

Reprinted

HOUSE FILE 274
BY ADMINISTRATIVE RULES REVIEW
COMMITTEE

FEB 18 1991

STATE GOVERNMENT
S. Res 2/27

(COMPANION TO LSB 2037SV BY
ADMINISTRATIVE RULES REVIEW
COMMITTEE)

Passed House, Date 3/4/91 (p. 531) Passed Senate, Date _____
Vote: Ayes 95 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the omission of nullified administrative rules
2 from the Iowa administrative code.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 274

H-3101

1 Amend House File 274 as follows:
2 1. Page 1, by striking lines 7 through 9 and
3 inserting the following: "the Constitution of the
4 State of Iowa."
5 2. Page 1, by striking lines 21 and 22 and
6 inserting the following:
7 "c. Resolutions nullifying administrative rules
8 passed by the general assembly pursuant to Article
9 III, section 40 of the Constitution of the State of
10 Iowa."

By PAVICH of Pottawattamie
H-3101 FILED FEBRUARY 27, 1991
Adopted 3/4 (p. 531)

HF 274

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1 Section 1. Section 3.6, Code 1991, is amended by adding
2 the following new unnumbered paragraph:

3/03 3 NEW UNNUMBERED PARAGRAPH. The secretary of state shall
4 submit to the administrative code editor a copy of any
5 resolution nullifying an administrative rule which is passed
6 by the general assembly pursuant to Article III, section 40 of
7 the Constitution of the State of Iowa. The administrative
8 code editor shall publish the resolution in the Iowa
9 administrative bulletin.

10 Sec. 2. Section 17A.6, subsection 1, Code 1991, is amended
11 to read as follows:

12 1. The Code editor shall cause the "Iowa Administrative
13 Bulletin" to be published in pamphlet form at least every
14 other week containing the following:

15 a. Notices of intended action and adopted rules prepared
16 in such a manner so that the text of a proposed or adopted
17 rule shows the text of any existing rule being changed and the
18 change being made.

19 b. All proclamations and executive orders of the governor
20 which are general and permanent in nature.

3/0' 21 c. Notices of rules nullified by the general assembly and
22 the effective date of the nullification.

23 d. Other materials deemed fitting and proper by the
24 administrative rules review committee.

25 Sec. 3. Section 17A.6, subsection 3, Code 1991, is amended
26 by adding the following new unnumbered paragraph:

27 NEW UNNUMBERED PARAGRAPH. The administrative code editor
28 shall omit or cause to be omitted from the Iowa administrative
29 code any rule or portion of a rule nullified by the general
30 assembly pursuant to Article III, section 40 of the
31 Constitution of the State of Iowa.

32 Sec. 4. The administrative code editor shall omit or cause
33 to be omitted from the Iowa administrative code all rules or
34 portions of rules which have been nullified by the general
35 assembly pursuant to Article III, section 40 of the

1 Constitution of the State of Iowa prior to the effective date
2 of this Act. The administrative code editor shall also notify
3 all affected agencies that the nullified rules are to be
4 omitted.

5 EXPLANATION

6 This bill establishes a procedure for the deletion of rules
7 in the Iowa administrative code which have been nullified by
8 the general assembly. The secretary of state is required to
9 provide the administrative code editor with a copy of any
10 nullification resolution passed by the general assembly which
11 is then to be published in the administrative bulletin. The
12 bill also instructs the administrative code editor to omit
13 from the administrative code rules which have been nullified
14 prior to the effective date of this Act.

