



Fiscal Services Division

ADMINISTRATIVE RULES – FISCAL IMPACT SUMMARIES

November 13, 2012

Iowa Code section 17A.4(4) requires the Legislative Services Agency (LSA) to analyze the fiscal impact of all administrative rules with an impact of \$100,000 or more and provide a summary of the impact to the Administrative Rules Review Committee (ARRC). Fiscal Impact Statements filed by State agencies can be found on our website at <https://www.legis.iowa.gov/LSAReports/fiscalImpactAdminRules.aspx>

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***Agencies with a blue border have one or more rules with a significant fiscal impact.**

Revenue Department

	ARC 0398C
Rule Summary	Makes changes to conform with HF 2337 (Economic Development Appropriation Act), HF 2465 (Standings Appropriations Act), and SF 2322 (Emergency Medical Services and Firefighter Tax Credit Act) passed during the 2012 Legislative Session: <ul style="list-style-type: none">• Mailing addresses used to correspond with the Department and the contact information for the Department regarding the approval of substitute tax forms.• Partial capital gain deductions allowed for individual income tax for the sale of employer securities to an Iowa employee stock option plan.• Repeal of the exclusion of income from individual income tax and corporation income tax from the sale, rental, or furnishing of tangible personal property or services directly related to the production of film, television, or video projects.• Changes for individual income tax and corporation income tax related to the allocation of the historic preservation and cultural and entertainment district tax credit earned by a partnership, limited liability, or S corporation.• Updates individual income tax, corporation income tax, and franchise tax to provide the amount of endow Iowa tax credit available for 2012 calendar year.• Updates individual income tax, corporation income tax, and franchise tax affected by the repeal of the film qualified expenditure tax credit.• Updates the ordering of tax credits for individual income tax and corporation income tax.• Updates volunteer fire fighter and volunteer emergency medical services personnel tax credit for individual income tax.• Provides an additional example of the investment tax credit amortization for businesses approved under the high quality jobs program and the enterprise zone program.• Updates franchise tax to reflect the repeal of the film investment tax credit.• Changes for fiduciary income tax for the calculation of income for nonresident decedents and for estates and trusts with a situs outside Iowa. These changes reflect that nonresident decedents and estates and trusts with a situs outside Iowa are taxed similarly to nonresidents of Iowa for individual income tax.• Updates the list of tax credits that can be applied against fiduciary income tax.
Fiscal Impact	The statutory change in SF 2322 for the volunteer firefighter and EMS personnel tax credit will reduce General Fund revenues by \$900,000 for FY 2014. The statutory change for HF 2465 that establishes a 50.0% capital gain exclusion will reduce revenues by \$350,000 for FY 2013 and \$400,000 for FY 2014. The other changes do not have a significant fiscal impact.

	ARC 0414C
Rule Summary	Clarifies how eligible businesses approved by the Iowa Economic Development Authority under the high quality jobs program, enterprise zone program, or eligible housing enterprise zone program can claim a sales and use tax refund.
Fiscal Impact	No impact. The sales tax refund is included as part of the \$120.0 million cap for aggregate tax credits awarded per fiscal year by the Iowa Economic Development Authority.

	ARC 0399C
Rule Summary	Extends the expiration date of the current tax rates applicable to motor fuel and undyed special fuel, including ethanol blends, as required by HF 2472 (Ethanol Tax Credit Extension) passed during the 2012 Legislative Session.
Fiscal Impact	Motor fuel taxes remain unchanged. The estimated fiscal impact of the statutory change is a net decrease in revenues of \$8.0 million to the Road Use Tax Fund in FY 2013.

ARC 0400C

Rule Summary Extends the preferential property tax treatment timeframes available for platted subdivided property that remains without permanent construction. The change is effective assessment year 2012 (FY 2014), but it applies to property subdivided on or after January 1, 2004. The preferential tax treatment allows the property to be taxed at the property value that was in place prior to the subdivision. The preferential tax treatment ends when permanent construction is in place on the individual lot or when the new extended timeframe ends, whichever occurs first. Property affected by this change may not be reevaluated for assessment years prior to assessment year 2012, and property taxes may not be refunded for prior tax years. These changes are to conform to the statutory changes in SF 533 (Standing Appropriations Act) passed during the 2011 Legislative Session.

