

AGENDA

The following rules, as published in the Iowa Administrative Bulletin, will be reviewed by the Administrative Rules Review Committee at its regular, statutory meeting Tuesday and Wednesday, May 14 and 15, 1991, at 10 a.m. in Committee Room 22, State Capitol.

	Bulletin	Page
9:30 ATTORNEY GENERAL[61]		
Record retention requirements under motor vehicle service trade practices Act, ch 29, <u>Small Business Regulatory Flexibility Analysis</u>	5/1/91	1945
9:50 NATURAL RESOURCE COMMISSION[571]		
NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
Wildlife habitat promotion with local entities program, 23.1, 23.7(1), 23.7(3), 23.8, <u>Notice ARC 1920A</u>	5/1/91	1907
Mussel regulations, 87.1, 87.1(2), <u>Filed ARC 1919A</u>	5/1/91	1940
Boat motor regulations—Otter Creek Lake, 45.4(1)"b," <u>Notice ARC 1848A</u>	4/3/91	1770
Wildlife refuges, state parks and recreation areas—Mines of Spain, 52.1(1), 61.2, 61.6(2), 61.7, <u>Notice ARC 1846A</u>	4/3/91	1771
State parks and recreation areas—fees, 61.2, 61.3, 61.4(1), 61.5(8)"b," 61.5(9)"c" and "f," <u>Filed ARC 1869A</u>	4/3/91	1807
Falconry regulations, ch 101, <u>Notice ARC 1847A</u>	4/3/91	1772
10:00 BANKING DIVISION[187]		
COMMERCE DEPARTMENT[181]"umbrella"		
Cash out merger, 2.3(7), <u>Notice ARC 1836A</u>	4/3/91	1763
10:10 COLLEGE STUDENT AID COMMISSION[283]		
EDUCATION DEPARTMENT[281]"umbrella"		
Eligibility restrictions for Iowa tuition grant moneys, 12.1(8), <u>Notice ARC 1911A</u>	5/1/91	1898
Iowa Stafford loan program—late disbursement, 10.17(2), <u>Notice ARC 1845A</u>	4/3/91	1764
10:20 COMMUNITY ACTION AGENCIES DIVISION[427]		
HUMAN RIGHTS DEPARTMENT[421]"umbrella"		
Affordable heating program—eligibility, 11.3, <u>Filed Emergency ARC 1877A</u>	4/17/91	1871
10:30 EDUCATION DEPARTMENT[281]		
Child development coordinating council, 64.2, 64.9, 64.11, 64.18, 64.22 to 64.24, <u>Filed ARC 1914A</u>	5/1/91	1922
Area community colleges, 21.1, 21.35 to 21.39, 21.45(2), Title III heading, <u>Filed ARC 1863A</u>	4/3/91	1802
Quality instructional center initiative, 21.57 to 21.63, <u>Notice ARC 1859A</u> , also <u>Filed Emergency ARC 1860A</u>	4/3/91	1785
Schools, programs and support services for dropouts and dropout prevention, 61.1(1), 61.1(2), 61.2, 61.5(2)"d," 61.5(3)"a" and "h," 61.5(4)"a" and "d," 61.5(10), 61.5(10)"a," 61.7, <u>Notice ARC 1207A Terminated ARC 1857A</u>	4/3/91	1765
Educational support programs for parents of at-risk children age birth through three years, 67.6, 67.8, 67.14, 67.18 to 67.20, <u>Notice ARC 1861A</u> , also <u>Filed Emergency ARC 1862A</u>	4/3/91	1786
10:50 CULTURAL AFFAIRS DEPARTMENT[221]		
Museum property, ch 7, <u>Filed ARC 1891A</u>	4/17/91	1872
11:00 INSPECTIONS AND APPEALS DEPARTMENT[481]		
Requirements for sinks in new or remodeled food establishments and food service establishments; vending machine licensure exemption; training cost recovery; Code reference updates, 31.1"7" and "8," 32.1"8," 33.1, 35.4(1), chs 30 to 37 Code updates, <u>Filed ARC 1921A</u>	5/1/91	1938
Administration, social gambling, bingo, 100.3(2), 102.1(1), 102.2(4) to 102.2(6), 103.4(4), 103.4(4)"c," 103.7(4), 103.9, 103.13(1)"c," 103.13(2)"b"(1) and (3), 103.13(2)"c"(1) and (3), <u>Filed ARC 1922A</u>	5/1/91	1939

INSPECTIONS AND APPEALS DEPARTMENT[481]CONTD.

