

The Administrative Rules Review Committee will hold a special meeting, which is tentatively scheduled for Monday, March 10, 2003, at 8 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

**BULLETINS NEEDED FOR THIS MEETING: No. 16, 17 (2/5/03, 2/19/03)**

Also refer to: No. 5, 10 to 13 (9/4/02, 11/13/02, 11/27/02, 12/11/02, 12/25/02)

Bulletin Page

**8:00 HUMAN SERVICES DEPARTMENT[441]**

Contested case proceedings, 7.1 to 7.4, 7.5(2)"a"(5) to (16), 7.5(2)"d" and "f" to "i," 7.5(3), 7.5(4)"a" and "b," 7.5(4)"b"(4), 7.5(6), 7.5(7), 7.5(9), 7.5(10), 7.6(1), 7.7(1), 7.7(1)"b"(3), 7.7(2)"f" and "n," 7.7(3), 7.7(5)"e," 7.7(6), 7.8(1), 7.8(2), 7.8(5), 7.8(8), 7.8(9)"a" to "c," 7.9(1), 7.9(1)"b," 7.9(2), 7.9(2)"c" to "e," 7.9(4)"a," 7.10(4)"c," 7.10(5), 7.10(7), 7.13(5)"b," 7.13(6)"c," 7.15, 7.16(2), 7.16(3), 7.16(5) to 7.16(7), 7.16(9)"b," 7.16(10), 7.18(1), 7.18(3), 7.20(1), 7.20(2)"b," 7.21(1), 7.21(2), 7.21(2)"a" to "c," 7.21(3) to 7.21(6), 7.22, 7.23, 7.24(1), <u>Notice</u> ARC 2317B.....	2/19/03	1126
Offset of county debts owed department, 14.1, 14.4(1)"e" and "f," 14.4(3), <u>Filed Emergency</u> ARC 2260B.....	2/5/03	1084
Rent subsidy program, 53.1, 53.2(4), 53.3, 53.3(2), 53.3(4), 53.3(4)"b" and "c," 53.5(2), 53.6(2), 53.6(3), <u>Filed</u> ARC 2254B.....	2/5/03	1088
Refugee services program—eligibility of victims of trafficking, 61.1, 61.3, <u>Notice</u> ARC 2286B.....	2/5/03	1048
Procedure for independent determination of disability for SSI-related Medicaid, 75.1(35)"f"(2), 75.20(2)"b," <u>Filed Emergency After Notice</u> ARC 2261B.....	2/5/03	1084
Attribution of resources appeal—estimate of cost of annuity, 75.5(3)"f"(4), (5) and (7), <u>Filed</u> ARC 2255B.....	2/5/03	1089
Coverage for community mental health centers, 78.16(1)"b"(1) to (4), 78.16(2), 78.16(3), <u>Filed Emergency</u> ARC 2258B.....	2/5/03	1085
Provision of supported community living services in community-based, integrated settings, 78.41(1)"d," 78.43(2)"d," <u>Filed Emergency</u> ARC 2257B.....	2/5/03	1086
Intermediate care facilities for the mentally retarded—certificate of need, 82.19, <u>Filed Emergency</u> ARC 2259B.....	2/5/03	1086
Child support recovery unit services, 95.2(4)"a" and "b," 95.3(1)"b," 95.6, 95.6(1) to 95.6(7), 95.7, 95.7(2)"a," 95.7(4), 95.7(6) to 95.7(8), 95.7(8)"a," 95.8, 95.13, 95.14(1) to 95.14(4), 95.15(1), 95.15(3)"c," 95.18(1), 95.18(2), 95.19(1)"c," 95.19(2), 95.20, 95.21(2), 96.1(2), 96.1(3), 96.1(3)"b" and "d," 96.2, 96.4(4), 96.5(3), 97.2, 97.4, 98.81(6), <u>Notice</u> ARC 2318B.....	2/19/03	1135
Child support, 99.1, 99.1(1)"b" and "c," 99.1(2)"b"(2), 99.1(2)"e," 99.1(4)"b," 99.10, 99.24, 99.29, 99.32, 99.36, 99.38, 99.39(1), 99.39(3), 99.41(1), 99.61, 99.62, 99.62(2), 99.62(3), 99.62(3)"a"(1), 99.62(3)"b," 99.63(1) to 99.63(3), 99.63(3)"a" and "b," 99.63(4), 99.63(4)"a" and "b," 99.63(4)"b"(1), 99.63(4)"c" and "d," 99.64(1), 99.65(1), 99.65(1)"c," 99.65(2), 99.65(3), 99.67(1), 99.67(2), 99.68, 99.69(2), 99.69(3), 99.70(1) to 99.70(3), 99.71, ch 99 div V preamble, 99.81, 99.83(2)"a" and "b," 99.83(3), 99.83(5), 99.83(6)"b," 99.84(1), 99.84(1)"b"(1) and (2), 99.84(1)"b"(3)"1" and "2," 99.85, 99.85(1), 99.85(3), 99.86(2), 99.86(3), 99.88, 99.89(1), 99.90, 99.91(4), 99.91(5), 99.101, 99.102, 99.107(4)"f," 99.109, <u>Filed</u> ARC 2256B.....	2/5/03	1089

