

MINUTES OF THE SPECIAL MEETING
OF THE
ADMINISTRATIVE RULES REVIEW COMMITTEE

Time of Meeting: Thursday and Friday, June 7 and 8, 1984, in lieu of statutory date of June 12, 1984.

Place of Meeting: Senate Committee Room 22, State Capitol, Des Moines, Iowa.

Members Present: Senator Berl Priebe, Chairman; Representative Laverne Schroeder, Vice Chairman; Senator Donald Doyle; Representatives Ned Chiodo and James D. O'Kane. Senator Tieden, excused, on vacation. Also present: Joseph Royce, Committee Counsel; Phyllis Barry, Deputy Code Editor, and Vivian Haag, Administrative Assistant.

Meeting Convened Vice Chairman Schroeder convened the meeting in Room 22, 10:15 a.m.

CONSERVATION COMMISSION Robert Walker, Administrator, County Conservation Boards; Richard Bishop, Wildlife Superintendent; and Leroy Link, Wildlife Research, appeared on behalf of Conservation Commission. The following was before the Committee:

CONSERVATION COMMISSION[290]
Snowmobile registration revenue cost-sharing with public agencies, ch 52 ARC 4679 F 5/23/84
Wild turkey fall hunting regulations, 112.1 to 112.4 ARC 4678 F 5/23/84

Walker briefly reviewed changes since Notice, which included the application deadline changed to September 1 to facilitate the bidding process for groomers. The Iowa State Snowmobile Association and County Conservation Boards support the program. No questions.

112.3(2) Bishop noted that two additional zones will be added to the fall wild turkey season. He called attention to change which will prohibit use of live decoys--112.3(2).

Committee Business Chairman Priebe arrived and assumed the chair. The Committee authorized a supplemental agenda to reflect rules that will be published July 4 and which will become effective prior to August 14.

July Meeting The July meeting was scheduled for July 10, 11 and 12.

AUDITORS OFFICE Gregg Barcus was present to review:

AUDITOR OF STATE[130]
Industrial loan companies, 1.16(5), 1.21 ARC 4603 5/X 4/11/84
Conversion from mutual to capital stock ownership, 6.10, 6.5 ARC 4604 X 4/11/84

6/7/84

AUDITORS Barcus was substituting for John Pringle, who recently took
OFFICE a position with the Federal Home Loan Bank. No questions
Continued re 1.15(5) and 1.21.

Barcus was willing to clarify the "control" or "change of control" in proposed 6.10(1) as recommended by Chiodo. Barcus will also notify Chiodo as to who pays the investigation fee. Priebe questioned whether or not staff would be available. There was brief discussion of appraisal fees. No recommendations.

Recess A short recess was called.

ARTS Marilyn Parks reviewed Iowa Arts Council literary awards,
COUNCIL poetry, 2.3(14)a(2), 2.3(14)d(5), ARC 4661, Notice, IAB
5/23/84.

Parks indicated that the Council was pleased with the large number of entries. Award amounts were mentioned briefly. No recommendation.

STATE Michael Donahoe and Gerald V. Foster, Equitable Life of
COMPTROL- U.S., were present for discussion of Insurance deductions,
LER & chapter 6, ARC 4639, Notice, IAB 5/9/84. The Board of
BOARD OF Regents had an identical rule on the subject published as
REGENTS ARC 4648--rule 8.7, IAB 5/9/84. The agencies were represented by Keith Barnard and Eldon Sperry, Comptroller's office, and Deborah Hunt and Don Volm, Board of Regents.

Royce, for O'Kane, referred to the preamble of chapter 6 and asked for clarification as to whether a public hearing had been scheduled. Sperry had not anticipated a hearing unless it were requested.

Equitable officials, interested in the rules, were willing to attend this open meeting in lieu of a separate public hearing. They had also submitted a letter to the comptroller on the issue. Donahoe pointed out that Equitable was currently working with a large number of state employees and it would be relatively inexpensive to service them under the proposed rule.

However, Donahoe voiced opposition to the restriction of 500 "per type" of insurance. Department officials cited Code §79.17, effective July 1, 1983, as the law being implemented--applicable for state employees only. They expressed willingness to review the matter again in an attempt to provide a workable solution. General discussion.

Motion Schroeder took the position that the type of insurance would be irrelevant. Chairman Priebe suggested that Commerce Committee Chairmen be apprised of the situation. Schroeder moved that the matter be referred to the respective Legislative Committees, via the Speaker and Lt. Governor, for study. Motion carried.

