

DECEMBER 2003 AGENDA Final Revision

12-01-03

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, December 9, 2003, at 8:50 a.m. and Wednesday, December 10, 2003, at 8:30a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: No. 10, 11 (11/12/03, 11/26/03)

Also refer to: 6/11/03, 8/6/03, 8/20/03, 9/3/03, 9/17/03, 10/1/03

Bulletin

Page

Tuesday, December 9th

- 8:50 AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]** Ronald Rowland (281-8619)
Whitetail deer hunting preserves; mule deer, farm deer, adopt ch 57;
64.44, 64.104, 64.106(1), 64.109, 64.119 to 64.124, 65.12,
76.14, 76.15, Filed **ARC 2976B**..... 11/26/03 962
Sorghum, rescind ch 59, Filed **ARC 2958B**..... 11/26/03 966
Feeder pig dealer bonding/letter of credit requirement,
66.13, 66.20"1," Notice **ARC 2957B**..... 11/26/03 942
- 9:20 GROW IOWA VALUES BOARD[264]** Melanie Johnson (242-4862)
ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella"
Rules applicable to all chapters; organization and structure; grow Iowa values fund financial assistance;
university and college financial assistance program; administrative procedures
waivers and variances, chs 1 to 4, 51 to 55, Filed **Emergency After Notice** **ARC 2917B**..... 11/12/03 893
- 10:00 TRANSPORTATION DEPARTMENT[761]** Julie Fitzgerald (239-1362)
Airport improvement program; commercial air service marketing program;
commercial air service vertical infrastructure program; Iowa airport registration,
700.2, 710.3, 710.4(3)"b," 710.5(3), 715.3(3) to 715.5, 715.7, 715.7(5),
716.1, 716.3, 716.5(1) to 716.5(3), 716.6, 716.7(2), 716.8(3), 720.4(1), 720.4(5),
720.4(6), 720.5(1), 720.10(2)"b," 720.10(3)"a," Notice **ARC 2914B**..... 11/12/03 890
General aviation hangar revolving loan fund, rescind ch 718, Notice **ARC 2913B**..... 11/12/03 892
- 10:15 TO 10:30 break**
- 10:30 REAL ESTATE COMMISSION[193E]** Roger Hansen (281-7361)
Professional Licensing and Regulation Division[193]
COMMERCE DEPARTMENT[181]"umbrella"
Reduction of license fees, 9.1, Notice **ARC 2673B**, Terminated **ARC 2927B**..... 11/12/03 890
- 10:40 SECRETARY OF STATE[721]** Sandra Steinbach (281-5823)
Electronic transmission of election results, 22.1, 22.3(3), 22.5(3), 22.30, Filed **ARC 2939B**..... 11/12/03 909
Election administration—administrative complaint procedure, adopt ch 25, Filed **ARC 2928B**..... 11/12/03 910
- 11:00 HUMAN SERVICES DEPARTMENT[441]** Nancy Freudenberg (281-8438)
Meeting schedule for HAWK-I board; department organizational references updated,
1.10, 1.10(2), 1.10(4)"b," 1.10(5)"a" and "b," Filed **ARC 2920B**..... 11/12/03 904
HAWK-I program—elimination of six-month waiting period for children
previously covered by employer-sponsored health care,
86.2(4)"b," 86.13(6)"e," Filed **ARC 2921B**..... 11/12/03 905
Social services block grant and funding for local services, 153.52(1), 153.53(2), 153.54,
153.55(1)"a"(2), 153.55(1)"b"(2) and (3), 153.55(1)"c," 153.57(1)"d," 153.57(3)"b,"
153.57(3)"b"(1) to (3), 153.57(3)"d," 153.58, Notice **ARC 2922B**..... 11/26/03 945
HELD OVER FROM NOVEMBER
Adoption subsidy program, 130.3(3)"ab," 201.1, 201.3(1)"c," "g" and "h," 201.3(2), 201.3(3),
201.3(5), 201.4, 201.4(4), 201.4(4)"a" and "b," 201.5(1), 201.5(2), 201.5(7), 201.5(9),
201.6(1)"a"(1), (2), (4), (6) and (7), Filed **ARC 2900B**..... 10/29/03 813
SPECIAL REVIEW
COLA, amendments to chapters 51, 52 and 75, emergency, **ARC 3023B**..... special review
- 11:45 COMMITTEE BUSINESS**
approve November minutes-date of January meeting-discussion of fiscal statements-miscellaneous

