

**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, April 11, 1994, in Room 22, State Capitol, Des Moines, Iowa.

Members present Senator Berl E. Priebe and Representative Janet Metcalf, Co-chairs; Senators H. Kay Hedge, John P. Kibbie, William Palmer and Sheldon Rittmer; Representatives Horace Daggett, Roger Halvorson, and David Schrader. Representative Minnette Doderer absent.

Also present Joseph A. Royce, Legal Counsel; Paula Dierenfeld, Administrative Rules Coordinator, Phyllis Barry, Administrative Code Editor; Mary Ann Scott, Administrative Assistant; Caucus staff and other interested persons.

Convened: Senator Priebe convened the meeting at 7:10 a.m. and recognized David Ancell, Betty Grandquist and Beth Bahnson from Elder Affairs for the following:

ELDER AFFAIRS

ELDER AFFAIRS DEPARTMENT[321]

Adult day care and facility-based respite care, nonfacility-based respite care, chs 24 and 25,

Filed ARC 4701A 3/30/94

Elder group homes, ch 26, Filed ARC 4675A 3/16/94

Ch 24, 25 At Metcalf's request, Ancell outlined changes made to chapters 24 and 25 and advised they were not as complex as previous rules and would allow more flexibility. Comments at the public hearing were considered by the Department and many were incorporated in the rules.

Ch 26 Bahnson explained changes in Chapter 26 which included clarification of definitions and regulation of new construction for elder group homes.

Halvorson expressed concern that facility standards (26.9) were too stringent and that it would be difficult for existing homes to qualify. Bahnson stated that the minimum requirement of 30 inches width for hallways had been deleted from 26.9(2)"a"(6). References to fire safety were deleted since rules of public safety govern this area.

Hedge was informed that about 45 facilities had expressed interest in the rules relative to elder group homes but no applications had been received since the rules were not in effect.

Daggett echoed Halvorson's concerns. No Committee action.

PUBLIC SAFETY Mike Coveyou and Roy Marshall, the state fire marshal, were present for the following agenda:

PUBLIC SAFETY DEPARTMENT[661]

Fire marshal — elder group homes, 5.625, Filed ARC 4716A 3/30/94
 Governor's traffic safety bureau, 20.3(6), Filed Emergency ARC 4627A 3/2/94

5.625

The fire safety rules for elder group homes were before the ARRC. Daggett was informed that no public comment was received at the hearing. Discussion focused on the requirement for two exits on each level with resident sleeping rooms (5.625(2)).

Kibbie expressed opposition to the rule as being in noncompliance with legislative intent. Marshall responded that the two-exit requirement had been in existence for many years for facilities occupied by more than three people. Kibbie would have no problem with these rules if these were requirements for more than three occupants. Coveyou interjected that the definition of an elder group home was three to five residents. The rules would not be applicable to fewer than three. Marshall interpreted Senate File 3 as directing the fire marshal to promulgate rules to ensure safety in these facilities. [Code Supp. §231B.2(2)"d"]

Priebe had also received complaints about the two-exit requirement on the second floor.

Hedge inquired about fire safety for bed and breakfast facilities. Marshall advised that with two guest rooms, only smoke detectors were required. In excess of two, more stringent hotel rules would apply.

Requirements in 5.625(14) regarding basements exits were discussed. Metcalf suggested provision for separate exit if the basement were used for sleeping quarters.

Dierenfeld expressed support for two exits on each floor.

Kibbie asked to be recorded as opposed to implementation of rule 661—5.625.

20.3(6)

No questions or recommendations for 20.3(6).

HUMAN SERVICES

Representing the Department were Mary Ann Walker, Gary Gesaman, Deb Westvold, Mike Murphy, Rod Brown, Lucinda Wonderlich, Amy Canfield, P. C. Keen, Susan Boesen, Jo Sheeley, Norma Hohlfeld, Doug Howard, and Barry Bennett. The following agenda was reviewed:

HUMAN SERVICES DEPARTMENT[441]

Resource exemption for persons aged 65 and older in a medical institution who have purchased and used a long-term care policy precertified and approved by the division of insurance, 75.5(5),