6/7/84

STATE
COMPTROLLER
BOARD OF
REGENTS

Doyle requested grammatical change in 6.10(8) by substituting "An" for "Any". The Committee suggested a provision in the rule that once an insurance company has reached the 500-employee minimum, a company would not become ineligible should that figure decrease. No other action.

COMMERCE
COMMISSION

Bill Haas, Ray Vawter, Jr., Shane Bock, Maureen Scott, and Diane Munns appeared on behalf of the Commerce Commission. The following agenda was reviewed:

COMMERCE COMMISSION[250]
Service supplied by gas and electric utilities, late payment charge, 19.4(8)"f," 19.4(11), 20.4(9)"f," 20.4(12) ARC 4650 F... 5/9/84
Natural gas procurement and contracting practices, 19.10(4), 19.10(5)"c," 19.11(1)"e" and "f," 19.11(2)"f"(4) ARC 4677 F... 5/23/84
Electric energy adjustment clause, 20.9(4), filed emergency ARC 4661 F.E... 5/9/84
Gas, electric and water utilities uniform extension policies, 19.3(10)"b"(1) and (2)"2"; 20.3(13)"b"(1) and (2)"2";
21.3(12)"b"(1), (2) and (3) ARC 4676 N... 5/23/84

19.4
20.4

Discussion of amendments to rules 19.4 and 20.4.
Schroeder raised question re charging customer interest on first seven days they are late with payment. It was his contention, with this policy, that credit should be given for early payment. He cited unpredictable mail service as justification for five days where no interest would be charged for late payment.

Haas could foresee administrative problems for utility companies. Schroeder insisted that the computer could be utilized. Haas pointed out that a gas or electric bill is technically due the date issued but utility companies allow a 20-day grace period as provided in 1983 Acts, chapter 127, §37. The Committee wanted assurance that the actual late payment rate paid by the customer would be no greater than 1½ percent set out in the subrules. Possible solutions to the problem were mentioned by the ARRC.

Motion to After further discussion, Schroeder moved that a 70-day
delay 70-days delay be placed on subrules 19.4(11) and 20.4(12) for
19.4(11) further study to determine whether the interest rate
20.4(12) requires further definition.

Munns opined the provisions were consistent with the law. Haas saw the problem as being one of interpretation. The Committee concurred. Schroeder suggested that Commerce officials return at the July meeting with possible solution. Point was made that the specific amendments to the rules were unrelated to the issue being discussed.

Vote The motion to delay carried viva voce.

19.10(5)c

Amendments to rules re natural gas procurement were reviewed. O'Kane referred to 19.10(5)c and asked about change from the Federal Reserve Statistical Release to commercial paper rate quoted in "Money Rates" section of the Wall Street Journal. Haas recalled it was 18 percent in the C19 and estimated the commercial paper at 11.4 percent. He explained that these refunds were from pipeline companies over which the distributing

6/7/84

COMMERCE
COMMISSION
Continued

utility company has no control. The Commission did not want a penalty interest rate. General discussion. Haas assured ARRC that Commerce Staff was aware of the date of a major change in interest rate and when refunds are forthcoming. O'Kane could see opportunity for shopping around. Haas concurred in part but pointed out that the commercial paper rate fluctuates very little.

20.9(4) Munns gave a brief overview of emergency subrule 20.9(4) intended to implement 1983 Acts, HF 312, which requires that if a utility uses automatic adjustments of rates and charges, the adjustment must be reduced to zero at least once every 12 months.

In April, when Commerce realized that no utilities were in compliance, they imposed a time limitation. The same rule was Noticed on June 6. Schroeder had reservations about the legislation and could see opportunity for manipulation. General discussion. Vawter admitted the area would be difficult to monitor and added that not all utilities have suppliers, e.g., investor-owned. Time of "roll in " would be significant.

Haas indicated they plan to set out, in rule form, what the Commission expects to see in an energy adjustment clause (EAC).

Extension
Policies

No action taken on gas, electric and water utilities uniform extension policies. Oral presentation will be permitted as requested by the Homebuilders Association.

Recess

Committee was recessed for lunch at 11:45 a.m. to be reconvened at 1:30 p.m.

Reconvened

Chairman Priebe reconvened the meeting at 1:35 p.m.