**8:30 AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]**

Health requirements for animals exhibited at fairs and district shows, 64.34, 64.35, <u>Notice</u> ARC 2292B.....	2/19/03	1114
Chronic wasting disease surveillance and monitoring program, 64.104, 64.106(3), 64.113(2), 64.115 to 64.117, 64.119, 64.120, <u>Notice</u> ARC 2319B.....	2/19/03	1116

**8:40 CAPITAL INVESTMENT BOARD, IOWA[123]**

Tax credit for investments in venture capital funds, adopt ch 3, <u>Filed</u> ARC 2290B.....	2/5/03	1087
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**8:40 REVENUE AND FINANCE DEPARTMENT[701]**

Sales tax exemption for purchase of building materials, supplies and equipment for construction contracts for exempt entities, 19.12, <u>Filed</u> ARC 2288B.....	2/5/03	1093
Tax credit for equity investment in venture capital fund, 42.18(2), 52.21(2), 58.11(2), <u>Filed</u> ARC 2289B.....	2/5/03	1094

# MARCH 2003 AGENDA

8:50	<b>EDUCATION DEPARTMENT[281]</b>		
	Nonvoting student member added to state board of education, 1.1 to 1.4, 1.4(1), 1.4(4), <u>Filed</u> <b>ARC 2274B</b> .....	2/5/03	1087
	Open enrollment, 17.4, 17.4(6), <u>Filed</u> <b>ARC 2273B</b> .....	2/5/03	1087
	Waiver of school fees—elimination of SKIT guidelines as eligibility standard, 18.3(1)"a," <u>Notice</u> <b>ARC 2275B</b> .....	2/5/03	1042
	Approval of on-the-job training establishments and programs for qualified veterans. ch 51, <u>Notice</u> <b>ARC 2276B</b> .....	2/5/03	1042
	Approval of educational institutions for the education and training of eligible veterans, ch 52, <u>Notice</u> <b>ARC 2277B</b> .....	2/5/03	1043
	Charter schools, rescind ch 68, <u>Filed</u> <b>ARC 2278B</b> .....	2/5/03	1088
	Teacher quality program, 83.2, 83.3(2), 83.3(3), 83.4, 83.4(9), 83.5, 83.6, <u>Notice</u> <b>ARC 2279B</b> .....	2/5/03	1045
9:10	<b>LOTTERY DIVISION[705]</b>		
	REVENUE AND FINANCE DEPARTMENT[701]"umbrella"		
	General operation; licensing; placement of lottery equipment; scratch tickets; pull-tab tickets; computerized lottery games, 1.3, 1.4, 1.6, 1.22, 1.29(4), 2.16(1) to 2.16(3), 3.13, 8.3, 8.4, 8.8, 8.9(1)"g" and "h," 11.3, 11.5(1)"c" to "g," 13.4, 13.6, 13.7, 13.14, 13.21, 13.23, <u>Notice</u> <b>ARC 2320B</b> .....	2/19/03	1140
	Lottery license fees, 2.4(3), <u>Filed</u> <b>Emergency</b> <b>ARC 2322B</b> .....	2/19/03	1163
9:20	<b>PERSONNEL DEPARTMENT[581]</b>		
	IPERS, 21.13(13), 21.18(2), 21.35, <u>Filed</u> <b>ARC 2287B</b> .....	2/5/03	1090
9:30	<b>PUBLIC HEALTH DEPARTMENT[641]</b>		
	Backflow prevention assembly tester registration, ch 26, <u>Notice</u> <b>ARC 2269B</b> .....	2/5/03	1049
