

Sen. State Govt 2/20
H. Comm 3/4 (p. 544)

HOUSE FILE 2353

State Government
Hutchins, Chair
Schwengels
Lura

7 1982

HOUSE FILE 2353

BY COMMITTEE ON COMMERCE

Place On Calendar

(Formerly Study Bill 539)

Passed House, Date 2-22-82 (p. 480); Passed Senate, Date 4-7-82 (p. 1073)

Vote: Ayes 85 Nays 0 Vote: Ayes 46 Nays 0

Approved May 21, 1982

A BILL FOR

1 An Act to establish a regulatory information service in the
2 Iowa development commission.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HOUSE FILE 2353 FISCAL NOTE

REQUESTED BY SENATOR HUTCHINS

In compliance with a written request there is hereby submitted a Fiscal Note for House File 2353 pursuant to Joint Rule 16.

H.F. 2353, An Act to establish a regulatory information service in the Iowa Development Commission.

The cost of providing information on regulations which will affect citizens who are interested in engaging in some activity or establishing some facility is projected at \$67,500 per year. This includes two FTE's and all related expenses.

There is also the requirement that each state agency regulating an activity or facility inform the Iowa Development Commission. It is anticipated that state agencies could provide such information at little or no cost and that no additional staff would be required for this proposal.

SOURCE: IOWA DEVELOPMENT COMMISSION

FILED:
MARCH 18, 1982

BY GERRY RANKIN, FISCAL DIRECTOR

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1 Section 1. NEW SECTION. REGULATORY INFORMATION SERVICE.

2 1. The Iowa development commission shall provide a
3 regulatory information service. The purpose of the service
4 shall be to provide a center of information where a person
5 interested in establishing a commercial facility or engaging
6 in a commercial activity may be informed of any registration,
7 license, or other approval of a state regulatory agency that
8 is required for that facility or activity or of the existence
9 of standards, criteria, or requirements which the laws of
10 this state require that facility or activity to meet.

11 2. Each state agency which requires a permit, license,
12 or other regulatory approval or maintains standards or criteria
13 with which an activity or facility must comply shall inform
14 the Iowa development commission of the following:

- 15 a. The activity or facility that is subject to regulation.
- 16 b. The existence of any threshold levels which would
17 exempt the activity or facility from regulation.
- 18 c. The nature of the regulatory program.
- 19 d. The amount of any fees.
- 20 e. How to apply for any permits or regulatory approvals.
- 21 f. A brief statement of the purpose of requiring the
22 permit or regulatory approval or requiring compliance with
23 the standards or criteria.

24 3. Each state agency shall promptly inform the Iowa
25 development commission of any changes in the information
26 provided under subsection 2 or the establishment of a new
27 regulatory program. The information provided to or
28 disseminated by the Iowa commission shall not be binding upon
29 the regulatory program of a state agency; however, a person
30 shall not be subject to the imposition of a penalty for failure
31 to comply with a regulatory program if the person demonstrates
32 that he or she relied upon information provided by the
33 commission indicating compliance was not required and either
34 ceases the activity upon notification by the regulatory agency
35 or brings the activity or facility into compliance.

- 1 4. Subsections 2 and 3 do not apply to the following:
- 2 a. The commerce commission in so far as the information
- 3 relates to public utilities.
- 4 b. The department of banking.
- 5 c. The office of the supervisor of savings and loan
- 6 associations in the office of the auditor of state.
- 7 d. The credit union department.

8 Sec. 2. The Iowa development commission shall make the
 9 regulatory information service available for public use by
 10 January 1, 1983.

11 EXPLANATION

12 This bill establishes a regulatory information service
 13 in the office of the Iowa development commission. The purpose
 14 of the service is to provide a center of information about
 15 what activities or facilities are subject to regulation by
 16 a state agency and to provide that information to citizens
 17 interested in engaging in some activity or establishing some
 18 facility. Each state agency regulating an activity or facility
 19 is required to inform the Iowa development commission of its
 20 regulatory program. A person who demonstrates reliance on
 21 information provided by the Iowa development commission
 22 indicating compliance is not required with a regulatory pro-
 23 gram is not subject to the imposition of penalty for failure
 24 to comply if the person either ceases the activity or brings
 25 it into compliance upon notification by the regulatory agency.
 26 The bill takes effect July 1 following enactment and the
 27 service is to become available by January 1, 1983.

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HOUSE FILE 2353

AN ACT

TO ESTABLISH A REGULATORY INFORMATION SERVICE IN THE IOWA
DEVELOPMENT COMMISSION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. REGULATORY INFORMATION SERVICE.

1. The Iowa development commission shall provide a regulatory information service. The purpose of the service shall be to provide a center of information where a person interested in establishing a commercial facility or engaging in a commercial activity may be informed of any registration, license, or other approval of a state regulatory agency that

is required for that facility or activity or of the existence of standards, criteria, or requirements which the laws of this state require that facility or activity to meet.

2. Each state agency which requires a permit, license, or other regulatory approval or maintains standards or criteria with which an activity or facility must comply shall inform the Iowa development commission of the following:

- a. The activity or facility that is subject to regulation.
- b. The existence of any threshold levels which would exempt the activity or facility from regulation.
- c. The nature of the regulatory program.
- d. The amount of any fees.
- e. How to apply for any permits or regulatory approvals.
- f. A brief statement of the purpose of requiring the permit or regulatory approval or requiring compliance with the standards or criteria.

3. Each state agency shall promptly inform the Iowa development commission of any changes in the information provided under subsection 2 or the establishment of a new regulatory program. The information provided to or disseminated by the Iowa commission shall not be binding upon the regulatory program of a state agency; however, a person shall not be subject to the imposition of a penalty for failure to comply with a regulatory program if the person demonstrates that he or she relied upon information provided by the commission indicating compliance was not required and either ceases the activity upon notification by the regulatory agency or brings the activity or facility into compliance.

4. Subsections 2 and 3 do not apply to the following:

- a. The commerce commission insofar as the information relates to public utilities.
- b. The department of banking.
- c. The office of the supervisor of savings and loan associations in the office of the auditor of state.

d. The credit union department.

Sec. 2. The Iowa development commission shall make the regulatory information service available for public use by January 1, 1983.

DELWYN STROMER
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2353, Sixty-ninth General Assembly.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Approved May 21, 1982

ROBERT D. RAY
Governor