



IOWA GENERAL ASSEMBLY

Administrative Rules Review Committee

THE RULES DIGEST

March 2012

Scheduled for Committee review
Monday March 12th, 2012
Room #116

Reference
XXXIV IAB No. 16(02/08/12)
XXXIV IAB No. 15(02/22/12)

HIGHLIGHTS IN THIS ISSUE:

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ECONOMIC DEVELOPMENT

8:05

Endow Iowa tax credits, 02/08/12 IAB, ARC 0008C, ADOPTED.

Endow Iowa allows taxpayers to receive a 25% Iowa tax credit in addition to normal federal charitable income tax deductions for certain charitable gifts. The gift must be to an endowment fund within the qualified foundation or community affiliate organization.

Endowed funds are intended to exist in perpetuity, and to implement an annual spend rate not to exceed 5 percent.

The tax credits can be claimed by individuals, businesses, or financial institutions. Approximately \$4.5 million in Endow Iowa Tax Credits will be awarded in 2011.

As a result of 2011 Iowa Acts, House File 590, beginning calendar year 2011 the annual base authorization amount of available tax credits is \$3.5 million. The additional amount varies each year according to the amount of gambling revenues collected in the prior year. For 2011, the aggregate amount of available tax credits was \$4,551,813. The maximum amount of tax credit that an individual taxpayer may claim is limited to 5

percent of the aggregate amount available each year. For 2011, the maximum amount of tax credit available to a single taxpayer was \$227,590.65.

## **ECONOMIC DEVELOPMENT**

8:05

*Tax credit for investments in certified innovation funds, 02/08/12 IAB, ARC 0009C, ADOPTED.*

2011 Acts, Senate File 517 created a tax credit for an “*innovative business*”, defined as a business applying novel or original methods to the manufacture of a product or the delivery of a service. The program provides a tax credit against a variety of state taxes. The amount of a tax credit equals 20% of the taxpayer’s equity investment in an innovation fund. An innovation fund is a private equity source which has been certified by the board to make investments in innovative businesses which have a principal place of business in Iowa.

\$8 million is available for these credits, on a first-come-first-served basis.

## **PUBLIC HEALTH DEPARTMENT**

8:40

*Iowa Care for Yourself (IA CFY) Program, 02/08/12 IAB, ARC 9995B, NOTICE.*

This new program replaces an existing program relating to the detection of breast and cervical cancer. The purposes of the IA CFY Program are to provide breast and cervical cancer screening and diagnostic services and cardiovascular screening and intervention services to underserved women, to provide public and professional development, and to support community partnerships enhancing statewide breast and cervical cancer and cardiovascular disease control activities. Services are available depending on the age of the woman:

- Women 50 through 64 years of age are the program’s priority population, shall receive annual breast and cervical cancer screening.
- Women 40 through 64 years of age shall also receive cardiovascular risk factor screening.
- Women 40 through 49 years of age shall receive annual breast and cervical cancer screening.
- Women under 40 years of age, if symptomatic for breast cancer, shall receive breast and cervical cancer screening services based upon funding availability.
- Women 65 years of age and older shall be eligible to receive annual breast and cervical cancer screening if they do not have Medicare Part B coverage.

The rules actually combine two programs, funded through the Center for Disease Control. Services are provided by community based agencies funded through the

Department. Services are available to women earning up to 250% of the poverty guideline.

## **PUBLIC HEALTH DEPARTMENT**

8:40

*Colorectal screening program, 02/08/12 IAB, ARC 9997B, NOTICE.*

This new program is funded by the Department of Health and Human Services and Center for Disease Control; it provides screening for colorectal cancer. The intent of the program is to reduce the incidence, mortality and prevalence of colorectal cancer in Iowa by increasing the number of men and women who receive fecal immunochemical tests (FITs) and colonoscopies. Participants must be 50 to 64 years of age, be underinsured or uninsured, have incomes of up to 250 percent of the federal poverty level.

## **EDUCATION DEPARTMENT**

9:20

*Pathways for academic career and employment (PACE) program/ the GAP program, 02/22/12 IAB, ARC 0020C, NOTICE.*

This new training and jobs program implements 2011 Iowa Code Supplement chapter 260H and the gap tuition assistance program under 2011 Iowa Code Supplement chapter 260I. The PACE program provides funding to community colleges for projects to implement a simplified, streamlined, and comprehensive process, along with customized support services, to enable eligible participants to acquire effective academic and employment training to secure gainful, quality, in-state employment. These projects are to be developed in coordination with the economic development authority, the department of education, Iowa workforce development, regional advisory boards, and community partners. The program is intended to match underemployed and unemployed workers with in-demand occupations in Iowa. Eligible persons include:

- Persons deemed low skilled for the purposes of attaining gainful, quality, in-state employment.
- Persons earning incomes at or below two hundred percent of the federal poverty level as defined by the most recently revised poverty income guidelines published by the United States department of health and human services.
- Unemployed persons.
- Underemployed persons.
- Dislocated workers

This proposal also contains rules for the GAP program, created in 2011 Iowa Code Supplement §260I.11. The program provides funding to community colleges for need-based tuition assistance to applicants to enable completion of “certificate training”

programs for in-demand occupations. A certificate training program prepares a participant for an in-demand occupation, including information technology, health care, advanced manufacturing, transportation and logistics, and any other industry designated as in-demand by a regional advisory board.

## **EDUCATION DEPARTMENT**

9:20

*Twenty-first century learning skills, 02/22/12 IAB, ARC 0016C, ADOPTED.*

Iowa Code §256.7 provides that the department shall adopt rules establishing a core curriculum; in part these rules provide:

The rules establishing a core curriculum shall address the core content standards in subsection 28 and the skills and knowledge students need to be successful in the twenty-first century. The core curriculum shall include social studies and twenty-first century learning skills which include but are not limited to civic literacy, health literacy, technology literacy, financial literacy, and employability skills; and shall address the curricular needs of students in kindergarten through grade twelve in those areas. The department shall further define the twenty-first century learning skills components by rule.

This filing implements the statutory mandate; it was reviewed without controversy in January. The rules add descriptions for the five skills specified in the statute. These skills are to be incorporated throughout the K-12 program.

## **EDUCATION DEPARTMENT**

9:20

*Juvenile homes, 02/22/12 IAB, ARC 0019C, NOTICE.*

This proposal updates exiting provisions relating to the provision of instructional programs for children residing in juvenile homes, such children remain entitled to a public education. The education of these children is the responsibility of the area education agency (AEA) in which the juvenile home is located. The funding formula is similar to that used to fund local districts. Funding for the juvenile home instructional program shall be used only for expenditures directly related to providing the juvenile home educational program described in the juvenile home educational program plan. Eighty percent of the total program costs shall be expended on instruction, student support services, and instructional staff support services.

## **PUBLIC SAFETY DEPARTMENT**

No Rep.

*Former peace officers--firearms, 02/08/12 IAB, ARC 9988B, NOTICE.*

Federal law establishes the authority of active law enforcement officers and former law enforcement officers who retired or separated in good standing to carry a concealed

firearm in any state without having to obtain a permit to do so from any state or any political subdivision of any state. To meet the federal requirements, former law enforcement officers are required to obtain identification of their status and certification of firearms qualification. The proposed rules establish procedures related to required identification and firearms qualifications of former and retired peace officers of the Iowa Department of Public Safety which stem from the federal law, as well as an appeals process.