Care facilities, 56.10, 57.15(5), 57.19(2)"m"(1), 57.22(3), 57.23(3)"c"(2), 57.24, 57.38(5), 57.38(6), 57.45(4), 57.45(5), 58.14(5), 58.21(11)"c," 58.27, 58.42(5), 58.42(6), 58.49(4), 58.49(5), 59.17(6), 59.26(11)"c," 59.32, 59.47(5), 59.47(6), 59.54(4), 59.54(5), 62.14(4)"b"(12), 62.17(1)"e" and "f," 62.22, 62.23(19)"d"and"e," 63.15(5), 63.22, 63.36(5), 63.33(6), 63.43(4), 63.43(5), 64.4(6), 64.4(7), 64.35, Filed ARC 1873A 4/3/91 1804

11:15 CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION[428]

HUMAN RIGHTS DEPARTMENT[421]"umbrella"

Functions, public records and fair information practices, chs 1, 2, Filed ARC 1874A 4/3/91 1802

11:20 PERSONS WITH DISABILITIES DIVISION[431]

HUMAN RIGHTS DEPARTMENT[421]"umbrella"

Organization, advisory council on head injuries, chs 1, 3, Notice ARC 1835A 4/3/91 1775

11:25 ELDER AFFAIRS DEPARTMENT[321]

AAAs-planning and administration; service delivery, 6.1(5), 6.4, 6.5(1)"c" to "g," 6.5(2)"g," 6.6(1), 6.6(2)"f" and "g," 6.6(3) to 6.6(6), 6.7(1)"f," 6.7(1)"j," 6.7(1)"o" to "q," 6.7(2), 6.8"8," 6.10(1), 6.12(1), 7.1(1), 7.1(3)"b," 7.1(4)"b" and "c," 7.2, 7.2(1), 7.2(1)"a," 7.2(2)"e" and "f," 7.3(19)"b," 7.4(1), 7.6, Notice ARC 1908A 5/1/91 1898

11:30 COMMITTEE BUSINESS**LUNCH****1:30 HUMAN SERVICES DEPARTMENT[441]**

Granting assistance, conditions of eligibility, 41.7(5)"b," 41.7(7)"z," 41.7(8), 41.7(8)"c," 41.8(2)"b"(2), 75.19(1)"c," Filed Emergency ARC 1871A 4/3/91 1787

Transitional child care assistance program, 49.6, Filed Emergency After Notice ARC 1872A 4/3/91 1789

Disability determinations for Medicaid eligibility, 50.1, 75.20, 86.3(6), 86.4, Filed ARC 1842A 4/3/91 1802

Refugee services program, conditions of eligibility, Options 1 to 10, 60.7, 60.7(1), 75.1(21)"c," 75.1(32)"f," Notice ARC 1890A 4/17/91 1855

Conditions of eligibility, medically needy, 75.1(7), 75.1(11), 75.1(19), 86.14(4), 86.15(1), 86.15(3), Notice ARC 1837A 4/3/91 1765

Conditions of eligibility--determination of countable income and resources for persons in a medical institution, 75.5(3)"a"(1), 75.5(3)"d" and "f," 75.5(4)"a," 75.5(4)"a"(1), 75.16(2)"d"(2), Notice ARC 1844A 4/3/91 1766

Conditions of eligibility, 75.15(2), 75.16(2)"d"(4), Notice ARC 1840A 4/3/91 1768

Federally qualified health centers, 77.35, 78.39, 79.1(2), 80.2(2)"aj," Filed ARC 1843A 4/3/91 1803

Hospital reimbursement, 79.1(5)"a," 79.1(5)"o," 79.1(5)"v," Notice ARC 1839A 4/3/91 1769

Foster care services--department approval of need for PMIC, 202.16, Notice ARC 1838A 4/3/91 1770

Public records and fair information practices, conditions of eligibility, managed health care providers, 9.7(1)"b""6," 75.21, 75.25, 88.4(4)"e," 88.24(4)"e," 88.47(1)"c"(6), Notice ARC 1933A 5/1/91 1901

Duplication of assistance, 41.5(2), 41.7(6)"x," 41.7(7)"c," Filed Without Notice ARC 1936A 5/1/91 1924