<u>Filed</u> ARC 4695A	3/30/94
Medicaid eligibility — trusts, 75.13(1)"a," 75.13(2), <u>Notice</u> ARC 4661A	3/16/94
Medicaid reimbursement of ICFs/MR, respite care, ventilator care rates, 77.30(5)"b," 77.34(5), 78.34(5)"c" and "d," 78.37(6)"c" and "d," 78.38(5)"c" and "d," 79.1(2), 79.1(9)"b," 82.5(11)"f" and "j," 82.5(14)"e" to "g," 82.5(16)"e," <u>Filed</u> ARC 4693A	3/30/94
Federal flood relief supplemental social services block grant funds for emergency social services, 153.8, <u>Notice</u> ARC 4691A, also <u>Filed</u> Emergency ARC 4692A	3/30/94
Employees of Medicaid group care providers of skill development services, 156.1, 156.9(4)"a" and "b," 180.3, 180.5, 180.6, 180.7(1)"a," 180.9, 185.10(1)"b"(6), 202.1, <u>Notice</u> ARC 4660A	3/16/94
Rehabilitative treatment services — administrative costs, 185.105(7), 185.106(2)"a," 185.107(4), <u>Filed</u> ARC 4694A	3/30/94
Welfare reform — FIA, PROMISE JOBS, LBP, Medicaid eligibility, 7.5(8), 41.7(2)"d"(1), 41.24, 41.27(2)"d"(1), 41.27(7)"ag," 42.24(1)"b" and "e," 42.24(2), 42.24(3)"b" and "c," 42.24(4), 43.22(1)"b," 49.25(1), 49.25(3), 51.4(1), 51.7, 52.1(1), 52.1(2), 52.1(3)"a"(2), 58.24(5), 75.1(17), 75.1(31)"i"(2), 75.5(3)"d," 75.9(1), 75.13(1)"c," 75.15, 75.15(1), 75.15(2)"a," 75.16(2)"d"(3), 75.23, 75.24, 86.1, 86.8(5), ch 93 div. I preamble, 93.2, 93.3, 93.5(3), 93.5(3)"b," 93.6(1), 93.6(3), 93.8, 93.9, 93.9(1)"c" and "d," 93.10, 93.10(1), 93.10(1)"e," 93.10(6), 93.10(7), 93.10(8)"a," 93.11 to 93.13, 93.14(1)"a," 93.14(6), 93.14(12) to 93.14(14), 93.15 to 93.20, 93.21(1), 93.21(10), 93.22, 93.22(1), 93.22(5)"a," 93.35, 93.35(2)"d," 93.35(3), 93.41(1)"e," 93.41(2), 93.41(3), 93.43, ch 93 div. II preamble, 93.101 to 93.104, 93.105(2), 93.105(3), 93.105(3)"b," 93.106, 93.108 to 93.110, 93.110(1), 93.110(1)"e," 93.110(6), 93.110(7), 93.110(8)"a," 93.111 to 93.113, 93.114(1)"a," 93.114(6), 93.114(10)"b," 93.114(11)"d," 93.114(12) to 93.114(14), 93.115 to 93.120, 93.121(1), 93.121(10), 93.122, 93.122(1), 93.122(2), 93.122(3)"b," 93.122(5)"a," 93.129 to 93.135, 93.135(2)"d" and "e," 93.135(3), 93.135(4), 93.136 to 93.138, 93.140(2), 93.140(4), 93.141 to 93.143, <u>Filed</u> ARC 4625A	3/2/94
Elderly waiver program, 77.33(1)"a," 77.33(1)"b"(4), 83.22(1)"g," 83.23(1), 83.28(1)"e," <u>Filed</u> Emergency After Notice ARC 4623A	3/2/94
Supported employment services, rescind 78.41(7)"m," <u>Filed</u> Emergency After Notice ARC 4624A	3/2/94

Ch 75

Walker gave a brief overview of amendments to Chapter 75, conditions of eligibility for medical assistance (ARCs 4695A and 4661A). No questions.

Ch 77-79, 82

Medicaid reimbursement of ICFs/MR was before the Committee. Priebe advised that these rules scheduled to become effective June 1, 1994, would be placed on the May 10 agenda for afternoon review. Any formal action could be taken by the Committee at the May meeting.

Responding to Kibbie, Gesaman stated that rates could not be raised during any official delay of the rules.

Schrader commented on the wide range of per diem rates among the providers.

Priebe requested the Department to provide data on facilities that have divided their costs "across the board" on all levels of care versus those that have added administrative costs to the highest level of care which would inflate the higher levels. Gesaman distributed information to the Committee that ranked facilities from lowest cost to highest cost. Gesaman said that administrative costs must be reasonably allocated among the different levels of care but he would review the matter.

HUMAN
SERVICES (Cont.)