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HOUSE FILE 274
BY ADMINISTRATIVE RULES REVIEW
COMMITTEE

Substituted for S.F. 192 4/9/91
(COMPANION TO LSB 2037SV BY
ADMINISTRATIVE RULES REVIEW
COMMITTEE)

(As Amended and Passed by the House March 4, 1991)

Passed House, Date 3/4/91 (p. 531) Passed Senate, Date 4/9/91 (p. 1130)
Vote: Ayes 95 Nays 0 Vote: Ayes 48 Nays 0
Approved April 22, 1991 (p. 1441)

A BILL FOR

1 An Act relating to the omission of nullified administrative rules
2 from the Iowa administrative code.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____

1 Section 1. Section 3.6, Code 1991, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. The secretary of state shall
4 submit to the administrative code editor a copy of any
5 resolution nullifying an administrative rule which is passed
6 by the general assembly pursuant to Article III, section 40 of
7 the Constitution of the State of Iowa.

8 Sec. 2. Section 17A.6, subsection 1, Code 1991, is amended
9 to read as follows:

10 1. The Code editor shall cause the "Iowa Administrative
11 Bulletin" to be published in pamphlet form at least every
12 other week containing the following:

13 a. Notices of intended action and adopted rules prepared
14 in such a manner so that the text of a proposed or adopted
15 rule shows the text of any existing rule being changed and the
16 change being made.

17 b. All proclamations and executive orders of the governor
18 which are general and permanent in nature.

19 c. Resolutions nullifying administrative rules passed by
20 the general assembly pursuant to Article III, section 40 of
21 the Constitution of the State of Iowa.

22 d. Other materials deemed fitting and proper by the
23 administrative rules review committee.

24 Sec. 3. Section 17A.6, subsection 3, Code 1991, is amended
25 by adding the following new unnumbered paragraph:

26 NEW UNNUMBERED PARAGRAPH. The administrative code editor
27 shall omit or cause to be omitted from the Iowa administrative
28 code any rule or portion of a rule nullified by the general
29 assembly pursuant to Article III, section 40 of the
30 Constitution of the State of Iowa.

31 Sec. 4. The administrative code editor shall omit or cause
32 to be omitted from the Iowa administrative code all rules or
33 portions of rules which have been nullified by the general
34 assembly pursuant to Article III, section 40 of the
35 Constitution of the State of Iowa prior to the effective date

1 of this Act. The administrative code editor shall also notify
2 all affected agencies that the nullified rules are to be
3 omitted.

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HOUSE FILE 274

AN ACT
RELATING TO THE OMISSION OF NULLIFIED ADMINISTRATIVE
RULES FROM THE IOWA ADMINISTRATIVE CODE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 3.6, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The secretary of state shall submit to the administrative code editor a copy of any resolution nullifying an administrative rule which is passed by the general assembly pursuant to Article III, section 40 of the Constitution of the State of Iowa.

Sec. 2. Section 17A.6, subsection 1, Code 1991, is amended to read as follows:

1. The Code editor shall cause the "Iowa Administrative Bulletin" to be published in pamphlet form at least every other week containing the following:

a. Notices of intended action and adopted rules prepared in such a manner so that the text of a proposed or adopted rule shows the text of any existing rule being changed and the change being made.

b. All proclamations and executive orders of the governor which are general and permanent in nature.

c. Resolutions nullifying administrative rules passed by the general assembly pursuant to Article III, section 40 of the Constitution of the State of Iowa.

d. Other materials deemed fitting and proper by the administrative rules review committee.

Sec. 3. Section 17A.6, subsection 1, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The administrative code editor shall omit or cause to be omitted from the Iowa administrative code any rule or portion of a rule nullified by the general

assembly pursuant to Article III, section 40 of the Constitution of the State of Iowa.

Sec. 4. The administrative code editor shall omit or cause to be omitted from the Iowa administrative code all rules or portions of rules which have been nullified by the general assembly pursuant to Article III, section 40 of the Constitution of the State of Iowa prior to the effective date of this Act. The administrative code editor shall also notify all affected agencies that the nullified rules are to be omitted.

ROBERT C. ARNOULD
Speaker of the House

JOE J. WELSH
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 274, Seventy-fourth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 22, 1991

TERRY E. BRANSTAD
Governor

HF 274