

OCTOBER AGENDA

Revised - 1st pg only

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, October 13, 1992, 10 a.m. and Wednesday, October 14, 1992, 8:30 a.m. in Senate Committee Room 22, State Capitol. The following rules will be reviewed:

10:00	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]	
	Dairy trade practices — promotional discounts and rebates, 23.4(2)"b"(8), 23.8(1), 23.8(3), <u>Filed</u> ARC 3332A 9/16/92	520
	Pseudorabies disease, 64.147, 64.154(4)"b" to "d," <u>Filed</u> ARC 3394A9/30/92	681
10:10	SOIL CONSERVATION DIVISION[27]	
	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]"umbrella"	
	Financial incentive program for soil erosion control, 10.41, <u>Filed Emergency After Notice</u> ARC 3376A9/30/92	666
10:20	CAMPAIGN FINANCE DISCLOSURE COMMISSION[121]	
	Legitimate campaign expenses, 4.6, <u>Notice</u> ARC 3364A9/16/92	486
10:40	CIVIL RIGHTS COMMISSION[161]	
	Discrimination in housing, 9.2, 9.3(2)"d," 9.3(3)"a," 9.4(3)"e," 9.4(4), 9.4(5), 9.4(6),"	
	<u>Notice</u> ARC 3384A9/30/92	566
10:45	ENVIRONMENTAL PROTECTION COMMISSION[567]	
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"	
	Administrative penalties, 10.1, 10.2, 10.2(4), 10.3, 10.3(2), <u>Filed</u> ARC 3353A9/16/92	526
	Scope of title — definitions — forms — rules of practice; controlling pollution; emission standards for contaminants; excess emission; measurement of emissions; qualification in visual determination of the opacity of emissions, 20.2, 22.3(1), 22.4, 22.5(2)"a" and "b," 23.1(2), 23.1(2)"jjj" to "nnn," 23.1(3), 23.2(3)"g," 23.3(2)"d," 23.3(3), 23.4(12)"b," 24.1(1), 24.1(5), 25.1(7), 25.1(9), 25.1(10)"d," 29.1,	
	<u>Notice</u> ARC 3350A 9/16/92	494
	Effluent and pretreatment standards, 60.2, 62.4, 62.4(3), 62.4(14), 62.5, <u>Filed Without Notice</u> ARC 3354A 9/16/92	527
	Well contractor certification, ch 82, <u>Notice</u> ARC 3349A9/16/92	498
	Special Review—Storm water discharges, fees, Chapters 60 to 64 IAC	
11:00	NATURAL RESOURCE COMMISSION[571]	
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"	
	Boating speed and distance zoning — Iowa River, Iowa Falls, Hardin County, 40.36, <u>Notice</u> ARC 3386A9/30/92	583
	State parks and recreation areas — cabin rental at Pine Lake State Park, 61.3(2)"m," <u>Notice</u> ARC 3387A9/30/92	584
	Waterfowl and coot hunting seasons, 91.1 to 91.3, 91.4(2)"m," <u>Filed Emergency After Notice</u> ARC 3383A ..9/30/92	652
	Pheasant, quail and gray (Hungarian) partridge hunting seasons, 96.1(1), 96.2, 96.3,	
	<u>Filed Emergency After Notice</u> ARC 3385A9/30/92	653
	Wild turkey spring hunting, 98.2(5), 98.3, 98.3(1), 98.10(2), 98.12, 98.14, <u>Notice</u> ARC 3388A9/30/92	584
11:30	SECRETARY OF STATE[721]	
	Rejection of absentee ballot, 21.13, <u>Notice</u> ARC 3378A9/30/92	612
	Emergency election procedures, 21.14, <u>Notice</u> ARC 3393A9/30/92	613
11:45	COMMITTEE BUSINESS	
	Special Review — Collection of past due property tax — General discussion	
12:00	LUNCH	
1:30	REVENUE AND FINANCE DEPARTMENT[701]	
	Jeopardy assessments and bonding procedures, ch 10 title, 10.116 to 10.126, <u>Filed</u> ARC 3424A9/30/92	699
	Sales and use tax — statute of limitations on examination of returns; sewage and solid waste collection and disposal; carpeting and floor coverings; bedding for agricultural livestock; vehicle repair and wash and wax, 11.2, 16.48, 17.26, 18.5(3), 18.39, 19.3(3), 19.7, 19.10(2)"c," 26.5, 26.11, <u>Notice</u> ARC 3422A9/30/92	607
	Examination of taxpayer's records; mini-storage facility; seed capital income tax credit, 11.4(4), 26.78, 42.10, 52.9, <u>Notice</u> ARC 3356A9/16/92	515
	Sales and use tax increase, 12.1, 14.1, 14.2, 14.3(8) to 14.3(10), 15.4(3), 16.1, 19.2, 26.1, 32.3,	
	<u>Filed</u> ARC 3351A 9/16/92	541
	Depreciation of speculative shell buildings, deduction of multipurpose vehicle registration fee,	
	40.42, 41.5(7), 53.17, 53.18, 59.18, 59.19, <u>Filed</u> ARC 3423A9/30/92	699
	Filing returns, payment of tax and penalty and interest, 52.1(1)"b," 52.1(2), 52.1(3), <u>Notice</u> ARC 3427A9/30/92	611
	Allocation and apportionment, determination of net income, 54.2(2), 54.2(2)"f" to "h," 54.4, 54.7(2), 59.27(1),	
	<u>Filed</u> ARC 3425A9/30/92	700