	Radiation, 38.1(2), 38.2, 38.8(1)"e," 38.8(6)"b," 38.8(11)"a"(3), 39.1(3), 39.3(3)"f," 39.4(22)"d"(3)"13," 39.4(22)"d"(5), 39.4(29)"j"(1)"2" and "3," 39.4(29)"j"(2)"2," "4" and "5," 39.4(29)"j"(3), 39.4(29)"l," 39.4(29)"l"(2)"1" and "4," 39.4(29)"l"(3), 39.4(31)"c," 40.1(5), 40.32(1)"a," 40.60(4), 40.65(4)"a," 40.80(5), 40.97(1)"b"(3) to (6), ch 40 appendix A, 41.1(1), 41.1(2), 41.1(3)"a," 41.1(3)"a"(3)"1," 41.1(3)"a"(5)"2," 41.1(3)"a"(7), 41.1(3)"a"(8)"3," 41.1(3)"a"(11) and (12), 41.1(3)"f"(1)"2," 41.1(3)"f"(2)"1," 41.1(3)"g," 41.1(5)"c"(1)"1," "2" and "4" to "6," 41.1(5)"f"(4), 41.1(6)"a"(5), 41.1(6)"b"(1), 41.1(6)"b"(2)"2," 41.1(6)"d" and "e," 41.1(6)"g"(2), 41.1(6)"h"(1)"3," 41.1(11)"a," 41.1(11)"d"(1)"1," 41.1(11)"d"(2)"6," 41.2(1)"b," 41.2(4)"e," 41.2(10)"b," 41.2(11)"a"(5), 41.2(14)"f," 41.2(80), 41.2(87)"h," 41.2(88), 41.6(1), 41.6(2)"e," 41.6(3)"a"(2)"1," 41.6(5)"k"(5)"1," "3" and "10," 41.6(7)"b," 41.7(2)"e," 41.7(4)"b"(2), 41.7(4)"c," 41.7(5)"c," 41.7(7)"d"(2), 41.7(7)"f," ch 41 appendix C "15" to "17," 42.1(2), 42.2(2), 42.2(2)"c," 42.2(2)"c," 42.2(2)"c," 42.2(3)"c," 42.2(3)"c," 42.5(3)"d," 45.1(1)"b," 45.1(2), 45.1(6), 45.1(10)"a," 45.1(11), 45.1(12)"b"(1), 45.1(13), 45.1(17)"c" and "e," 45.2(4)"b" and "c," 45.3(2)"a," 45.3(6)"c" and "e," 45.6(17)"b" and "c," ch 45 appendix A, <u>Notice</u> <b>ARC 2272B</b> .....	2/5/03	1053
	Hospital ethics committees empowered to act as local substitute decision-making boards, 85.3(1) <u>Notice</u> <b>ARC 2268B</b> .....	2/5/03	1065
	Child protection center grant program, adopt ch 94, <u>Notice</u> <b>ARC 2267B</b> .....	2/5/03	1066
	State medical examiner—fees for autopsies and related services, reimbursement for related expenses, 126.1, 126.3, <u>Filed</u> <b>ARC 2270B</b> .....	2/5/03	1092
	County medical examiners—deaths for which autopsies are required or recommended, 127.3, 127.5(1) <u>Filed</u> <b>ARC 2271B</b> .....	2/5/03	1093
10:00	<b>VISION IOWA BOARD[261]</b>		
	SPECIAL REVIEW		
	Vision Iowa program, chs 212.....	IAC	
	NOTE: Due to pending litigation agency representatives will be unable to respond to most questions relating to the current adequacy of rules		
10:30	<b>ENVIRONMENTAL PROTECTION COMMISSION[567]</b>		
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
	Public records and fair information practices, 2.1, <u>Filed</u> <b>ARC 2304B</b> .....	2/19/03	1167
	Rules of practice in contested cases, 7.1, <u>Filed</u> <b>ARC 2306B</b> .....	2/19/03	1167
	Waste tire management, 117.3(3), 117.4(3)"a"(8), 117.4(3)"a"(17), <u>Filed</u> <b>ARC 2305B</b> .....	2/19/03	1167