Halvorson echoed Schrader's concerns on the wide range of per diem costs.

Daggett was advised that copies of comments at the public hearing had been sent to Joe Royce for the Committee.

Palmer arrived.

153.8

In review of federal flood relief supplemental social services block grant funds, Bennett advised Priebe that the 25 percent awarded to Human Services would be used in such areas as home-based services or day care.

156.1 et al.;Ch 185

No questions or recommendations on ARCs 4660A or 4694A.

7.5(8) et al.
Welfare Reform

In review of the amendments regarding welfare reform, Schrader advised that the Committee should make a decision on the objection voted on 41.24(8)"f," regarding the two-parent household under a FIA. At the appropriate time, he would move to delay that paragraph. In response to Metcalf, Schrader took the position that these were the options from which to choose. Schrader expressed frustration that the Council chose to override the ARRC as well as the working group created to develop these rules.

Motion to Delay

Schrader then moved to delay 41.24(8)"f" for 70 days for further study.

Howard explained the effect delay would impose on subsequent portions of the rule. In general, it would eliminate any type of consequence or reality for the two-parent family, including the initial encouragement to make the appointment with the PROMISE JOBS office.

Rittmer was hesitant to hold up the program.

Halvorson concurred that time was needed to monitor the effectiveness of the program. He cited a situation in his area where it was working.

Metcalf would resist the motion to delay.

Schrader made closing remarks in support of his motion.

Motion failed

Motion failed on a tie vote, four to four.

Motion—Objection
lifted

Metcalf moved to lift the objection placed on 41.24(8)"f." Motion carried 7 to 1.

Ch 77, 78, 83

No action on ARCs 4623A or 4624A.

ETHICS AND CAMPAIGN DISC. The Board was represented by Kay Williams and Lynette Donner for the following:

ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]

Amend and transfer chs 1 to 10 from [121] to [351], Filed ARC 4710A3/30/94
 Personal financial disclosure, ch 11, Filed Emergency After Notice ARC 4711A3/30/94
 Codes of conduct, ch 12, Filed ARC 4708A3/30/94
 Executive branch lobbyists, ch 13, Filed ARC 4709A3/30/94

Transfer Chs 1 to 10 No Committee action on ARC 4710A.

Ch 11 Emergency filing of Chapter 11 was reviewed. Clarification was provided Halvorson on who is covered under the April 30 deadline.

Kibbie was advised that if an agency eliminated a position they should notify the Board so their rules could be modified (as explained in 11.2).

Ch 12 Clarification was provided Hedge on restrictions of Board members regarding political activity.

Ch 13 Chapter 13, executive branch lobbyists, was discussed. Williams explained the thrust of this rule would be focused on those outside of government who lobby an executive agency.

Committee Business Priebe brought to the Committee's attention that the ARRC Rules of Procedure should be amended to denote "Chair" and "Co-chair" rather than "Chair" and "Vice-chair." Kibbie moved that Barry be authorized to correct the Committee's Rules of Procedure which are published in the IAC. Motion carried unanimously.

SUBSTANCE ABUSE Royce called attention to the Substance Abuse rules placed under "No Rep" category on the agenda. A doctor in Cedar Rapids who treats heroin addicts with methadone wanted to comment on rule 643—3.35 and the Department was not opposed to delaying the rule for further study.

Motion Hedge moved to delay rule 643—3.35 for 70 days.

Schrader voiced opposition to the delay, noting that seven votes were required to remove a delay. However, he indicated a willingness to support such action if the Committee would agree to lifting the delay as a first order of business at the May meeting.

Metcalf would support a delay citing time element for ARRC review during the legislative session.

After perusal of the "No Representative called" agencies, the Committee concurred that the following should be added to the May agenda: General Services, Terrace Hill; Public Health, drug testing and immunization; and Racing and Gaming, exotic wagering.

Royce advised that he had been contacted by the board of supervisors in Woodbury County who expressed concern over increased costs because of inconsistencies in the IQ level for determining mental retardation. Priebe asked that the issue be placed on the May agenda – 441—Chapters 22 and 24.

