

State Executive Department OF IOWA

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

EXECUTIVE ORDER NUMBER EIGHTY

WHEREAS, when adopting regulations to protect the health, safety and welfare of the people of the State of Iowa, state agencies should seek to achieve statutory goals as effectively and efficiently as possible without imposing unnecessary burdens; and

WHEREAS, the bureaucracy must be accountable to the citizens of Iowa, and is best served by increased stakeholder involvement and public input; and

WHEREAS, public participation in the formulation of administrative rules will help our state to reform burdensome rules and prevent overregulation or red tape, encouraging efficiency, economic growth and job creation; and

WHEREAS, stakeholder groups are an effective way for government to interact with those who are affected by regulations and encourage public involvement.

NOW, THEREFORE, I, Terry E. Branstad, Governor of the State of Iowa, declare that the best interests of our state would be well served by greater public participation and stakeholder input for administrative rules. I hereby order and direct that:

1. Each agency shall create a stakeholder rulemaking group for a specific rulemaking if requested to do so by the head of the agency or the Administrative Rules Coordinator in the office of the Governor ("Administrative Rules Coordinator").
2. Creation of Stakeholder Group: The stakeholder rulemaking group shall be appointed by the agency, in consultation with the Administrative Rules Coordinator. The subject matter of its deliberations shall be defined by the agency and the deliberations of that group shall be limited to that subject matter. Membership in the group is in the sole discretion of the agency. The group shall consist of stakeholders that can adequately represent the varying interests that will be significantly affected by any contemplated draft rule proposal that may result from the deliberation so of the stakeholder rulemaking group. The appointing agency shall ensure that all significant or known interests have an opportunity to be represented, to the extent practicable. One person shall be appointed to represent the agency or board. The agency, in consultation with the Administrative Rules Coordinator, shall also specify a time frame for group deliberations. The stakeholder rules group is an advisory group only and is not an agency for rulemaking purposes.
3. Public Notice: Notice of the creation of a stakeholder rulemaking group shall be published in the Iowa administrative bulletin and on the agency's website and shall include the subject matter of the rule proposal. After the members are appointed, the agency shall publish the list of members of the group on its website, along with contact information for the group, to the extent practicable.
4. Procedures: Each stakeholder rulemaking group shall select its own chairperson and adopt its own rules of procedure, with a majority of members constituting a quorum. Members shall not receive any per diem payment, nor shall they be reimbursed for expenses.

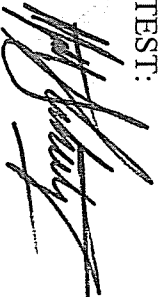
5. Public Input: A stakeholder rulemaking group shall receive public comment and input and deliberate on the desirability and content of any rule it may recommend to the agency for adoption .
6. Results: After the stakeholder rulemaking group has completed its work, its recommendation, if any, shall be forwarded to the agency with rulemaking authority. The agency shall consider any recommendation of the rulemaking group and if the agency decides to initiate a rulemaking on the basis of such a recommendation it must do so pursuant to the Iowa Administrative Procedure Act (Iowa Code Chapter 17A).
7. This Order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the State of Iowa, its Departments, Agencies, or Political Subdivisions, or its officers, employees, or agents, or any other person.



IN TESTIMONY WHEREOF, I have
herunto subscribed my name and caused
the Great Seal of Iowa to be affixed. Done
at Des Moines this 20th day of August in the
year of our Lord two thousand twelve.


TERRY E. BRANSTAD
GOVERNOR

ATTEST:



MATT SCHULTZ
SECRETARY OF STATE