

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

CARL OLSEN, Petitioner, v. IOWA DEPARTMENT OF INSPECTIONS, APPEALS, AND LICENSING, Respondent.	Case No. CVCV066477 <i>ADDITION TO AMENDED RESISTANCE TO MOTION TO CORRECT OR RECAST</i>
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COMES NOW the Petitioner, Carl Olsen, and in support of the Resistance to the Motion to Correct or Recast, states:

In addition to the petitioner's amended resistance:

1. The petitioner understands that the board is made up of private citizens and only acts in an advisory capacity.
2. The authority of the board comes from the department, because the department is an executive branch agency.
3. The legislature has authorized the board to make recommendations, but any rulemaking authority is simply in the capacity of an advisory board to the department.

The petitioner resists the motion because the petition for rulemaking was not filed with the board. The petition for rulemaking was accepted by the board on behalf of the department.

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