

February 4, 1969
State Government, *Pass as amended 3-13*
" " *1-13*
refer to commit 2-17

HOUSE FILE 163

By GRASSLEY, BAILEY, SHAW
and WELDEN
(DeKoster, Lucken and
Shirley)

Passed House, Date *4-19-69* Passed Senate, Date *5-23-69*

Vote: Ayes *97* Nays *0* Vote: Ayes *57* Nays *0*

Approved *March 26, 1970*

Pass as amended by Senate
and further amended
by House 5/23; 108-0. **A BILL FOR** *Passed Senate as further*
amended by House 5/23
Passed as amended by Senate 3/13 aye 98, nays 6

1 An Act relating to administrative rules of departments of the
2 state.

3 *Be It Enacted by the General Assembly of the State of Iowa:*

4 Section 1. Section seventeen A point one (17A.1), Code
5 1966, as amended by chapter ninety-two (92), section one (1),
6 Acts of the Sixty-second General Assembly, is hereby further
7 amended by adding the following new subsection:

8 "No statute delegating rule-making power to an administra-
9 tive agency shall be construed to permit repeating or substan-
10 tially paraphrasing any statute in adopting any rule."

11 Sec. 2. Section seventeen A point seven (17A.7), Code 1966,
12 as amended by chapter ninety-two (92), section seven (7), Acts
13 of the Sixty-second General Assembly, is hereby further amended
14 as follows:

15 1. By striking from lines eleven (11) and twelve (12) the
16 word "receiving" and inserting in lieu thereof the words "sub-
17 mission of".

18 2. By adding to the end thereof the following:

19 "When an administrative department has rules under consid-
20 eration by the committee at any meeting, the department shall
21 have a representative in attendance."

22 Sec. 3. Section seventeen A point eight (17A.8), Code 1966,
23 as amended by chapter ninety-two (92), section eight (8), Acts
24 of the Sixty-second General Assembly, is hereby further amended
25 by adding to the end thereof the following:

1 "Any rules not filed with the secretary of state within sixty
2 days after the date of final action by the committee and after
3 the date the attorney general submits his advisory opinion,
4 whichever date is later, shall be void. All rules shall be
5 submitted to the code editor for examination before filing
6 with the secretary of state."

7 Sec. 4. Chapter ninety-two (92), Acts of the Sixty-second
8 General Assembly, section five (5), amending section seventeen
9 A point five (17A.5), Code 1966, is hereby amended by inserting
10 in line four (4) after the word "copies" the words "with
11 authorized signatures".

12 Sec. 5. Section seventeen A point ten (17A.10), Code 1966,
13 as amended by chapter ninety-two (92), Section nine (9), Acts
14 of the Sixty-second General Assembly, is hereby further amended
15 as follows:

16 1. By striking in line fourteen (14) the words "Any com-
17 mittee of".

18 2. By adding to the end the following new paragraph:

19 "The general assembly may, by joint resolution, advise an
20 administrative agency of changes in rules which would cause
21 it to conform to the consensus of the legislature".

EXPLANATION OF HOUSE FILE 163

This bill revises the administrative rules law.

1 Amend House File 163, page one (1), line ten (10), by adding
2 after the word "rule." the words "However, a statute or a part
3 thereof may be included in a rule by reference."

Filed - *adopted 4-19*
March 13, 1969

COMMITTEE ON STATE GOVERNMENT
C. RAYMOND FISHER, Chairman

SENATE AMENDMENT TO HOUSE FILE 163

1 Amend House File 163, page 2, by striking lines 12 through 21,
2 inclusive.

Received and concurred
May 23, 1969

1 Amend the Senate amendment to House File 163 by adding
2 thereto the following new section:
3 "Chapter ninety-two (92), section eight (8), Acts of the
4 Sixty-second General Assembly, amending section seventeen A
5 point eight (17A.8), Code 1966, is hereby amended by insert-
6 ing in line twenty-two (22) after the word "date" the
7 following:

8 " , provided, however, that when the legislative departmental
9 rules review committee shall so direct, no departmental rule
10 shall become effective until it has been referred to the
11 General Assembly as provided in section seventeen A point
12 ten (17A.10) of the Code. If the General Assembly fails to
13 act upon such a rule, within sixty (60) days thereafter, it
14 shall become effective. The legislative departmental rules
15 review committee shall delay the effective date of a proposed
16 rule by written notice to the secretary of state and the de-
17 partment proposing the rule".

Filed and adopted
May 23, 1969

SCHROEDER of Pottawattamie
BAILEY of Wright
CAMP of Clinton

1 Amend House File 163 by adding a new section as follows.
2 "Chapter ninety-two (92), section eight (8), Acts of
3 the Sixty-second General Assembly, amending section seventeen
4 A point eight (17A.8), Code 1966, is hereby amended by insert-
5 ing in line twenty-two (22) after the word "date" the
6 following:

7 " , provided, however, that when the legislative departmental
8 rules review committee shall so direct, no departmental rule
9 shall become effective until it has been referred to the
10 General Assembly as provided in section seventeen A point
11 ten (17A.10) of the Code. If the General Assembly fails to
12 act upon such a rule, it shall become effective upon adjourn-
13 ment of the General Assembly. The legislative departmental
14 rules review committee shall delay the effective date of a
15 proposed rule by written notice to the secretary of state
16 and the department proposing the rule".

Filed - *Withdrawn 5/23*
May 22, 1969

By CLARKE and NEU

1 Amend House File 163 by striking on page 2, lines 12 through
2 21, inclusive.

Filed - *Adopted 5-23*
May 21, 1969

By MOWRY and GAUDINEER

HOUSE AMENDMENT TO SENATE AMENDMENT
TO HOUSE FILE 163

1 Amend the Senate amendment to House File 163 by adding
2 thereto the following new section:
3 "Chapter ninety-two (92), section eight (8), Acts of the
4 Sixty-second General Assembly, amending section seventeen A
5 point eight (17A.8), Code 1966, is hereby amended by
6 inserting in line twenty-two (22) after the word "date" the
7 following:
8 ", provided, however, that when the legislative
9 departmental rules review committee shall so direct, no
10 departmental rule shall become effective until it has been
11 referred to the General Assembly as provided in section
12 seventeen A point ten (17A.10) of the Code. If the
13 General Assembly fails to act upon such a rule, within
14 sixty (60) days thereafter, it shall become effective. The
15 legislative departmental rules review committee shall delay
16 the effective date of a proposed rule by written notice
17 to the secretary of state and the department proposing the
18 rule".

*Senate referred
to House 3/6
House
received
3/13*