# MARCH 2003 AGENDA

## 10:45 COMMITTEE BUSINESS

approval of Feb. minutes  
date of april meeting  
en block review of "no reps"  
miscellaneous

### No representative requested to appear

#### XX:00 ARCHITECTURAL EXAMINING BOARD[193B]

Professional Licensing and Regulation Division[193]  
COMMERCE DEPARTMENT[181]"umbrella"

Registration, 2.1, 2.2(3), 2.2(4), 2.5(4) to 2.5(6), 2.7(4),

2.7(5), 2.8, Filed ARC 2308B ..... 2/19/03 1164

#### XX:00 COLLEGE STUDENT AID COMMISSION[283]

EDUCATION DEPARTMENT[281]"umbrella"

Organization and operation, 1.1, 1.2, Filed ARC 2301B ..... 2/19/03 1164

State of Iowa scholarship program, ch 11, Notice ARC 2298B ..... 2/19/03 1118

Iowa tuition grant program, ch 12, Notice ARC 2297B ..... 2/19/03 1119

Iowa vocational-technical tuition grant program, ch 13, Notice ARC 2296B ..... 2/19/03 1121

Iowa science and mathematics loan program; Iowa science and mathematics grant program;

access to education grant program; graduate student financial assistance program;

cosmetology and barber grants, rescind chs 16, 26, 28, 33, 34, Filed ARC 2300B ..... 2/19/03 1164

Iowa summer institute program, rescind ch 17, Notice ARC 2295B ..... 2/19/03 1122

Accelerated career education grant program, ch 19, Notice ARC 2294B ..... 2/19/03 1122

Iowa national guard educational assistance program, 20.1, Notice ARC 2293B ..... 2/19/03 1123

Approval criteria for postsecondary schools, 21.1, Filed ARC 2299B ..... 2/19/03 1165

Iowa grant program, 27.1, Notice ARC 2302B ..... 2/19/03 1124

#### XX:00 CREDIT UNION DIVISION[189]

COMMERCE DEPARTMENT[181]"umbrella"

Forms and instructions, 1.4, Filed ARC 2312B ..... 2/19/03 1165

Organization, chartering and field of membership of a credit union,

2.1, 2.5(1), 2.12(3), 2.12(4), 2.13(1), Filed ARC 2313B ..... 2/19/03 1165

Examination and supervision fees, rescind ch 3, Filed ARC 2314B ..... 2/19/03 1166

Real estate lending, ch 9, Filed ARC 2315B ..... 2/19/03 1166

Commercial paper purchased for investment, 17.1, Filed ARC 2316B ..... 2/19/03 1166

#### XX:00 DENTAL EXAMINERS BOARD[650]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Dental assistant trainee status, 20.4(1), 20.4(2), 20.6(1), 20.6(2), Filed ARC 2310B ..... 2/19/03 1167

#### XX:00 EDUCATIONAL EXAMINERS BOARD[282]

EDUCATION DEPARTMENT[281]"umbrella"

Requirements for a standard license, 14.112, Notice ARC 2311B ..... 2/19/03 1125

#### XX:00 ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]

Professional Licensing and Regulation Division[193]

COMMERCE DEPARTMENT[181]"umbrella"

Licensure fees, 2.1, Notice ARC 2307B ..... 2/19/03 1126

#### XX:00 ENVIRONMENTAL PROTECTION COMMISSION[567]

NATURAL RESOURCES DEPARTMENT[561]"umbrella"

Animal feeding operations—master matrix, separation distances, fees, manure management plans,

65.1, 65.3(3)"g," 65.9(1)"n," 65.10, 65.11(2), 65.16(1), 65.16(3) to 65.16(7),

ch 65 appendix C, ch 65 tables 6 and 7, Filed Emergency After Notice ARC 2321B ..... 2/19/03 1145

#### XX:00 GENERAL SERVICES DEPARTMENT[401]

Office space management, 3.1, 3.6, Filed ARC 2283B ..... 2/5/03 1088

#### XX:00 LABOR SERVICES DIVISION[875]

WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"

Record-keeping—occupational injuries and illnesses, 4.3, Notice ARC 2291B ..... 2/19/03 1140

