



2015 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 2015. 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 2015. Because the ARRC typically reviews rule filings published in the previous month's issues of the IAB, this report covers the ARRC's February 2015 meeting through its January 2016 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:

March 2015

Educational Examiners Board, K-12 Special Education Endorsement; Specializations, 02/18/15 IAB, ARC 1884C.

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

April 20, 2015, Special Meeting

Professional Licensure Division, Physician Assistants—On-Site Visits by Supervising Physician, 03/18/15 IAB, ARC 1909C.

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

August 2015

Agriculture and Land Stewardship Department, Storage and Handling of Anhydrous Ammonia, 07/22/15 IAB, ARC 2059C.

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

Environmental Protection Commission, NPDES General Permit No. 2—Topsoil Preservation at Construction Sites, 07/08/15 IAB, ARC 2054C.

General referral pursuant to Iowa Code §17A.8(7).

September 2015

Human Services Department, Intellectual Disability Waiver Services Cost-Savings Initiative, 08/05/15 IAB, ARC 2097C.

70-day suspension of further action relating to notice pursuant to Iowa Code §17A.4(9).

December 2015

Educational Examiners Board, Licensure Fees—\$4 Increase, 11/11/15 IAB, ARC 2229C.

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

January 2016

Education Department, Accountability For Student Achievement—Selected Districtwide Assessment, 12/09/15 IAB, ARC 2312C.

Session delay 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:

April 2015

Architectural Examining Board, Registration Renewal Period.

June 2015

Workers' Compensation Division, Payroll Tax Tables.

July 2015

Human Services Department, Hospital Readmissions.

Corrections Department, Iowa State Industries.

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