



2018 ANNUAL REPORT

Administrative Rules Review Committee

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I. Introduction

This report summarizes actions taken by the Administrative Rules Review Committee (ARRC) of the General Assembly in 2018. The ARRC was created to provide oversight of the executive branch rulemaking process established in Iowa Code chapter 17A, the Iowa Administrative Procedure Act. The powers and procedures of the ARRC are largely provided in Iowa Code §§17A.4 and 17A.8. The ARRC meets on a monthly basis to review noticed and adopted rules recently published in the Iowa Administrative Bulletin (IAB) and may selectively review existing rules and consider other rulemaking matters as well.

This report covers rule filings published in the IAB from January through December 2018. Because the ARRC typically reviews rule filings published in the previous month's issues of the IAB, this report covers the ARRC's February 2018 meeting through its January 2019 meeting.

Agendas and minutes of ARRC meetings can be found here:

www.legis.iowa.gov/committees/meetings/meetingsListComm?groupID=705.

Archives of the Iowa Administrative Code and IAB can be found here:

www.legis.iowa.gov/law/administrativeRules.

II. Formal ARRC Actions

The ARRC took the following actions at the following meetings:

April 2018

College Student Aid Commission, Meetings of the Commission—Special Meetings, Affirmative Votes, 03/28/18 IAB, ARC 3699C.

70-day delay pursuant to Iowa Code §17A.4(7).

May 2018

Public Health Department, Local Public Health Services—Funding, 04/11/18 IAB, ARC 3747C.

Session delay pursuant to Iowa Code §17A.8(9).

August 2018

Corrections Department, Review and Update of Policies and Procedures, 08/01/18 IAB, ARC 3929C.

70-day delay pursuant to Iowa Code §17A.4(7).

III. ARRC Approval to File Certain Emergency Rules

Iowa Code §17A.4(3) provides that the ARRC may approve adoption and filing of rules by an agency without first having a notice of intended action published in the IAB, a form of emergency rulemaking. Approval requires six votes. Filings that are not approved can still proceed using the regular rulemaking process. Approved emergency rulemaking documents can be found here prior to publication in the IAB:

www.legis.iowa.gov/law/administrativeRules/emergencyDocs.

Emergency rulemaking authorized by statute, and rules that have completed the notice portion of the rulemaking process and are adopted and filed emergency after notice pursuant to Iowa Code §17A.5(2), do not require prior ARRC approval.

The ARRC approved the following emergency filings at the following meetings:

May 2018

College Student Aid Commission, Meetings of the Commission—Special Meetings, Affirmative Votes.

October 25, 2018, Special Meeting

Administrative Services Department, Sexual Harassment.

November 2018

Corrections Department, Policies and Procedures.

December 2018

Human Services Department, State Supplementary Assistance.

IV. Enacted Legislation Relating to Rulemaking Process

The following legislation relating to the rulemaking process was enacted:

2018 Iowa Acts, chapter 1040, House File 2343, limiting agency authority to implement or enforce standards, requirements, or thresholds not required or permitted by law.

Doc ID: 1290433