

# NOVEMBER 2005 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, November 8, 2005, at 9 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

**BULLETINS NEEDED FOR THIS MEETING: No. 8, 9 (10/12/05, 10/26/05)**

Also refer to: 6/8/05, 8/3/05, 8/31/05

	Bulletin	Page
<b>9:00 LSA OVERVIEW</b> Mary Beth Mellik		
<b>9:10 HUMAN SERVICES DEPARTMENT[441]</b> Nancy Freudenberg (281-8438)		
Implementation of children’s mental health demonstration waiver, ch 24 preamble, 24.1, 24.4(9)“b”(11), Notice <b>ARC 4568B</b> , also <b>Filed Emergency ARC 4569B</b> .....	10/12/05	600
HCBS children’s mental health waiver services, 77.29(2), 77.46, 78.33, 78.33(1)“c,” 78.33(3), 78.52, 79.1(2), 79.1(15), 79.1(15)“a”(1), 79.1(15)“b”(5) and (8), 83.102(5)“a”(2), 83.112 to 83.120, ch 83 div VII, 83.121 to 83.129, ch 90 preamble, 90.1, Notice <b>ARC 4561B</b> , also <b>Filed Emergency ARC 4562B</b> .....	10/12/05	601
<b>9:30 COLLEGE STUDENT AID COMMISSION[283]</b> Julie Leeper (242-3370)		
EDUCATION DEPARTMENT[281]“umbrella”		
Iowa work–study program, ch 18, Notice <b>ARC 4597B</b> .....	10/26/05	636
Registered nurse recruitment program, adopt ch 34, Notice <b>ARC 4596B</b> .....	10/26/05	637
<b>9:40 LAW ENFORCEMENT ACADEMY[501]</b> Penny Westfall Penny.Westfall@ilea.state.ia.us.		
Hearing standards for law enforcement officers, 2.1(10), Notice <b>ARC 4591B</b> .....	10/26/05	640
Training requirements for law enforcement officers and jailers, 3.5(2)“n,” 3.5(4)“a,” 3.5(7)“k,” 3.6(1)“e,” 3.6(3)“c,” 3.8(4)“c,” 3.9(1)“b,” 8.1(2), 9.1(1)“a”(1)“1,” 9.1(2), 9.3(1)“a”(1)“1,” 9.3(1)“a”(2), 9.3(2), 10.10, Notice <b>ARC 4592B</b> .....	10/26/05	641
<b>10:00 IOWA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM[495]</b> Kelly Lovell (281-3081)		
Performance review of chief investment officer; qualifications of public members of benefits advisory committee; collection of overpayment process; procurement proposals and procedures, 2.1“8,” 3.2(1), 3.3, 3.4, 4.6(4)“d,” 11.7(3), 12.8(4)“j,” 17.13(2)“b” to “i,” 26.3(2), Notice <b>ARC 4601B</b> .....	10/26/05	639
<b>10:20 to 10:30 break</b>		
<b>10:30 REVENUE DEPARTMENT[701]</b> Dave Casey (281-6163)		
Electronic transmission of returns; motor fuel and special fuel; underground storage tanks; tobacco tax retail permit, 37.1, 67.1, 67.6, 68.2(1), 68.2(4), 68.2(5), 68.4(1), 68.8(2), 69.2, 83.12 to 83.17, Notice <b>ARC 4576B</b> .....	10/12/05	578
Individual income tax, corporate income tax—reporting, tax credits, deductions, 40.1, 40.62, 40.66, 41.3(1)“c,” 41.3(2)“a,” 41.5(2), 41.5(7), 41.5(9), 41.5(11), 42.2(11)“b,” 52.7(3)“c,” 52.7(5)“c,” 53.18, 59.19, Filed <b>ARC 4574B</b> .....	10/12/05	614
Soy–based cutting tool oil tax credit, 42.21, 52.24, Filed <b>ARC 4575B</b> .....	10/12/05	615
Implementation of streamlined sales and use tax Act, 211.1, adopt chs 212 to 214, 225, 230, Notice <b>ARC 4573B</b> .....	10/12/05	581
<b>10:45 CAPITAL INVESTMENT BOARD, IOWA[123]</b> Dave Casey (281-6163)		
Tax credits for investments, 1.4, 2.2, 2.4, 2.5(2), 2.6, 2.8, 2.9, 3.3 to 3.5, 3.7, Filed <b>ARC 4602B</b> .....	10/26/05	657
<b>10:50 IOWA FINANCE AUTHORITY[265]</b> Dennis Dietz (242-4974)		
ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]“umbrella”		
Entrepreneurs with disabilities program, adopt ch 25, Filed <b>ARC 4603B</b> .....	10/26/05	658
<b>11:00 INSPECTIONS AND APPEALS DEPARTMENT[481]</b> David Werning (281-7376)		
Determination of death for purposes of organ and tissue requests and procurement, 51.8(2), Notice <b>ARC 4579B</b> .....	10/12/05	565
Use of wireless calling systems at nursing facilities, 61.12(9)“g” to “j,” Notice <b>ARC 4580B</b> .....	10/12/05	565
<b>11:10 INSURANCE DIVISION[191]</b> Susan E. Voss (281-6836)		
COMMERCE DEPARTMENT[181]“umbrella”		
Biologically based mental illness coverage, 35.3(3), 35.30, Notice <b>ARC 4570B</b> .....	10/12/05	566
Model regulation on coordination of benefits, ch 38 div I heading, ch 38 div II, 38.12 to 38.19, ch 38 appendices A and B, Notice <b>ARC 4571B</b> .....	10/12/05	566
<b>11:30 COMMITTEE BUSINESS</b>		
December meeting---Approval of minutes---Committee business		

