

ADMINISTRATIVE SERVICES DEPARTMENT[11]

Adopted and Filed

Rule making related to capitol complex operations

The Department of Administrative Services hereby amends Chapter 100, “Capitol Complex Operations,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 8A.104, 8A.322, 17A.3 and 17A.4.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 8A.322 and 17A.7.

Purpose and Summary

These amendments update references and procedures in Chapter 100 of the Department’s rules regarding capitol complex operations, including hours of operation at the Capitol Building. These amendments are adopted as part of the Department’s five-year review of rules.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on October 24, 2018, as **ARC 4084C**. A public hearing was held on November 14, 2018, at 10 a.m. in the Procurement Conference Room, A Level, Hoover State Office Building, Des Moines, Iowa. No one attended the public hearing. No public comments were received. One change from the Notice was made. The Department did not adopt proposed language in subrule 100.3(3) which was taken from the State of Iowa Employee Handbook and pertained to a tobacco policy. The Department is keeping the underscored references to Iowa Code chapter 142D in Item 1, which refer to the correct Iowa Code reference.

Adoption of Rule Making

This rule making was adopted by the Department on November 29, 2018.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

The Department will not grant waivers under the provisions of these rules, other than as may be allowed under Chapter 9 of the Department’s rules concerning waivers.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on January 23, 2019.

The following rule-making actions are adopted:

ITEM 1. Amend rule 11—100.3(142B) as follows:

11—100.3(142B 142D) Smoking.

100.3(1) and **100.3(2)** No change.

100.3(3) This rule shall be enforced by peace officers of the department of public safety. Peace officers other than those employed by the department of public safety may enforce this rule at the request of the commissioner of public safety or at the request of a peace officer employed by the department of public safety.

This rule is intended to implement Iowa Code section 8A.322 and chapter ~~142B~~ 142D and Executive Order Number 68 signed November 23, 1998, by Governor Terry Branstad.

ITEM 2. Amend paragraphs **100.4(12)“b”** and **“c”** as follows:

b. For the Capitol Building, normal office hours are ~~6 a.m. to 6 p.m.~~ 7 a.m. to 5 p.m., Monday through Friday, ~~except that if a legislative session lasts past 6 p.m., the closing hour is extended until one half hour beyond the session’s end.~~ Weekend hours of public access shall be posted at public entrances and 9 a.m. to 4 p.m. on Saturday. If the legislature is in session after normal office hours, the ground floor south door closing hour is extended until the session’s end. Inquiries regarding the hours the building is open may be directed to the information desk at ~~(515)281-5591.~~

c. For the Iowa Historical Building, normal office hours are 8 a.m. to 4:30 p.m. every day, excluding weekends and holidays. The Iowa Historical Museum and the State Historical Library, located within the Iowa Historical Building, have different hours. Hours of public access shall be posted at public entrances. Inquiries regarding the hours the building is open may be directed to the information desk at ~~(515)281-5111.~~

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