DEPARTMENT
OF
CORRECTIONS

Broxann Keigley appeared on behalf of the Department to review:

CORRECTIONS, DEPARTMENT OF[291]

Miscellaneous amendments, 1.1, 1.2, 1.6(1) to 1.6(3), 11.3(1), 20.12(4)"c" 2., 40.4(2), 50.5(5)"b" ARC 4669 E..... 5/23/84

Confidentiality of records, ch 6, file Emergency ARC 4656 F.F.N. 5/23/84

Definition, confidentiality of records, 1.1, ch 5 ARC 4657 N..... 5/23/84

Keigley said that modifications recommended by Doyle had been made. No questions re miscellaneous amendments found in ARC 4669, 1.1 or chapter 5.

BOARD OF
PAROLE

Robert G. Tangeman was present on behalf of Board of Parole to explain proposed amendments to 3.6(2) and (3) pertaining to inmate interviews--ARC 4643, IAB 5/9/84. Tangeman noted that reference to "Iowa Security Medical Facility" should be changed to "Iowa Medical and Security Facility." It was agreed this could be done when the amendments are adopted.

HUMAN
SERVICES

Mary Ann Walker, Joe Mahrenholz, Kathi Kellen, John Stralow, W. L. Eubanks, John Terrell, M. E. Imlau and Dan McKeever were present for the Department of Human Services.

6/7/84

HUMAN
SERVICES
Continued

The following agenda was before the Committee:

HUMAN SERVICES DEPARTMENT 4981
Fair hearings and appeals, ADC, 7.1(14), 7.9, 40.2(5)"d" ARC 4666 F 5/23/84
Fair hearings and appeals, 7.7(2)"g" ARC 4667 F 5/23/84
Medical assistance, 78.2(2)"e" ARC 4668 F 5/23/84
Unemployed parent, 42.4(2)"a", 42.4(4)"a" ARC 4642 N 5/9/84
Medical assistance, eyeglasses, 78.1(18), 78.6, 78.7, 79 (18) ARC 4640 N 5/9/84
Payments for foster care, special needs, 156.8 ARC 4647 N 5/9/84
Certification of adoption investigators, ch 107; appeals, 200.11 ARC 4671 N 5/23/84

- 7.1 et al In re fair hearings and appeals, Walker said time will be allowed for filing an appeal as mandated by the federal government. Terrell referred to a suit filed by Legal Services Corporation against the Department regarding interpretation of the federal regulations--based on case law.
- 7.7(2)g No questions re 7.7(2)g. Schroeder questioned justification for the 50¢ dispensing fee in 78.2(2)e. No action.
78.2(2)e No questions re unemployed parent subrules 42.4(2)a and 42.4(4)a.
- Medical Kellen estimated a net savings of \$19,500 to the state
Assistance under proposed amendments to rules governing medical
for assistance for eyeglasses. The client would not be al-
Eyeglasses lowed to supplement the Medicaid payment to purchase a
higher priced frame.
- Discussion of 156.8. Priebe was advised that transportation allowance would be the same rate as for state employees--24¢ per mile. Walker stated that proposed chapter 107 and rule 200.11 would be withdrawn because substantial changes are needed.
- FAIR BOARD Jerry Coughlon, on behalf of the Fair Board, presented dismantling of exhibits, 4.17, ARC 4664, Notice, IAB 5/23/84.
- Schroeder inquired if there were situations where exhibitors were authorized to dismantle early and leave. Coughlon responded there had not been in the last two years when the Fair closing was on a Saturday.
- Doyle cautioned that "any or all" could create legal problems if part of the equipment were removed, i.e., a computer or a TV set. Schroeder suggested adding "except when authorized by the fair board". Coughlon was amenable. Priebe recommended changing "may" to "shall". Doyle was interested in ensuring there would be someone to grant permission for removal of partial equipment and Coughlon saw no problem.
- Recess Chairman Priebe recessed the meeting for 15 minutes.
- Committee Chiodo moved that Royce be given a 3-step merit pay
Business increase effective July 1, 1984. He cited increased workload and technical nature of the job as justification. Schroeder added the increase would ensure comparable pay with similar positions. Motion carried with 4 ayes. Tieden and O'Kane not present.
- Royce
Salary

6/7/84, 6/8/84

AGRICULTURE Merle H. Lang, State Veterinarian, and Mark Truesdell,
DEPARTMENT Livestock Health Advisory Council, appeared to review:

AGRICULTURE DEPARTMENT[30]

Ethylene dibromide(EDB) residue levels in food, 10.45(4), 10.45(5) ARC 4681 F 5/23/84
Infections and contagious diseases, 16.1 ARC 4682 F 5/23/84

10.45(4)(5) In re 10.45(4)(5), Dr. Lang briefed the Committee with respect to the ethylene dibromide (EDB) residue levels in food. He stated that the poultry and turkey industries were attending a conference in Minnesota on the matter. He observed that Iowa was fortunate in escaping a problem of exotic disease in poultry. General discussion.

