

**MINUTES OF THE SPECIAL MEETING
OF THE
ADMINISTRATIVE RULES REVIEW COMMITTEE**

Time of meeting The special meeting of the Administrative Rules Review Committee (ARRC) was held on Monday, March 9, 1992, in Senate Committee Room 22 and Room 116, State Capitol, Des Moines, Iowa.

Members present Senator Berl E. Priebe, Chairman; Representative Emil S. Pavich, Vice Chairman; Senators Donald V. Doyle, H. Kay Hedge, John P. Kibbie, Dale L. Tieden; Representatives Ruhl Maulsby, Janet Metcalf, David Schrader and Jane Teaford.

Staff present: Joseph A. Royce, Legal Counsel; Paula S. Dierenfeld, Governor's Administrative Rules Coordinator; Phyllis Barry, Administrative Code Editor; Mary Ann Scott, Administrative Assistant; Caucus Staff and other interested persons.

Convened The meeting was called to order by Chairman Priebe at 7:30 a.m. and the following agenda for Human Services Department was before the Committee:

**HUMAN
SERVICES**

HUMAN SERVICES DEPARTMENT[441]

Departmental organization and procedures, 1.3, 1.4, Filed ARC 2779A 2/19/92

Agency procedure for rule making, 3.5(2), Filed ARC 2780A 2/19/92

Administration of ADC, food stamp and Medicaid programs, 7.5(6), 7.5(7), 7.7(2)"k" and "l," 11.1, 40.2(5)"c," 40.4(3), 40.7(1) to 40.7(4), 41.7(2)"d"(2), 65.1, 65.2, 65.19(2)"c," 65.19(6)"d"(3), 65.19(19), 65.20(1), 76.7, 76.12(3), Filed ARC 2745A 2/5/92

Application for ADC, emergency assistance, Medicaid, state supplementary assistance, burial benefits food stamps, 40.1, 40.3, 50.2(3), 50.2(3)"b" to "d," 56.1, 57.7, 58.3(1), 58.3(2), 65.1, 65.2, 65.4, 65.6(1) to 65.6(3), 65.9, 65.10, 65.16, 65.17, 65.19(2)"a" and "b," 65.19(10), 65.19(15), 65.19(17), 65.20(2), 65.29(2), 65.31, 65.36(4)"a," 76.1(1), 76.1(3), 86.2, Filed ARC 2778A 2/19/92

Iowa's self-employed household incentive program, ch 48 title, preamble, 48.1 to 48.3, Filed ARC 2734A . 2/5/92

Medicaid program — lump sum income under the mothers and children coverage group, 75.1(28)"a" Filed ARC 2735A 2/5/92

Health services application form, 75.1(30), 75.1(30)"c"(3) and (4), 76.1, 76.1(3), Notice ARC 2790A ... 2/19/92

Community-based alternative services for persons with mental retardation, 77.37, 78.41, 79.1(1)"c," 79.1(2), 79.1(15), 80.2(2)"a1," 83.60 to 83.70, Filed Emergency After Notice ARC 2746A 2/5/92

Procedure and method of payment — screening services, 80.2(2)"f," Notice ARC 2740A 2/5/92

PROMISE JOBS program, ch 93 preamble, 93.2(1) to 93.2(3), 93.3, 93.6, 93.8, 93.9, 93.10(1)"e," 93.10(6), 93.11, 93.11(1), 93.11(3) to 93.11(6), 93.11(11), 93.11(14), 93.12(1), 93.12(2)"c," 93.13, 93.14(1), 93.14(1)"d," 93.14(6), 93.14(10)"a," 93.14(11)"d," 93.15(4), 93.18, 93.20(3), 93.29, 93.30, 93.32, 93.32(13), 93.36, 93.39, 93.41(3), 93.41(3)"a" and "e," Notice ARC 2777A 2/19/92

Application for social services, 130.2(1), 130.2(4), 130.2(5), Filed ARC 2736A 2/5/92

Abbreviated case plan, 130.7, 130.7(3)"a" and "b," Notice ARC 2741A 2/5/92

Adoption opportunity grant program, ch 160, Filed ARC 2737A 2/5/92

Juvenile community-based grants, rescind ch 166, Filed ARC 2738A 2/5/92

Family-centered services — extensions, 182.4(2), Filed Emergency After Notice ARC 2739A 2/5/92

Present from the Department were Sally Titus Cunningham, Deputy Director; Mary Ann Walker, Bureau of Policy Analysis; Norma Hohlfeld and other representatives of the Department.

1.3, 1.4

Cunningham provided an update on the Departmental organization (ARC 2779A and ARC 2780A) saying that a Supreme Court ruling had allowed the Department to proceed with restructuring without closing the Des Moines District Office. All 99 counties have been contacted and agreement has been made as to clusters.

**HUMAN
SERVICES
(Cont'd.)**

Agreement was also reached on proposed legislation to be introduced in the Senate. Administrators must be hired for the clusters and the new field structure implemented.

Kibbie inquired about possible layoffs of social workers due to the reorganization. Cunningham responded that last August or early September, field operations reduced staff by 200 as directed by the Governor. She did not know how many of the 200 were 4-year degree social workers.

Responding to Maulsby regarding cost to the counties, Cunningham said it would be less than \$400,000 as a result of transferring staff from district to local offices. The Department has worked with the counties to minimize this cost.

Cunningham informed Schrader that the rules were not substantially changed following the Notice.

7.5(6) et al.

Amendments to 7.5(6) et al. (ARC 2745A) were before the Committee and Priebe inquired about the procedure for recovering overpayments. Walker responded that overpayments result from client and agency error but the federal government requires collection for either error. Income tax setoffs account for most of the collection.

Walker briefed the Committee on ARCs 2778A, 2734A, 2735A, and 2790A. No questions or comments.

77.37 et al.

In ARC 2746A regarding community-based alternative services for persons with mental retardation, Walker said they received extensive comments at the public hearings. Many organizations felt the regulations were excessive. The major concern was that facilities would be limited to three consumers in the living unit. Walker noted that the law will have to be changed in order to certify these facilities. Until that time, the program will be implemented for recipients of services in their own homes.

80.2

No questions on ARC 2740A, procedure and method of payment—screening services.

Ch 93

Amendments to Chapter 93, PROMISE JOBS program were presented. Responding to Tieden's question, Walker said overall costs would not increase but the number of people participating in assessment components would be fewer.

Hohlfeld explained that the waiting list for PROMISE JOBS service occurs when participants are ready to be assigned for training or education component. Availability of funding determines the number of participants. The Department was optimistic that the expanded assessment would reduce the waiting list for education and training services.

