

# MARCH 2009 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Friday, March 6, 2009, at 8 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

## BULLETINS NEEDED FOR THIS MEETING: 2/11/09, 2/25/09

		Bulletin	Page
<b>8:00</b>	<b>FISCAL OVERVIEW- Sue Lerdal</b>		
<b>8:05</b>	<b>ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]</b>		
	Waiver of wage and nonstatutory program requirements under certain limited conditions, 68.2(6), 68.4(7)“a”(1), 174.4, 175.4 <u>Filed ARC 7557B</u> .....	2/11/09	1786
	Targeted jobs withholding tax credit program, 71.1 to 71.6 <u>Filed ARC 7561B</u> .....	2/11/09	1787
	Small business disaster recovery financial assistance program, ch 78 <u>Filed ARC 7558B</u> .....	2/11/09	1788
<b>8:30</b>	<b>HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION[605]</b>		
	<small>PUBLIC DEFENSE DEPARTMENT[601]“umbrella”</small>		
	Community disaster grants, ch 13 <u>Notice ARC 7581B</u> , also <u>Filed Emergency ARC 7580B</u> .....	2/25/09	1889
<b>8:40</b>	<b>ENVIRONMENTAL PROTECTION COMMISSION[567]</b>		
	<small>NATURAL RESOURCES DEPARTMENT[561]“umbrella”</small>		
	Air quality, 22.1(2)“r,” 22.8(1), 23.1 <u>Filed ARC 7565B</u> .....	2/11/09	1791
	Private sewage disposal systems, 64.15(4), ch 69 <u>Filed ARC 7569B</u> .....	2/11/09	1795
	Animal feeding operations—surface application of manure on frozen or snow-covered ground, 65.1, 65.3, 65.17(3)“e,” 65.100, 65.101, 65.112(8) <u>Notice ARC 7570B</u> .....	2/11/09	1759
	Animal feeding operations—update of references, 65.1, 65.3(3), 65.17(6), 65.100, 65.101(6), 65.104(7), 65.105(3), 65.112 <u>Notice ARC 7564B</u> .....	2/11/09	1764
<b>9:10</b>	<b>PUBLIC SAFETY DEPARTMENT[661]</b>		
	Ignition interlock devices, rescind ch 7; adopt ch 158 <u>Notice ARC 7566B</u> .....	2/11/09	1769
	Public records and fair information practices, rescind ch 25; adopt ch 80 <u>Filed ARC 7562B</u> .....	2/11/09	1835
	Closed circuit surveillance systems, 141.1 to 141.3, 141.5(9), 141.6(9), 141.10 <u>Notice ARC 7563B</u> .....	2/11/09	1774
<b>9:30</b>	<b>DENTAL BOARD[650]</b>		
	<small>PUBLIC HEALTH DEPARTMENT[641]“umbrella”</small>		
	Placement of provisional appliances by dental hygienists, 10.3, 10.5(3)“b” <u>Notice ARC 7568B</u> .....	2/11/09	1752
	Public health supervision—interval for dental examination, 10.5(3)“a”(3) <u>Notice ARC 7555B</u> .....	2/11/09	1753
	Dental and dental hygiene examinations, 11.5(2)“e,” 12.3, 12.4 <u>Notice ARC 7567B</u> .....	2/11/09	1754
	Appeal procedure for denial of licensure and registration, 11.10, 20.8 <u>Notice ARC 7575B</u> .....	2/11/09	1755
<b>9:40</b>	<b>REVENUE DEPARTMENT[701]</b>		
	General cleanup, amend chs 71 to 75, 79, 80, 120, 123, 124; rescind ch 78 <u>Notice ARC 7592B</u> .....	2/25/09	1870
	Tax stamp for unprocessed marijuana plants, 91.2, 91.3 <u>Notice ARC 7593B</u> .....	2/25/09	1881

