

CHAPTER 2
RULES OF PRACTICE

741—2.1(182) Definitions. All words and terms defined in Iowa Code section 182.1 employed in these rules are given the definitions found in that section.

This rule is intended to implement Iowa Code section 182.1.

741—2.2(182) Public information. The public is invited to obtain information or make informal requests of the board by addressing these matters to the Iowa Sheep and Wool Promotion Board, Wallace State Office Building, Des Moines, Iowa 50319.

This rule is intended to implement Iowa Code section 17A.3.

741—2.3(182) Informal settlement of controversies. Every possible attempt will be made to handle all complaints and controversies, whether raised by the board, or by members of the public, in an informal manner.

2.3(1) In cases of a routine nature, the chairperson or assistants employed by the board shall attempt to settle the matter. In cases indicating a need for interpretation of board policy or legal interpretation, assistants employed by the board may defer action until after consultation with the chairperson or with legal counsel, or the chairperson may defer action until after consultation with legal counsel, or either may defer action until after discussion of the subject at a board meeting.

2.3(2) In cases not of a routine nature, or in cases in which the efforts of the assistants employed by the board or chairperson are unsuccessful, the board itself shall act to resolve the matter. In cases indicating a need for legal advice, the board may defer action until after consultation with legal counsel.

This rule is intended to implement Iowa Code section 17A.10.

741—2.4(182) Declaratory rulings. On petition by an interested party who is aggrieved or adversely affected by the question contained in the petition, the board may issue a declaratory ruling with respect to the interpretation or applicability of any statutory provision, rule, or other written statement of the law or policy, decision, or order of the board.

2.4(1) Petition shall be titled “PETITION FOR DECLARATORY RULING” and shall include the name and address of all petitioners. The body of the petition must state the precise factual situation involved, the exact question to which an answer is desired, and the exact words, passages, sentences, or paragraphs which are the subject of inquiry.

2.4(2) The petition shall be filed by mailing it to the board at Wallace State Office Building, Des Moines, Iowa 50319.

2.4(3) The board will refuse to issue a declaratory ruling if the petition does not state with enough specificity the factual situation or the questions presented; if the issuance of the ruling would not be in the best interest of the public; or for any other reason it deems just and proper.

2.4(4) The board shall issue a ruling or dismiss the petition within 60 days following receipt of the requested information. If the requested information is not provided within 30 days of receipt of the request, the petitioner will be deemed to have withdrawn the petition.

This rule is intended to implement Iowa Code section 17A.9.

741—2.5(182) Petition for adoption of rules. An interested person may file with the board a written request that the board adopt, amend, or repeal a rule. The petition shall be addressed to the Iowa Sheep and Wool Promotion Board, Wallace State Office Building, Des Moines, Iowa 50319, and shall include:

1. The names of those requesting the change.
2. The proposed rule or present rule as it would read following the desired amendment.
3. The reason for the proposed rule or amendment.
4. The statutory authority for the proposed rule or amendment.

Within 60 days following receipt of the petition, the board shall either deny the petition in writing on the merits stating its reasons for denial or initiate rule-making proceedings.

This rule is intended to implement Iowa Code section 17A.7.

[Filed emergency 10/3/86—published 10/22/86, effective 10/3/86]
[Filed 2/20/87, Notice 10/22/86—published 3/11/87, effective 4/15/87]
[Filed emergency 9/16/88—published 10/5/88, effective 9/16/88]
[Filed 4/14/89, Notice 10/5/88—published 5/3/89, effective 6/7/89]