12:10 to 1:30 lunch

DECEMBER 2003 AGENDA

1:30	INSPECTIONS AND APPEALS DEPARTMENT[481] David Werning (281-7376) Long-term care facilities—manner in which residents may obtain prescriptions, 57.47, 58.51, 62.23(21), 63.45, 65.25(17), <u>Notice</u> ARC 2826B , <u>Terminated</u> ARC 2945B	11/26/03	946
1:40	IOWA FINANCE AUTHORITY[265] Loyd Ogle (242-5650) ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella" General, ch 1, <u>Filed</u> ARC 2973B	11/26/03	968
	State housing trust fund, adopt ch 19, <u>Filed</u> ARC 2972B	11/26/03	969
2:00	IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495] Kelly Lovell (281-3081) Organization, investment board, benefits advisory committee, administrative procedures, qualified benefits arrangement, waivers, adopt chs 1 to 3, 17, 19, 22, 26, 30 to 33; rescind 581—21.1, 581—21.2, 581—21.32, 581—21.33, 581—ch 22, <u>Notice</u> ARC 2926B	11/12/03	862
2:15	ENVIRONMENTAL PROTECTION COMMISSION[567] Marla Gallardo (281-8678) NATURAL RESOURCES DEPARTMENT[561]"umbrella" Manure applicator certification—fees, terminology updated, 65.1, 65.19, <u>Notice</u> ARC 2924B , also <u>Filed Without Notice</u> ARC 2923B	11/12/03	902
	Waste tire management—parenthetical implementations updated, 117.1 to 117.8, <u>Filed</u> ARC 2925B	11/12/03	904
2:30	PROFESSIONAL LICENSURE DIVISION[645] Lois Churchill (242-6385) PUBLIC HEALTH DEPARTMENT[641]"umbrella" Barber examiners, 20.4(2), 20.4(3), 20.6(3), 20.6(4), 21.2(2)"a"(4), 21.4(2)"c," 21.10(6), 21.11(7), 21.12 to 21.15, 22.3, 23.5 to 23.15, 24.4(1)"e"; ch 25; 26.1(13) to 26.1(17), <u>Filed</u> ARC 2961B	11/26/03	970
	Chiropractic examiners, ch 42, <u>Filed</u> ARC 2963B	11/26/03	971
	Chiropractic examiners, 43.1, 43.3(1), 43.3(2)"a," 43.4 to 43.6, 44.3(2)"c" to "f," <u>Filed</u> ARC 2962B	11/26/03	972
	Cosmetology arts and sciences examiners, 60.4"2," 60.6, 60.9 to 60.13, 62.1(5), <u>Notice</u> ARC 2960B	11/26/03	950
	Psychology examiners, 240.6(1)"a," 240.10, 240.12, 240.16, 240.17, 243.1(5) to 243.1(13), <u>Notice</u> ARC 2959B	11/26/03	950
	HELD OVER FROM NOVEMBER Podiatry examiners, 222.3(2)"b" to "g," 223.1 to 223.4, <u>Filed</u> ARC 2891B	10/29/03	818
3:00	PUBLIC HEALTH DEPARTMENT[641] Barb Nervig (281-4344) Volunteer health care provider program, ch 88, <u>Filed</u> ARC 2975B	11/26/03	952
3:10	EDUCATIONAL EXAMINERS BOARD[282] Anne Kruse (281-5849) EDUCATION DEPARTMENT[281]"umbrella" Reporting of contract nonrenewal or termination or resignation, based on allegations of misconduct, 11.37, <u>Notice</u> ARC 2929B	11/12/03	861
	Endorsements for elementary and secondary school principals, 14.142(1), 14.142(2), <u>Filed</u> ARC 2931B	11/12/03	901
	Paraeducator certificates, 22.6(5), 22.7(2), 22.7(5), 22.13(1), <u>Filed</u> ARC 2930B	11/12/03	901

Wednesday, December 10th

8:30	UTILITIES DIVISION[199] Sharon Mayer 1-5256 COMMERCE DEPARTMENT[181]"umbrella" SPECIAL REVIEW: Session Delay Crossing of railroad rights-of-way, adopt ch 42, <u>Filed</u> ARC 2506B	5/28/03	1560
8:40	MANAGEMENT DEPARTMENT[541] Steven Ford (281-3705) Special Review Local government innovation fund committee, adopt ch 15, <u>Notice</u> ARC 2872B	10/15/03	687
8:50	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261] Melanie Johnson (242-4862) New capital investment program, adopt ch 64, <u>Filed</u> ARC 2915B	11/12/03	896
	University-based research utilization program, ch 63, <u>Notice</u> ARC 2916B	11/12/03	859

