



## Administrative Rules – Fiscal Impact Summaries

February 11, 2011

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### Department of Management

**ARC 9334B**

**Rule Summary** Establishes fiscal oversight of the Early Childhood Iowa (ECI) Initiative, a restructuring of the Community Empowerment Initiative. Provides for a review of internal controls and development of policy related to disbursement of State funds to local ECI boards. Requires an independent audit of funds managed by local boards. Requires local boards to secure liability insurance and submit a contract monitoring schedule for funded programs.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 18223) Robin Madison (Ext. 15270)

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### Department of Economic Development

**ARC 9326B**

**Rule Summary** Removes rules relating to the HOME Housing Fund. In January of 2010, Governor Culver transferred the HOME Housing Fund to the Iowa Finance Authority by executive order. The Iowa Finance Authority has adopted rules to administer the Program. (HOME is part of the HOME Investment Partnership Program authorized by the federal Cranston-Gonzales National Affordable Housing Act of 1990.)

**Fiscal Impact** No fiscal impact.

**ARC 9336B**

**Rule Summary** Increases eligibility of the Main Street program to include Iowa cities of any population size. Expands Main Street Iowa district designation to include historic traditional neighborhood commercial districts as well as historic downtown areas. Removes reference to operational grants for startup local Main Street programs.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Kent Ohms (Ext. 52200)

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### Environmental Protection Commission

**ARC 9330B**

**Rule Summary** Requires water quality certifications pursuant to Section 401 of the federal Clean Water Act for Regional Permit (RP) 27 and the re-issuance of Regional Permits 33 and 34 (RP 33 and RP 34). The federal Army Corps of Engineers used general permit authority to issue a number of general permits on a nationwide basis. The permits cannot exceed five years. Regional Permit 27 will be added and will authorize emergency reconstruction and repair activities for flood-damaged areas in counties declared flood disaster areas by the State of Iowa.

**Fiscal Impact** No fiscal impact.

**ARC 9331B**

**Rule Summary** Requires the Department of Natural Resources (DNR) to accept a groundwater professional's site investigation, classification, and corrective design report within 90 days of receipt unless the DNR identifies material information in the report that is inaccurate or incomplete. From July 1, 2010, through June 30, 2011, the DNR has 120 days rather than 90 days for acceptance.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

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**Natural Resource Commission**

**ARC 9325B**

**Rule Summary** Outlines procedures to be used by the Department of Natural Resources (DNR) to develop a three-year pilot program for public hunting on private lands.

**Fiscal Impact** Minimal fiscal impact.

**ARC 9324B**

**Rule Summary** Makes changes to rules related to State Parks:

- Increases the percentage of campsites requiring a reservation to 75.0%.
- Removes the 3.0% credit card processing fee reference.
- Establishes an online reservation change fee of \$5 and increases the call center change fee to \$7.
- Establishes an online cancellation fee of \$5 and increases the call center cancellation fee to \$7.
- Changes the last day to make a rental facility reservation during the off season to seven days prior to the arrival date.

**Fiscal Impact** The DNR estimates that State Park camping revenue will increase by at least \$56,000. This increase will be offset by an increase in expenditures to the reservation vendor of \$52,000 for a net increase of \$4,000.

The expense offset includes:

- Increasing the number of reserved campsites is estimated at \$42,000.
- Increasing fees for reserved campsites and the call center is estimated at \$1,500.
- Increasing cancellation fees is estimated at \$12,000.

The money is deposited in the Conservation Fund and used for State Park operations.

STAFF CONTACT: Debra Kozel (Ext. 16767)

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### Department of Human Services

#### ARC 9333B

**Rule Summary** Clarifies record check requirements for persons that volunteer or substitute for staff at a child care center when the volunteer or substitute:

- Is included in meeting the required child-staff ratio.
- Has direct responsibility for a child or children.
- Has access to a child or children with no other staff present.

**Fiscal Impact** No fiscal impact. Child care centers are responsible for the cost of record checks for staff and volunteers.

STAFF CONTACT: Deborah Thompson (Ext. 16764)

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### Homeland Security and Emergency Management Division – Department of Public Defense

#### ARC 9332B

**Rule Summary** Changes the education course names to accurately reflect the current Federal Emergency Management Agency (FEMA) training catalog.

**Fiscal Impact** No fiscal impact.

#### ARC 9345B

**Rule Summary** Creates a new allocation and distribution process for federal Emergency Management Performance Grant (EMPG) funds that are distributed to local emergency management commissions.

**Fiscal Impact** There is no direct fiscal impact. The total dollar amount is not impacted but the distributed amounts to each county will change, with 49 counties receiving less funding and 50 counties receiving more funding. A county-by-county list is available.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

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### Department of Public Health

#### ARC 9342B

**Rule Summary** Revises the levels of emergency medical services (EMS) to emergency medical responder, emergency medical technician, advanced emergency medical technician, and paramedic. Requires current emergency medical providers to transition to the new levels to be consistent with nationwide standards. Specifies requirements for EMS training programs and requires accreditation for training programs conducting paramedic courses.

**Fiscal Impact** No fiscal impact. The EMS training programs that choose to provide training at the paramedic level are responsible for the costs of accreditation.

#### ARC 9343B

**Rule Summary** Requires ambulance services to submit reportable patient data electronically to the Department of Public Health.

**Fiscal Impact** No fiscal impact.

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**ARC 9344B**

**Rule Summary** Updates trauma categorization criteria for Iowa's 118 hospitals to comply with national recommendations.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Deborah Thompson (Ext. 16764)

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### Department of Revenue

**ARC 9339B**

**Rule Summary** Updates the procedure for the Automotive Racetrack Facility Rebate Program. Clarifies the definition and treatment of lodging for tax purposes.