There were no comments or questions on the remaining agenda in ARCs 2736A, 2741A, 2737A, 2738A or 2739A.

CORRECTIONS

Fred Scaletta and Kristin Ensign represented the Department of Corrections for special review of the following

CORRECTIONS (Cont'd.)

CORRECTIONS DEPARTMENT(201)

Gifts to inmates, 20.5(2)"b," Notice ARC 2808A 2/19/92
 Furloughs, 20.12(6)"a"(5), Filed ARC 2814A 2/19/92
 Iowa state penitentiary visitation, 21.2, 21.5, Notice ARC 2807A 2/19/92
 Probation — rights of citizenship, 42.1(7), Notice ARC 2809A 2/19/92
 Discharge from parole, 45.6, Filed ARC 2813A 2/19/92
 Temporary holding facilities, 51.9, 51.11, 51.11(1)"f," 51.13(2), 51.13(6)"c," Filed ARC 2812A 2/19/92
 SPECIAL REVIEW Victim reimbursement, 20.11 IAC

Also present: Marti Anderson, Attorney General's Office; Judith Milosevich and Ruth Cooperrider, Citizens' Aide/Ombudsman Office; Don Mason, Prosecuting Attorney's Council; Darrell and Anita Smith, Iowa Cure; Vicki Crompton, Board Member, Crime Victim Assistance Board, Susan Brooks, MADD; and other interested persons.

20.5, 20.12 There were no questions re 20.5 or 20.12(6).

21.2, 21.5 In review of visiting hours for maximum security units Schrader stated that people involved with inmate rehabilitation, consider visitation times as very positive aspects toward rehabilitation. Scaletta informed Schrader that he had received similar comments and he wanted someone from the penitentiary to respond to these concerns. Scaletta noted that the preamble for rules 21.2 and 21.5 failed to mention that amendments would make the penitentiary consistent with other institutions in the state where visitation rooms are closed on Tuesdays and Wednesdays. Scaletta agreed to return to the April meeting with a representative from the penitentiary in attendance.

April meeting There were no questions on amendments to 42.1(7), 45.6 or Ch 51.

Defer Chairman Priebe deferred special review of 20.11 on victim reparation until Senator Doyle arrived.

Committee business—minutes Chairman Priebe called for disposition of the February 3 minutes of the ARRC meeting. Maulsby moved to approve the minutes as submitted. Motion carried.

Next meeting It was announced that the next meeting would be held on Monday, April 13, at 7:30 a.m.

Optometry Royce referred to the letter received by the Committee from the Optometry Board of Examiners wherein the Board defended their position to include CPR training in continuing education requirements. At their meeting held November 12, 1991, the ARRC voted an objection to rule 645—180.12(1)"c" contending CPR training was not relative to optometry continuing education.

Motion — Objection lifted There was brief discussion and Metcalf moved that the objection on 180.12(1)"c" be removed. Motion carried.

ARRC Procedure 1.2(1) Barry distributed copies of the amendment to 1.2(1) of the ARRC Rules of Procedure which adds, "Any objection voted by the committee shall remain in the Iowa Administrative Code regardless of subsequent amendments to the rule until the committee meets and takes formal action to remove the objection." Priebe urged careful monitoring of the new policy.

Tieden asked Barry if she felt this was workable since the burden would fall on the IAC Office. She was willing to assume the responsibility.

ARRC Procedure - Schrader moved the adoption of the amendment. Motion carried with Priebe
Motion recorded as voting "no."

CORRECTIONS The special review of 201—20.11, Victim reimbursement, was before the Committee. Scaletta distributed a packet of information to support implementation of this rule and made introductions.

Scaletta summarized the packet of information which is on file in the office of the Administrative Code Editor. He reviewed rule 20.11 which provides for a restitution plan of payment to be deducted from a credit to an inmate's account from outside sources by written authorization from the inmate, approval from the warden or by court order. Scaletta spoke of his astonishment as to the amount of outside money coming into the institutions and he offered statistics on the eight institutions—each inmate averages \$25.80 weekly which is in addition to the allowance received. Scaletta continued that the Iowa Code requires the Department of Corrections to develop the plan of payment and the Departmental plan is based on present circumstances. Only child support takes precedent over restitution.

Responding to Tieden, Scaletta said that "restitution" includes pecuniary damage to the victim, reimbursement to the Crime Victims Assistance Program, court costs, attorney fees and expenses of the public defender. The Code requires the victim to be paid first. Money received is sent directly to the Clerk of Court who dispenses it to the victims. When the victims and Crime Victim Assistance Program are fully reimbursed, money is applied to costs of prosecuting attorneys. No staff salaries, overhead or administrative costs are deducted—all money goes to victims or the taxpayers.

Pavich in the Chair.

In response to Metcalf, Scaletta was unsure of percentages being collected but could recall only three cases of inmates paying child support.

Scaletta indicated that the Department has discouraged people from sending money when they are asked the question. Basic needs of the inmates are provided—meals, medical care, schooling or treatment programs. Scaletta had testified at many restitution hearings where inmates claimed they cannot pay restitution on their allowance. In all cases he has been able to show where money received has been spent on unnecessary items such as pop, hot chocolate, popcorn, etc. Scaletta was not aware of any case where the District Court had overruled the practice of the Corrections Department collecting restitution until the inmate is released.

Milosevich distributed a packet of material from the Ombudsman Office and Cooperrider outlined for the Committee the legal problems involved. These written comments are on file in the office of the Administrative Code Editor.

In summary, their office stated that DOC does not have statutory authority to deduct monetary gifts to inmates from outside sources for restitution payment. Secondly, if DOC did have this authority, the policy change and implementation should be done through rule making. Thirdly, the policy change is at odds with existing DOC rules.

According to Milosevich, the Ombudsman had received complaint by the parents of an inmate that 20 percent of any gift money they send would be credited toward restitution. This particular inmate was serving sentence for OWI so his restitution had been defined as court costs and attorney's fees. Milosevich spoke of another

CORRECTIONS
(Cont'd.)

instance where an inmate had to purchase his hearing aid batteries. Without outside funds, he would not have been able to make that purchase. Canteen items sell at regular retail prices. Milosevich took the position that inmates should make restitution but not at the expense of families and friends on the outside.

Darrell and Anita Smith were recognized and presented the "other side" of the issue as parents of a son who is an inmate. The Smiths were active in Iowa Cure as well as National Cure, located in Washington, D. C. Mrs. Smith emphasized support for restitution but not with money sent by friends and relatives. She took exception to the statement that inmates needs are provided. Darrell Smith suggested closer scrutiny of the restitution money that is collected. Perhaps it should be placed in an interest-bearing account.