DECEMBER 2003 AGENDA

9:00	REVENUE DEPARTMENT[701] Dave Casey (281-6163)	
	Amendments necessitated by transfer of finance duties to administrative services department, 5.14(4), 43.3(3) to 43.3(5), 49.7(3), 67.22, ch 150 title, 150.1 to 150.17, <u>Filed ARC 2941B</u>	11/12/03 907
	Tax benefits and exemptions related to military service, 39.12, 40.61 to 40.64, 41.5(11), 52.1(6)"f," <u>Filed ARC 2956B</u>	11/26/03 973
	Investment tax credits, 42.2(10), 52.10(4), 52.14, <u>Filed ARC 2942B</u>	11/12/03 908
	Property rehabilitation tax credits for projects located in cultural and entertainment districts; university-based research utilization program tax credit, 42.15(2), 42.21, 52.18(2), 52.24, <u>Notice ARC 2953B</u>	11/26/03 956
	Eligible housing business tax credits; property rehabilitation tax credits, 42.13, 42.15(4), 42.15(6), 52.15, 52.18(4), 52.18(6), 58.8, 58.10, <u>Filed ARC 2940B</u>	11/12/03 908
	New capital investment program tax credits, 42.19, 52.22, 58.12, <u>Filed ARC 2954B</u>	11/26/03 974
	Motor fuel—definition of "nonterminal storage facility," record keeping, tax rate for gasoline, tax refund for fuel used for public purposes by benefited fire districts, 67.1, 67.3(9) to 67.3(13), 68.2(1), 68.8(20), 69.4(3), <u>Filed ARC 2955B</u>	11/26/03 974
	Property tax credits and exemptions, 78.6(1)"c," 80.2(2)"c" and "t," 80.7(8)"b," <u>Filed ARC 2943B</u>	11/12/03 909
9:30	LAW ENFORCEMENT ACADEMY[501] Penny Westfall (242-5357)	
	Law enforcement officer certification—training, 3.12, <u>Filed ARC 2944B</u>	11/12/03 905
	Reserve officer personal standards, ch 10 title, div I 10.1 to 10.10, div II, 10.100 to 10.106, <u>Notice ARC 2978B</u>	11/26/03 947
10:00	ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351] Charlie Smithson (281-3489)	
	Definitions of "committee," "candidate," and "ballot issue," 4.1(1)"a," 4.1(4), 4.1(5), <u>Notice ARC 2971B</u>	11/26/03 943
	Officers of a candidate's committee, 4.4(1), <u>Filed ARC 2968B</u>	11/26/03 966
	Campaign contributions sent by mail—date of contribution, 4.14(2), <u>Filed ARC 2965B</u>	11/26/03 966
	Information required for a trust to avoid a contribution in the name of another person, 4.31, <u>Filed ARC 2967B</u>	11/26/03 967
	"Paid for by" attribution statement on political materials and advertisements, 4.38(2), 4.39, 4.41 to 4.43, <u>Notice ARC 2970B</u>	11/26/03 944
	"Paid for by" attribution statement on Web sites, 4.42(2), <u>Filed ARC 2966B</u>	11/26/03 967
	Filing of campaign disclosure reports—use of computer owned by corporate entity permitted, 4.46, <u>Filed ARC 2969B</u>	11/26/03 968
	Petitions for rule making; executive branch lobbying, chs 8, 13, <u>Filed ARC 2964B</u>	11/26/03 968
10:30	ADMINISTRATIVE SERVICES DEPARTMENT[11] Carol Stratemeyer (281-6134)	
	Department organization, adopt ch 1; rescind 401—ch 1, 471—ch 1, 581—19.1, <u>Notice ARC 2788B</u> , <u>Terminated ARC 2933B</u>	11/12/03 834
	Public records and fair information practices, adopt ch 4; rescind 401—ch 2, 471—ch 2, 581—ch 17, <u>Notice ARC 2936B</u>	11/12/03 834
	Petitions for rule making, adopt ch 5; rescind 401—ch 18, 471—ch 3, 581—19.14, <u>Filed ARC 2952B</u>	11/26/03 961
	Agency procedure for rule making, adopt ch 6; rescind 401—ch 19, 471—ch 4, 581—ch 31, <u>Filed ARC 2951B</u>	11/26/03 961
	Declaratory orders, adopt ch 8; rescind 401—ch 17, 471—ch 5, 581—19.2 to 581—19.13, <u>Filed ARC 2950B</u>	11/26/03 961
	Waivers, adopt ch 9; rescind 401—ch 20, 471—ch 7, 581—ch 33, <u>Notice ARC 2938B</u>	11/12/03 841
	Information technology operational standards; information technology development strategies and activities, renumber 471—chs 12, 15 as 11—chs 25, 26; amend 25.1, 25.2(1), 25.2(2), 25.4(1), 25.4(3), 25.5(1), 25.5(2), 25.6 to 25.8, <u>Notice ARC 2947B</u>	11/26/03 938
	Human resources definitions, renumber 581—ch 1 as 11—ch 50; amend 50.1, <u>Notice ARC 2946B</u>	11/26/03 939
	Coverage and exclusions; job classification; separations, disciplinary actions and reduction in force; grievances and appeals, renumber 581—chs 2, 3, 11, 12 as 11—chs 51, 52, 60, 61; amend 51.2,	