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<b>9:50</b>	<b>REAL ESTATE APPRAISER EXAMINING BOARD[193F]</b> Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]"umbrella" Certification of residential and general real property appraisers, amend chs 1, 3, 4, 11, 12; adopt chs 5, 6; rescind chs 13, 14 <u>Notice ARC 7595B</u> .....	2/25/09	1859
<b>10:00</b>	<b>HUMAN SERVICES DEPARTMENT[441]</b> Applicant's/participant's responsibility to provide information or verification to department, 40.24, 40.27, 76.2, 76.7, 170.5 <u>Notice ARC 7590B</u> .....	2/25/09	1857
	Temporary measures related to disasters, 58.41 to 58.45 <u>Filed ARC 7577B</u> .....	2/25/09	1893
	Assignment of rights to medical payments from third parties, 75.2(2), 75.2(4) <u>Filed</u> <u>ARC 7546B</u> .....	2/11/09	1829
	State-funded family planning program, 76.1(2)"d," ch 87 <u>Filed Emergency After Notice</u> <u>ARC 7544B</u> .....	2/11/09	1782
	Medicaid—health care data match program, payment from other sources, 76.13, 80.3, 80.5(2) <u>Filed ARC 7547B</u> .....	2/11/09	1831
	Supplemental rebates for diabetic supplies, 78.6, 78.9, 78.10, 78.28 <u>Filed ARC 7548B</u> .....	2/11/09	1831
	In-home health related care, 177.4(5), 177.6(3), 177.11(1) <u>Filed ARC 7549B</u> .....	2/11/09	1832
<b>10:30</b>	<b>PROFESSIONAL LICENSURE DIVISION[645]</b> PUBLIC HEALTH DEPARTMENT[641]"umbrella" Board of behavioral science, rescind chs 30, 34; amend chs 31 to 33 <u>Filed ARC 7476B</u> .....	1/14/09	1646
<b>10:45</b>	Committee business-April 3rd meeting, approve minutes, miscellaneous		
<b>NO AGENCY REPRESENTATIVE REQUEST TO APPEAR</b>			
<b>XX:00</b>	<b>AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]</b> Administration—updates to department structure, amendments to ch 1 <u>Filed Emergency</u> <u>ARC 7587B</u> .....	2/25/09	1887
	Pesticides—airal applicators and aerial applicator consultants, 45.1(1), 45.22(17) <u>Filed</u> <u>Emergency After Notice ARC 7556B</u> .....	2/11/09	1779
	Pesticides—timing of application near registered apiaries, record keeping, 45.26(3)"i," 45.31 <u>Filed Emergency After Notice ARC 7572B</u> .....	2/11/09	1781
	Electronic warehouse receipts and credit-sale contracts, amendments to chs 90, 91 <u>Filed</u> <u>ARC 7553B</u> .....	2/11/09	1786
<b>XX:00</b>	<b>ARCHITECTURAL EXAMINING BOARD[193B]</b> Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]"umbrella" Application by reciprocity, 2.2 <u>Notice of Termination ARC 7543B</u> .....	2/11/09	1749
	Application by reciprocity, 2.2 <u>Notice ARC 7545B</u> .....	2/11/09	1749
<b>XX:00</b>	<b>COLLEGE STUDENT AID COMMISSION[283]</b> EDUCATION DEPARTMENT[281]"umbrella" All Iowa opportunity foster care grant program—definition of "Iowa resident," 9.2 <u>Notice ARC 7574B</u> .....	2/11/09	1750

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<b>XX:00</b>	<b>CORRECTIONS DEPARTMENT[201]</b> General administration; personnel; supervision under interstate compact, rescind chs 4, 6, 46 <u>Notice ARC 7560B</u> .....	2/11/09	1751
<b>XX:00</b>	<b>CULTURAL AFFAIRS DEPARTMENT[221]</b> Iowa community cultural grants program—applicant eligibility, 6.3 <u>Notice ARC 7589B</u> .....	2/25/09	1855
<b>XX:00</b>	<b>EDUCATIONAL EXAMINERS BOARD[282]</b> <small>EDUCATION DEPARTMENT[281]“umbrella”</small> NCATE-accredited programs, 13.19 <u>Notice ARC 7600B</u> .....	2/25/09	1855
<b>XX:00</b>	<b>ELDER AFFAIRS DEPARTMENT[321]</b> Iowa family caregiver support program, ch 14 <u>Filed ARC 7599B</u> .....	2/25/09	1892
<b>XX:00</b>	<b>ENERGY INDEPENDENCE, OFFICE OF[350]</b> Electronic recording of proceedings; funds for administrative costs; confidentiality, 3.3(2)“c,” 4.4(3), 4.9 to 4.11 <u>Notice ARC 7573B</u> .....	2/11/09	1757
<b>XX:00</b>	<b>ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]</b> <small>Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]“umbrella”</small> Monument placement standards for land surveyors, 11.2, 11.7 <u>Notice of Termination ARC 7542B</u> .....	2/11/09	1758
<b>XX:00</b>	<b>HISTORICAL DIVISION[223]</b> <small>CULTURAL AFFAIRS DEPARTMENT[221]“umbrella”</small> Historical resource development program funding policies, 49.2, 49.3 <u>Filed ARC 7583B</u> .....	2/25/09	1892
<b>XX:00</b>	<b>IOWA FINANCE AUTHORITY[265]</b> Supplemental cap allocation for 2008, 8.11 <u>Filed ARC 7579B</u> .....	2/25/09	1894
<b>XX:00</b>	<b>IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495]</b> Contribution rates for special service members, 4.6 <u>Filed ARC 7591B</u> .....	2/25/09	1895
<b>XX:00</b>	<b>LABOR SERVICES DIVISION[875]</b> <small>WORKFORCE DEVELOPMENT DEPARTMENT[871]“umbrella”</small> Federal occupational safety and health regulations—adoption by reference, 10.20, 26.1 <u>Notice ARC 7541B</u> .....	2/11/09	1768
<b>XX:00</b>	<b>LIBRARIES AND INFORMATION SERVICES DIVISION[286]</b> <small>EDUCATION DEPARTMENT[281]“umbrella”</small> Waivers or variances from administrative rules, ch 10 <u>Filed ARC 7596B</u> ..... Declaratory orders, ch 11 <u>Filed ARC 7597B</u> .....	2/25/09 2/25/09	1895 1896