Recess

After a ten-minute recess, the following Environmental Protection Commission agenda was reviewed:

ENVIRONMENTAL PROTECTION COMMISSION[567]

NATURAL RESOURCES DEPARTMENT[561]"umbrella"

Air quality operating permit program, 22.4, 22.100 to 22.116, 22.120 to 22.147, 23.1(2), 23.1(2)"ooo" and "ppp," 23.1(3), 23.3(2)"d"(3) and (4), 23.4(6), 25.1(9), 25.2, Filed ARC 4676A 3/16/94

Sewage sludge, 23.1(2), 23.1(2)"k," ch 67, 68.9(1), 69.14(1)"c," 100.2, 102.15(3), 103.2(1)"o," 103.6(1), 103.6(1)"b"(9), 103.6(2), 120.2, 120.3(1), 121.1(1), 121.2(2), 121.3(1), 121.3(1)"a"(1), (3) and (7), 121.3(1)"b," "c," and "k," 121.3(1)"l"(2) and (4), 121.3(1)"m," 121.4(1), 121.4(1)"a"(12), 121.4(1)"b"(7), 121.4(1)"c"(9) and (10), 121.4(1)"d," 121.4(2)"a," 121.4(2)"b"(4) and (9), 121.4(2)"c"(1) and (3),

Notice ARC 4678A 3/16/94

Financial assurance requirements for municipal solid waste landfills, 103.2(16), ch 111,

Notice ARC 4679A 3/16/94

Registration of groundwater professionals, 134.4, Notice ARC 4677A 3/16/94

The Commission was represented by Darrell McAllister, Wayne Farrand, David Wornson and Keith Bridson.

23.1 et al.

McAllister informed the Committee that the proposed amendments and new Chapter 67, relating to sewage sludge, were intended for federal compliance.

Schrader asked if these rules were liberalizing the disposal of sewage sludge in landfills. McAllister responded that, if anything, the rules would be more stringent because of additional monitoring and reporting requirements.

Metcalf inquired about any other significant changes that would affect Polk County. McAllister said that more testing and reporting would be required for pathogen and vector reduction.

22.4 et al.; 103.2(16), ch 111

No questions or recommendations by the ARRC on ARC 4676A or 4679A.

134.4

In review of proposed amendment to 134.4, Wornson advised Kibbie that limited comments at the three public hearings focused on setting up a board outside of DNR to review disciplinary actions. Deadline for comments was April 18.

Rittmer was informed that registered groundwater professionals totaled more than 200.

**NATURAL RES.
COMMISSION**

Representing the Commission were Mike Murphy, Christine Spackman, Larry Haage, Arnold Sohn, Daryl Howell, Lee Gladfelder, Steve Dermand and Don Cummings. The following agenda was reviewed:

NATURAL RESOURCE COMMISSION[571]**NATURAL RESOURCES DEPARTMENT[561]"umbrella"**

REAP, department rejection of applications, 33.50(6), Filed ARC 4703A 3/30/94
 Type of registered vehicle a permitted, nonambulatory person may use on a state game management area,
 51.7(2)"a" to "c," Notice ARC 4704A 3/30/94
 Forfeited property, 10.5, 10.6, Filed ARC 4636A 3/2/94
 Public, commercial, private docks and dock management areas, amendments to ch 16,
Notice ARC 4454A Terminated ARC 4637A 3/2/94
 Private dock permits, 16.1 to 16.4, 16.5(1), 16.5(2), 16.5(8), 16.5(10), 16.5(13) to 16.5(26), 16.6, 16.7,
 16.8(1), 16.8(3), 16.8(7), 16.9(1)"e," 16.10, Notice ARC 4638A 3/2/94
 Cost-sharing of revenues from the sale of wildlife habitat stamps, 23.5, Filed ARC 4639A 3/2/94
 Boating speed and distance zoning, 40.9(2), Filed ARC 4640A 3/2/94
 Controlled waterfowl hunting at certain public wildlife areas, 53.3(1)"a," 53.3(1)"b,"
Filed ARC 4641A 3/2/94
 Endangered and threatened plant and animal species, ch 77, Filed ARC 4642A 3/2/94
 Waterfowl and coot hunting seasons, 91.1 to 91.3, 91.4(2)"n" and "o," Notice ARC 4643A 3/2/94
 Nonresident deer hunting, 94.1, 94.2, 94.7(1), 94.7(4), 94.7(5), 94.8, Notice ARC 4644A 3/2/94
 Pheasant, quail, and gray (Hungarian) partridge hunting seasons, 96.1(1), 96.2, 96.3, Notice ARC 4645A 3/2/94
 Common snipe, Virginia rail, sora, woodcock and ruffed grouse hunting seasons, 97.1 to 97.4,
Notice ARC 4646A 3/2/94
 Wild turkey fall hunting, 99.1, 99.4, Notice ARC 4647A 3/2/94
 Falconry regulations for hunting game, ch 102, Notice ARC 4648A 3/2/94
 Deer hunting, ch 106, Notice ARC 4649A 3/2/94
 Rabbit and squirrel hunting, 107.1 to 107.3, Notice ARC 4650A 3/2/94
 Regulations for the taking of furbearers (except groundhog), 108.1, 108.1(2), 108.2 to 108.4, 108.5(2),
Notice ARC 4651A 3/2/94

33.50(6)

No questions or recommendations on ARC 4703A.