No recommendations were offered re 16.1, infections and contagious diseases.

LIVESTOCK Mark Truesdell referred to the Council's Notice in IAB
HEALTH 5/23/84, ARC 4670 and commented that since the Council
ADVISORY had not met, specific proposals were not included.
COUNCIL

Schroeder raised question about vaccine for poultry as a preventive measure to avoid total loss of flock. O'Kane was informed that actual allocations will be set out in the filed version of the rule.

Royce addressed the somewhat unique situation of rule-making by the Council as set out in Code section 267.6. There was general discussion with Truesdell agreeing to request the Council to schedule their meeting, in future years, so the Notice can include specific allocations. No other comments.

Recess Chairman Priebe recessed the Committee at 2:40 p.m. to be reconvened at 9:00 a.m. Wednesday, June 8, 1984.

Wednesday Chairman Priebe reconvened the meeting at 9:00 a.m.,
June 8 June 8, 1984, Room 22. Tieden and Chiodo absent.

HEALTH Peter Fox, Irene Howard, and Keith Rankin, Barber Board,
DEPARTMENT represented Health Department for review of:

HEALTH DEPARTMENT[470]

Mortuary science examiners, communicable disease and fees, 146.1(3), 147.1(1), 147.2(2)

ARC 4659 N 5/23/84
Barber examiners, continuing education, germicidal solution, 152.102(4), 153.7(2)a ARC 4686 N 5/23/84

Mortuary According to Fox, amendments to 146.1 and chapter 147
Science would require funeral directors to take special precautions when the deceased was a victim of AIDS. Fox reviewed the requirements to prevent spread of the disease.

Barbers Under proposed 152.102(4), Barber rules would be consistent with those of Cosmetology. Re 153.7(2)a, Priebe indicated a barber had questioned removal of formalin from the approved germicidal solution list. Fox responded that recent studies have shown resulting

6/8/84

HEALTH DEPT. Cont'd irritation from its use. Other suitable solutions are available. Rankin interjected that it is found to be carcinogenic under certain situations--few barbers use it. General discussion. No action.

NURSING HOME ADMINISTRATORS Fox reported that 3.2(2), ARC 4649, Filed, IAB 5/9/84, removes the 31-day grace period for submitting reports of continuing education. No comments.

BOARD OF NURSING Larinda Inman and Dorothy Jackson were present for the Board of Nursing. The following agenda was reviewed:

NURSING, BOARD OF[590]

Licensure to practice registered nurse/licensed practical nurse, disciplinary proceedings, chs

3, 4, 8 ARC 4662 F 5/23/84

Certified obstetric gynecologic nurse practitioner, 7.1(11), 7.2(1)"f" ARC 4644 F 5/9/84

Nursing practice for registered nurses/licensed practical nurses, 6.3(3)"g" and "h," 6.6 ARC 4663 N 5/23/84

Inman gave brief overview of the amendments to chapters 3, 4 and 8.

Discussion of 3.1(6)j which would impose a \$20 fee for a returned check. Doyle referenced proposed legislation this year which would have limited the amount charged for a returned check. Point was made that the applicant could be faced with additional charge of \$30 should a check bounce.

Doyle recalled the general feeling of legislators was that \$10 would be ample charge in such cases and he opined the rule was unreasonable. It was Committee consensus that the paragraph j should be amended by reducing the fee \$20 to \$10.

Schroeder questioned lead time of three months in 3.4(3)a(1) for the head of each nursing program to submit information about students who are anticipated to complete the program and be eligible for examination. Inman indicated this was minimum--actually, more time was needed. She enumerated chain of events and pointed out that this did not pertain to actual application from the student.

No questions re 6.3(3), 6.6 or 7.1. Inman advised ARRC that the Board was considering a "general umbrella"--instead of the various levels of practitioner there would be only an "advanced registered nurse practitioner." Any category of nurse with satisfactory credentials could apply and become an ARNP.

Minutes Short recess. Doyle moved approval of the May minutes. Carried.

Committee Business Doyle moved to clarify two previous motions made with respect to Royce's salary change by classifying him at a grade 32-1 with an annual salary of \$28,704.00 [\$1,104]. Royce Salary Motion carried.

