

HISTORICAL DIVISION[223]

Notice of Intended Action

**Proposing rulemaking related to agency reorganization
and providing an opportunity for public comment**

The Iowa Economic Development Authority (IEDA) hereby proposes to rescind Chapter 3, “Public Records and Fair Information Practices,” Chapter 4, “Agency Procedure for Rule Making,” Chapter 5, “Petitions for Rule Making,” Chapter 6, “Declaratory Rulings,” and Chapter 46, “Main Street Linked Investments Loan Program,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 15.106A and 2023 Iowa Acts, Senate File 514.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, 2023 Iowa Acts, Senate File 514.

Purpose and Summary

Pursuant to Executive Order 10 (January 10, 2023), IEDA has been directed to propose this Notice of Intended Action. IEDA was assigned responsibilities and duties that were previously assigned to the Department of Cultural Affairs (DCA), including the Historical Division, by 2023 Iowa Acts, Senate File 514. This rulemaking proposes to rescind Historical Division chapters that are redundant or duplicative of existing rules adopted by IEDA.

IEDA proposes to rescind the following chapters:

223—Chapter 3, which describes the Division’s public records and fair information practices and duplicates 261—Chapter 195.

223—Chapter 4, which describes the Division’s procedure for rulemaking and duplicates 261—Chapter 196.

223—Chapter 5, which describes the Division’s process for addressing petitions for rulemaking and duplicates 261—Chapter 197.

223—Chapter 6, which describes the process by the Division for issuing declaratory rulings and duplicates 261—Chapter 198.

223—Chapter 46, which addresses the Main Street Linked Investments Loan Program. The program has been repealed.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition IEDA for a waiver of the discretionary provisions, if any, pursuant to 261—Chapter 199.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking. Written or oral comments in response to this rulemaking must be received by IEDA no later than 4:30 p.m. on April 9, 2024. Comments should be directed to:

Lisa Connell
Iowa Economic Development Authority
1963 Bell Avenue, Suite 200
Des Moines, Iowa 50315
Phone: 515.348.6163
Email: lisa.connell@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 rulemaking 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 rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

- ITEM 1. Rescind and reserve **223—Chapter 3.**
- ITEM 2. Rescind and reserve **223—Chapter 4.**
- ITEM 3. Rescind and reserve **223—Chapter 5.**
- ITEM 4. Rescind and reserve **223—Chapter 6.**
- ITEM 5. Rescind and reserve **223—Chapter 46.**