10.5, 10.6; Ch 16

No questions or comments on ARCs 4636A, 4637A or 4638A. Dermand explained the use of cantilevered docks at Lake Panorama and discussed construction of permanent docks.

51.7(2)

ARC 4704A. No questions.

Ch 77

ARC 4642A. No questions.

99.1, 99.4

ARC 4647A In review of wild turkey fall hunting, Cummings said that changes were limited to adjusted calendar dates.

Priebe reported on telephone calls he had received in opposition to alleged sale (600 at \$500 each) of wild turkeys out of Iowa which cut back on the fall season. Cummings explained that these turkeys were trapped on farms with depredation problems where farmers have asked for help, e.g. Allamakee County. Money from the sale of these turkeys is placed in a trust fund to purchase turkey habitat.

Ch 102

ARC 4648A. No questions.

Ch 106

Gladfelder explained the early and late muzzleloader seasons in ARC 4649A and availability of licenses to a landowner. Priebe opined that the rules were more restrictive than the statute and requested the Department to research the matter prior to adoption of the rules.

NRC (Cont.) No questions on the remainder of the DNR agenda, reviewed in the following order: ARCs 4650A, 4644A, 4645A, 4646A, 4641A, 4651A, 4639A, 4643A, 4640A.

701—32.4 Metcalf reported on request by the Iowa Motor Truck Association for special review of Revenue rule 701—32.4 relative to exemption from use tax for vehicles used in interstate commerce. It was agreed that the rule would be added to the May agenda.

EDUCATION The Department of Education was represented by Donna Eggleston, Kathy Lee Collins, Don Helvick, Anita Varne, Susan Andersen, Jerda Garey and Harriet H. Custer. The following agenda was discussed:

EDUCATION DEPARTMENT[281]

Petitions for rule making — title of legal consultant, 2.3, **Filed** ARC 4715A 3/30/94
 Appeal procedures, 6.2, 6.3(1), 6.3(6), 6.4(1), 6.4(2), 6.5, 6.6, 6.8(1)"b," 6.8(2)"a," "c," and "e," 6.8(3),
 6.10(3)"c," 6.11(1), 6.11(5), 6.13, **Filed** ARC 4714A 3/30/94
 Educational opportunities outside a student's resident district, rescind ch 16, **Filed** ARC 4712A 3/30/94
 Extracurricular interscholastic competition — physical examination, 36.14(1), 36.15(3)"b"(4),
Filed ARC 4713A 3/30/94
 General accreditation standards, 12.1(5), 12.1(6), 12.2(2), 12.2(4), 12.3(4), 12.3(12), 12.4, 12.5, 12.8,
Filed ARC 4628A 3/2/94
 Shared time, rescind ch 14, **Notice** ARC 4634A 3/2/94
 Vocational education — competency development by local school districts or community colleges, 46.7(2),
Notice ARC 4633A 3/2/94
 Vocational education council, ch 47 title, 47.1, 47.2, **Notice** ARC 4632A 3/2/94
 Child development coordinating council — waiver provision, 64.15"5" and "6," 64.20,
Notice ARC 4631A 3/2/94
 Innovative programs for at-risk early elementary students, 65.9(4) to 65.9(7), **Notice** ARC 4630A 3/2/94
 Administrative advancement and recruitment program, equal employment opportunity and affirmative action in
 educational agencies — updating and corrective amendments to chs 94 and 95, **Notice** ARC 4629A ... 3/2/94

Ch 64 Eggleston summarized waiver provisions for the Child Development Coordinating Council, Chapter 64, ARC 4631A. No questions.

2.3; 6.2 et al.; ch 14; Collins gave a brief overview of amendments found in ARCs 4715A, 4714A, ch 16; 36.14, 36.15; 4634A, 4712A, 4713A and 4633A. No questions or action taken by the Committee.
 46.7(2)

Ch 47 Custer and Garey reviewed amendments to Chapter 47, Vocational Education Council, Noticed in ARC 4632A.