Transitional child care assistance program--payment, 49.10, Filed ARC 1929A 5/1/91 1924

State supplementary assistance policy, 51.1, 51.3(3) to 51.3(5), 52.1(3)"a" and "d," Filed ARC 1934A 5/1/91 1925

Refugee services program, 61.1, 61.15, Notice ARC 1927A 5/1/91 1904

Electronic benefit transfer--food stamps; treatment centers and group living arrangements, 65.4, 65.9, 65.36, Filed ARC 1931A 5/1/91 1926

Conditions of eligibility--widows and widowers, 75.1(27), 75.1(27)"c," Filed Emergency ARC 1928A 5/1/91 1915

Medicaid coverage under the mothers and children coverage group; presumptive eligibility for pregnant women, 75.1(28), 75.1(30), 76.6(5), Filed ARC 1932A 5/1/91 1928

Skilled nursing policy, 77.12, 79.1(9)"h," 81.3(2), 81.6(16)"g," 81.21, 81.22, Notice ARC 1935A 5/1/91 1906

Payment for drugs dispensed by podiatrist, 78.5(3), Filed ARC 1930A 5/1/91 1929

Dependent adult abuse treatment and protection services, 130.3(1)"e," 176.6(7), Notice ARC 1923A 5/1/91 1906

Gamblers assistance program, ch 162, Filed ARC 1924A 5/1/91 1929

2:00 HEALTH DATA COMMISSION[411]

Data accessibility and confidentiality of public records and fair information practices, 7.1 to 7.3, 7.6, Filed ARC 1912A 5/1/91 1922

2:10	REVENUE AND FINANCE DEPARTMENT[701]		
	Practice and procedure before the department of revenue and finance, 7.9,		
	<u>Filed</u> ARC 1865A	4/3/91	1815
	Corporate officers' liability for unpaid hotel/motel tax, local option sales tax and		
	consumer's use tax; exclusion from liability to immediate successor, 12.15(3),		
	30.3, 104.11, 104.12, 107.12, <u>Notice</u> ARC 1896A	4/17/91	1865
	Exempt sales—railroad rolling stock, 17.13, <u>Filed</u> ARC 1866A	4/3/91	1816
	Excursion gambling boats—exempt sales; local option sales and service tax, 17.25,		
	107.12, <u>Notice</u> ARC 1867A, also <u>Filed</u> Emergency ARC 1868A	4/3/91	1790
2:30	UTILITIES DIVISION[199]		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Energy efficiency cost recovery, 7.4(4), 17.9, 35.12, <u>Filed</u> Emergency After Notice		
	ARC 1926A	5/1/91	1916
	Netting of purchased gas adjustments and take-or-pay adjustments, 19.10(7)"b" to "e,"		
	<u>Notice</u> ARC 1925A	5/1/91	1912
	Consent for the sale of goods and services, 1.6, <u>Filed</u> ARC 1888A	4/17/91	1878
	Practice and procedure—attorneys, 7.2(7)"e," <u>Filed</u> ARC 1886A	4/17/91	1879
	Energy efficiency plans, 17.9, 19.11(2), 20.13(3), ch 35,		
	<u>Filed</u> Emergency After Notice ARC 1864A	4/3/91	1791
	Complaint procedures, 19.4(1)"i," 20.4(2), 21.4(1)"f," 22.4(1)"b," <u>Filed</u> ARC 1885A	4/17/91	1880
	Electric utility service and safety, 20.1(3)"s," 20.2(2), 20.2(4)"g" and "w," 20.2(5)"a" and "b," 20.4(7),		
	20.4(15)"h"(4) and (6), 20.4(15)"j," 20.5(2)"a" and "b," 20.7(9), 25.1(1), 25.2(1), 25.2(2), 25.2(2)"a" to		
	"e," 25.2(3), 25.3 to 25.5, <u>Notice</u> ARC 1887A	4/17/91	1867
2:50	TRANSPORTATION DEPARTMENT[761]		
	Signing for named routes, 131.10, <u>Filed</u> ARC 1902A	5/1/91	1943
	Vehicle registration and certification of title, 400.1(8)"c," 400.14(3) to 400.14(5),		
	400.61(2), <u>Notice</u> ARC 1906A	5/1/91	1911
	Hearing fees—motor carriers, charter carriers, liquid transport carriers, 525.5(3),		
	528.4(3), <u>Notice</u> ARC 1900A	4/17/91	1866