6/8/84

PLANNING AND
PROGRAMMING

Joanne Callison appeared for review of youth affairs, 14.4, 14.5, ARC 4684, Notice, IAB 5/23/84. Minor changes were necessary since the Governor's Youth Council will no longer exist after July 1.

Priebe mentioned government poverty level guidelines and was told they are changed each year to meet income levels. The level for a family of four would be \$11,000 to \$12,000. Priebe preferred the levels be listed each year and updated for general public information. Committee concurred. Callison was amenable.

14.4

In response to Doyle's inquiry re 14.4(4), Callison said the 19½ year old would not be forced to drop classes until the completion of the school year.

PUBLIC IN-
STRUCTION
DEPT

Orrin Nearhoof and DeeAnn Wilson were present on behalf of the Department of Public Instruction for review of endorsements, approvals, 15.46 to 15.48, 16.25, 16.29 to 16.31, ARC 4683, Notice, IAB 5/23/84.

According to Nearhoof, the proposed rules provide for inclusion of certain areas of special education personnel, the change in terminology for the "emotionally disabled" and the inclusion of approval standards for postsecondary personnel.

Doyle was told that regionally accredited graduate schools were institutions divided into regional associations under the Commission of Postsecondary Education of the United States Government--North Central, Western, Southern and Midland States. Usually, undergraduate institutions, bible colleges, bible institutes, etc. are not accredited.

Nearhoof anticipated that rules 15.46 and 15.47 would generate a great deal of comment at the public hearing scheduled for June 20. The second paragraphs of each rule may be deleted prior to final draft. General discussion.

In a matter not before the Committee, Doyle mentioned a court case in Sioux City involving lack of qualified teachers for the hearing impaired. Nearhoof said authorization for those teachers can be issued by DPI. Experience in "signing" would be a prerequisite.

Royce had conferred with Health Department officials concerning possible implementation of rules by Deaf Services--an independent agency under the Department.

PUBLIC
SAFETY

Wilbur R. Johnson, Fire Marshal, was present to review:

PUBLIC SAFETY DEPARTMENT[680]
Fire marshal, self service motor fuel dispensing stations, 5.305(1) b. "Gled emergency" ARC 4665 E.E.N. 5/23/84
State of Iowa building code, 16.124(1), 16.200, 16.500, 16.622, 16.623(3), 16.626(1) a. "16.626(2), 16.705(1) d(2).
16.705(1) to 16.705(3), Table 705A ARC 4680 N 5/23/84

PUBLIC
SAFETY
Continued

Johnson said that amendment to 5.305(1)b deletes language that would be prohibitive in certain instances. He briefly reviewed recommended changes in state building code--chapter 16 amendments. Mention was made of possible legislation for a state electrical code. No recommendations.

SOIL CON-
SERVATION

Bill McGill represented Soil Conservation for review of:

SOIL CONSERVATION DEPARTMENT[780]

Iowa financial incentives program for soil erosion control, 5.41, 5.41(1), 5.41(3), 5.41(7).

5.51(1)" ARC 4674

County land preservation and use commission funding, 7.10, 7.23, 7.24, filed emergency ARC 4672

Conservation practices revolving loan fund, 9.10, filed emergency ARC 4673

N 5/23/84
FF N 5/23/84
FF N 5/23/84

McGill advised that 8.6 million dollars will be added for funding in 1985. Discussion of 5.41(7) relative to funding for the tillage research program.

Amendments to chapter 7 implement 1983 Iowa Acts, chapter 202, §15, subsection 3 as amended by 1984 Iowa Acts, HF 2520, sections 22 and 23. No questions. No action taken re 9.10.

DEPT OF
TRANSPOR-
TATION

Ron Hughes appeared for the following:

TRANSPORTATION, DEPARTMENT OF[820]

Interstate motor vehicle fuel permits and transport carrier registration, (07.F) 7.4(4)"a," notice ARC 4600

terminated ARC 4652

Interstate motor vehicle fuel permits and transport carrier registration, (07.F) 7.4(4)"a" ARC 4654, also filed

emergency ARC 4653

N 5/23/84
FF N 5/23/84
FF N 5/23/84

Hughes reported that quarterly tax reports would be mailed this month to permit holders. Royce noted he had not received a copy of the forms which he had requested. No action taken.