Scaletta knew of no interest accumulated on the allowances which are paid through a line item in the Department's budget—taxpayer's money. He stressed that the allowance was not an income. Scaletta explained that inmates are now required to save money. That money goes into an interest account, but the Code specifically requires the interest to be used for inmate programs such as recreational.

Scaletta advised Kibbie that Iowa Code chapter 910 requires the clerk of court to disburse on a quarterly basis—the time frame followed by the Department. The average amount paid is \$6.91.

Scaletta reiterated that all money from the "outside" goes into one account with records on amounts to specific inmates. He declared that administrative costs for collecting interest would be prohibitive.

In response to Chairman Priebe, Scaletta was willing to clarify the rule if necessary.

Schrader reasoned that if the policy affected only inmates, a rule was not necessary. Scaletta noted that rules on restitution provide general guidelines.

Scaletta clarified that the money earned by inmates was an allowance. If it were considered as wages there would be IRS problems. Scaletta responded to Schrader that anyone may send money to an inmate as long as the proper procedure was followed—money order or check issued by a bank. No cash or personal checks are accepted.

Maulsby asked if all inmates fully fund their restitution payments before they leave the institution. Scaletta responded they did not.

Scaletta asked Vicki Crompton from Davenport to address the Committee. Crompton spoke as a victim advocate as well as a surviving victim. Crompton described in detail the circumstances surrounding the murder of her 16 year-old daughter by Mark Smith and the ensuing costs incurred by her family. They were not allowed to live in their home for two weeks during police investigation. The entire house had to be professionally cleaned, drapes, carpet and a sliding glass patio door had to be replaced. Crompton continued that the cost of this crime was borne by them and their homeowner's insurance. Not only did they have to deal with the death of their child but the costs and aftermath of this crime. After two years, Crompton was no longer emotionally able to live in their house and it was sold at a \$15,000 loss. Continuous counseling for her in the past 5 1/2 years amounted to more than \$10,000 not covered by insurance. The Cromptons receive \$15 in restitution from Mark Smith every three months. Documents

CORRECTIONS
(Cont'd.)

indicate that Smith still owes Scott County \$37,000 for the cost of his trial—the check they receive is \$22. Crompton stressed the importance of restitution.

Crompton informed Doyle that they received from the Crime Reparation Fund \$2500 toward the cost of the \$5000 funeral. Cromptons also received \$1400 as reimbursement for the ambulance service.

Brooks, representing Mothers Against Drunk Driving, spoke in favor of restitution as a fairness issue. Although legislative intent is for offenders to pay for the cost of their crimes, Brooks had seen these costs go unpaid—many offenders simply are unable or unwilling to pay.

Brooks reasoned that many victims wait in vain for payment of restitution, e.g., the DOT quickly replaces the guard rail, whether or not the offender ever compensates them; public defenders, judges, utility companies that light the courtroom all get paid on time. The common solution offered to victims is to assume the responsibility of recovery from civil acts.

Anderson spoke of the Department's pecuniary interest in the Crime Victim Assistance Program for collection of restitution. Last year the program gave victims out-of-pocket expenses of \$1.5 million and collected about \$75,000 in restitution. Anderson pointed out that 93 percent of crime victims in Iowa are property crime victims. Even violent crime victims frequently have a property loss. The programs allow no payment toward replacement or repair of property. Anderson continued that costs to the victim of a crime averages \$7300 but average payout through the program is only \$1300 for categories they are allowed to pay on.

Motion

Priebe was supportive of the restitution program but wanted to provide input for interested persons. He then moved that the Department of Corrections revise their rules to set out the policy for restitution.

Schrader disagreed with Priebe and expressed his opinion that the issue should not be before the ARRC—it was an internal matter for Corrections. He was supportive of the Department's policy and rule implementing that policy.

Hedge and Scaletta discussed inheritance as restitution.

Motion Lost

The Priebe motion lost on a tie vote by show of hands.

Doyle and Scaletta discussed the policy on contraband. Milosevich took the position that a uniform policy was needed. No Committee action.

Priebe took the Chair.

DOT

Representing the Department of Transportation were Fred Walker and Robert Studer. Ruth Mosher, Citizens' Aide/Ombudsman Office, was also present.

Ch 40

Walker explained Chapter 40, Recovery of Damages to Highway Facilities, published in IAB 2/5/92 as ARC 2742A.

Schrader referred to rule 40.6 which was intended to implement Iowa Code section 321.475. He recalled that this Code section speaks only to liability for damages resulting from illegal operation of vehicles or excess weight. Schrader quoted 40.6(1): "The department shall investigate to determine the person(s)

DOT (Cont'd.)

responsible for the damage." The rule does not speak to whether any illegal activity took place and he contended that the rule exceeded the statute.

Mosher reiterated what she had stated in her letter—that this rule goes beyond the intent of Iowa Code section 321.475. She contended legislation would be needed to include "accidents."

Royce quoted from rule 40.1—Purpose—and advised that it was broader than Code section 321.475 in that it provides recovering costs as a result of an "accident."

Motion to Delay
70 days and
General Referral

Schrader moved to delay 761—40.6(321) for 70 days to allow for further study. He further moved that the rule be referred to the Speaker of the House and President of the Senate for review by the appropriate committee. Motion carried.

Doyle suggested that subrule 40.6(4) should be amended to include "or judgment of the district court."

NATURAL
RESOURCE
COMMISSION

The Commission was represented by Judith Pawell, Arnie Sohn, Vic Kennedy, Steve Dermond and Marion Conover. The following agenda was before the Committee:

NATURAL RESOURCE COMMISSION[571]

NATURAL RESOURCES DEPARTMENT[561]"UMBRELLA"

Issuance of free combination hunting and fishing license to low-income persons 65 years of age and older or low-income persons who are permanently disabled, 15.7(3)"c," Notice ARC 2761A, also

Filed Emergency ARC 2721A 2/5/92

Land and water conservation fund program, 27.2(1), 27.5(6), 27.6(3), 27.7, 27.10,

Notice ARC 2076A Terminated ARC 2758A 2/5/92

Boating speed and distance zoning — Black Hawk County waters, 40.14, Filed ARC 2760A 2/5/92

Mussel regulations, 87.1(2), Filed ARC 2759A 2/5/92

15.7(3)

Pawell presented ARC 2721A, amendment to 15.7(3)"c" regarding issuance of free hunting and fishing licenses.

