



2017 ANNUAL REPORT

Administrative Rules Review Committee

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I. Introduction

This report summarizes actions taken by the Administrative Rules Review Committee (ARRC) of the General Assembly in 2017. The ARRC was created to provide oversight of the executive branch rulemaking process established in Iowa Code chapter 17A, the Iowa Administrative Procedure Act. The powers and procedures of the ARRC are largely provided in Iowa Code §§17A.4 and 17A.8. The ARRC meets on a monthly basis to review noticed and adopted rules recently published in the Iowa Administrative Bulletin (IAB) and may selectively review existing rules and consider other rulemaking matters as well.

This report covers rule filings published in the IAB from January through December 2017. Because the ARRC typically reviews rule filings published in the previous month's issues of the IAB, this report covers the ARRC's February 2017 meeting through its January 2018 meeting.

Agendas and minutes of ARRC meetings can be found here:

www.legis.iowa.gov/committees/meetings/meetingsListComm?groupID=705.

Archives of the Iowa Administrative Code and IAB can be found here:

www.legis.iowa.gov/law/administrativeRules.

II. Formal ARRC Actions

The ARRC took the following actions at the following meetings:

February 2017

Public Health Department, Vital Records, 02/01/17 IAB, ARC 2933C.

70-day delay pursuant to Iowa Code §17A.4(7).

March 2017

Education Department, Career and Technical Education; Career Academies, 02/15/17 IAB, ARC 2947C.

Session delay pursuant to Iowa Code §17A.8(9).

April 2017

Attorney General, Statement of Property Owner's Rights, 03/15/17 IAB, ARC 2979C.
70-day delay pursuant to Iowa Code §17A.4(7).

September 2017

Administrative Services Department, Capitol Complex Operations, 08/30/17 IAB, ARC 3287C.

Session delay pursuant to Iowa Code §17A.8(9).

January 2018

Workforce Development Department, Employer Records, Reports, Contribution and Charges—Fees, Collection of Covered Unemployment Compensation, 12/20/17 IAB, ARC 3529C.

Session delay of rule 871 IAC 22.9(3) pursuant to Iowa Code §17A.8(9).

III. ARRC Approval to File Certain Emergency Rules

Iowa Code §17A.4(3) provides that the ARRC may approve adoption and filing of rules by an agency without first having a notice of intended action published in the IAB, a form of emergency rulemaking. Approval requires six votes. Filings that are not approved can still proceed using the regular rulemaking process. Approved emergency rulemaking documents can be found here prior to publication in the IAB:

www.legis.iowa.gov/law/administrativeRules/emergencyDocs.

Emergency rulemaking authorized by statute, and rules that have completed the notice portion of the rulemaking process and are adopted and filed emergency after notice pursuant to Iowa Code §17A.5(2), do not require prior ARRC approval.

The ARRC approved the following emergency filings at the following meetings:

May 2017

Administrative Services Department, Military Leave.

June 2017

Public Health Department, Medical Cannabidiol Patient and Primary Caregiver
Registration Card Applications and Renewals.

Administrative Services Department, Capitol Complex Operations.

August 2017

Public Employment Relations Board, Elections, Collective Bargaining Updates.

Insurance Division, Iowa Stopgap Measure.

September 2017

Insurance Division, Iowa Stopgap Measure.

November 2017

Transportation Department, Planting and Harvesting Periods, Commercial Motor
Vehicle Regulations.

IV. Enacted Legislation Relating to Rulemaking Process

The following legislation relating to the rulemaking process was enacted:

2017 Iowa Acts, chapter 126, Senate File 1, providing for jobs impact statements
to be included with rule filings, codifying Governor Branstad's Executive Order number
71.

Doc ID: 1290432