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	Petitions for rule making, ch 12 <u>Filed ARC 7598B</u> .....	2/25/09	1896
<b>XX:00</b>	<b>NATURAL RESOURCES DEPARTMENT[561]</b> Septic tank time-of-transfer requirements; exemption for electronics tower and wind turbine leases, 9.1(4)“a,” 9.2(1) <u>Filed ARC 7588B</u> .....	2/25/09	1897
<b>XX:00</b>	<b>PROFESSIONAL LICENSURE DIVISION[645]</b> <small>PUBLIC HEALTH DEPARTMENT[641]“umbrella”</small> Election of officers; competency examination or alcohol or drug screening, 4.3(2), 4.15 <u>Filed ARC 7586B</u> .....	2/25/09	1898
	Board of barbering, rescind chs 20, 26; amend chs 21 to 25 <u>Filed ARC 7578B</u> .....	2/25/09	1899
	Board of nursing home administrators, rescind chs 140, 145; amend chs 141, 143, 144 <u>Filed ARC 7576B</u> .....	2/11/09	1833
	Board of podiatry—residency programs, 220.2(11), 220.7(3) <u>Notice of Termination ARC 7552B</u> .....	2/11/09	1768
<b>XX:00</b>	<b>PUBLIC HEALTH DEPARTMENT[641]</b> Out-of-hospital do-not-resuscitate orders, ch 142, appendix A <u>Filed ARC 7550B</u> .....	2/11/09	1834
	Maintenance of AED device, 143.10 to 143.12 <u>Filed ARC 7551B</u> .....	2/11/09	1834
<b>XX:00</b>	<b>RACING AND GAMING COMMISSION[491]</b> <small>INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella”</small> Harness racing; thoroughbred and quarter horse racing; gambling games, 9.7(1)“d”(3), 10.5, 10.6(2), 10.7(1)“d”(3), 11.1, 11.12(8)“a” <u>Notice ARC 7554B</u> .....	2/11/09	1777
<b>XX:00</b>	<b>REAL ESTATE COMMISSION[193E]</b> <small>Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]“umbrella”</small> Trust accounts—tax identification number and depository address, 13.1(2) <u>Filed ARC 7559B</u> .....	2/11/09	1840
<b>XX:00</b>	<b>SOIL CONSERVATION DIVISION[27]</b> <small>AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]“umbrella”</small> Summer construction incentives funding, 10.41(5), 10.60(2) <u>Notice ARC 7594B</u> .....	2/25/09	1882
<b>XX:00</b>	<b>UTILITIES DIVISION[199]</b> <small>COMMERCE DEPARTMENT[181]“umbrella”</small> Natural gas and electric plant additions, gas distribution main extensions, and electric line extensions, 19.3(10), 20.3(13) <u>Filed ARC 7584B</u> .....	2/25/09	1900
	Notification rules for natural gas and electric utilities and electric transmission companies, 19.17, 20.19 <u>Notice ARC 7585B</u> .....	2/25/09	1884