**11:45 a.m. to 1:00 p.m. lunch**

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<b>1:00</b>	<b>ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]</b> Charlie Smithson (281-3489) Placement of campaign materials on corporate property, 4.44(1) to 4.44(7), <u>Notice</u> <b>ARC 4588B</b> ..... 10/26/05 Special review Use of debit card and credit card by campaign committee, 4.36, <u>Notice</u> <b>ARC 4500B</b> ..... 9/14/05 Administrative fee for collection of penalty	638 397
<b>1:20</b>	<b>ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]</b> Melanie Johnson (242-4862) Iowa wine and beer promotion grant program, adopt ch 104, <u>Notice</u> <b>ARC 4583B</b> ..... 10/12/05	561
<b>1:40</b>	<b>ENVIRONMENTAL PROTECTION COMMISSION[567]</b> Marla Gallardo (281-8678) NATURAL RESOURCES DEPARTMENT[561]“umbrella” Special regulations and construction permit requirements for major stationary sources— nonattainment areas and prevention of significant deterioration (PSD) in air quality, 20.1, 22.4, 22.4(1) to 22.4(4), 22.5, 22.5(1) to 22.5(10), 22.6, 31.1, adopt ch 33, <u>Notice</u> <b>ARC 4005B</b> <u>Terminated</u> <b>ARC 4563B</b> ..... 10/12/05	562
<b>1:45</b>	<b>NATURAL RESOURCE COMMISSION[571]</b> Marla Gallardo (281-8678) NATURAL RESOURCES DEPARTMENT[561]“umbrella” Whitetail hunting preserves, adopt ch 115, <u>Notice</u> <b>ARC 4586B</b> , also <u>Filed Emergency</u> <b>ARC 4585B</b> ..... 10/26/05	652
<b>2:00</b>	<b>REAL ESTATE COMMISSION[193E]</b> Roger Hanson (281-7393) Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]“umbrella” Prohibition of licensees’ participation in certain arrangements with persons not licensed in Iowa, 7.4(8), <u>Notice</u> <b>ARC 4584B</b> ..... 10/26/05	646
<b>2:15</b>	<b>ADMINISTRATIVE SERVICES DEPARTMENT[11]</b> Marianne Mickelson Marianne.Mickelson@iowa.gov. Vehicle fueling; vehicle procurement; bulk diesel fuel procurement, 103.16, 105.2, 105.11(6), 105.11(7), <u>Notice</u> <b>ARC 4590B</b> ..... 10/26/05	635
<b>2:30</b>	<b>PUBLIC SAFETY DEPARTMENT[661]</b> Mike Coveyou (281-5042) Fire safety—alternate requirements, assembly occupancies, 5.16, 5.301, <u>Filed Emergency After Notice</u> <b>ARC 4600B</b> ..... 10/26/05 Manufacture, storage, handling and use of explosive materials, rescind 5.850, adopt ch 231, <u>Filed</u> <b>ARC 4578B</b> ..... 10/12/05 Dispensing of motor vehicle fuel, 51.202(1), <u>Filed Emergency After Notice</u> <b>ARC 4577B</b> ..... 10/12/05	654 613 609
<b>No representative requested to appear</b>		
<b>XX:00</b>	<b>ADMINISTRATIVE SERVICES DEPARTMENT[11]</b> Department organization and mission, 1.1, 1.4, <u>Filed</u> <b>ARC 4572B</b> ..... 10/12/05 Payroll deduction for tuition program contributions, adopt ch 45, <u>Filed</u> <b>ARC 4587B</b> ..... 10/26/05 Payroll deduction for additional insurance coverage, 46.6, 46.11, 46.14, <u>Notice</u> <b>ARC 4594B</b> ..... 10/26/05 Pay for increased credentials, 53.9(6), <u>Notice</u> <b>ARC 4589B</b> ..... 10/26/05	611 656 634 634
<b>XX:00</b>	<b>AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]</b> Iowa–foaled horses and Iowa–whelped dogs—registration fees, 62.6, <u>Filed Emergency After Notice</u> <b>ARC 4559B</b> ..... 10/12/05	600
<b>XX:00</b>	<b>ARCHITECTURAL EXAMINING BOARD[193B]</b> Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]“umbrella” Registration, 2.1, 2.5 to 2.9, <u>Filed</u> <b>ARC 4558B</b> ..... 10/12/05 Time period for completion of architect registration examination, 2.3(3), <u>Filed</u> <b>ARC 4557B</b> ..... 10/12/05	612 612
<b>XX:00</b>	<b>EDUCATIONAL EXAMINERS BOARD[282]</b> EDUCATION DEPARTMENT[281]“umbrella” Substitute teaching, 14.119(1), 14.119(3), <u>Notice</u> <b>ARC 4581B</b> ..... 10/12/05 Fee increases, 14.121(1), 14.121(3), 14.121(5), 14.129(2), 14.143(2), 17.7(3), 17.7(4), 19.2, 19.5, 20.55, 20.60, 21.2, 21.5, 22.5, <u>Notice</u> <b>ARC 4440B</b> <u>Terminated</u> <b>ARC 4582B</b> ..... 10/12/05	561 562
<b>XX:00</b>	<b>ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]</b> Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]“umbrella” Application and licensure, 3.2, 3.4(4), 4.1(7)“c,” <u>Filed</u> <b>ARC 4567B</b> ..... 10/12/05	613

