

661—259.305(100B) Processing of submitted applications.

259.305(1) All completed applications received shall be reviewed by the state fire service and emergency response council or by a subcommittee of the council appointed by the fire marshal in consultation with the chair of the council. The council or subcommittee shall recommend funding, partial funding, or denial of each application to the fire marshal.

259.305(2) After receiving the recommendations of the council or subcommittee, the fire marshal shall make a determination as to whether funding will be awarded in whole or in part for each application or whether the application will be denied. Each applicant shall be notified promptly of the disposition of the applicant's application. If the application is denied or partial funding is awarded, the applicant shall be informed as to the reasons for the denial or partial funding. Applications for funding shall be evaluated based on the criteria for funding included in Iowa Code section 100B.22, subsection 3, and any applicable criteria for establishing priority for the funding established by the general assembly. Competitive funding may not be used for facilities the primary purpose of which is to provide advanced training.

259.305(3) Appeals.

a. An applicant who is denied funding or whose application is funded in part may appeal this decision to the fire marshal. Such an appeal shall be treated as a contested case subject to the provisions of rules 661—10.301(17A) through 661—10.322(17A), except that the request for an appeal shall be filed with the Fire Marshal Division, Department of Public Safety Building, 215 East 7th Street, Des Moines, Iowa 50319, and wherever "commissioner" or "commissioner of public safety" appears, "state fire marshal" shall be substituted.

b. Prior to appealing a decision, the applicant may submit a revised application to the fire marshal. If an applicant intends to submit a revised application, the applicant shall so notify the fire marshal within the time frame established for filing an appeal. Upon receipt of a revised application, the fire marshal shall cause the revised application to be processed in accordance with subrules 259.305(1) and 259.305(2). If a revised application is denied or funded in part, the applicant may appeal in accordance with paragraph "*a*" of this subrule.