WEDNESDAY, MAY 15, 1991

9:00	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]		
	Iowa farmers market/women infants children program, ch 50,		
	<u>Filed</u> ARC 1907A	5/1/91	1921
	Infectious and contagious diseases, 64.34(2), 64.35(1), 64.41(3),		
	64.42(1), 64.47(4), 64.153(1), 64.154(5), 64.155(8), 64.156(3),		
	64.162, 64.163, <u>Notice</u> ARC 1937A	5/1/91	1896
	Noxious weeds, ch 58, <u>Filed</u> Emergency ARC 1903A	5/1/91	1914
	Apiary—parasites, requirement for the sale of bees, certificate of inspection required,		
	22.2 to 22.4, <u>Notice</u> ARC 1884A	4/17/91	1853
	Pesticides—secondary containment for pesticide storage and transfer facilities,		
	44.7(1), 44.7(2), 44.7(5), 44.10(1), <u>Notice</u> ARC 1879A, also		
	<u>Filed</u> Emergency ARC 1878A	4/17/91	1870
	Organic food production, 47.7(5), <u>Filed</u> ARC 1881A	4/17/91	1872
9:20	SOIL CONSERVATION DIVISION[27]		
	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]"umbrella"		
	Contracts for public improvements and professional services, interest on retained funds,		
	chs 6, 7, <u>Filed</u> ARC 1917A	5/1/91	1940
	Water protection practices—water protection fund, 12.51(4), 12.81(3), 12.82(6),		
	12.84, <u>Filed</u> ARC 1918A	5/1/91	1943
	Minerals program, 60.70, 60.75(2), 60.75(3)"a," 60.75(3)"d" to "f," 60.80(8),		
	60.85, 60.90, <u>Notice</u> ARC 1849A	4/3/91	1783
9:30	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF [261]		
	Additional program requirements—community builder program and environmental		
	criteria, 6.6(1)"d," 7.4(2)"h," 22.6(1)"e," 23.5(1)"i," 27.3(5), 80.86 to 80.91,		
	<u>Notice</u> ARC 1894A	4/17/91	1853