Ch 27

Sohn presented ARC 2758A with no comments or questions.

40.14

Dermond briefed the Committee on ARC 2760A. No comments.

87.1(2)

Conover gave brief overview of ARC 2759A. No comments.

EPC

The following agenda was presented by Michael Murphy and David Wornson:

ENVIRONMENTAL PROTECTION COMMISSION[567]

NATURAL RESOURCES DEPARTMENT[561]"umbrella"

Water quality standards, 61.2(2), Filed ARC 2815A 2/19/92

Special waste types and analytical testing requirements, 100.2, 100.3(2), 100.3(2)"a," 102.15, 102.15(2),

Notice ARC 2803A 2/19/92

Underground storage tanks, amendments to ch 135, Economic Impact Statement 2/5/92

Registry of hazardous waste or hazardous substance disposal sites, ch 148, Notice ARC 2805A 2/19/92

Also present: Robb Hubbard, UST Board, and Robert Galbraith, Assistant Attorney General.

In reviewing ARC 2815A, Murphy advised Tieden that after public hearings and comments, the Department certified all of the nationwide permits.

EPC (Cont'd.)
100.2 et al. Murphy briefed the Committee on proposed amendments regarding toxic and hazardous wastes and special wastes in ARC 2803A. No recommendations.

Ch135 - Economic Impact Wornson presented the Economic Impact Statement on underground storage tanks as requested by the Committee at its October meeting. He said they have adopted underground tank rules which will be published in the March 18 Iowa Administrative Bulletin. Priebe asked Hubbard if he concurred with the Statement and Hubbard replied that EPC and the UST Fund Board differ somewhat in their interpretations. He explained that legislation passed last year clearly indicates that the program pays costs for a site to move from high risk to low risk. Once a site is low risk, payment discontinues and additional work will not be required. He told Priebe they were talking about approximately \$30 to \$35 million.

Deferred until May There was unanimous consent to defer review of the Economic Impact Statement until the May meeting.

Ch 148 Murphy then presented ARC 2805A, proposed new chapter 148, relating to registry of hazardous waste or hazardous substance disposal sites. In response to Tieden, Murphy explained the federal Superfund Program, a system for ranking hazardous sites—148.3. Tieden asked Murphy to further identify in the rule where this information was available.

UST BOARD Robb Hubbard, UST Board, and Bob Galbraith, Assistant Attorney General, represented the Board for the following agenda:

PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD, IOWA COMPREHENSIVE[591]

Eligibility for insurance, ch 10 title, 10.1(1)"d," 10.1(2)"e," 10.2(4), 10.3(1), 10.3(3), 10.3(5),

Notice ARC 2785A 2/19/92

Reimbursement for tank system upgrades and replacements, 11.4, Filed ARC 2776A 2/19/92

Guaranteed loan program, 12.1(2), Notice ARC 2784A 2/19/92

Community remediation, ch 13, Notice ARC 2786A 2/19/92

No questions or comments in ARC 2785A, 2776A or 2784A.

Ch 13 In ARC 2786A, Hubbard advised Tieden that the Board determines which projects are approved and what criteria is used. The rules provide a methodology for the Board to recommend community remediation projects.

Kibbie questioned Hubbard as to bidder qualifications and Hubbard responded that 1991 legislation required bidders to register.

Responding to Tieden, Hubbard said there was no specific requirement in the legislation or rules to require bidding but Board policy supports the concept. No Committee action.

LOTTERY Nichola Schissel and Steven King were present for the following agenda (Chapter 14 carried over from the February meeting):

LOTTERY DIVISION[705]

REVENUE AND FINANCE DEPARTMENT[701]"umbrella"

Payment of annuity jackpot prizes, 10.7, Notice ARC 2817A, also Filed Emergency ARC 2816A 2/19/92

SELECTIVE REVIEW—\$100,000 Cash Game, ch 14, Notice ARC 2703A, also

Filed Emergency ARC 2704A 1/8/92

LOTTERY
(Cont'd.)
10.7

In ARC 2816A, Hedge commented that this rule came about because of the drop in interest rates. He wondered if interest rates dropped even lower, would the number of years be extended even more. Schissel said they would not do that but instead would take the reduction in the amount of jackpot they were able to pay. She informed Hedge that these payments would revert to the winner's estate.

Maulsby asked if interest rates go up, would the number of years for payout be decreased. Schissel said they could make an adjustment in the other direction if this occurred.

Schissel advised Priebe that Iowa receives a percentage of the multistate lottery—the same percentage of the dollars paid for Iowa Lotto or any other Iowa lottery games.

Doyle and Schissel discussed how this change would be handled and how public would be notified regarding the extension of years for payoff.

Ch 14

Chapter 14 on the \$100,000 cash game, ARC 2704A, was explained by Schissel. Schrader opined that it was "weak logic" to cite benefit on the public as justification for emergency implementation of the rules. Schissel responded that if game changes are publicized too far in advance, participation in existing games decreases. No Committee action.

Pavich in the Chair.

NURSING
BOARD
2.3, 2.6
Special Review

Lorinda Inman, Executive Director, Iowa Board of Nursing, appeared for special review of standards for nursing educators and heads of programs, rules 655—2.3 and 2.6. She emphasized that the provisions were not limited to community colleges but the Board had reached an agreement with community colleges and will follow the usual rule-making process. The rules will be broader and more liberal for faculty and heads of programs. The consultant requirement has been deleted and waiver provisions for faculty who do not meet requirements will be maintained. The public hearing was scheduled for April 22.

Inman agreed to provide advance copies of the final draft to ARRC members on March 13.

PUBLIC
HEALTH
15.4(5)
Special Review

Michael Magnant was present for a special review of 641—15.4(5)"d," Lifeguards and shallow water guards. Also present from the Lighthouse Point Condominium in Okoboji were George Maybee, Dick Grassman, David B. Boehm and Dennis Thompson.

Kibbie stated he had been contacted many times about the requirement for lifeguards at privately-owned condominiums where there is no public swimming. According to Magnant, the Department's position has been that under circumstances where a pool serves a large number of residential units there may be justification for having a lifeguard at certain times. However, the Department prefers to address these situations individually and they have been willing to do this.

Magnant had reviewed the case of Lighthouse Point in Okoboji and admitted that the Department personnel in charge of the program last fall had erred in their decision.

Kibbie indicated the arguments made to him were: If a lifeguard were on duty, they might essentially become "baby sitters" whereas with no lifeguard, the parent

**PUBLIC
HEALTH (Cont'd)**

would be responsible. Magnant recalled the compromise made at that time was to have a lifeguard present on weekends when the pool would be in maximum use.