Fiscal Impact The statutory change will reduce property taxes owed on subdivided property that remains without permanent construction. This action will reduce local government property tax revenue and increase State School Aid appropriations beginning in FY 2014. The projected fiscal impact for the State General Fund and for local government property tax revenues are:

State General Fund appropriation increases:

- FY 2014 - \$3,000,000
- FY 2015 - \$3,000,000
- FY 2016 - \$3,000,000
- FY 2017 - \$1,000,000
- FY 2018 - \$700,000

Local government property tax revenue reductions:

- FY 2014 - \$16,400,000
- FY 2015 - \$16,000,000
- FY 2016 - \$16,200,000
- FY 2017 - \$5,300,000
- FY 2018 - \$3,700,000

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		ARC 0407C
Rule Summary	Clarifies and adds rules for telecommunications sourcing and administration of the prepaid wireless service enhanced 911 surcharge to implement SF 2332 (Enhanced 911 Emergency Communications Act) passed during the 2012 Legislative Session. Provides guidance on sales tax exemption for central office and transmission equipment used by certain telecommunications providers to implement SF 2390 (Central Office Equipment Sales and Use Exemption Act) passed during the 2006 Legislative Session to phase-in the exemption beginning in 2006 through July 1, 2012.	
Fiscal Impact	<p>The Department will need to modify its collection system (e-file & pay) and its Integrated Revenue Information System (IRIS) to receive the prepaid wireless surcharges from retailers at an estimated one-time cost of \$65,000. The Department is allowed to retain 2.0% of the prepaid wireless surcharges for administration which is estimated to be \$43,000. The staff time for processing and deposit of the returns is projected to be \$44,000 which is slightly more than the amount retained for administration. Follow-up audits, enforcement, and collection activities will generate additional costs.</p> <p>The prepaid wireless surcharges are projected to generate \$1.0 million in revenues for the E911 Emergency Communications Fund in FY 2013 and is projected to increase to \$2.17 million in FY 2014 and continue to grow to \$2.58 million by FY 2017.</p> <p>Once fully phased in in FY 2013, the tax exemption for central office telecommunications and transmission equipment is projected to reduce General Fund revenues by \$1.4 million. The cost of the exemption is projected to steadily grow to \$1.6 million in FY 2017.</p>	

		ARC 0403C			
Rule Summary	Exempts from tax the sales of water, electricity, chemicals, solvents, sorbents, or reagents to a retailer to be used in providing a service that includes a vehicle wash and wax. These rules are a result of exempting sales tax for vehicle washing and waxing in SF 2342 (Solar, Geothermal, and Sales Tax Exemptions Act).				
Fiscal Impact	Sales tax revenue reductions from vehicle washing and waxing:				
		<u>Total State</u> <u>Sales Tax</u>	<u>General Fund</u>	<u>SAVE</u>	<u>LOST</u>
	FY 2013	\$ 792,000	\$ 660,000	\$ 132,000	\$ 115,000
	FY 2014	821,000	685,000	137,000	119,000
	FY 2015	858,000	715,000	143,000	124,000
	SAVE = Secure an Advanced Vision for Education LOST = Local Option Sales Tax				

		ARC 0402C
Rule Summary	Provides a sales tax rebate to owners of a proposed baseball and softball tournament facility and movie site near Dyersville that meets the requirements specified in SF 2329 (Sales Tax Rebate for Field of Dreams Act) passed during the 2012 legislative session.	
Fiscal Impact	The statute requires the rebate to begin January 1, 2014, and remain in place for 10 years or until a total of \$16.5 million in sales tax has been rebated or until there is a change in ownership of the facility.	

ARC 0415C

Rule Summary Redefines the effective dates for a tax rate change for services covered by the Streamlined Sales and Use Tax Agreement (SSUTA) in order to maintain compliance with the SSUTA which was modified by the Streamlined Sales Tax Governing Board. For a tax rate increase, the beginning date of the rate becomes the first day of the billing period occurring “on or after,” rather than “on”, the effective date. For a tax rate decrease, the new rate applies to bills rendered “on or after” the effective date of the tax rate decrease.

Fiscal Impact Minimal fiscal impact.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

Administrative Services Department

ARC 0401C

Rule Summary Makes changes to existing rules for the Human Resources Enterprise (HRE) within Department of Administrative Services (DAS). In general, these changes include amending definitions to reflect existing statutes, eliminating unnecessary terms, and making technical and grammatical changes. This rule was originally filed on July 11, 2012, as ARC 0180C. The changes relating to the Information Technology Enterprise have been eliminated and will be addressed at a later date.

The DAS is undertaking a comprehensive review of all existing DAS rules. These changes are intended to be the first installment of this review.

