

CHAPTER 4
DECLARATORY ORDERS

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

The uniform rules on declaratory orders published in the first volume of the Iowa Administrative Code are adopted by reference with the following amendments:

21—4.1(17A,159) Petition for declaratory order. In lieu of the words “(designate agency)” the first time the words are used, insert “department of agriculture and land stewardship (hereinafter referred to as “the department”)”. In lieu of the words “(designate agency)” the subsequent times the words are used, insert “department”. In lieu of the words “(designate office)” insert “Wallace State Office Building, East Ninth and Grand, Des Moines, Iowa 50319.” In lieu of the words “(AGENCY NAME)” insert “DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP”.

21—4.2(17A,159) Notice of petition. In lieu of the words “_____ days (15 or less)” insert “15 days”. In lieu of the words “(designate agency)” insert “department”.

21—4.3(17A,159) Intervention.

4.3(1) In lieu of the words “_____ days” insert “20 days”.

4.3(2) In lieu of the words “(designate agency)” insert “the department”.

4.3(3) In lieu of the words “(designate office)” insert “the secretary of agriculture’s office”. In lieu of the words “(designate agency)” insert “the department”. In lieu of the words “(AGENCY NAME)” insert “DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP”. Delete paragraph “6” and insert in lieu thereof “6. A statement that the intervenor consents to be bound by the determination of the matters presented in the declaratory order proceeding.”

21—4.4(17A,159) Briefs. In lieu of the words “(designate agency)” insert “department”.

21—4.5(17A,159) Inquiries. In lieu of the words “(designate official by full title and address)” insert “the Secretary of Agriculture, Department of Agriculture and Land Stewardship, Wallace State Office Building, East Ninth and Grand, Des Moines, Iowa 50319”.

21—4.6(17A,159) Service and filing of petitions and other papers.

4.6(2) In lieu of the words “(specify office and address)” insert “the Secretary of Agriculture, Department of Agriculture and Land Stewardship, Wallace State Office Building, East Ninth and Grand, Des Moines, Iowa 50319”. In lieu of the words “(agency name)” insert “department”.

4.6(3) In lieu of the words “(uniform rule on contested cases X.12(17A))” insert “rule 2.12(17A,159)”.

21—4.7(17A,159) Consideration. In lieu of the words “(designate agency)” insert “department”.

21—4.8(17A,159) Action on petition.

4.8(1) In lieu of the words “(designate agency head)” insert “the secretary of agriculture”.

4.8(2) In lieu of the words “(contested case uniform rule X.2(17A))” insert “rule 21—2.2(17A, 159)”.

21—4.9(17A,159) Refusal to issue order.

4.9(1) In lieu of the words “(designate agency)” insert “department”.

21—4.12(17A,159) Effect of a declaratory order. In lieu of the words “(designate agency)” insert “department”. Delete the words “(who consent to be bound)”.

These rules are intended to implement Iowa Code chapter 17A as amended by 1998 Iowa Acts, chapter 1202, and Iowa Code chapter 159.

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