Magnant indicated that revised rules were in process to be renoticed. He noted that legislative activity relating to the swimming pool program may affect the rules in their final form. [SF 2218]

Kibbie recalled that SF 2218 would exempt all pools under 2500 square feet from all rules but he had requested amendment to limit the exemption to apartments and condominiums. Magnant could foresee no problem with exempting these facilities from lifeguard requirements.

Discussion followed on lifeguard requirements for motel pools.

Priebe took the Chair.

Maybe indicated support for the proposed legislation.

Doyle inquired of Maybee about their liability insurance on the pool at Lighthouse Point. The insurance representative for the Okoboji condominium responded that they have no requirements for lifeguards but the pool must be fenced with warning and rules posted. Maybee commented that pool regulations were included in general rules of the condominium.

PERSONNEL

Clint Davis was in attendance for the following:

PERSONNEL DEPARTMENT[581]

"Bumping" — pay; separations, disciplinary actions and reduction in force; benefits, 4.5(1)"c" and "i," 4.5(18), 11.3(1)"a," 11.3(2)"d" and "e," 11.3(4), 11.3(5), 11.3(6)"c," 11.3(6)"i," 15.8, Notice ARC 2756A . 2/5/92

Also present was Marcia Nichols representing AFSCME.

4.5 et al.

Davis noted that the amendments were intended to address the recent large number of layoffs in the state with their goal being to return employees to work situations similar to the ones they left, if at all possible.

Davis said that appointees by the Governor would not be covered under these rules. A public hearing was scheduled for Thursday, April 12.

It was Nichols understanding that collective bargaining employees would not be covered by the rules. Davis responded that it would not be in anyone's best interest to have a separate timeline for noncontractual employees. Therefore, the Department plans to keep the language regarding 20 workdays to be consistent with collective bargaining agreements. The old provisions will be reinstated in the final rules.

Davis clarified that the Personnel rules would govern only in the event a contract was silent. He added that the method for dealing with noncontractual employees was in place long before there was collective bargaining in the middle seventies.

Davis referred to Iowa Code chapter 19A which provides for decision making surrounding layoff and recall to consider performance as well as seniority.

Schrader asked Davis to provide Royce with results of the hearing and Board action as quickly as possible. Davis agreed.

Recess Chairman Priebe recessed the meeting at 10:20 a.m. to be reconvened in Room 116 at 4:15 p.m.

Reconvened Chairman Priebe reconvened the meeting at 4:15 p.m. in Room 116 with all members and staff present. He announced to the audience that those who wanted to speak on the home school rules would not be limited but he asked them to avoid repetition. Priebe explained that rules before the Committee today were only proposals and Committee recommendations would not be made until the rules were before them in the adopted and filed version.

ECONOMIC DEVELOPMENT

The following agenda was considered first:

ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF [261]

Export trade assistance program, 61.3"1," 61.4, Filed ARC 2763A 2/5/92

Rural community leadership development program, ch 68, Filed ARC 2764A 2/5/92

Melanie Johnson and Kathleen Beery were in attendance.

61.3, 61.4 In review of amendments to Chapter 61, Johnson advised that the reimbursement was reduced from \$5000 to \$4000 per event to enable participation by more companies.

It was noted that objection to 61.3"1" was reinstated at the February meeting.

Ch 68 No questions or recommendations on ARC 2764A.

CIVIL RIGHTS COMMISSION 4.7

Priebe announced that he had been contacted after the meeting recessed this morning regarding the Civil Rights Commission rule 161—4.7 on contested cases and assessment of costs, adopted and filed as ARC 2810A, 2/19/92 IAB. Royce advised that the Commission was hopeful a delay of the rule could be avoided.

Teaford voiced opposition to imposing a delay and discussion followed.

Motion Metcalf moved to delay for 70 days rule 161—4.7.

Schrader spoke against the motion as well as against the Committee procedure. He contended the rule was appropriate in providing that the respondent pay contested case costs incurred by the Commission when the Commission prevails in the hearing. He concluded that it was realistic for the losing party to the suit to pay court costs.

Priebe advised Kibbie that the 70-day delay would allow time for further study before the May meeting.

Motion failed The motion to delay failed 6 to 4. Maulsby, Pavich, Teaford and Schrader were recorded as voting "no."

EDUCATION The Department was represented by Kathy L. Collins and Charlotte J. Burt for the following agenda.

EDUCATION DEPARTMENT[281]

Program and administrative sharing initiative, rescind 21.64 to 21.71, Filed Emergency ARC 2724A 2/5/92

Competent private instruction and dual enrollment, ch 31, Notice ARC 2754A 2/5/92

Extracurricular interscholastic competition, 36.1, 36.14 to 36.17, 36.20(2) to 36.20(4), 36.20(8),

Filed ARC 2755A 2/5/92

Special education, student special health services, 41.23, ch 69, Notice ARC 2753A 2/5/92

EDUCATION
(Cont'd.)
Ch 36, Ch 69

ARC 2755A was before the Committee with no recommendations.

Burt gave a brief overview of new Chapter 69 regarding special health services.

In 281—69.8(256), Metcalf inquired about liability—the trainer or trainee. Collins responded that the legislature has made all public school employees protected from liability by virtue of the Municipal Tort Claims Act.

Hedge asked if the school district were protected as well and Collins further clarified that the school district, as well as the employee, can be sued but the Iowa Code protects them from having to hire their own lawyer or pay any damages assessed.

Royce inquired about responsibility of the classroom teacher and how the cost of the program would be paid. Burt did not anticipate cost unless it would be for health service people. The guidelines suggest that the educational team determines what kind of competencies people need to carry out a particular task and would indicate this to administration in their district. Collins described the rules as addressing needs of special education students. Because of mainstreaming, schools have the total gamut of disabilities within the regular education classroom. Collins pointed out that under federal law, these services cannot be excluded if they can be provided by anyone other than an M. D. Iowa law does not require every school to have a nurse. Collins recalled opposition by ISEA to the concept that a classroom teacher might be required to perform some health services. She declared this should be decided by the legislature.

Kibbie had met with a group of teachers recently who complained about insufficient time to meet all the requirements of the Department of Education, including special education. There was no time for the talented and gifted students.

There was discussion of a tentative June date for adoption of the rules.

Ch 31

Collins offered background information on revised Chapter 31 proposed to implement Iowa Code Supplement chapters 299 and 299A. Last September, a subcommittee of educational testing experts was created to make recommendations for rules. Although not required, a variety of education professionals also consulted rule drafters. Collins summarized the rules.