DECEMBER 2003 AGENDA

ADMINISTRATIVE SERVICES DEPARTMENT[11]-continued

51.4, 52.4(4), 52.4(6), 52.5(4), 52.5(6), 52.7, 60.2(4) to 60.2(6), 60.3(7), 61.1, <u>Notice</u> ARC 2949B	11/26/03	939
Employee leave, renumber 581—ch 14 as 11—ch 63; amend 63.4(2), 63.10, <u>Notice</u> ARC 2934B	11/12/03	844
Benefits, adopt ch 64, rescind 581—ch 15, 581—ch 33, <u>Notice</u> ARC 2937B	11/12/03	844
Combined charitable campaign, renumber 581—ch 25 as 11—ch 71; amend 71.3(4), 71.3(5), 71.4, 71.4(1), 71.4(3), 71.4(4)“a”and “e,” <u>Notice</u> ARC 2935B	11/12/03	855
Terrace Hill, renumber 401—chs 14, 16 as 11—chs 114, 116; amend 114.7(1), <u>Notice</u> ARC 2948B	11/26/03	942

HELD OVER FROM OCTOBER

Procurement of goods and services of general use; purchasing procedures for state agencies; special rules for the acquisition of data processing equipment, services, or software; centralized purchasing, rescind 401—chapters 7 to 9; adopt 11—chapter 105, <u>Filed</u> ARC 2885B	10/29/03	796
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No representative requested to appear

XX:00 DENTAL EXAMINERS BOARD[650]

PUBLIC HEALTH DEPARTMENT[641]“umbrella” Foreign dental school graduates—licensure, 11.2(2)“a” and “e,” 11.3(2)“a,” 11.4, <u>Notice</u> ARC 2919B	11/12/03	856
Impaired practitioner review committee, ch 35, <u>Notice</u> ARC 2918B	11/12/03	857

XX:00 EMERGENCY MANAGEMENT DIVISION[605]

PUBLIC DEFENSE DEPARTMENT[601]“umbrella” Local emergency management commissions, 7.3(4)“d,” <u>Filed</u> ARC 2922B	11/12/03	901
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XX:00 LABOR SERVICES DIVISION[875]

WORKFORCE DEVELOPMENT DEPARTMENT[871]“umbrella” Elevators, 71.1, 71.2(1), 71.2(1)“a” to “d,” 71.2(2)“c,” 71.2(2)“c”(4), 71.2(4) to 71.2(6), 71.3, 71.5(2), 71.5(3)“a,” 71.5(4) to 71.5(8), 71.7, 72.1, 72.1(1) to 72.1(6), 72.2 to 72.6, 72.8 to 72.15, 72.18 to 72.23, 73.1, 73.7(5), 73.8(1), 75.1 to 75.3, 75.6 to 75.8, 76.1, 76.3 to 76.5, 76.6(7), 76.7, <u>Filed</u> ARC 2974B	11/26/03	970
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XX:00 UTILITIES DIVISION[199]

COMMERCE DEPARTMENT[181]“umbrella” Revisions required pursuant to executive order nos. 8 and 9, 19.1(1), 19.1(2), 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, 19.12(4), 19.13(4)“c,” 19.15, 19.16(5), 20.1, 20.2, 20.2(2), 20.2(3) to 20.2(5), 20.3(3), 20.3(6), 20.3(13), 20.6(5) to 20.6(7), 20.7(8), 20.8(3), 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, 21.12(1), 21.3(5)“e,” 21.6(6), 35.14, 35.15 36.7, 36.8, <u>Filed</u> ARC 2932B	11/12/03	911
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