65.9 Amendments relating to at-risk early elementary students were reviewed by Anderson.

In response to Daggett, Andersen said the three district size categories were consistent with statutory requirements as well as the family resource centers.

The Code and rule definitions of "rural" and "urban" were discussed and Daggett requested clarification.

EDUCATION(Cont.) Priebe had problems with 65.9(4) which stated that, "The Department shall have the final discretion to award funds." He also suggested further definition in the rules. Anderson advised that when starting a new program, funding for a minimum of four years was the most expedient way to spend dollars. No Committee action.

Chs 94, 95; Ch 12 The remainder of the Education agenda was reviewed without comment or recommendation.

Substance Abuse
70-day Delay The ^{Helge} motion to place a 70-day delay on the Substance Abuse rule relating to methadone treatment centers was before the Committee. Schrader reiterated that he would vote for the delay with the agreement that it would be lifted at the May meeting. Motion carried.

Minutes Upon motion by Halvorson, the minutes of the March 7 and March 21 meetings were approved.

NO REPS No agency representative was requested to appear for the following:

ATTORNEY GENERAL[61]

Victim assistance — administration, 9.1 to 9.10, Filed ARC 4707A 3/30/94

BANKING DIVISION[187]

COMMERCE DEPARTMENT[181]"umbrella"

Real estate lending requirements for state-chartered banks, 9.2(5), Notice ARC 4669A 3/16/94

DENTAL EXAMINERS BOARD[650]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Sale of goods and services, ch 8, Notice ARC 4699A 3/30/94

Patient records — retirement or discontinuance of practice, 27.10, Notice ARC 4698A 3/30/94

ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]

Professional Licensing and Regulation Division[193]

COMMERCE DEPARTMENT[181]"umbrella"

Disciplinary hearings — fees and costs, 4.28, Notice ARC 4706A 3/30/94

GENERAL SERVICES DEPARTMENT[401]

Terrace Hill — weddings, wedding receptions, fees, Iowa Code citation corrections in chs 14 and 16, 14.7(8),

16.4, Notice ARC 4622A 3/2/94

INSPECTIONS AND APPEALS DEPARTMENT[481]

Witness fees, 50.6(4), rescind 57.7, 58.6, 59.6, and 63.6, Filed ARC 4702A 3/30/94

Hospitals, amend and reorganize ch 51, Filed ARC 4700A 3/30/94

Skilled nursing facilities, rescind chs 58 and 59, new ch 59, Notice ARC 4262A

Terminated ARC 4657A 3/16/94

INSURANCE DIVISION[191]

COMMERCE DEPARTMENT[181]"umbrella"

Credit life and credit accident and health insurance — prima facie rates, 28.10(3), Filed Emergency

ARC 4668A 3/16/94

Medicare supplement insurance minimum standards — loss ratio, prohibition against using SHIP prepared materials,

37.12(1)"c," 37.23, Notice ARC 4667A 3/16/94

Small group health benefit plans, 71.11(8), 71.11(9), Notice ARC 4635A 3/2/94

No Reps (Cont.)

labor services division[347]
 EMPLOYMENT SERVICES DEPARTMENT[341]"umbrella"
 General industry safety and health — electric power generation, transmission, and distribution; electrical protective equipment; hazard communication, 10.20, Notice ARC 4664A 3/16/94
 Construction safety and health — standards for cadmium, hazard communication, 26.1, Notice ARC 4665A 3/16/94
 Occupational safety and health standards for agriculture — hazard communication, 28.1, Notice ARC 4666A/3/16/94

LAW ENFORCEMENT ACADEMY[501]
 Reserve officer weapons certification, 10.1(3)"b," Notice ARC 4663A 3/16/94

LIBRARIES AND INFORMATION SERVICES DIVISION[286]
 EDUCATION DEPARTMENT[281]"umbrella"
 Organization and programs, rescind 224 — chs 1 and 6, adopt 286 — chs 1 to 3 and 6, Notice ARC 4687A, also Filed Emergency ARC 4680A 3/30/94

NURSING BOARD[655]
 PUBLIC HEALTH DEPARTMENT[641]"umbrella"
 Contested cases — request for continuance, 4.10, Filed ARC 4689A 3/30/94
 Continuing education, 5.2(2)"b," Notice ARC 4688A, also Filed Emergency ARC 4690A 3/30/94