She pointed out that rule 31.3—duties of licensed practitioners—would apply only to licensed practitioners and schools offering home school assistance programs, not to parents who provide competent private instruction directly.

With respect to annual evaluation of the child receiving private instruction (rule 31.7), Collins said there were two choices—standardized testing or portfolio evaluation. The Department proposed seven tests which they believed met the criteria in the law and also the criteria (free of racial or gender bias) the Department placed on itself. However, a parent may make a case to the Director of the Department to use a different test. Collins continued that rule 31.7 also recognizes that students in home schooling are not necessarily at grade level with children in public schools.

Collins discussed the portfolio assessment or evaluation concept which was a recent innovation in student assessment. The Department plans to require training for portfolio evaluators and has made a commitment to recruit trainers under the provision of qualified licensed professionals. They shall hold a valid license for

EDUCATION
(Cont'd.)
Ch 31

the area they will assess. Examples of materials that are to be included in the student's portfolio have been set out.

Collins reported on the numerous written and telephone comments through February 25, 1992 at which time a public hearing was held on these rules. Approximately 40 individuals spoke at the public hearing. The Department planned to review all of the comments and prepare a written summary for dissemination. Any changes will be taken to the State Board on April 9.

Chairman Priebe recognized Jim Poyzer, a home schooling parent, who contended the rules required such detailed paperwork that there would be little time to teach.

Collins clarified that a portfolio would not be required if a licensed practitioner provided the instruction—31.3. Poyzer interpreted rule 31.3 as requiring separate teachers for each area, e.g., mathematics, history, or language arts which, in his opinion, was too restrictive.

Collins replied that the subject matter endorsements would apply at the secondary level. Anyone with an elementary certificate could supervise a program through Grade 8.

Royce questioned whether compliance would be possible in Grades 9 through 12. Collins assured him that this area was being researched.

Regarding work endorsements, Teaford asked if they were referring to teaching or evaluating. Collins responded that under the proposal, it was the same.

Poyzer noted that some of the specifications for the grade ranges have overlapping grade levels—K through 6, 5 through 12, 7 through 12, etc. and he suggested standardization. Collins said this would be corrected.

Poyzer voiced opposition to requiring licensed practitioners to perform other duties as prescribed by law for licensed teachers. This was not required in the original law.

Collins cited a number of duties a teacher must perform to maintain licensure—child abuse reporting, for example. The Department wanted to avoid rewriting the rules every time a new duty was imposed for licensed teachers. The rule was an attempt to be a "catch-all," not an onerous additional burden. Collins continued that in a home school assistance program there were no subjects required by law to be taught. It would be only a duty imposed by the employer and the home school assistance program is optional.

In response to Metcalf, Collins discussed mandatory child abuse reporting requirements set out in the Code. It is applicable to all licensed certified teachers who regularly examine, council, attend or treat children.

With respect to portfolio evaluation, Poyzer opined that specific training for evaluators was beyond the statute and that it would be difficult to find trained evaluators.

Schrader asked Poyzer for recommendations and Poyzer reasoned that a licensed Iowa teacher could make the evaluations. Collins admitted that this was a concern for the Department as well. The AEAs plan to pool information regarding standardized tests, etc. in an attempt to reduce costs. They will also maintain a file on people who have completed portfolio evaluation training. Collins said they

EDUCATION
(Cont'd.)
Ch 31

have tried to eliminate the necessity of a personal visit. By providing training at no cost at all 15 AEAs, the Department anticipates that any licensed professionals interested in receiving the evaluation approvals can do so.

Tieden and Collins discussed the relatively new concept of portfolio assessments. Department officials lacked knowledge on the subject and sought input from an out-of-state individual who had researched this area extensively. Some Iowa school districts and AEAs are experimenting with portfolio assessment because it seems to be a movement nationally, as an alternative to testing. It was pointed out that the concept of portfolio assessment includes the student's active involvement.

Collins advised Priebe that the portfolio assessment was required by law but the Department has been criticized for portfolio contents being excessive.

Kibbie sought clarification on cost of testing. Collins responded there would be no cost to the family if the parent selects dual enrollment. Testing materials are normally ordered in packets of 25, for example, at a blanket cost.

Linda Dykstra recently moved to Iowa from Wisconsin where home schooling laws were less stringent. She expressed concern about the lengthy portfolio requirement and she distributed an example of what she would recommend—three samples of her son's work (3rd grade) in math, language arts and reading. Dykstra maintained that when the Department gives the parent the choice of home schooling, the Department is no longer responsible for the education of that child. She took the position that a portfolio should not be required until age 8 or Grade 2 because of the large amount of oral teaching at that age and because of the dispute over a child's readiness for reading. Dykstra thought the teacher's lesson plans would be adequate to show educational progress.

Dykstra also commented on the Iowa Basic Skills Test of 1986, Forms G and H. Currently, they contain academic questions only. It was her understanding that the test was being rewritten and she urged legislation to retain academic questions only for home school students. Dykstra expressed opposition to questions which would be psychological in nature. She viewed self-evaluation as being in this category.

In conclusion, Dykstra wanted the option of testing in the home or learning environment by a certified teacher.

Marylou Findley spoke in support of evaluation by a certified teacher rather than trained evaluators. She referred to 31.4(3)"b" and thought this might be interpreted that a home school student could be counted if a school district "provides" a licensed practitioner, whether or not a licensed practitioner was used.

Mary Stuart distributed copies of her concerns with the rules. She opposed the area of self-evaluation or self-assessment—31.7(4). In her opinion, she was capable of determining the strengths and weaknesses of her child. Stuart questioned the Department's need for all the information required. She quoted from House File 455 regarding the contents of the portfolio and concluded it did not address self-assessment.

Collins responded that the Department of Education does receive this information. It is shared with the portfolio evaluator who reports on the student's progress to the parent, the district of residence and the state.

EDUCATION
(Cont'd.)
Ch 31

Stuart viewed it as a violation of privacy for the report of self-assessment in all subject areas to be provided to the state.

Collins responded to Pavich that under federal law (Hatch amendment) and the Family Educational Rights and Privacy Act that information is confidential.

Schrader referred to 31.7(4)"b"(2)"2" and finds the reference to ". . . favorite poems, letters, songs. . . ." to be a bit objectionable. However, a record of books read would be helpful in evaluating a child's progress.

Stuart recommended deletion of the words, "and self-assessment by the student".

Mary Syverson referred to a list of contacts for home schoolers to offer input or recommendations for rules. She observed that home schoolers were not represented on the list. Syverson maintained that representatives from Christian schools, accredited and nonaccredited, and certified teachers who monitor home schoolers should have been included.