Fiscal Impact No fiscal impact to the State.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

College Student Aid Commission

ARC 0396C

Rule Summary Eliminates rules for the administration of the Washington DC Internship Grant Program in the Commission. The Program was created in the FY 2009 Education Appropriations Act to provide one-semester internship opportunities for Iowa college students, with an emphasis on an agricultural biofuels from biomass internship pilot program. The Program received an appropriation of \$100,000 from the General Fund in FY 2009 and has received no further funding.

Fiscal Impact No fiscal impact.

ARC 0397C

Rule Summary Establishes rules for a new Skilled Workforce Shortage Tuition Grant Program that was established in statute in the 2011 Legislative Session in HF 645 (FY 2012 Education Appropriations Act) and amended in 2012 in SF 2321 (FY 2013 Education Appropriations Act). The first appropriation of State funding for the program was made in SF 2321.

The Skilled Workforce Shortage Tuition Grant Program provides assistance to students enrolled in specific vocational-technical or career option programs at Iowa’s community colleges. Students must be Iowa residents enrolled in at least three credit hours of a qualified program of study in an identified workforce shortage area. Shortage areas are identified by the community colleges based on regional analysis and by the Department of Workforce Development.

The maximum award is no more than one-half of the student's tuition and fees or the amount of the student's established need, whichever is less. Part-time students may receive prorated awards. If the maximum award for which the student is eligible is less than \$200 per semester, no award will be made.

Fiscal Impact No fiscal impact to the State.

Rule Summary Specifies that any student whose parent was a public safety worker killed in the line of duty is eligible for priority status for the Iowa Grant Program. The maximum annual award for priority students is the average resident tuition rate at the Regents universities. For all other students, the maximum award is \$1,000. The rule change reflects changes made to statute in the 2012 Legislative Session in HF 2465 (FY 2013 Standing Appropriations Act). **RC 0394C**

Fiscal Impact No fiscal impact to the State. The change in statute may reduce the number of awards possible in any given year.

STAFF CONTACT: Robin Madison (Ext. 15270)

Economic Development Authority

Rule Summary Updates existing rules for the Capital Costs component of the Accelerated Career Education (ACE) Program pursuant to SF 2212 (Economic Development Authority Policy Act). Changes include the repeal of the competitive application requirement for the Capital Costs component, the allocation of Capital Costs appropriations, the administration of the component, and technical corrections. **ARC 0404C**

Fiscal Impact No fiscal impact.

Rule Summary Implements changes to the IEDA's existing Innovation and Commercialization Programs required by HF 2473 (Economic Development Funds Act) and SF 2212 (Economic Development Policy Act). Changes include the elimination of:

- Information Technology Joint Venture Fund
- Information Technology Training Program
- Community College Equipment and Training Fund
- Targeted Industries Networking Fund
- Targeted Industries Student Competition Fund
- Supply Chain Development Program
- Management and Talent Recruitment Program

Changes include the creation of:

- Entrepreneur Investment Award Program
- Small Business Innovation Research and Technology Transfer Outreach Program
- Acceleration and Development of Innovative Ideas and Businesses

Changes also include transitional provisions for programs that will be phased out when existing contracts are closed out and technical changes.

Fiscal Impact Minimal fiscal impact.

STAFF CONTACT: Kenneth Ohms (Ext. 52200)

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Iowa Finance Authority

ARC 0427C
Rule Summary Adopts the 2013 Low Income Housing Tax Credit (LIHTC) Program Qualified Allocation Plan (QAP).

Fiscal Impact No fiscal impact.

ARC 0430C
Rule Summary Amends the requirement that all formal bids and requests for proposals be advertised via a daily paper to require that the solicitation be posted on the Iowa Finance Authority's website.

Fiscal Impact Minimal fiscal impact.

ARC 0431C
Rule Summary Eliminates the requirement that the State Revolving Fund Loan Servicing Fee can only be paid annually. This will allow the Iowa Finance Authority to bill for the fee on loans monthly, semi-annually, or annually depending on how the loan payments are structured.

Fiscal Impact Minimal fiscal impact.

STAFF CONTACT: Kenneth Ohms (Ext. 52200)

Parole Board

ARC 0421C
Rule Summary Deletes references to risk assessment scores. Eliminates language that ties a specific risk assessment number score to the affirmative votes needed for a parole or work release. The Board's current risk assessment tool is undergoing a periodic revision and is not using a number system as an outcome score so the current rule is becoming obsolete. A number of other risk assessment tools have been or are being developed and validated for the Board to utilize to ensure public safety in the making of release decisions for paroles and work releases. Deletes the requirement that all five members of the Board review certain inmates for consideration of a parole or work release grant. Requires three Board members to agree that an inmate can be released.