PROFESSIONAL LICENSURE DIVISION[645]
 PUBLIC HEALTH DEPARTMENT[641]"umbrella"
 Examiners for nursing home administrators, rescind chs 140 to 142 and 149; new chs 140 to 143 and 146 to 148, Notice ARC 4659A 3/16/94
 Podiatry examiners — fees, preventing HIV and HBV transmission, license and temporary license denial, discipline, 220.1(2)"a," 220.3(2), 220.6 to 220.8, 220.205, 220.212(14), Filed ARC 4673A 3/16/94
 Speech pathology and audiology examiners — out-of-state licensure documentation, continuing education report late fee, 300.5(2), 300.7(9), Filed ARC 4658A 3/16/94
 Behavioral science examiners — continuing education and disciplinary process, hearing procedures, uniform rules, chs 31, 32, 36 to 39, Filed ARC 4652A 3/2/94
 Cosmetology — applications, licensure, posting of sanitation rules, supervision of applicants working on a trainee permit, 60.2(2)"c," 60.3, 60.11(1), 60.12, 63.1, 64.1(6), Filed ARC 4654A 3/2/94
 Mortuary science, 101.1(3), 101.1(4), 101.2(11), 101.4(3)"a," 101.100, Notice ARC 4655A 3/2/94
 1756

PUBLIC HEALTH DEPARTMENT[641]
 Approval of laboratories for employee drug testing, 12.1 to 12.7, 12.11 to 12.15, 12.17 to 12.23, Notice ARC 4681A 3/30/94
 Allocation of disciplinary fees and costs, 173.19(4), 173.20, Filed ARC 4684A 3/30/94
 Immunization of persons attending elementary or secondary schools or licensed child-care centers, 7.4, 7.7(1), Notice ARC 4653A 3/2/94

RACING AND GAMING COMMISSION[491]
 INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"
 Exotic wagering minimum wagers, uncoupling of horses with same trainer for wagering purposes, 8.2(20), 8.3(13)"h," 10.1, 10.5(2)"c"(1), (3), and (4), Notice ARC 4686A 3/30/94
 Riverboat license, 20.10(5)"l," 25.10(2), Filed ARC 4621A 3/2/94

STATE PUBLIC DEFENDER[493]
 INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"
 Court-appointed counsel — eligibility guidelines and repayment, ch 13, Notice ARC 4283A Terminated ARC 4682A 3/30/94

SUBSTANCE ABUSE COMMISSION[643]
 PUBLIC HEALTH DEPARTMENT[641]"umbrella"
 Specific standards for methadone treatment centers, 3.35, Filed ARC 4674A 3/16/94

TRANSPORTATION DEPARTMENT[761]
 Holiday rest stops — advance approval of sponsors, 105.4(4)"a," 105.5(4)"a," Filed ARC 4656A 3/16/94
 Recreational trails program, 165.33(2), Filed ARC 4696A 3/30/94
 Airport improvement program, ch 710, Filed ARC 4697A 3/30/94

TREASURER OF STATE[781]
 South Africa investment restrictions, rescind ch 11, Filed Without Notice ARC 4683A 3/30/94

NO REPS (CONT.)**LABOR SERVICES DIVISION[347]****EMPLOYMENT SERVICES DEPARTMENT[341]"umbrella"**

General industry safety and health — electric power generation, transmission, and distribution; electrical protective equipment; hazard communication, 10.20, Notice ARC 4664A 3/16/94
 Construction safety and health — standards for cadmium, hazard communication, 26.1, Notice ARC 4665A 3/16/94
 Occupational safety and health standards for agriculture — hazard communication, 28.1, Notice ARC 4666A3/16/94

LAW ENFORCEMENT ACADEMY[501]

Reserve officer weapons certification, 10.1(3)"b," Notice ARC 4663A 3/16/94

LIBRARIES AND INFORMATION SERVICES DIVISION[286]**EDUCATION DEPARTMENT[281]"umbrella"**

Organization and programs, rescind 224 — chs 1 and 6, adopt 286 — chs 1 to 3 and 6, Notice ARC 4687A, also Filed Emergency ARC 4680A 3/30/94

NURSING BOARD[655]**PUBLIC HEALTH DEPARTMENT[641]"umbrella"**

Contested cases — request for continuance, 4.10, Filed ARC 4689A 3/30/94
 Continuing education, 5.2(2)"b," Notice ARC 4688A, also Filed Emergency ARC 4690A 3/30/94