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<b>XX:00</b>	<b>LABOR SERVICES DIVISION[875]</b>		
	WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
	Elevators—fees for issuance of alteration permits, 75.2, <u>Notice</u> <b>ARC 4566B</b> .....	10/12/05	574
<b>XX:00</b>	<b>PROFESSIONAL LICENSURE DIVISION[645]</b>		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Behavioral science examiners, 31.10(3)"c," 34.1, <u>Notice</u> <b>ARC 4552B</b> .....	10/12/05	575
	Dietetic examiners, 81.9(9), 82.1, 82.3(2)"a" and "b," 82.3(2)"d"(3) to (6), 82.4(2)"d,"		
	84.1, <u>Notice</u> <b>ARC 4556B</b> .....	10/12/05	575
	Optometry examiners, 180.1, 180.3, 180.11(3)"a"(2), 180.11(3)"b"(2), 181.1, 181.2(1)"b,"		
	181.3(2)"a"(4), 181.3(2)"c," 181.4(2), <u>Notice</u> <b>ARC 4598B</b> .....	10/26/05	643
	Optometry examiners, 180.5(2), 183.2(25), 184.1, <u>Notice</u> <b>ARC 4599B</b> .....	10/26/05	645
	Podiatry examiners, 220.9(2), 224.2(26), 225.1, <u>Notice</u> <b>ARC 4593B</b> .....	10/26/05	645
	Athletic training examiners, 351.9(2), 354.1, <u>Notice</u> <b>ARC 4560B</b> .....	10/12/05	577
<b>XX:00</b>	<b>REGENTS BOARD[681]</b>		
	Carryover of emergency care leave for certain regent merit system employees, 3.148,		
	<u>Notice</u> <b>ARC 4565B</b> .....	10/12/05	577
<b>XX:00</b>	<b>SECRETARY OF STATE[721]</b>		
	Alternative voting systems, 22.1, 22.262, 22.351, 22.434, 22.464, <u>Notice</u> <b>ARC 4564B</b>	10/12/05	598

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<b>XX:00</b>	<b>SECRETARY OF STATE[721]</b>	Alternative voting systems, 22.1, 22.262, 22.351, 22.434, 22.464, <u>Notice</u> <b>ARC 4564B</b> .....	10/12/05	598
<b>XX:00</b>	<b>STATE PUBLIC DEFENDER[493]</b>	INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella" Claims for indigent defense services, 7.1, 10.5(5), 10.5(6), 10.7(1), 10.7(2), 12.2(1)"b," "d" and "e," 12.6(1), 12.6(5), 12.7(1)"g," 12.8(1)"e," 12.9(2)"b," 13.2(2)"c," 13.2(5), 14.3, 14.4, <u>Notice</u> <b>ARC 4595B</b> .....	10/26/05	646
<b>XX:00</b>	<b>TRANSPORTATION DEPARTMENT[761]</b>	Waivers, 11.2, 11.3(3), 11.4(1), 11.5(2), 11.8(2), 112.1(2), 112.1(3), 112.2, 112.6(3)"a," 112.8(1), 112.11(3), 112.11(4)"a," 112.11(5)"a," 112.13(3)"f," 115.1(2) to 115.1(5), 500.3, 505.2(3), 524.2(2), 529.3, <u>Filed</u> <b>ARC 4555B</b> .....	10/12/05	616
		Signing manual, 130.1, <u>Filed</u> <b>ARC 4553B</b> .....	10/12/05	617
		Vehicles and loads of excess size and weight, 511.8(1)"e," 511.16(4), <u>Filed</u> <b>ARC 4554B</b> .....	10/12/05	618
		Regulations applicable to carriers, 520.1(1)"a" and "b," 520.1(2)"c," <u>Notice</u> <b>ARC 4604B</b> .....	10/26/05	649