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2:15	HUMAN SERVICES DEPARTMENT[441]	
	Standards for services to persons with mental illness, chronic mental illness, mental retardation, developmental disabilities or brain injury, ch 22 title, 22.1, 22.4, ch 23, <u>Filed</u> ARC 3374A	9/30/92 681
	AIDS/HIV health insurance premium payment pilot project, 75.22, <u>Notice</u> ARC 3419A, also <u>Filed Emergency</u> ARC 3418A	9/30/92 643
	Model waiver for the ill and handicapped, applications for aid, Medicaid policy, eligibility for aid, 76.1, 76.9(7), 76.9(8), 77.30(4), 77.30(5)"b," 78.1(2)"e," 78.1(3), 78.1(21), 78.21, 78.23, 78.34(1)"b" and "c," 78.34(2), 78.34(4), 78.39, 78.40, 79.1(2), 83.2(1)"g," 83.2(2), 83.3(3)"c," 83.4(2), 83.5 to 83.7, 83.8(1)"b," 83.9, 86.1, 86.2, 86.2(5), 86.17, 86.18, <u>Filed</u> ARC 3426A	9/30/92 688
	Prior authorization drug program, disproportionate share payment to University of Iowa hospital, 78.1(2)"a"(3), 78.28(1)"d," 79.1(5)"e"(3), 79.8(1), 79.8(3), 79.8(9), <u>Notice</u> ARC 3415A, also <u>Filed Emergency</u> ARC 3414A	9/30/92 644
	Consultation by pharmacist, 78.2(6), <u>Filed</u> ARC 3407A	9/30/92 692
	Physicians' auxiliary personnel — differential reimbursement, 79.1(2), 79.1(7), <u>Notice</u> ARC 3338A	9/16/92 502
	Nursing facilities — nurse aide training and nurse aide registry, 81.1, 81.13(19)"e," 81.15, 81.16, <u>Notice</u> ARC 3372A	9/30/92 573
	Social services block grant — mental illness, mental retardation, and developmental disabilities — local services, 153.31 to 153.42, <u>Filed</u> ARC 3375A	9/30/92 693
	Reimbursement for county or multicounty juvenile shelter care and detention homes, ch 167 title, 167.1, 167.3, 167.3(2), 1167.3(3), 67.5, 167.11 to 167.13, <u>Notice</u> ARC 3421A, also <u>Filed Emergency</u> ARC 3420A	9/30/92 648
	Child day care services, ch 170 preamble, 170.1, 170.4(3), 170.4(4), 170.4(5), 170.4(7), 170.5, <u>Notice</u> ARC 3429A, also <u>Filed Emergency</u> ARC 3428A	9/30/92 649
	Family planning services, 173.1, 173.2, 173.4, <u>Filed</u> ARC 3408A	9/30/92 693
3:00	CORRECTIONS DEPARTMENT[201]	
	Visits to inmates, 20.3, <u>Notice</u> ARC 3367A	9/16/92 487
	Inmate mail, 20.4, <u>Notice</u> ARC 3331A	9/16/92 489
3:30	TREASURER OF STATE[781]	
	Linked investments for tomorrow(LIFT), 4.1, 4.2, 4.3(1), 4.3(2), 4.3(4)"a," 4.4(1), 4.4(2), 4.4(8), 4.4(10), 4.7(1), 4.9, <u>Notice</u> ARC 3406A, also <u>Filed Emergency</u> ARC 3405A	9/30/92 667
	Disclosure of information regarding open-end credit, credit cards, and financial services, ch 5 title, 5.2, 5.3, 5.4(3), <u>Notice</u> ARC 3330A	9/16/92 517
	Technical investment information and assistance, ch 12, <u>Notice</u> ARC 3368A, also <u>Filed Emergency</u> ARC 3382A	9/30/92 668
	Deposit and security of public funds in banks, ch 13, <u>Notice</u> ARC 3370A, also <u>Filed Emergency</u> ARC 3381A	9/30/92 669
	Deposit and security of public funds in credit unions, ch 14, <u>Notice</u> ARC 3371A, also <u>Filed Emergency</u> ARC 3380A	9/30/92 674
	Required public funds custodial agreement provisions, ch 15, <u>Notice</u> ARC 3369A, also <u>Filed Emergency</u> ARC 3379A	9/30/92 678
WEDNESDAY, OCTOBER 14, 1992		
8:45	TRANSPORTATION DEPARTMENT[761]	
	Administrative rules and declaratory rulings, 10.2(2)"a"(3), 10.2(3)"a," <u>Filed</u> ARC 3339A	9/16/92 545
	Recovery of damages to highways or highway structures, ch 40 title, 40.1, 40.6, <u>Filed</u> ARC 3341A	9/16/92 545
	General requirements and covenants for highway and bridge construction, 125.1, <u>Notice</u> ARC 3395A	9/30/92 615
	Regulations applicable to carriers, 520.1(1)"a" and "b," 520.1(2)"b," 520.3 to 520.7, <u>Filed</u> ARC 3340A	9/16/92 546
9:00	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF [261]	
	Self-employment loan program (SELP), 8.2, 8.3(8), 8.4, 8.6(1), 8.6(2), <u>Notice</u> ARC 3352A	9/16/92 491
9:10	EDUCATIONAL EXAMINERS BOARD[282]	
	EDUCATION DEPARTMENT[281]"umbrella"	
	New endorsements — teacher-coordinator in programs for talented and gifted students, prekindergarten through grade three; amendment to elementary principal, mathematics, speech-language pathologist, 14.20(12), 14.20(13), 14.21(13), 14.23(1), 15.3"1," 15.3"2," 15.3(9), 15.3(10), 15.3(11), <u>Filed</u> ARC 3279A Delayed 70 days at the ARRC meeting September 9, 1992	8/19/92 375
9:15	EDUCATION DEPARTMENT[281]	
	Health services, 12.3(9), <u>Notice</u> ARC 3343A	9/16/92 492
