

FILED APR 9 1996

1 SENATE CONCURRENT RESOLUTION NO. 119
 2 BY GRONSTAL
 3 A Concurrent Resolution relating to the establishment of
 4 an interim committee regarding the Iowa Administrative
 5 Procedure Act.

6 WHEREAS, current Iowa Code chapter 17A, the Iowa
 7 Administrative Procedure Act, was enacted and became
 8 effective in 1975; and

9 WHEREAS, in March 1994, the Iowa State Bar
 10 Association passed a resolution authorizing the
 11 appointment of a task force to examine the law and
 12 make a report to the Association; and

13 WHEREAS, in January 1996, the Iowa State Bar
 14 Association Board of Governors approved a proposed new
 15 Iowa Administrative Procedure Act, based in part on
 16 the Uniform Law Commissioners' Model State
 17 Administrative Procedure Act of 1981, and reflected in
 18 Senate File 2404, introduced, but not adopted, during
 19 the 1996 Regular Session of the General Assembly; and

20 WHEREAS, the Administrative Law Section of the Iowa
 21 State Bar Association has also recommended changes to
 22 the Iowa Administrative Procedure Act that differ from
 23 the recommendations approved by the Board of Governors
 24 of the Iowa State Bar Association; and

25 WHEREAS, the Iowa Administrative Procedure Act
 26 significantly impacts the citizens of this state in
 27 regulating the process of adopting administrative
 28 rules and in the process of resolving disputes
 29 relating to agency rules and agency action; and

30 WHEREAS, changes to the Iowa Administrative

S.C.R. 119

1 Procedure Act need careful consideration by the
2 General Assembly in order to ensure that any changes
3 to the Act adequately balance the rights of executive
4 branch state agencies and citizens in the operation of
5 administrative law in this state; NOW THEREFORE,

6 BE IT RESOLVED BY THE SENATE, THE HOUSE OF
7 REPRESENTATIVES CONCURRING, That the Legislative
8 Council is requested to establish and appoint members
9 to an interim committee to conduct a study of the Iowa
10 Administrative Procedure Act. The study shall
11 include, but is not limited to, consideration of the
12 proposed new Iowa Administrative Procedure Act
13 reflected in Senate File 2404, and recommendations of
14 state agencies and other interested parties. The
15 Legislative Council is also requested to authorize
16 five meeting days for the study.

17 BE IT FURTHER RESOLVED, That the interim committee
18 develop recommendations to submit in a report to the
19 Legislative Council and the members of the General
20 Assembly which convenes in January 1997.

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