Fiscal Impact Minimal fiscal impact. There may be some savings in the State prison system if offenders are released more quickly. That savings is not expected to be significant.

STAFF CONTACT: Beth Lenstra (Ext. 16301)

Professional Licensure Division - DPH

ARC 0437C
Rule Summary Under the Board of Cosmetology Arts and Sciences, establishes rules for a school to teach a single course curriculum and prescribes minimum physical and equipment requirements. Reduces the number of instructors required on-site if the school is offering only clinic services or theory instruction to less than fifteen students.

Fiscal Impact No fiscal impact to the State.

ARC 0405C
Rule Summary Corrects existing examination names and adds new examinations that the Board of Sign Language Interpreters and Transliterators will accept for licensure.

Fiscal Impact No fiscal impact to the State.

STAFF CONTACT: Aaron Todd (Ext. 16764)

Public Employment Relations Board

ARC 0395C

Rule Summary Increases the maximum daily fee charged by arbitrators by \$400. These arbitrators are used when parties fail to resolve grievance disputes or determine contract terms.

Fiscal Impact Minimal fiscal impact to the state. The state, cities, counties, area education agencies, community colleges, Board of Regents universities, Iowa school districts, special purpose districts, and the certified bargaining units for these entities will see an increased cost for grievance and interest arbitration services. These fees are divided equally between the parties. Arbitrators generally spend 3-4 days per arbitration. The average number of Interest Based Arbitrations that took place in Iowa for FY 2010 and FY 2011 was 28. The PERB does not have any information on the number of Grievance Arbitrations that annually take place in the Iowa, although this is the more common arbitration. Since each arbitrator can independently set their fee, and the number of arbitrations that take place annually can fluctuate, the fiscal impact to these entities cannot be estimated.

STAFF CONTACT: Kenneth Ohms (Ext. 52200)

Voter Registration Commission

ARC 0423C

Rule Summary Provides procedures for maintaining, updating, and removing mailing addresses from voter registration records when the voter has a change of address or the address is no longer valid. The rule will also impact absentee ballot mailings.

Fiscal Impact No fiscal impact to the State. County commissioners may incur a minimal additional cost when correspondence sent to a mailing address is returned undeliverable since an additional mailing would be required by the rules.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Human Services Department

ARC 0420C

Rule Summary Creates a new form addendum for release of information, revises the Financial Institution Questionnaire to add Credit Union Information, and removes the Landlord Questionnaire because it is obsolete for public assistance programs.

Fiscal Impact No fiscal impact.

ARC 0432C

Rule Summary Makes the following changes:

- Amends the Medicaid for Employed People with Disabilities (MEPD) program rules to provide that Social Security cost-of-living adjustments will be counted only in eligibility and premium determinations based on subsequently published poverty levels.
- Eliminates a cross reference to the Promise Job administrative rules. The Promise Jobs rules were revised several years ago and the cross-referenced section no longer exists. The rule will be revised to state the conditions under which the needs of an adult who is temporarily out of the home can be included

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in the eligible group for purpose of medical assistance for families with children, as previously provided in the Promise Jobs rule.

Fiscal Impact Minimal fiscal impact.

	ARC 0434C
Rule Summary	Addresses the new federal requirements from the Affordable Care Act that all providers must be screened according to the provider type's risk for fraud, waste, or abuse and are enrolled as a Medicaid provider to be eligible for Medicaid payments.
Fiscal Impact	The new screening and enrollment requirements are estimated to cost the General Fund \$112,000 in FY 2013 and FY 2014.

	ARC 0436C
Rule Summary	Makes the following changes to Home-Based Habilitation: <ul style="list-style-type: none">• Increases the rate cap for daily Home-Based Habilitation from \$105.97 to \$200.00• Changes the Home-Based Habilitation daily unit definition from 14 hours to eight or more hours. A daily unit will be when eight or more hours of direct services are provided during a 24 hour period on average over the course of a calendar month.• Maintains the rate cap for hourly Home-Based Habilitation• Limits the total daily cost for hourly Home-Based Habilitation services to no more than the rate cap set for daily Home-Based Habilitation
Fiscal Impact	This change is estimated to save the General Fund \$402,000 in FY 2013 and \$845,000 in FY 2014.

