

Companion to SF 336

MAR 16 1995

Place On Calendar

Substituted for SF 336 3/31/95 (P. 990)

HOUSE FILE 477

BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 47)

Passed House, ^(P. 962) Date 3/23/95 Passed Senate, ^(P. 990) Date 3-30-95
Vote: Ayes 92 Nays 0 Vote: Ayes 50 Nays 0
Approved April 6, 1995

A BILL FOR

1 An Act requiring that a publication whose standards are
2 incorporated by reference in agency rulemaking be purchased
3 and provided by the agency to the administrative rules
4 coordinator for deposit in the state law library.

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

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HF 477

1 Section 1. Section 17A.6, Code 1995, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3A. An agency which adopts standards by
4 reference to another publication shall purchase and provide a
5 copy of the publication containing the standards to the
6 administrative rules coordinator who shall deposit the copy in
7 the state law library where it shall be made available for
8 inspection and reference.

9 Sec. 2. Section 256.54, subsection 2, paragraph b, Code
10 1995, is amended to read as follows:

11 b. Maintain, as an integral part of the law library,
12 reports of various boards and agencies, and copies of bills,
13 journals, and other information relating to current or
14 proposed legislation, and copies of the Iowa administrative
15 bulletin and Iowa administrative code and any publications
16 incorporated by reference in the bulletin or code.

17 EXPLANATION

18 This bill provides that all agencies which list standards
19 adopted by reference to another publication must purchase and
20 provide a copy of the publication to the administrative rules
21 coordinator who shall deposit the copy with the state law
22 library where it will be available for inspection and
23 reference.

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1 portion of a larger, more expensive publication. Sometimes
2 there are delays experienced in receiving this information.
3 Fundamentally, if a standard or reference is made part of Iowa
4 law through the administrative rulemaking process, then Iowa
5 citizens should have a centralized location where that
6 standard or reference can be consulted. Currently the
7 availability of that information is dispersed, inconvenient,
8 and incomplete.

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HSB 47

STATE GOVERNMENT

Substituted by

CF 115

SENATE/HOUSE FILE _____

BY (PROPOSED CITIZENS' AIDE/
OMBUDSMAN BILL)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

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23 reference.

24 BACKGROUND STATEMENT

25 SUBMITTED BY THE AGENCY

26 State agencies are increasingly adopting standards by
27 reference in their administrative rules. Current policy
28 requires the agency to reference the rule and detail where a
29 copy may be obtained. It does not currently require the
30 agency or any other governmental entity to obtain and make
31 available for further inspection a copy of the standard
32 adopted by reference. Any interested party wishing to review
33 those requirements or standards referenced in rule may be
34 required to purchase that information from the publishing
35 source. Sometimes the referenced standard is only a limited

bulletin and Iowa administrative code and any publications
incorporated by reference in the bulletin or code.

HOUSE FILE 477

AN ACT

REQUIRING THAT A PUBLICATION WHOSE STANDARDS ARE INCORPORATED
BY REFERENCE IN AGENCY RULEMAKING BE PURCHASED AND PROVIDED
BY THE AGENCY TO THE ADMINISTRATIVE RULES COORDINATOR FOR
DEPOSIT IN THE STATE LAW LIBRARY.

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

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the following new subsection:

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RON J. CORBETT
Speaker of the House

LEONARD L. BOSWELL
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 477, Seventy-sixth General Assembly.

Approved April 6, 1995

ELIZABETH ISAACSON
Chief Clerk of the House

TERRY E. BRANSTAD
Governor