EMPLOY-
MENT
SECURITY

Joseph Bervid and James Hunsaker offered the following amendments:

EMPLOYMENT SECURITY[370]

Gender changes and miscellaneous amendments to chs 1, 4, 5, 6, 7 and 10 ARC 4655

Employer's contribution and charges, claims and benefits, job placement services, forms, 3.88, 4.2(1)"b"(8),

4.7(2), 4.43(3), 4.43(4), 4.46, 7.15, 10.10 ARC 4660

F 5/23/84
F 5/23/84

Bervid emphasized that the changes were basically non-substantive. Discussion of lost and uncashed warrants which have been issued in payment of benefits--4.43(3). The claimant will be required to file a report with the local police authority with respect to possible theft of an unemployment check. Schroeder favored a mechanism whereby the claimant could terminate the reprocessing of a check. He added, "There should be some leeway for slow postal service." Bervid spoke of the comptroller's involvement and the complexity of stop-payment action. Hunsaker indicated a phrase could be added to allow claimant to call when a check is received. Doyle made the point that someone other than claimant might call. Bervid thought the individual should come to the office. Department officials were willing to pursue a method to speed up the process. No formal action.

Rules addressing eligibility for the food stamp program were from Human Services.

6/8/84

CIVIL RIGHTS COMMISSION Artis Reis appeared for discussion of organization and administration, 1.2, ARC 4658, filed, IAB 5/23/84. Royce referred to 1.2(2)b and asked if the legislative liaison would be a full-time position. Reis answered in the negative, adding that their plan was to track legislation which might impact their agency. Civil Rights funnels information to 22 Human Rights Commissions around the state.

WATER, AIR & WASTE MANAGEMENT Jerry Tonneson, Morris Preston and Bill Anderson appeared for DWAWM to consider:

WATER, AIR AND WASTE MANAGEMENT(1900)
Monitoring, analytical and reporting requirements, amendments to ch 63 ARC 4646F.....5/9/84
Air quality, waste water treatment, waste disposal, clarifying amendments to chs 20, 23, 65, 69, 101 to 106 ARC 4646 ...N...5/9/84
Controlling pollution, 22.3(3)"g"; 22.5(1)"c"; 22.5(1)"d"(2); 22.5(1)"f"(5) and (7); 22.5(1)"m"; 22.5(2)"d," "e" and "f";
22.5(4)"b," "c," "f," "g," and "i"; 22.5(5); 22.6 ARC 4641N...5/9/84

ch 63

Anderson gave a brief overview of the agenda. Amendments to chapter 63 had been through the public hearing process, comments were received and revisions had been made.

Schroeder was told that dumping alcohol sewage on highways would be a misdemeanor. DOT can prosecute under the law when a violation is confirmed by a witness. General discussion. Preston did not anticipate controversy over the rules.

The rules would apply to a few alcohol plants, with permits, which allow discharge of wastewater into a stream. That type of operation would be monitored. If the plant did not normally discharge or was a city plant, these requirements would not apply.

Doyle referenced a constituent's problems with wells that were dug near Sioux City disposal plant and DWAWM officials agreed to check with the regional office on the matter.

Department officials advised ARRC that air quality amendments will remove inconsistencies and requirements on the public that do not contribute to environmental management. Examples: The odor rules--many complaints are disputes between neighbors and determination of violation is difficult. Also, local governments will now be responsible for storage, collection and transportation of their solid waste.

No questions re amendments to chapter 22.

ENERGY POLICY COUNCIL

James E. Smith represented the Council for rules 11.15 to 11.18 re contested case proceedings, ARC 4638, IAB 5/9/84. He informed the ARRC there was very little activity with respect to the rules.

Schroeder referred to 11.7 and could foresee a conflict in providing that the council or director rule on application for rehearing.

6/8/84

ENERGY
POLICY
COUNCIL
Cont'd

Schroeder opined that if the "Council directs", it should be "scheduled by the director."

Smith saw no problem with a conflict. Usually, a hearing officer from another agency conducts the hearing.
No other questions.


National Conference of State Legislatures
Schroeder moved that two members of the ARRC be authorized to attend the NCSL July 25 and 26 with expenses paid from \$17A.8(3). Carried unanimously.

Chairman Priebe recessed the meeting at 1:15 p.m.

The Committee was reconvened at 1:30 p.m. There being no further business, the meeting was adjourned.

July Meeting
The next regular meeting was scheduled for July 10, 11 and 12.

Respectfully submitted,


Phyllis Barry, Secretary
Assisted by Vivian Haag

APPROVED:


CHAIRMAN