PROFESSIONAL LICENSURE DIVISION[645]**PUBLIC HEALTH DEPARTMENT[641]"umbrella"**

Examiners for nursing home administrators, rescind chs 140 to 142 and 149; new chs 140 to 143 and 146 to 148, Notice ARC 4659A 3/16/94
 Podiatry examiners — fees, preventing HIV and HBV transmission, license and temporary license denial, discipline, 220.1(2)"a," 220.3(2), 220.6 to 220.8, 220.205, 220.212(14), Filed ARC 4673A 3/16/94
 Speech pathology and audiology examiners — out-of-state licensure documentation, continuing education report late fee, 300.5(2), 300.7(9), Filed ARC 4658A 3/16/94
 Behavioral science examiners — continuing education and disciplinary process, hearing procedures, uniform rules, chs 31, 32, 36 to 39, Filed ARC 4652A 3/2/94
 Cosmetology — applications, licensure, posting of sanitation rules, supervision of applicants working on a trainee permit, 60.2(2)"c," 60.3, 60.11(1), 60.12, 63.1, 64.1(6), Filed ARC 4654A 3/2/94
 Mortuary science, 101.1(3), 101.1(4), 101.2(11), 101.4(3)"a," 101.100, Notice ARC 4655A 3/2/94
 1756

PUBLIC HEALTH DEPARTMENT[641]

Approval of laboratories for employee drug testing, 12.1 to 12.7, 12.11 to 12.15, 12.17 to 12.23, Notice ARC 4681A 3/30/94
 Allocation of disciplinary fees and costs, 173.19(4), 173.20, Filed ARC 4684A 3/30/94
 Immunization of persons attending elementary or secondary schools or licensed child-care centers, 7.4, 7.7(1), Notice ARC 4653A 3/2/94

RACING AND GAMING COMMISSION[491]**INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"**

Exotic wagering minimum wagers, uncoupling of horses with same trainer for wagering purposes, 8.2(20), 8.3(13)"h," 10.1, 10.5(2)"c"(1), (3), and (4), Notice ARC 4686A 3/30/94
 Riverboat license, 20.10(5)"l," 25.10(2), Filed ARC 4621A 3/2/94

STATE PUBLIC DEFENDER[493]**INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"**

Court-appointed counsel — eligibility guidelines and repayment, ch 13, Notice ARC 4283A Terminated ARC 4682A 3/30/94

SUBSTANCE ABUSE COMMISSION[643]**PUBLIC HEALTH DEPARTMENT[641]"umbrella"**

Specific standards for methadone treatment centers, 3.35, Filed ARC 4674A 3/16/94

TRANSPORTATION DEPARTMENT[761]

Holiday rest stops — advance approval of sponsors, 105.4(4)"a," 105.5(4)"a," Filed ARC 4656A 3/16/94
 Recreational trails program, 165.33(2), Filed ARC 4696A 3/30/94
 Airport improvement program, ch 710, Filed ARC 4697A 3/30/94

TREASURER OF STATE[781]

South Africa investment restrictions, rescind ch 11, Filed Without Notice ARC 4683A 3/30/94

4-11-94

NO REPS (CONT.)

UTILITIES DIVISION[199]

COMMERCE DEPARTMENT[181]"umbrella"

Ex parte communications, 7.14, Notice ARC 4705A 3/30/94
Consolidated purchased gas adjustment filings, 19.10(1) to 19.10(3), 19.10(5)"a," Notice ARC 4672A .. 3/16/94
Collaboration in energy efficiency planning, 35.6(1), 35.8(9), Filed ARC 4670A 3/16/94
Sensitivity analysis, 35.8(6), Filed ARC 4671A 3/16/94

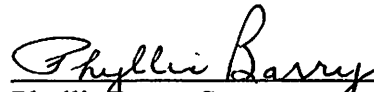
WALLACE TECHNOLOGY TRANSFER FOUNDATION[851]

Manufacturing technology outreach special projects fund, ch 13, Filed ARC 4685A 3/30/94

Adjournment

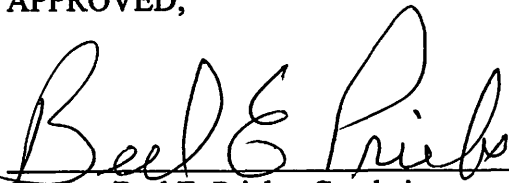
Priebe announced that the next meeting would be May 10 and 11. Meeting adjourned at 9:50 a.m.

Respectfully submitted,



Phyllis Barry, Secretary
Assisted by Mary Ann Scott

APPROVED;



Senator Berl E. Priebe, Co-chair