Collins spoke of the frustration for the Department in trying to address many misconceptions. A concerted effort was being made to review valid criticisms and offer solutions.

Priebe reiterated that the final rules would be reviewed by the ARRC—probably in June.

At the request of Kibbie, Royce explained Committee options on the final rules.

Syverson expressed opposition to newer versions of the standardized tests which test feelings and attitudes as well as academics.

Collins pointed out tests older than 10 years would not compare to current "norms." She was hopeful that Syverson would find an acceptable test among the available seven. Another option would be for Syverson to present to the Director a test for possible approval.

Johanna Hicks, a retired school teacher, provided background on her interest and involvement with the new home schooling law. She was interested in compulsory attendance and truancy.

Collins responded that a statutory change a few years ago which substituted "enroll" for "attend" (school) made compulsory attendance law unenforceable. Recent home schooling legislation tightened the truancy law. That law was specific and rules were not necessary.

Clarence Townsend, a private school administrator with a home school program, addressed the Committee as to the impact of the legislation on his school. He cited limitation of 25 families per certified teacher with bimonthly home visits as increasing their fiscal responsibility. Townsend was presently working with 50 families on a monthly basis. He did not agree with the self-assessment of portfolios. Townsend commented that educational laws in other states were much less restrictive than Iowa's.

Kathy Hardy, a licensed teacher and a home schooler, echoed the problems that had already been addressed. She urged careful consideration of legislative intent as it relates to academic progress and the responsibility involved.

EDUCATION
(Cont'd.)
Ch 31

Priebe encouraged both factions to cooperate in an attempt to reach a workable solution.

Kibbie requested more background information on the agencies that provide the tests.

Schrader echoed Priebe's remarks on working with the Department to compromise on areas of disagreement.

No agency representatives were requested to appear for the following:

NO REPS

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Dairy trade practices, ch 23, Filed ARC 2729A 2/5/92
Pseudorabies disease, 64.153(1), 64.154, 64.155(2) to 64.155(4), Notices ARC 2650A and ARC 2684A
Terminated, also Notice ARC 2798A 2/19/92

ALCOHOLIC BEVERAGES DIVISION[185]

COMMERCE DEPARTMENT[181]"umbrella"
Vending machines to dispense alcoholic beverages prohibited, 4.41, Filed ARC 2774A 2/19/92

CAMPAIGN FINANCE DISCLOSURE COMMISSION[121]

Complaint procedure, reporting requirements, campaign finance disclosure commission, civil penalties,
1.1, 1.2, 1.3, 1.5, 1.7, 1.9, 4.5(4), 4.5(5), 4.5(9) to 4.5(11), 4.6, 4.7, 4.17, 4.23, 4.28 to 4.32, 5.6, 6.4,
Notice ARC 2782A 2/19/92

CIVIL RIGHTS COMMISSION[161]

Contested cases — assessment of costs of hearing, 4.7, Filed ARC 2810A 2/19/92

COLLEGE STUDENT AID COMMISSION[283]

EDUCATION DEPARTMENT[281]"umbrella"
Organization and operation, 1.2(3)"d," Filed ARC 2797A 2/19/92
Guaranteed student loan program — sale or transfer of loans, 10.39, Filed ARC 2796A 2/19/92

COMMUNITY ACTION AGENCIES DIVISION[427]

HUMAN RIGHTS DEPARTMENT[421]"umbrella"
Emergency community services homeless grant program, 23.3(1) to 23.3(4), 23.5(5)"a" and "b," 23.7(1),
Notice ARC 2733A 2/5/92

DENTAL EXAMINERS BOARD[650]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"
Renewal fees, 15.2(1), 15.2(2), Filed ARC 2792A 2/19/92
General anesthesia, parenteral sedation and nitrous oxide inhalation analgesia — costs associated with
on-site facility inspections, 29.5(7), Filed ARC 2791A 2/19/92

EDUCATION DEPARTMENT[281]

Program and administrative sharing initiative, rescind 21.64 to 21.71, Filed Emergency ARC 2724A 2/5/92

EDUCATIONAL EXAMINERS BOARD[282]

EDUCATION DEPARTMENT[281]"umbrella"
Organizational procedures; investigation of potential violations of professional practices; sanctions against
practitioners; new endorsements for teachers who work with children from birth to grade three and
talented and gifted children; modified endorsements for mathematics, elementary principals,
and speech-language pathologist, 1.2(5), 1.2(6), 11.4(5), 12.2, 14.20(12), 14.20(13), 14.21(13),
14.23(1), 15.3, 15.3(9), 15.3(11), Notice ARC 2783A 2/19/92
Issuance of practitioner's licenses and endorsements, ch 14 title, 14.30, Filed ARC 2769A 2/19/92

NO REPS (Cont'd)

ELDER AFFAIRS DEPARTMENT[321]

Department defined, 1.7, <u>Notice</u> ARC 2731A	2/5/92
Department fiscal policy, 5.16(1), <u>Notice</u> ARC 2800A	2/19/92
AAA planning and administration, service delivery, 6.1(5), 6.4, 6.5(1)"e" to "g," 6.5(2)"g," 6.6(1) to 6.6(6), 6.7(1)"f," "j," and "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, 7.3(19)"b," 7.4(1), 7.6, <u>Filed Without Notice</u> ARC 2730A	2/5/92
Older Iowans legislature, 20.2, <u>Filed</u> ARC 2793A	2/19/92
Elder family homes (EFH), ch 22, <u>Filed</u> ARC 2794A	2/19/92
Representative payee program (RPP), ch 23, <u>Filed</u> ARC 2801A	2/19/92

INSPECTIONS AND APPEALS DEPARTMENT[481]

Indigent defense — claims for compensation, ch 9, <u>Notice</u> ARC 2744A	2/5/92
Health care facilities, 50.8(2)"a"(7), 50.8(2)"b"(4), 52.2(1)"f," 57.50, 58.55, 59.59, 62.25, 63.47(1)"b," 63.49, 64.62, <u>Filed</u> ARC 2811A	2/19/92

INSURANCE DIVISION[191]

COMMERCE DEPARTMENT[161]"umbrella"

Utilization review, ch 70, <u>Notice</u> ARC 2747A	2/5/92
--	--------

MEDICAL EXAMINERS BOARD[653]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Licensure requirements, 11.1, <u>Notice</u> ARC 2781A	2/19/92
---	---------