# MARCH 2003 AGENDA

## LABOR SERVICES DIVISION[875] CONTINUED

Safety standards for exit routes, emergency action plans, and fire prevention plans, 10.20, <u>Notice</u> ARC 2282B.....	2/5/03	1049
Safety standards for signs, signals and barricades, 26.1, <u>Filed</u> ARC 2281B.....	2/5/03	1090

## XX:00 NATURAL RESOURCES DEPARTMENT[561]

Rules of practice in contested cases, 7.1 to 7.4, 7.9(1), 7.9(4), 7.9(6), 7.10(1)"d," 7.12(1)"a," 7.12(2), 7.13, 7.15(2)"b," 7.15(3)"b"(2), 7.15(5)"d," 7.15(7)"b," 7.16, 7.17, 7.17(1), 7.17(5) to 7.17(7), 7.18, 7.19, <u>Filed</u> ARC 2303B.....	2/19/03	1168
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## XX:00 PROFESSIONAL LICENSURE DIVISION[645]

PUBLIC HEALTH DEPARTMENT[641]"umbrella" Barber examiners, 21.2(1)"f," 21.10(6), 21.11(7); ch 23; 26.1(8), <u>Filed</u> ARC 2309B.....	2/19/03	1168
Optometry examiners, 180.1, 180.5(3) to 180.5(5), <u>Filed</u> ARC 2252B.....	2/5/03	1091
Podiatry examiners, 220.1, 220.9(3) to 220.9(5), 223.3, <u>Filed</u> ARC 2253B.....	2/5/03	1091

## XX:00 RACING AND GAMING COMMISSION[491]

INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella" Ruling from other jurisdictions; service of administrative actions; certified peace officers; license probationary periods; grounds for discipline; filing of claim for horse; license fee; submission of medication reports; 4.4(1)"b," 4.5(5), 4.6(1)"b," 4.6(5)"b," 4.8, 4.9, 5.4(5)"a," 6.7, 6.15, 6.16(5)"c," 9.6(15)"a"(1), 10.7(4)"c," 11.1, 11.12(8)"n"(3), (4), (6) and (7), 11.12(8)"o," <u>Filed</u> ARC 2280B.....	2/5/03	1093
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## XX:00 STATE PUBLIC DEFENDER[493]

INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella" Approval and review of attorney fee claims, 1.4(4), 12.2(9), 12.6, 12.8(1)"b" and "e," 12.9(1)"a," 12.9(2)"b," <u>Filed</u> ARC 2262B.....	2/5/03	1094
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## XX:00 TRANSPORTATION DEPARTMENT[761]

Procurement of equipment, materials, supplies and services, 20.2(4)"a" and "b," 20.3, 20.4(1) to 20.4(3), 20.4(7), 20.5, 20.8, <u>Filed</u> ARC 2266B.....	2/5/03	1094
Keep Iowa beautiful program, adopt ch 122, <u>Filed</u> ARC 2265B.....	2/5/03	1095
Federal motor carrier safety regulations—adoption by reference, 520.1(1)"a" and "b," 520.2, <u>Notice</u> ARC 2263B.....	2/5/03	1067
For-hire interstate motor carrier authority—cross reference updated, 529.1, <u>Notice</u> ARC 2264B.....	2/5/03	1069

## XX:00 UTILITIES DIVISION[199]

COMMERCE DEPARTMENT[181]"umbrella" Rules revisions as required by executive orders 8 and 9, 19.1(1) to 19.1(3), 19.2, 19.3, 19.5(2), 19.5(3), 19.6(5) to 19.6(7), 19.7(4), 19.7(7), 19.9, 19.10(1)"d," 19.10(5), 19.11(6), 19.12(4), 19.13(4)"c," 19.15, 19.16(5), 20.1, 20.2, 20.2(2) to 20.2(5), 20.3(2), 20.3(6), 20.3(13), 20.6(5) to 20.6(7), 20.7(8), 20.8(3), 20.9(2)"b"(6), 20.10(2)"c," 20.10(7) to 20.10(9), 20.11, 20.12, 20.14(4), 20.15 to 20.17, 21.1, 21.2(1), 21.3(5)"c," 21.6(6), 21.8(3)"e," 35.14, 35.15, 36.7, 36.8, <u>Notice</u> ARC 2284B.....	2/5/03	1069
Customer rights and remedies to avoid disconnection, 19.4(15)"h"(3), 20.4(15)"h"(3), <u>Notice</u> ARC 2285B.....	2/5/03	1079