state law shall be accompanied by a fiscal note outlining the costs. The affected political subdivision, or an entity representing the affected political subdivision, shall cooperate in the preparation of the fiscal note. The fiscal note shall be submitted to the administrative rules coordinator for publication in the Iowa administrative bulletin along with the notice of intended action.

The fiscal note shall also be submitted to the legislative fiscal committee of the legislative council. Beginning in the first full fiscal year after adoption of the state administrative rule, the fiscal committee shall annually prepare a report for each fiscal note submitted detailing the fiscal impact of the administrative rule on the affected political subdivision, or agencies and entities which contract with the political subdivision to provide services. The

report shall be transmitted to the governor and the general assembly.

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JOE J. WELSH  
President of the Senate

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ROBERT C. ARNOLD  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 182, Seventy-fourth General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved May 17, 1991

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TERRY E. BRANSTAD  
Governor

SF 182