PHARMACY EXAMINERS BOARD[657]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Purpose and organization, petitions for rule making, declaratory rulings, 1.1(4) to 1.1(8), 1.2 to 1.4, chs 26, 27, <u>Filed</u> ARC 2772A	2/19/92
Pharmacy and wholesale drug licenses — renewal and fees, 3.4, 3.4(2), 3.5, <u>Filed</u> ARC 2775A	2/19/92
Unethical conduct related to pharmacists and pharmacist-interns, 8.5, 8.6, <u>Filed</u> ARC 2773A	2/19/92
Discipline, 9.1 to 9.26, <u>Filed</u> ARC 2770A	2/19/92
Wholesale drug licenses, ch 17, <u>Filed</u> ARC 2771A	2/19/92

PROFESSIONAL LICENSURE DIVISION[645]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Mortuary science examiners — disinterment permits, settlement procedures, uniform rules, 100.3, 100.4(2)"b" and "d," 100.4(3), 101.1(3), 101.6, 101.204, chs 102 to 104, <u>Filed</u> ARC 2765A	2/5/92
Physical therapy examiners, physical therapist assistants, 200.2(6), 200.2(7), 200.3(4), 200.20(7)"c"(7), 200.20(15), 202.2(7), <u>Notice</u> ARC 2728A	2/5/92
Board of social work examiners, uniform rules, chs 280 to 283, <u>Notice</u> ARC 2799A	2/19/92

PUBLIC HEALTH DEPARTMENT[641]

Birth defects institute, 4.1, 4.5(1) to 4.5(4), 4.6, 4.7, 4.9, 4.10, <u>Filed</u> ARC 2717A	2/5/92
Emergency care providers exposed to contagious or infectious diseases, 11.45 to 11.53, <u>Notice</u> ARC 2727A	2/5/92
Emergency information system on pesticides for use by health care providers during medical emergencies, ch 71, <u>Notice</u> ARC 2726A, also <u>Filed Emergency</u> ARC 2725A	2/5/92
WIC program, 73.6, 73.10(2), <u>Notice</u> ARC 2766A	2/5/92
Maternal and child health, 76.2, 76.6(4), 76.7, <u>Notice</u> ARC 2767A	2/5/92
Local substitute medical decision-making boards, ch 85, <u>Notice</u> ARC 2804A	2/19/92
Burial transit permits, 101.4, 101.5, 101.6(2), 101.6(3), 101.8, <u>Filed</u> ARC 2720A	2/5/92
Financial assistance to eligible end-stage renal disease patients, ch 111, <u>Filed</u> ARC 2718A	2/5/92
Consent for the sale of goods and services, 190.1, 190.2, 190.4 to 190.7, 190.9, <u>Filed</u> ARC 2719A	2/5/92

NO REPS(Cont'd.)

PUBLIC SAFETY DEPARTMENT[661]

Fire safety standards for locked units in residential care facilities, intermediate care facilities, and skilled nursing facilities licensed under Iowa Code chapter 135C and for other businesses operating in health care facilities, 5.53(3), 5.500, 5.550, 5.550(1), 5.552(3)"e," 5.552(15)"b," 5.600, 5.600(1) to 5.600(3), 5.600(7), 5.601, 5.601(1)"a," 5.601(3)"e," 5.601(15)"b," 5.602, 5.602(1)"a," "b," and "d," 5.602(3)"e," 5.602(4)"e," 5.602(17), Table 8-C, Notice ARC 2806A 2/19/92

REGENTS BOARD[681]

Suspension of parietal rule, 2.2(5), Notice ARC 2723A 2/5/92
Prohibited interest in public contracts, 8.9, Notice ARC 2722A 2/5/92

REVENUE AND FINANCE DEPARTMENT[701]

Computation of tax, determination of a sale and a sale price, taxable sales, exempt sales, receipts exempt from use tax, local option sales and service tax, 14.3, 15.1, 15.9, 16.14, 16.47, 17.8, 32.1, 107.3(2) to 107.3(4), 107.9, Notice ARC 2802A 2/19/92
Taxable and exempt sale— computer equipment, 18.34(1), 18.34(2)"c" and "j," 18.45(1), Notice ARC 2751A 2/5/92
Interest exemption for securities of student loan marketing association and resolution trust corporation, 40.2, 53.5, Filed ARC 2748A 2/5/92
Determination of net income — married taxpayers, 40.15, Filed ARC 2749A 2/5/92
Real estate transfer tax and declarations of value, 79.2(7), Notice ARC 2750A 2/5/92

SECRETARY OF STATE[721]

Satellite absentee voting stations, 21.12, Notice ARC 2752A 2/5/92

TRANSPORTATION DEPARTMENT[761]

Corrective amendments to chs 1, 4, 10, 163, 164, 180, 400, 405, 411, 420, 421, 431, 480, 700, 710, 715, 720, 750, 802, 910, 920 to 924, Filed ARC 2743A 2/5/92
Utility accommodation, ch 115, Notice ARC 2732A 2/5/92

UTILITIES DIVISION[199]

COMMERCE DEPARTMENT[161]"umbrella"

Management efficiency, 29.3(1)"d," 29.3(2)"b" and "d," 29.3(3)"e," 29.5, Filed ARC 2757A 2/5/92
Disposal of a public utility's assets, 32.2, Notice ARC 2450A Terminated, also Notice ARC 2788A 2/19/92
Energy efficiency planning and reporting for nonrate-regulated gas and electric utilities, ch 36, Filed ARC 2787A 2/19/92

VETERINARY MEDICINE BOARD[811]

Application for licensure, examinations, auxiliary personnel, reciprocity, discipline, continuing education, 6.1 to 6.7, 7.1, 7.2(4), 8.1 to 8.3, 8.5 to 8.7, 8.9, 8.10, ch 9, 10.4(2), 10.4(3)"c," 10.4(7)"2," 10.4(11), 10.4(13), 10.4(22), 10.4(23), 10.8, 10.50 to 10.80, 11.1, 11.2, 11.3(3), Filed ARC 2795A 2/19/92

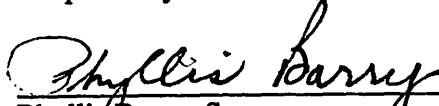
WALLACE TECHNOLOGY TRANSFER FOUNDATION[851]

Small business innovation research (SBIR) grant assistance program, ch 9, Notice ARC 2762A 2/5/92

Adjournment

Chairman Priebe adjourned the meeting at 6:15 p.m. The next meeting was scheduled for Monday, April 13, 1992, at 7:30 a.m.

Respectfully submitted,


Phyllis Barry, Secretary
Assisted by Mary Ann Scott

APPROVED:

