

MINUTES OF THE REGULAR MEETING
OF THE
ADMINISTRATIVE RULES REVIEW COMMITTEE

Time of Meeting

The regular meeting of the Administrative Rules Review Committee was held Tuesday and Wednesday, February 10 and 11, 1987, Senate Committee Room 24, State Capitol, Des Moines, Iowa. Meeting was convened at 7:30 a.m.

Members Present

Senator Berl E. Priebe, Chairman; Representative Edward G. Parker, Vice Chairman; Senators Donald V. Doyle and Dale L. Tieden; Representatives David M. Tabor and Betty J. Clark. Staff present: Joseph Royce, Counsel; Phyllis Barry, Deputy Code Editor; Vivian Haag, Executive Administrator. Also present: Barbara Booker Burnett, Governor's Administrative Rules Coordinator.

TREASURER OF STATE

Lawrence Thornton and Randi McLaughlin represented the Treasurer of State for the following:

Coordination of bonding activities, ch 6 ARC 7321... *N*..... 1/28/87

Chairman Priebe recognized Thornton who explained proposed chapter 6. In response to question by Tieden, Thornton advised that 6.3(1) and 6.8 follow the statute on reorganization of state government. The Treasurer oversees and coordinates selection of professional services when bonds are issued by "state or state authorities." No other questions.

RACING & GAMING

Jack Ketterer appeared on behalf of the Racing and Gaming Division to consider:

Organization, mutuel departments, harness racing, 1.2(3), 8.2(4), 8.2(4)"(5), (9) and (13), 8.3(2), 8.10, 9.7(9)re." 1/14/87
9.16, 9.23, 9.37, 9.69(12), 9.83, 9.98 ARC 7307... *N*.....
Greyhound racing, mutuel departments, 7.6(16), 8.1, 8.2(4)"k." filed emergency ARC 7306... *N*..... 1/14/87

Discussion centered on greyhound racing. Ketterer distributed a handout with statistics on Superfecta Wagering at the Waterloo Greyhound Park. Attendance at the Park increased 56 per cent in January over the previous month; the per capita amount wagered increased 12 per cent--from \$9.13 to \$10.20. Ketterer advised Priebe that there would be very little difference in breakage with Superfecta Wagering.

In response to Tieden, Ketterer pointed out that the rules relative to Superfecta Wagering were published under Notice in 12/3/86 IAB and no one attended a public hearing which was scheduled for December 23, 1986. The Division then adopted the rules on emergency basis to allow an implementation date which would be uniform and less costly. The wager has proven to be very popular.

Ketterer stated that amendments to 1.2(3) et al were essentially "clean up in the mutuel department." Priebe was told that new language in 9.16--"No races are run if the ambulance has to leave the grounds" pertained to harness racing. No other questions.

PUBLIC
SAFETY
DEPT.

2-10-87

Wilbur R. Johnson, State Fire Marshal, Connie White, and Donald Appell, Deputy Building Code Commissioner, represented the Department for the following:

State of Iowa building code, 16.800(3), 16.800(4) ARC 7304..... 1/14/87
Fire marshal-residential care facilities, 5.552(1), 5.552(4), 5.552(5)"d.", 5.552(7)"b.", 5.552(8)"a.", 5.552(10)"a.",
5.552(12)"a.", 5.552(13)"a.", 5.552(15)"d.", 5.552(16)"a" ARC 7303..... 1/14/87

Also present: Jim Champion, William C. Leachman, Glenn R. Siders, Kathy Draper and B. K. Lunu, Building Code Advisory Council members; Dwayne Van Hebert, State Home Building Association; K. Baker, Iowa State University; J. H. Svanoë, Energy and Geological Resources Bureau Chief, Department of Natural Resources.

Johnson gave brief overview of amendments to rule 5.552. He had received one complaint about the fire alarm detection systems but it was merely misinterpretation of the law. The amendments are intended to make exceptions to residential care facility rules to address occupancies for persons with mental retardation, chronic mental illness, and other developmental disabilities.

ch 16

Appell addressed the Committee concerning Building Code amendments which were an extension of those submitted last July under Notice. The Department has adopted energy efficient standards from the latest edition of the Model Energy Code and added the Home Heating Index (HHI) as required by law. Appell pointed out that HHI was originally devised as a basis for judging heat loss in existing structures. There is no documentation that it is effective for new construction. Appell continued that the HHI was developed by the Physics Department, Iowa State University, and was not a nationally accepted procedure.

Svanoë read a prepared statement contending that the rules do not accurately portray or utilize the Home Heating Index as developed by the ISU Energy Extension Department and will cause confusion for builders and homeowners, particularly, in rural areas. Appell responded that the Department did comply with the mandate that they use the term Home Heating Index. The law did not dictate use of the exact method proposed by the Department of Natural Resources and ISU Extension Service. He reiterated that HHI was not developed for new construction. Public Safety officials have developed a procedure for applying the Index to new construction. Appell stated that 20 per cent was too broad a range--all would utilize the low end of a range, if given a choice. The Department will use 5 which allows a range from 4 to 6. With a higher number, a structure will be less energy efficient.

Van Hebert reasoned that the position taken by scholars from ISU and DNR was probably correct, but in practice, the position taken by Public Safety Department to allow room for "overkill is probably a good application in the field."

2-10-87

PUBLIC
SAFETY
DEPT.
Cont'd

Tieden was concerned that some carpenters would find the formula too difficult. Comment was made that the formula would be figured by the builder, not the carpenter.

Van Hebert stressed importance of building "affordable houses and maintaining a happy medium." He thought standards should be raised if the correction factors are eliminated.

Baker voiced opposition to using the term "HHI" if a different calculation is used. Appell cited a problem of lack of enforcement--no one is checking the buildings for compliance. There is some policing through utility hookups.

Leachman viewed the rules as unworkable and concurred that many builders and contractors will be confused. He declared HHI was faulty from the start and not based on a survey but on a poll which has no scientific significance. In conclusion, Leachman mentioned liability ramifications if a home is falsely certified.

Deferred Parker asked that review of building code amendments be deferred until tomorrow (Wednesday). So ordered by the Chairman.

TRANSPOR-
TATION
DEPT.

The following agenda was before ARRC:

Motor vehicle dealers, manufacturers and distributors. (07.D) 10.10(8)	ARC 7316	1/28/87
Vehicle registration and certificate of title. (07.D) 11.2(14)	ARC 7284	1/14/87
Energy conservation trust fund appropriation. (09.B) title of ch 4, new ch 5	ARC 7285	1/14/87

Don Alexander, Air and Transit Division, discussed adopted rules relative to the Energy Conservation Trust Fund--chapter 5. In response to Tieden, Alexander said that \$1.7 million was received for transit and \$3 million for other purposes. No other questions.

Deferred Discussion of the other items was temporarily deferred.

NATURAL
RESOURCES
DEPARTMENT

Mark Landa and Morris Preston were present for the following:

Criteria for siting hazardous waste management facilities. 140.1, ch 151	ARC 7314	1/14/87
Underground storage tanks. 135.2, 185.4 to 135.12	ARC 7313, also filed emergency	ARC 7312 1/14/87

140.1
Ch 151

Landa explained that the Department was required to adopt criteria for identification of land areas or sites suitable for hazardous waste long-term storage facilities. Recommendations from three hearings had been incorporated. A plan for storage had also been filed with the Legislature.

Priebe discussed "nonattainment areas" in Des Moines and Landa indicated that Des Moines has a plan to correct the problem by paving the roads located in the southeast side. He emphasized that the Department continues to work with facilities to reduce emissions.

NATURAL
RESOURCES
DEPARTMENT
Continued

Also, EPA has modified some of their requirements. Tieden asked about the significance of protected water areas within two miles of the water area in the definition of "protected basins"--151.2. Preston stated that there would be less likelihood of contamination with a buffer. Tieden favored definitive criteria for the levels of various contaminants.

Preston said there are 30 to 50 thousand chemicals and determination of the long-term effect of daily consumption would be difficult.

In response to comment by Doyle as to the definition of "population areas," Preston admitted the rules do not offer a great deal of protection from hazardous waste facilities to those living in rural areas.

ch 135

In the matter of amendments relative to underground storage tanks, Landa said that modifications had been made following the Notice. The Commission appointed an advisory panel to study the matter and these rules represent the panel's efforts.

There was discussion of the sniffer wells. Preston noted that the owner of petroleum tanks has the option to use sniffer wells or groundwater monitoring wells if the table is less than 40 feet. Sniffer wells located near a gas station are likely to have some gas vapors making it difficult to distinguish if there were a normal vapor or leak.

Priebe opposed the 40-foot well requirement. It was his opinion that six feet was adequate and unnecessary expense can be avoided. Many well diggers have a \$500 minimum charge to set up.

Tabor indicated that petroleum operators were concerned that deep wells close to storage tanks would accelerate contamination.

Economic
Impact
Statement

Parker took the position that an economic impact statement should be requested and he moved that the Natural Resources Department prepare one. Motion carried.

TRANSPOR-
TATION
DEPARTMENT

Chairman Priebe called on Ruth Skluzacek to resume review of Transportation Department. [See p. 3618] No questions re [07,D]10.10(8).

Doyle referred to words in the last line of [07,D]11.21(4), "...and will not endanger any person" and reasoned they could create problems. ARRC suggested an emergency amendment to strike the objectionable language. Skluzacek pointed out that the language was in the statute.

Recess

Chairman Priebe recessed the meeting at 9:00 a.m.

2-11-87

Reconvened Chairman Priebe reconvened the meeting on Wednesday, February 11, 1987, 7:40 a.m. in Senate Room 24. All members and staff were present. Priebe announced that although the Committee was working on a tight schedule, any interested persons would be permitted time to speak.

ECONOMIC DEVELOPMENT DEPARTMENT Melanie Johnson, Cynthia B. Lidgett, and L. Michaela Funaro represented the Department for the following:

Youth affairs--young adult component, 14.7 ARC 7338...*FE*..... 1/28/87
Iowa job training partnership program, 19.3, 19.17 to 19.23, 19.41 to 19.52, 19.77 to 19.83, 19.86(4) ARC 7315...*FE*..... 1/14/87
Name change, other amendments, transfer or rescind 520--chs 1 to 13 and 630--chs 1 to 4, 7, 8, 11, 13, 14, 16, 19, 20, 24, 26 and 27 adopts new chs 1 to 4, 21, 36, 50 and 65, filed emergency ARC 7293...*FE*..... 1/14/87
Iowa business-industry information and training network--job training, partnership Act, 13.6(1), filed emergency ARC 7292...*FE*..... 1/14/87
Iowa business-industry information and training network, ch 13, notice ARC 6738 terminated ARC 7288...*NY*..... 1/14/87
Satellite centers, ch 41, ARC 7287, also filed emergency ARC 7286...*NY*...*FE*..... 1/14/87
Business incubator center program, transfer 520--ch 10 to 261--ch 52, (amend 10.2, 10.4, 10.8(4)re, 10.9) filed emergency ARC 7291...*FE*..... 1/14/87
Iowa targeted small business procurement program (set-aside program), ch 54, filed emergency ARC 7290...*FE*..... 1/14/87

ch 41 Rules on satellite centers were taken out of order--chapter 41. Lidgett explained that the rules were filed emergency to allow for distribution of specifications and application for funding in January and February 1987.

14.7 In re 14.7, Johnson, appearing for Jo Ann Callison who was out of state, reviewed the three changes made following Notice. She advised Tieden that information was not yet available on results of local contributions being increased from 25 to 35 per cent--14.7(6).

14.7(8)a Tieden referred to 14.7(8)a on allowable costs and a minimum wage provision. He wondered if overtime were allowed and Johnson agreed to check.

14.7(7)a Priebe was interested in the method the Department would use to ensure applicants equal opportunity for available positions--14.7(7)a. Johnson was unable to answer.

19.3 et al In considering amendments to chapter 19, Johnson emphasized that the rules would be revised to "synchronize" the JTPA handbook and rules.

chapters 1 - 13 et al Priebe challenged the emergency filing of amendments in ARC 7293. Johnson said that rules to implement re-organization were filed emergency to avoid confusion on the part of the public.

ch 52 Brief discussion of the Business Incubator Center Program which was transferred from Iowa Development Chapter 10 to Economic Development chapter 52. Parker pointed out there was a large deviation from past rules and he challenged the emergency filing.

Funaro said that the emergency filing was in order to identify targeted small businesses so that various state departments could purchase from them. Areas relative to brokering, distributors, manufacturers, etc. will be clarified as a result of the comments at public hearing held on the rules. No ARRC action taken.

HUMAN
SERVICES
DEPARTMENT

Mary Ann Walker, Norma Ryan, Kathi Kellen, Marcy Hansen, Joe Mahrenholz, Barbara Momberg, Cynthia Tracy, Darlene Clark, and Mark Boley appeared for review of the Human Services Department rules as follows:

Amount, duration and scope of medical and remedial services, optometrists, 78.2(5), 78.6(4) ARC 7300	1/14/87
Intermediate care facilities, intermediate care facilities for mentally retarded, 81.1, 81.6(1)(h)(4), 81.9(1)(a), 81.10(4)(d), 81.10(5), 81.11(1), 81.13(1)(a), "b," "e" to "g," "i," "j" and "k"(2), 81.13(2), 81.13(2)(f) and (1), 81.13(4)(a)(2), 81.13(7)(a), "b" and "f," 81.13(7)(i)(1) and (4), 81.13(7)(k)(1) and (2), 81.13(7)(l), 81.13(10)(1), 81.13(25)(a), 81.13(25), 81.14(2)(a), "b" and "f," 82.1, 82.2, 82.2(2)(e) and "f," 82.2(3)(a), 82.2(3)(b)(4), 82.3, 82.4, 82.5(1)(a)(4), 82.9(3) and "d" and "e," 82.13(1)(a), 82.17(2)(a), "b" and "f" ARC 7301	1/14/87
Collections, nonassistance child support recovery program, 95.1, 95.12, 96.12, 96.14 ARC 7299	1/14/87
Purchase of service, 150.3(5)(m)(3), 150.3(11) ARC 7302	1/14/87
Program evaluation, ch 13 ARC 7334	1/28/87
Supplementary assistance—eligibility, payment, medically needy, 51.4(1), 51.4(2), 51.7, 52.1(1), 52.1(2), 86.10(1), 86.10(2), filed emergency ARC 7297	1/14/87
Amount, duration and scope of medical and remedial services—retail pharmacies, 78.2(1)(d), 78.2(2)(a) ARC 7296 also filed emergency ARC 7295	1/14/87
Child care centers, family and group day care homes, 109.2(1)(1), 109.2(7), 109.3(6), 109.3(9), 109.5(2), 109.5(8), 109.6(4)(f) and "g," 109.6(6)(b), 109.7(4)(b) and "d," 109.9(1)(a), 110.5(2), 110.9(3)(e) ARC 7335	1/28/87
General provisions, eligibility, 130.3(1)(d)(2), filed emergency ARC 7298	1/14/87
Child care center financial assistance—the right to appeal, 154.5 ARC 7317	1/28/87

Walker explained that the language in 78.6(4) was statutory. No questions re 81.1 et al, 95.1 or 150.3(5)m.

Priebe was excused to attend a hearing. Parker in the chair.

ch 13

Clark asked if the form for child support verification request provision in 13.5(4)a(10) would be compatible with the new centralized reporting. The response was in the negative.

51.4 et al

Review of 51.4 et al. Boley and Tieden discussed the Quality Control error rate relative to Title XIX. Iowa is well below federal tolerance of 3 per cent--for food stamps, 6.2 per cent is the most recent figure. Clark was informed that, in the event a worker receives incorrect information, it would still be considered as an error.

86.10(2)

No questions re 86.10(2), 78.1(2)d or 109.2(1)i et al. Walker pointed out that amendment to 130.3(1)d(2) was a legislative mandate.

154.5

Parker questioned reason for change in 154.5. Walker replied that the appeal period would coincide with time frames for disbursement of funds by the county board. She concluded that an appeal made after funds have been distributed to the county would be ineffective.

Doyle questioned the 10-day limitation and expressed preference for more time. Walker agreed to convey his concerns to the Council.

AGRICULTURE
& LAND
STEWARDSHIP

John R. Whipple represented the Department for the following amendments which were before the Committee:

On-site containment of pesticides, fertilizers, and soil conditioners, 9.50 to 9.58 ARC 7309	1/14/87
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AGRICULTURE
& LAND
STEWARDSHIP
Continued

Also present: Sheila Lang, Manager, Environmental Affairs, Terra International, Inc.; Larry Skinner, Skinner Tank Company; Dirk Lohry, Chief Engineer, Nutra-Flo Company, Sioux City; Winton Etchen, Iowa Fertilizer and Chemical Association; Danny Vest, Growmark.

According to Whipple, the rules were unchanged from the Noticed version. A public hearing held December 9 elicited seven oral and twenty-five written responses. Primary opposition to the rules was the requirement for a registered engineer and the permeability standard for containment using soil. Whipple continued that, in order to alleviate the standards for registered engineer, very restrictive parameters would be needed. Under the rules, deviation from the standards would be possible with the registered engineer's certification. The Department took the position it would be inappropriate to change earthen dike standards since these engineering standards are used by the Department of Natural Resources and surrounding states.

Lohry expressed his company's concern that the rules would have a "serious negative impact on the fertilizer industry" and would not accomplish the objective of reducing groundwater contamination. Lohry contended that the rules should address the structural integrity of the primary container.

Skinner presented a notebook of material to document the success of his company in Yale, Oklahoma, in constructing virtually leak-proof storage tanks for all types of products.

Lang distributed written comments on behalf of Terra International. She stressed that they do not oppose secondary containment for liquid fertilizers but concur with Skinner and Lohry that emphasis should be on primary containment. She addressed the standards and discussed the types of toxicity of materials. Lang pointed out that fertilizers are not organic chemicals such as the pesticides and they should have different levels of control. She viewed the rules as creating unsurmountable problems for the small retailer. It was her suggestion that an independent study re costs be conducted--possibly by a university economics professor. Lang concluded that costs of \$10,000-\$50,000 per site by the Iowa Fertilizer and Chemical Association were extremely gross underestimates.

Motion to
Defer

Doyle moved that the rule be deferred until later in the day since both Senators Priebe and Tieden had to attend another meeting. He suggested that, in the meantime, Department officials meet with opponents of the rule. Motion carried.

2-11-87

AGRICULTURE
& LAND
STEWARDSHIP
Continued

Parker recognized Etchen who spoke in support of rules by his association and the industry which they represent. He distributed an excerpt from a national magazine which pointed out problems of diking and depicted various types of installations ranging from \$10,000 to \$100,000. Etchen concluded that he recognized the importance of ensuring against pollution of groundwater.

Vest distributed a letter and offered suggestions on design plans and specifications.

AGRICUL-
TURAL
DEVELOPMENT
AUTHORITY

William Greiner of the Authority reviewed the following:

General, beginning farmer loan program, soil conservation loan program, transfer of rules, amendments to 1.1,
1.2, 1.4, 1.5(6), 1.9, 2.1(2)"a," 2.1(6), 2.1(8), 2.2(1), 2.5(1), 2.6(1) to 2.6(5), 2.7(1), 2.7(3)"a" and "b," 2.7(4), 2.7(5),
2.8(1), 2.8(2), 2.9 to 2.13, 2.16, 2.18, 4.2(7), 4.3, 4.4, 4.9 ARC 7336...Y..... 1/28/87

Greiner informed the ARRC that the proposed amendments update their rules to comply with government reorganization. Clark questioned lack of limitations in waiver provisions--1.9. Greiner responded that with so many conditions it would be difficult to pinpoint all of them.

2.1(2)

U.S. Internal
Revenue Code
Citation

Clark interpreted use of "willing seller," in 2.1(2) as eliminating forced sale prices. According to Greiner, the subrule addresses the value as set between seller and buyer--local conditions dictate. Clark also questioned deletion of "1954" following references to the Internal Revenue Code. General discussion as to whether the date was necessary.

Barry referenced Code section 422.3(5) which defines "Internal Revenue Code of 1954" as amended to a date certain.

1.9

Tabor took the position that the waiver authority in rule 1.9 seemed to negate the rules. Greiner replied that was not their intent. Tabor asked Royce for his views on 1.9. Royce advised that he generally supports waivers since a rule will not cover every subject and those in place will sooner or later work unfairly against someone. However, he admitted, "This is the broadest waiver I have ever seen." He suggested addition of a paragraph which details a bit of procedure and sets guidelines for granting waivers. No formal action taken.

INSURANCE
Division

Bill Hager, Insurance Commissioner, Fred Haskins, Assistant Attorney General, and Roger Strauss represented the Insurance Division for the following:

Health maintenance organizations, 40.4, 40.10(2), 40.11, 40.12(9), 40.12(10), 40.15 to 40.18 ARC 7320...F..... 1/28/87
Health maintenance organizations, 40.1(2), 40.19 ARC 7319...X..... 1/28/87

Also present: Frank Severino, Heritage HMO, Deere & Company; Robert Miller, DMHP; Gene McCracken, HP&I.

INSURANCE
DIVISION
Continued

Hager informed the Committee that "most of the HMO community" had attended the public hearing held on amendments pertaining to Health Maintenance Organizations. The rules reflect interaction between industry and the Insurance Division. Hager cited as a major concern the potential impact on insured in the event of insolvency of an HMO. The capitalization requirement is only \$200,000. He discussed provisions which address that issue. The deposit requirements have not been increased as originally proposed--there was much testimony against that approach. An insolvency fund will be established, with each HMO contributing \$10,000. Also, half of the capital will be placed in trust in the Insurance Division. If an entity should fail, the Insurance Division would act as the bankruptcy court.

McCracken spoke in support of the rules and was of the opinion that the Division should not be placed in the position of trying to determine the number of HMOs needed in an area.

40.1(2) &
40.19

Hager commented that the Department concurred with a recommendation by Royce that a phase-in period should be included for licensing agents of HMOs. At this time, there are approximately 10 HMOs--some of which have no sales force.

Parker reasoned that selling HMOs would differ considerably from selling property and casualty insurance. Hager responded to the contrary--the individuals promoting HMOs are aggressive sales people taken out of business settings.

Recess

Doyle moved to recess the meeting at 9:05 a.m. Motion carried.

Reconvened

Chairman Priebe reconvened the Committee at 1:30 p.m. in Room 24 with a quorum present.

AGRICULTURE
& LAND
STEWARDSHIP

Priebe called for disposition of matters carried over from the previous day and this morning. Whipple reported on a compromise whereby 9.55(1)a and 9.56(1)a will be amended to allow for construction of the containment to the listed standard but for that containment to be maintained at a one times ten to the minus 5th standard, which is slightly less restrictive. The construction standard would remain the same. A DNR engineer had advised that it would be virtually impossible in Iowa to maintain at the stricter standard because of weather conditions. All factions concurred that the amendments should be filed emergency to coincide with the February 18 effective date of the rules.

2-11-87

ECONOMIC
DEVELOPMENT
DEPARTMENT

Royce spoke for Parker who was excused because of illness. Parker was opposed to changes in eligibility criteria for funding of a business incubator program by funding both existing and new centers. He contended that Notice and public participation should be utilized before implementation of the changes. Clark suggested limiting the amount available to existing centers.

Motion to
Object

Doyle moved an objection to 520--10.2(71GA, ch 33). Royce prepared the following:

At its February 11th, 1987 meeting the Administrative Rules Review Committee voted to object to the provisions of ARC 7291, item one, on the grounds that the "emergency" filing of this provision without prior notice and public participation constitutes an improper use of the emergency rule-making provisions and is therefore beyond the authority of the department. This filing appears in IX IAB 12 (1-14-87) and is codified as 261 IAC Rule 10.2.

This particular amendment changes the eligibility criteria for the funding of a business incubator center. The prior rule provided funding for the establishment of a center, the new rule provides funding for the aid and support of a center. Under this rule existing centers will be eligible to participate in the program. While this change confers a benefit on existing centers, it will also reduce the benefits available to new applicants. For this reason the committee does not believe that the rule should be implemented on an emergency basis. It is unclear whether the benefit of expanding the group of applicants eligible for funding outweighs the disadvantage of dividing the available funds into smaller amounts for more applicants. In the committee's opinion this question could be best answered by notice and public participation on the proposal, held prior to its implementation.

Motion carried.

PUBLIC
SAFETY
Referred
to GA

Rules relating to the Home Heating Index issue and state building code were before the Committee. Doyle moved that amendments to subrules 16.800(3) and (4) be referred to the Speaker of the House and the Lt. Governor with recommendation that the issue be reviewed by the Energy Committees of the respective houses in the Legislature. Motion carried.

