

**ECONOMIC DEVELOPMENT AUTHORITY[261]**

**Notice of Intended Action**

**Proposing rule making related to enhance Iowa board and CAT grants and providing an opportunity for public comment**

The Economic Development Authority hereby proposes to amend Chapter 211, “Community Attraction and Tourism (CAT) Programs,” and Chapter 214, “Enhance Iowa Board,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code section 15.106A.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code chapter 15F and 2019 Iowa Acts, House File 305.

*Purpose and Summary*

2019 Iowa Acts, House File 305, amends portions of the Iowa Code that establish the Enhance Iowa Board, that establish the Board’s authority to adopt administrative rules, and that govern the allocation of Community Attraction and Tourism (CAT) funds.

House File 305 does three things. First, the legislation changes the duration of board members’ terms from two-year terms to three-year terms. Second, the legislation strikes language that requires the Authority to adopt rules with the approval of the Enhance Iowa Board and makes it clear that the Enhance Iowa Board has the power to adopt administrative rules necessary to administer the programs established in Iowa Code chapter 15F, such as CAT and River Enhancement Community Attraction and Tourism (RECAT). Third, the legislation strikes language that allocates \$100,000 of CAT funds for the purpose of marketing CAT projects. The funds previously allocated to marketing will now be available for CAT projects.

The legislation impacts rules in Chapter 211 and Chapter 214. The proposed amendments make corresponding changes to bring the rules into conformity with the statute.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Authority for a waiver of the discretionary provisions, if any.

*Public Comment*

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Authority no later than 4:30 p.m. on October 15, 2019. Comments should be directed to:

Jennifer Klein  
Economic Development Authority  
200 East Grand Avenue  
Des Moines, Iowa 50309  
Phone: 515.348.6144  
Email: [jennifer.klein@iowaeda.com](mailto:jennifer.klein@iowaeda.com)

*Public Hearing*

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Rescind and reserve subrule **211.3(3)**.

ITEM 2. Amend subrule 214.2(2) as follows:

**214.2(2) Terms.** Members of the board are appointed for staggered terms of ~~two~~ three years beginning and ending as provided in Iowa Code section 69.19. A person appointed to fill a vacancy serves only for the unexpired portion of the term. A member is eligible for reappointment.

ITEM 3. Amend subrule 214.3(1) as follows:

**214.3(1)** The authority, ~~subject to approval by the board,~~ shall adopt administrative rules pursuant to Iowa Code chapter 17A necessary to administer the programs established pursuant to Iowa Code chapter 15F.