	Open enrollment, 17.8(2), 17.8(2)"j," 17.8(7), 17.9(1), 17.10, <u>Filed</u> ARC 3346A	9/16/92 524
	Postsecondary enrollment options, 22.1, 22.2, 22.4, <u>Notice</u> ARC 3344A	9/16/92 493
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Extracurricular interscholastic competition, 36.15(3)"c," 36.15(6), 36.15(7), <u>Notice</u> ARC 3342A	9/16/92	493
Procedures for charging and investigating incidents of abuse of students by school employees, 102.2, 102.3, 102.4(2), 102.8(5), 102.9(1), 102.9(3), 102.9(4), 102.9(5), 102.10, 102.11, 102.12, 102.14, 102.15, <u>Notice</u> ARC 3416A	9/30/92	569
9:45 HEALTH DATA COMMISSION[411]		
Submission of data — exemption for certain third-party payers, 6.1, 6.2(2), 6.2(3), <u>Notice</u> ARC 3373A	9/30/92	571
Direct hospital inpatient data submission, medical record number confidentiality, 6.3(7), 6.3(8), 7.2, <u>Notice</u> ARC 3399A	9/30/92	572
Nursing facility data, 6.5, <u>Notice</u> ARC 3398A	9/30/92	572
10:00 INSPECTIONS AND APPEALS DEPARTMENT[481]		
Food service establishments, hotel and motel inspections — revocation or suspension of license, 30.2, 31.10, 32.5, 34.5, 37.10, <u>Filed</u> ARC 3392A	9/30/92	694
Food service establishment inspections, 32.3(4), <u>Filed Emergency</u> ARC 3389A	9/30/92	651
Health care facilities — disclosure of names, addresses and telephone numbers of residents' family members to care review committee members, 57.24(3), 58.27(3), 59.32(3), 62.22(3), 63.22(3), 64.35(3), 65.24(3), <u>Notice</u> ARC 3260A <u>Terminated</u> ARC 3390A	9/30/92	580
10:20 JOB SERVICE DIVISION[345]		
EMPLOYMENT SERVICES DEPARTMENT[341]"umbrella"		
Employer records and reports — leased employees; employer's contribution and charges — administrative contribution surcharge fund; contested case proceedings — telephone or in-person hearing, 2.3(5)"c," 3.40(3)"d," 6.6(1), <u>Notice</u> ARC 3355A	9/16/92	506
10:30 LABOR SERVICES DIVISION[347]		
EMPLOYMENT SERVICES DEPARTMENT[341]"umbrella"		
General industry safety and health rules, 10.20 <u>Filed Emergency After Notice</u> ARC 3412A	9/30/92	652
Construction safety and health rules, 26.1, <u>Filed Emergency After Notice</u> ARC 3413A	9/30/92	652
Vertical wheelchair lifts, 72.1, 72.16 to 72.19, 73.1, 73.20, 75.1(2), 75.3, Code reference correction in chs 71 to 77, <u>Notice</u> ARC 3410A	9/30/92	581
Fees—elevator inspections, 75.1 to 75.5, <u>Filed</u> ARC 3411A	9/30/92	695
Public safety/emergency response right to know — transportation of hazardous materials, 40.4(1)"a"(1) to (5), <u>Notice</u> ARC 3365A	9/16/92	507
10:35 DISASTER SERVICES DIVISION[607]		
PUBLIC DEFENSE DEPARTMENT[601]"umbrella"		
Emergency management division — operations of commission, local emergency planning committee, required reports and records, 101.4, 101.5(2), 103.2(1), 103.2(2), 103.4, 104.1, 104.1(1), 104.1(3), 104.3(2), <u>Notice</u> ARC 3409A	9/30/92	568
10:40 MEDICAL EXAMINERS BOARD[653]		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Notice, Medical examiners, licensure requirements, discipline, 10.2, 10.3, 10.3(5)"a" and "b," 10.3(6)"b," 10.6, 11.1(7) to 11.1(9), 12.50(31), 12.50(33), 12.50(36)"d," <u>Notice</u> ARC 3391A	9/30/92	582
10:50 PROFESSIONAL LICENSURE DIVISION[645]		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Massage therapists — temporary licensure, fees, ch 130, <u>Notice</u> ARC 3396A	9/30/92	585
Optometry examiners, 180.1, 180.5(3), 180.5(3)"a," "b," and "d," 180.9, 180.10(2), 180.10(5), 180.12(3)"g" to "i," 180.12(5)"c," 180.14, 180.100, <u>Notice</u> ARC 3360A	9/16/92	509
Podiatry examiners, 220.1(1), 220.1(2)"a," 220.6, 220.7, 221.2, 221.6, 221.7, 221.8(2), <u>Notice</u> ARC 3397A	9/30/92	586
Respiratory care practitioners, 260.7(4)"a," 260.10(9), 260.13(1)"b," 260.15(5), <u>Notice</u> ARC 3336A	9/16/92	510
Social work examiners, uniform rules, chs 280 to 283, <u>Filed</u> ARC 3337A	9/16/92	527
Speech pathology and audiology examiners — uniform rules, chs 303 to 305, <u>Notice</u> ARC 3377A	9/30/92	587
11:00 PUBLIC HEALTH DEPARTMENT[641]		
Agriculturally related injuries, 1.2(1)"d," <u>Notice</u> ARC 3335A	9/16/92	511
Mammography, 38.8(1), 41.1(12), <u>Filed Emergency After Notice</u> ARC 3438A	9/30/92	655
Radiation — standards for protection, safety requirements for the use of radiation machines and radioactive materials, 40.3(4)"e," 41.1(5)"c"(1)"1," 41.2(31), 41.2(33), 41.2(37), <u>Notice</u> ARC 3440A	9/30/92	588
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Public Health continued