9:40	ENVIRONMENTAL PROTECTION COMMISSION[567] NATURAL RESOURCES DEPARTMENT[561]"umbrella" Emission standards for contaminants--new source performance standards, 23.1(2), 23.1(2)"ggg" to "iii," 23.1(3), 23.1(3)"k" to "n," <u>Filed</u> ARC 1899A 4/17/91 1872 Technical standards for underground storage tanks, 135.5(1)"a"(3), <u>Notice</u> ARC 1897A, also <u>Filed</u> Emergency ARC 1898A 4/17/91 1871
	BREAK
10:20	DENTAL EXAMINERS BOARD[650] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Continuing education, 25.2(2), 25.3(4), 25.3(4)"a" and "b," 25.9(3), <u>Filed</u> ARC 1901A 5/1/91 1921
10:30	IOWA FINANCE AUTHORITY[265] ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella" Amend and transfer 524--chs 1 to 15 to 265--chs 1 to 15, <u>Filed</u> ARC 1876A 4/3/91 1806
10:40	PUBLIC HEALTH DEPARTMENT[641] Immunization of persons attending elementary or secondary schools or licensed child-care centers, 7.4(4)"c" and "d," <u>Notice</u> ARC 1870A 4/3/91 1777 Outpatient diabetes education programs, ch 9, <u>Filed</u> ARC 1875A 4/3/91 1809 Acquired immune deficiency syndrome (AIDS)--home- and community-based services, 11.70 to 11.78, <u>Filed</u> ARC 1856A 4/3/91 1813 Radiation control program--fees, 38.13(1), 38.13(5), 38.13(6), <u>Notice</u> ARC 1853A 4/3/91 1778 Standards for protection against radiation--personnel monitoring, 40.9(2), <u>Notice</u> ARC 1854A 4/3/91 1779 Consent for the sale of goods and services, ch 190, <u>Notice</u> ARC 1883A 4/17/91 1863
11:00	PROFESSIONAL LICENSURE DIVISION[645] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Optometry examiners board--discipline procedures, 180.112 to 180.122, <u>Notice</u> ARC 1915A 5/1/91 1908 Speech pathology and audiology examiners--board quorum requirements, license reinstatement procedures, 300.8(4), 301.9(2)"b" to "d," <u>Filed</u> ARC 1916A 5/1/91 1940 Speech pathology and audiology examiners--per diem rate, methods of discipline, 300.8(5), 301.112, 301.112(1), <u>Notice</u> ARC 1913A 5/1/91 1911 Licensure of nursing home administrators, 141.7(1)"d," <u>Filed</u> ARC 1855A 4/3/91 1809 Physical therapy examiners, 200.3(1)"b," 200.4(4), 200.10(7), 200.19(2) to 200.19(12), 200.20(7)"k"(4), <u>Notice</u> ARC 1882A 4/17/91 1861 Physician assistants, 325.3(1), 325.4(1), 325.4(5)"d," 325.15(7)"a," <u>Notice</u> ARC 1892A 4/17/91 1862
11:20	PUBLIC SAFETY DEPARTMENT[661] Weapons, 4.1, 4.4(1)"g," 4.4(2), 4.4(4)"g," 4.4(6), 4.4(7)"h," 4.5(1) to 4.5(3), <u>Filed</u> ARC 1850A 4/3/91 1814 Membership of LEATAC, 15.2(3), 15.2(4), 15.2(6) to 15.2(9), 15.2(11) to 15.2(13), 15.3, 15.6, <u>Filed</u> ARC 1851A 4/3/91 1815 State of Iowa building code, 16.140(1)"e," 16.400(1)"y," 16.401, 16.704(5), 16.705(3), Table 705A, <u>Filed</u> ARC 1895A 4/17/91 1875 State of Iowa building code, 16.140(1)"e" to "k," 16.500(1)"e," 16.706, Division VII Figures 7, 10, 11, <u>Notice</u> ARC 1852A 4/3/91 1779 Special review--ABOVEGROUND STORAGE TANKS-- NFPA Standards
11:30	PERSONNEL DEPARTMENT[581] Classification; recruitment, application and examination; eligible lists; certification and selection; appointments; promotion, transfer, temporary assignment and voluntary demotion; grievances and appeals; leave; equal employment opportunity and affirmative action, 3.4(2), 3.5(1), 3.5(4), 3.5(5), 5.2(2), 5.2(4)"a," 5.3(1) to 5.3(3), 5.4(2)"c," 5.5(2), 5.6, 6.1(2), 6.5, 7.3(3), 8.3, 10.1(1), 12.1, 14.15, 20.5(1), <u>Notice</u> ARC 1893A 4/17/91 1858
11:45	HISTORICAL DIVISION[223] CULTURAL AFFAIRS DEPARTMENT[221]"umbrella" Public records and fair information practices, ch 3, <u>Filed</u> ARC 1880A 4/17/91 1873 Historical resources development program, 49.2, 49.4(1), 49.4(3), 49.4(7), 49.4(8), 49.5(4)"b," 49.7(1)"a"(3), 49.7(1)"b," <u>Filed</u> ARC 1889A 4/17/91 1874

NO AGENCY REPRESENTATIVES REQUESTED TO APPEAR FOR THE FOLLOWING:

N/R	EXECUTIVE COUNCIL[361] Amend and transfer 420--chs 1 to 15 to 361--chs 1 to 15, <u>Filed</u> Emergency ARC 1904A 5/1/91 1914
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N/R	INSURANCE DIVISION[191] COMMERCE DEPARTMENT[181]"umbrella" Surplus notes, artwork, 5.4, 5.6(4), <u>Filed</u> ARC 1909A	5/1/91	1939
N/R	LAW ENFORCEMENT ACADEMY[501] Time frames for training tolled during active military service, 3.11, 8.5, <u>Filed Emergency</u> ARC 1834A	4/3/91	1789
N/R	MEDICAL EXAMINERS BOARD[653] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Licensure requirements, 11.3(6)"c" to "c," <u>Notice</u> ARC 1910A	5/1/91	1907
N/R	NURSING BOARD[655] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Advanced registered nurse practitioners, 7.2(4)"c," 7.2(7)"c," <u>Filed</u> ARC 1841A	4/3/91	1809
N/R	TREASURER OF STATE[781] Accepting credit card payments, ch 8, <u>Filed</u> ARC 1858A	4/3/91	1816