ARC 0433C

Rule Summary Changes terminology to “intellectual disability” and “intellectually disabled” rather than “mental retardation” or “mentally retarded.”

Fiscal Impact No fiscal impact.

ARC 0435C

Rule Summary Adds language to assure that Managed Care Organization network providers who seek a state fair hearing on behalf of a Medicaid member have involved the member and have the member's specific consent to pursue a state fair hearing.

Fiscal Impact There are minimal savings expected from this rule change.

ARC 0418C

Rule Summary Removes requirement for the Department to conduct repeat record check evaluations on transgressions already evaluated on individuals as they move from employer to employer at child care centers and child development homes given certain provisions, including:

- The individual has no subsequent transgressions.
- The new position is materially the same as the previous.
- Any restrictions on employment specified by the Department remain.
- The copy of the previous evaluation is provided to the new employer.
- The new employer may request a re-evaluation and employ the person while the re-evaluation is performed.

Fiscal Impact Minimal fiscal impact.

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	ARC 0419C
Rule Summary	Provides an increase of approximately 1.5% to the foster family daily reimbursement rate and adoption subsidy daily maintenance rates effective July 1, 2012.
Fiscal Impact	This change is estimated to cost the General Fund \$750,000 in FY 2013. Funding for the rate changes was included in SF 2336 (FY 2013 Health and Human Services Appropriations Act).

	ARC 0417C
Rule Summary	Amends eligibility criteria for the Supervised Apartment Living (SAL) program by increasing the minimum age, increasing focus on completion of education, and expanding required services regarding the service plan. Clarifies that the youth participating in the Education Training Voucher (ETV) program are also part of the population served under Iowa's Independent Living Program (ILP). Articulates which programs are under the umbrella of Iowa's program to transition youth from foster care to adulthood.
Fiscal Impact	Minimal fiscal impact.

	Special Review
Rule Summary	Implements annual cost of living adjustments to several State Supplementary Assistance Program categories in accordance with federal law. Adjustments will go into effect January 1, 2013.
Fiscal Impact	This change is estimated to cost of the General Fund \$94,000 in FY 2013 and \$192,000 in FY 2014. No funding has been provided for this change but the Department believes the FY 13 could be covered from within the current budget request.

STAFF CONTACT: Jess Benson (Ext. 14611) Aaron Todd (Ext. 16764)

Accountancy Examining Board

	ARC 0413C
Rule Summary	Makes the rules consistent and clarifies when an out-of-state CPA or CPA firm may exercise a practice privilege in Iowa, what may or may not be done in Iowa under the practice privilege, what may or may not be done in Iowa with regard to attest and compilations services, and when a peer review must be completed. The proposed rules implement the changes in SF 2122 (Out-of-State Certified Public Accounting Firms) that went into effect July 1, 2012.
Fiscal Impact	The number of out-of-state CPA firms affected by these changes cannot be determined, but the number is likely to be small. The reduction in registration fee revenues for the Professional Licensing Bureau and the General Fund is not expected to be significant.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

Agriculture and Land Stewardship Department

	ARC 0392C
Rule Summary	Eliminates one-year pesticide applicators license. Changes timing requirements for State Licensed Warehouses to provide proof of replacement insurance. Creates conditions to be met when transferring grain from an in-state warehouse to an out-of-state warehouse.

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Fiscal Impact No fiscal impact

ARC 0391C

Rule Summary Requires that all Cervidae aged 12 months or older at the time of slaughter must be tested for chronic wasting disease.

Fiscal Impact No fiscal impact

ARC 0422C

Rule Summary Amends requirement for grain dealers to maintain information on cancelled credit-sale contracts by allowing an electronic list instead of individual paper copies.

Fiscal Impact No fiscal impact

STAFF CONTACT: Adam Broich (Ext. 18223)

Alcoholic Beverages Division

ARC 0406C

Rule Summary Establishes the requirements for mixing, storing, dispensing, and disposing of mixed drinks or cocktails that are not for immediate consumption (commonly called infused liquor). The rules deal with labeling and reporting requirements, prohibition of certain ingredients, and require compliance with all applicable state and federal alcohol and food safety laws. The changes are in response to section 22 of House File 2465 (Standings Appropriations Act) passed during the 2012 Legislative Session.

These rules were adopted and filed emergency as ARC 0204C in order to be effective on July 1, 2012, when the law went into effect. Notice of intended action was filed separately as ARC 205C. Changes were made to these rules to provide clarification and to eliminate redundant and unnecessary language; the requirements remain essentially the same.