Radiation — definition of misadministration, 41.1(2), 41.2(2), <u>Notice</u> ARC 3441A	9/30/92	589
Radiation, rule reference corrections in ch 42, 42.1(11)"f," 42.1(13), 42.2(4)"b," 42.2(7)"f," 42.2(10), 42.3(7)"f," 42.3(10), <u>Filed</u> ARC 3437A	9/30/92	696
Radiation — rule reference corrections in chs 43 and 44, 43.4(5), 43.4(6), 44.4(1), 44.4(6), <u>Filed</u> ARC 3435A	9/30/92	696
Tanning facilities— rule reference corrections in ch 46, 46.4(2)"b," 46.4(3)"d," <u>Filed</u> ARC 3436A	9/30/92	697
Healthy family program, ch 87, <u>Notice</u> ARC 3431A, also <u>Filed Emergency</u> ARC 3432A	9/30/92	663
Basic emergency medical care, 131.4(1)"g" and "o," 131.4(8)"b," 131.4(9)"d," 131.4(10), 131.5(5)"c," 131.5(11)"e," <u>Notice</u> ARC 3400A	9/30/92	590
Advanced emergency medical care, 132.2(4)"d"(13), 132.3(1)"b," 132.4(9)"d," 132.5(5)"c," 132.7(6)"b," "f" and "g," 132.8(1)"b," "e," and "p," 132.9(4)"c," 132.14(7), <u>Notice</u> ARC 3401A	9/30/92	591
Disciplinary hearings — fees and costs, 173.19, <u>Filed</u> ARC 3434A	9/30/92	697
Criteria for awards or grants, ch 176, <u>Notice</u> ARC 3402A	9/30/92	592
Certificate of need program, 202.4(3)"a," <u>Filed</u> ARC 3433A	9/30/92	698

