

CHAPTER 50

DEPARTMENT OF HISTORY AND ARCHIVES

H. F. 171

AN ACT relating to biennial reports of the state department of history and archives and to amend section seventeen point three (17.3), Code 1950.

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

1 SECTION 1. Section seventeen point three (17.3), Code 1950, is
2 amended by striking all of subsection thirteen (13) and inserting in
3 lieu thereof the following:

4 "13. Curator of state department of history and archives."

Approved March 29, 1951.

CHAPTER 51

ADMINISTRATIVE RULES AND REGULATIONS

H. F. 606

AN ACT relating to the adoption, amendment, revision, or repeal of rules and regulations adopted by administrative agencies of the state of Iowa as defined herein and to the publication and distribution of said rules and regulations.

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

1 SECTION 1. As used in this Act the following words and phrases
2 shall have the meanings respectively ascribed to them.

3 1. "Administrative agency" or "agency" means each state board,
4 commission, bureau, division, or department, other than a court, hav-
5 ing statewide jurisdiction.

6 2. "Person" includes individuals, associations, partnerships, and
7 corporations.

8 3. "Rules and regulations" includes rules, regulations and amend-
9 ments thereto of general application and rules of administrative proce-
10 dure issued under authority of law but shall not include rules and
11 regulations adopted relating solely to the internal operation of the
12 agency nor to rules and regulations adopted relating to the manage-
13 ment, discipline, or release of any person committed to any state
14 institution, nor such rules and regulations of the state department of
15 health as may be necessary during emergencies such as floods,
16 epidemics, invasion, or other disasters.

1 SEC. 2. Wherever in the statutes any administrative agency is
2 empowered to make rules and regulations, said agency shall proceed as
3 follows:

4 1. A copy of the proposed rule or regulation before adoption shall
5 be forwarded to the attorney general who shall, within twenty days,
6 approve or disapprove of the form and legality thereof.

7 2. Upon such approval by the attorney general the agency may
8 adopt the rule or regulation and shall cause a copy thereof to be filed
9 in the office of the secretary of state.

10 3. If the attorney general disapproves of the form or legality of
 11 any proposed rule or regulation he shall state in writing his reasons
 12 therefor, and the administrative agency shall then not proceed until
 13 the reasons for his objections have been removed. If the attorney
 14 general fails to approve or disapprove within twenty days the agency
 15 may proceed as though he had approved.

1 SEC. 3. When a rule or regulation adopted as provided in section
 2 two (2) is filed in the office of the secretary of state, he shall make an
 3 original copy thereof in substantially the same manner that acts of the
 4 General Assembly are enrolled, endorse thereon the time and date of
 5 filing in his office, and deposit and index the same in the files of his
 6 office.

1 SEC. 4. The secretary of state shall furnish a copy of every rule
 2 and regulation, filed in his office, to the code editor.

1 SEC. 5. Each administrative agency shall mail a copy of each of
 2 its rules and regulations to the office of the clerk of each district court,
 3 to the secretary of the state bar association, to each district and
 4 supreme court judge, and to any person requesting same.

1 SEC. 6. Any group of twenty or more persons substantially in-
 2 terested or affected in their rights of person or property by a rule or
 3 regulation adopted by any administrative agency may petition to the
 4 attorney general for a reconsideration of such rule or regulation or for
 5 an amendment or modification thereof. Such petition shall set forth a
 6 clear, concise description of the facts and the grounds upon which such
 7 action is sought. Upon filing of such petition the attorney general
 8 shall cause the agency to grant the petitioners a public hearing. The
 9 agency shall give thirty days notice of the time and place of such hear-
 10 ing to said petitioners by registered mail.

1 SEC. 7. Within six months after the effective date of this act every
 2 administrative agency shall file its rules and regulations, existing on
 3 that date in the office of the secretary of state, who shall proceed
 4 therewith as provided in sections three (3) and four (4). After the
 5 expiration of said period any rule or regulation not so filed shall be of
 6 no further force or effect.

1 SEC. 8. Section fourteen point three (14.3), Code 1950, is amended
 2 by adding a new subsection as follows:

3 "Prepare the manuscript copy, and cause to be printed by the state
 4 superintendent of printing, a volume in each even numbered year
 5 which shall contain the permanent rules and regulations of general
 6 application, promulgated by each state board, commission, bureau,
 7 division or department, other than a court, having statewide juris-
 8 diction and authority to make such rules. The code editor may omit
 9 from said volume all rules and regulations applying to professional
 10 and regulatory examining and licensing provisions and any rules and
 11 regulations of limited application. The code editor may make refer-
 12 ence in the volume as to where said omitted rules and regulations may
 13 be procured.

14 "This volume shall be known as the Iowa Departmental Rules and
 15 any rule printed therein may be cited as I.D.R.

16giving the year of publication and the page where the
17 particular rule, by number, may be found."

1 SEC. 9. Each administrative agency promulgating professional
2 and regulatory examining and licensing rules and regulations and
3 each agency promulgating rules and regulations of limited application
4 shall cause the same to be published in pamphlet form for distribution
5 upon demand.

1 SEC. 10. The volume of rules and regulations published by the
2 code editor shall be sold and distributed by the superintendent of
3 printing in the same manner as codes and session laws.

1 SEC. 11. Nothing in this Act shall be construed as giving any addi-
2 tional power to any administrative agency to make rules and regu-
3 lations.

Approved April 11, 1951.

CHAPTER 52

CAPITOL BUILDINGS

S. F. 350

AN ACT relating to the power of the executive council to assign rooms in the capitol or capitol building to the several departments of the state and for amending section nineteen point fifteen (19.15), Code 1950.

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

1 SECTION 1. Section nineteen point fifteen (19.15), Code 1950, is
2 hereby amended by adding to such section the following: "The term
3 'capitol' or 'capitol building' as used in the Code shall be descriptive of
4 all buildings upon the capitol grounds."

Approved April 13, 1951.

CHAPTER 53

IOWA STATE GUARD

S. F. 310

AN ACT to amend the military code (chapter 29, Code 1950) to provide for the payment of expenses of the Iowa state guard.

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

1 SECTION 1. Chapter 29, Code 1950, is hereby amended by adding
2 thereto the following: "Any expense necessary for organizing, equip-
3 ping and maintaining the Iowa state guard shall be paid on approval
4 of the governor by warrant drawn on any state funds not otherwise
5 appropriated, or funds now or hereafter appropriated for the mainte-
6 nance of the national guard."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect upon its passage and publication in the Storm