Further discussion as to whether the Internal Revenue Code references should contain a date certain. Doyle asked Royce to study the matter before the March meeting.

Barry called attention to the fact that Agriculture had not complied with the request for an economic impact statement relative to temporary grain storage--ARC 6892, IAB 9-10-86. Chairman Priebe asked Royce to pursue the matter.

NO AGENCY
REPRESENTA-
TIVES

No agency representatives were requested to appear for:

EDUCATION, DEPARTMENT OF [670]
Area vocational schools and community colleges. 5.2(13) ARC 7323 1/28/87

NO AGENCY
REPRESENTA-
TIVES
Continued

INSPECTIONS AND APPEALS, DEPARTMENT OF[481]
Bulk food operation, food service establishments, food establishments, hotels, food and beverage vending
machines: transfer 30—ch 38 to 481—ch 21, 30—ch 38 to 481—ch 22, 30—ch 37 to 481—ch 23, 30—ch 46 to
481—ch 24, 30—ch 39 to 481—ch 25, also amends 481—22.3, 23.1, 23.2(2), 24.2 ARC 7308 *AY*..... 1/14/87

JOB SERVICE, DIVISION OF[345]
Administration, benefit control program, placement, chs 1, 5, and 7 ARC 7281 *FE*..... 1/14/87
Claims and benefits, 4.39(15), 4.40(3)"g" and "h" ARC 7337 *FE*..... 1/28/87

LOTTERY DIVISION[705]
Name change and transfer of rules, 526—chs 1 to 10 to 705—chs 1 to 10, filed emergency ARC 7305 *FE*..... 1/14/87

NATURAL RESOURCE COMMISSION[571]
Operation, ch 1 ARC 7330 *FE*..... 1/28/87
Public and confidential information, ch 2, rescinds 290—ch 63 ARC 7331 *FE*..... 1/28/87
Submission of information and complaints—investigations, ch 3, rescinds 290—ch 60 ARC 7332 *FE*..... 1/28/87

NATURAL RESOURCES, DEPARTMENT OF[561]
Public and confidential information, ch 2 ARC 7324 *FE*..... 1/28/87
Submission of information and complaints—investigations, ch 3 ARC 7325 *FE*..... 1/28/87

NATURAL RESOURCE COMMISSION[571]
Declaratory rulings, ch 6, rescinds 290—ch 61 ARC 7327 *AY*..... 1/28/87
State parks and recreation, 61.2, 61.3(5)"c," 61.4(2) and "m" ARC 7328 *AY*..... 1/28/87
Park user fee, 65.5(3) ARC 7329 *AY*..... 1/28/87

NATURAL RESOURCES, DEPARTMENT OF[561]
Declaratory rulings, ch 6 ARC 7326 *AY*..... 1/28/87

PUBLIC HEALTH DEPARTMENT[641]
Health care facilities—physical examinations, 57.15(2)"b," 58.15(2)"c," 59.19(2)"c," 63.15(2)"b" ARC 7318 *AY*..... 1/28/87

REGENTS, BOARD OF[720]
Admission rules common to the three state universities, 1.2(1), 1.2(2) ARC 7294 *FE*..... 1/14/87

REVENUE AND FINANCE DEPARTMENT[701]
Taxable sales, exempt sales, taxable and exempt sales determined by method of transaction or usage, vehicles
subject to registration, 16.3, 17.13, 18.0(6), 31.5(3) ARC 7310 *FE*..... 1/14/87

SECRETARY OF STATE[750]
Election forms and instructions—local sales and service taxes, 11.5(1), filed emergency ARC 7283 *FE*..... 1/14/87

UTILITIES DIVISION[199]
Time limitations for rate case procedural schedules, 7.7(15)"a" and "b" ARC 7333 *FE*..... 1/28/87

UTILITIES DIVISION[199]
Filing period for responses to applications for rehearing, 7.9(3), also notice ARC 6573 terminated ARC 7311 *AY*..... 1/14/87

Next
Meeting

The next meeting was scheduled for March 9 and 10,
beginning at 7:30 a.m. each day.

Adjourned

The meeting was adjourned at 1:55 p.m.

Respectfully submitted,

Phyllis Barry
Phyllis Barry, Secretary
Assisted by Vivian Haag

APPROVED:

Barth E. Ruck
CHAIRMAN