11:30 PUBLIC SAFETY DEPARTMENT[661]

Private investigation and private security businesses, 2.2, 2.3(8), 2.3(9), 2.5, 2.11(1), 2.12, <u>Notice</u> ARC 3334A	9/16/92	511
Fire marshal — granting exceptions, waivers, and variances from rules, 5.1(5), 5.100(5), 5.650(8), <u>Filed</u> ARC 3366A	9/16/92	535
Breath alcohol ignition interlock device, 7.8, <u>Filed</u> ARC 3363A	9/16/92	536
State of Iowa building code, 16.110(1), 16.110(3), 16.120(2), 16.120(4), 16.120(5), 16.121(1), 16.121(3), 16.130(14), 16.131, 16.140(1)"b" and "d" to "f," 16.300(1), 16.400(1), 16.400(1)"e," "j," "k," "r," "s," "y," and "z," 16.401, 16.500(1), 16.500(1)"c," "d," "i," and "j," <u>Filed</u> ARC 3348A	9/16/92	537

11:45 RACING AND GAMING COMMISSION[491]

INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"		
Labor organizations and unions; occupational classifications and license fees; linked machine requirements for progressive jackpots and red dog rules, 4.28, 10.4(1)"a," 10.4(10)"a," 22.33, 26.17(6), 26.20, <u>Notice</u> ARC 3358A	9/16/92	513
Greyhound and thoroughbred racing, 7.3(6), 10.4(1)"b," <u>Filed</u> ARC 3403A	9/30/92	698
Rules of poker, 26.19, <u>Filed</u> ARC 3404A	9/30/92	698

NO REPRESENTATIVE REQUESTED TO APPEAR FOR THE FOLLOWING AGENCIES

BLIND, DEPARTMENT FOR THE[111]

Business enterprises program, ch 7, <u>Filed</u> ARC 3333A	9/16/92	520
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INSURANCE DIVISION[191]

COMMERCE DEPARTMENT[181]"umbrella"		
Broker-dealer applications, updates, and renewals, 50.1, <u>Notice</u> ARC 3362A	9/16/92	503
Broker-dealer licenses, 50.2, 50.5, 50.6, 50.8, 50.11, 50.13, 50.14, <u>Notice</u> ARC 3357A	9/16/92	504

PERSONS WITH DISABILITIES DIVISION[431]

HUMAN RIGHTS DEPARTMENT[421]"umbrella"		
Advisory council on head injuries, amend and transfer 431 — Chapter 3 to 641 — Chapter 55, <u>Filed Emergency</u> ARC 3439A	9/30/92	654

PREVENTION OF DISABILITIES POLICY COUNCIL[597]

Contracts — policies, procedures, and conditions, ch 5, <u>Notice</u> ARC 3361A	9/16/92	507
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REAL ESTATE COMMISSION[193E]

Professional Licensing and Regulation Division[193]		
COMMERCE DEPARTMENT[181]"umbrella"		
Practices and procedures updated and clarified, 1.8, 1.9, 1.20, 1.24, 1.26, 1.27, 1.28(3), 1.30, 1.32, 1.36 to 1.38, 2.2, 2.3(4), 2.3(5), 2.9, 2.12(2), 2.13, 2.14(5) to 2.14(7), 2.17, 3.2(3), 3.3(4), 3.4(1)"e"(2)"6," 3.5, 3.5(4), 3.6(5), 3.6(7)"c," 4.6, 4.9 to 4.12, 4.41, 6.1(4), 6.2, 6.4(4), ch 7, <u>Notice</u> ARC 3417A	9/30/92	594

UTILITIES DIVISION[199]

COMMERCE DEPARTMENT[181]"umbrella"		
Deregulation of new services, 5.2(3), 5.3(2), <u>Notice</u> ARC 3430A	9/30/92	642
Purchased gas adjustment — over/undercollections, 19.10(1), 19.10(1)"b," 19.10(4), 19.10(5)"c," 19.10(7)"b" to "d," <u>Notice</u> ARC 3347A	9/16/92	518