Fiscal Impact No Fiscal Impact.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

Credit Union Division

ARC 0428C

Rule Summary Updates and consolidates voting procedures for specific types of credit union membership votes. The updates address conversion to a federal credit union, notice and voting procedures, mailed ballots, electronic voting, absentee ballots, in-person voting at a meeting, preservation of ballots, certification of the vote, and publication of the results, limits on compensation of officials, nomination and election procedures for the board of directors, amending articles of incorporation and by-laws, votes to merge with another credit union, voluntary dissolution, votes to remove or reinstate a director, officer, or member of the auditing committee, and votes on sale of assets are also addressed.

Fiscal Impact Minimal fiscal impact.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

Labor Services Division

ARC 0411C

Rule Summary Creates procedures for shutting down a conveyance (elevator, escalator, dumbwaiter, wind tower lift, etc.) that is operating without the required permit.

Fiscal Impact No fiscal impact.

ARC 0416C

Rule Summary Amends inspection rules pursuant to SF 2280 (2012 Boiler Inspections Act) to permit a four-year internal inspection schedule on unfired steam pressure vessels. Amendments also remove some provisions, adopt more recent versions of relevant national codes by reference, and make technical and editorial changes.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Kenneth Ohms (Ext. 52200)

Pharmacy Board

ARC 0393C

Rule Summary Establishes the procedures to be followed for a pharmacy to apply for approval of a pilot or demonstration research project for innovative applications in the practice of pharmacy relating to the authority of prescription verification and the ability of a pharmacist to provide enhanced patient care. The rule defines the scope and duration of a proposed pilot or demonstration research project, application requirements, Board review and approval or denial processes, and project reporting requirements.

Fiscal Impact No fiscal impact to the State.

STAFF CONTACT: Aaron Todd (Ext. 16764)

Real Estate Appraiser Examining Board

ARC 0412C

Rule Summary Clarifies rules and adds factors the Board has historically considered but were not adequately reflected in the rules. Changes deal with disclosure of confidential information to the subject of an investigation, protection of a complainant's identity and when it is released to the licensee, mitigating and aggravating factors, the nature of the violation, and the public interest in determining discipline. Increases the minimum coverage requirements for specific continuing education courses from 14 of 28 credit hours to 21 of 28 credit hours.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

Real Estate Commission

ARC 0410C

Rule Summary Updates the mailing address for the Treasurer's Office to receive unclaimed property.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

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Secretary of State

ARC 0424C

Rule Summary Terminates ARC 0106C. The rule provides technical corrections and clarifications of election administration procedures. Requires county commissioners to print or stamp additional information for absentee voters on the return envelopes as a warning about the absentee ballot return deadline. This rule was also Adopted and Filed Emergency as ARC 0107C, so the Secretary of State finds no further need to proceed with rulemaking for ARC 0106C.

Fiscal Impact No fiscal impact for the State.

ARC 0425C

Rule Summary Terminates ARC 0110C. The rule provides deadlines pertaining to special elections to fill vacancies in United States Congress to make Iowa compliant with the federal 2009 Military and Overseas Voter Empowerment (MOVE) Act. This rule was also Adopted and Filed Emergency as ARC 0109C, so the Secretary of State finds no further need to proceed with rulemaking for ARC 0110C.

Fiscal Impact No fiscal impact.

ARC 0426C

Rule Summary Terminates ARC 0238C. The rule establishes processes for programming, testing, and using a new voting system approved by the Iowa Board of Examiners for Voting Systems on June 29, 2012. This rule was also Adopted and Filed Emergency as ARC 0238C, so the Secretary of State finds no further need to proceed with rulemaking for ARC 0239C.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Telecommunications and Technology Commission, Iowa

ARC 0409C

Rule Summary Aligns the Iowa Communications Network (ICN) administrative rules with its current organizational structure. Removes private colleges from the definition of users of the ICN, in accordance with Iowa Code section 8D.9. Requires advisory groups, committees, and councils of the Iowa Telecommunications and Technology Commission to provide agendas and meeting minutes for posting on the ICN website.

Fiscal Impact There is no fiscal impact to the State General Fund. The ICN organizational structure change is anticipated to provide approximately \$300,000 in savings to the ICN from a reduction in wages and benefits, while the removal of private colleges from the certified users is estimated to reduce ICN revenues by approximately \$228,500. The impact of the combined actions is an increase in net revenue for the ICN by an estimated \$71,500.

STAFF CONTACT: Marcia Tannian (Ext. 17942)