**Fiscal Impact** No fiscal impact. Any fiscal impact would be contingent on the sale of the Newton racetrack. If the racetrack is sold and the percentage of Iowa ownership falls below 25.0%, the racetrack will no longer qualify for the sales tax rebate. The total amount of the rebate is limited to \$12.5 million and the provision is set to expire in 2016.

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### School Budget Review Committee

**ARC 9320B**

**Rule Summary** Increases the School Budget Review Committee (SBRC) membership from five to six members, adding an additional public member. Specifies that the Director of the Department of Education is a nonvoting member of the SBRC. Decreases the minimum number of required meetings from four to three in a fiscal year. Adds duties and operational procedures language that is rescinded in a separate rule.

**Fiscal Impact** No fiscal impact.

**ARC 9322B**

**Rule Summary** Rescinds duties, operational procedures, and minimum number of required meetings language that is replaced in a separate rule (ARC 9320B).

**Fiscal Impact** No fiscal impact.

**ARC 9321B**

**Rule Summary** Rescinds on-time funding for increased enrollment rules due to past repeal of related statute.

**Fiscal Impact** No fiscal impact.

**ARC 9323B**

**Rule Summary** Makes technical corrections in rules reflecting that requests for a waiver from an administrative rule are made by the SBRC and not by the Department of Education.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Shawn Snyder (Ext. 17799)

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**Department of Transportation**

**Special Review**

**Rule Summary** The current rule differentiates between vehicle registrations for “truck tractor” and “motor home” and prohibits the registration of a truck tractor as a motor home because the vehicles are defined and designed differently. Code Section 321.124 includes a converted passenger carrying bus if it meets the prior registration requirements (registered at least five times as a motor truck and has been converted to provide living quarters) in the definition of a Class A motor home, but does not specify other converted vehicles.

**Fiscal Summary** There is a potential fiscal impact if the current rule is repealed depended on the number of converted vehicles. Truck tractor registration fees are generally higher than motor home fees, so any conversions would likely be a loss of revenue. The annual registration fee for a Class A motor home varies from \$85 to \$400 and the average fee is \$186. In 2009, there were 11,689 Class A Motor Homes registered. The annual registration fee for a truck tractor depends on the combined gross weight of the truck, but ranges from \$220 for 8-ton (the unladen weight of a basic truck tractor) to \$1,695 for a 40-ton truck tractor. In 2009, there were 9,325 vehicles registered in the 6 – 40 ton tractor/truck tractor designation with an average fee of \$1,191. Any loss of revenue would be a loss to the State’s TIME-21 Fund and to the counties’ general funds. Counties retain 4.0% of the fees from vehicle registrations.

STAFF CONTACT: Marcia Tannian (Ext. 17942)

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**Commission on Volunteer Service**

**ARC 9341B**

**Rule Summary** Clarifies and updates procedures and information for the certification of youth mentoring programs to ensure that applications for certification are handled in a consistent manner.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Kent Ohms (Ext. 52200)

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**Accountancy Examining Board**

**ARC 9327B**

**Rule Summary** Changes the renewal status for active and inactive Certified Public Accountants (CPAs) and Licensed Public Accountant (LPAs) from biennial renewal to annual renewal. The fee remains \$100 for active CPA or LPA licenses and \$50 for inactive CPA or LPA licenses.

**Fiscal Impact** There are approximately 4,400 active CPA and LPA licenses in Iowa and 2,000 inactive licenses. The change to annual renewal will generate approximately \$220,000 in fees for active licenses each fiscal year, and \$100,000 in additional revenue for inactive licenses each fiscal year. The Professional Licensing Bureau retains 85.0% of the total increased revenue (\$272,000) and the remaining 15.0% (\$48,000) is deposited in the General Fund.

STAFF CONTACT: Joseph Brandstatter (Ext. 18223)

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**Insurance Division – Department of Commerce**

**ARC 9340B**

**Rule Summary** Requires State of Iowa employee group health plans to provide coverage benefits to individuals less than twenty-one years of age for the diagnostic assessment of Autism Spectrum Disorders and for the treatment of Autism Spectrum Disorders as required in HF 2531 (FY 2011 Standings Appropriations Act).

**Fiscal Impact** There is little or no fiscal impact on the Insurance Division. The estimated fiscal impact of the Autism Spectrum Disorders provision is a \$57,000 increase in General Fund expenditures and \$75,000 in Other Funds expenditures for FY 2011 and additional fiscal years. The cost is for the State's share of insurance premium increases for this additional benefit.

STAFF CONTACT: Joseph Brandstatter (Ext. 18223)

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**Labor Services Division – Department of Workforce Development**

**ARC 9335B**

**Rule Summary** Adopts a definition for "complimentary tickets" for mixed martial arts events for tax calculation purposes. Specifies that a ticket will be considered "complimentary" if the ticket is sold for less than 50.0% of the minimum price available to the general public. Tax is collected on complimentary tickets to the extent they exceed 5.0% of all tickets sold.

**Fiscal Impact** The State General Fund and the Athletic Fund will benefit from enhanced collections; estimated to result in an increase of \$100,000 or less. The additional sales tax collected would benefit the State General Fund. Funds collected in excess of the amount needed to administer the boxing and wrestling statute, are used by the Labor Commissioner to award grants to organizations that promote amateur boxing matches in this State.

STAFF CONTACT: Ron Robinson (Ext. 16256)

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**Board of Medicine**

**ARC 9337B**

**Rule Summary** Clarifies the criteria for and definition of a confidential record. Permits the Board of Medicine to share information with the Department of Revenue and the College Student Aid Commission in specified circumstances.

**Fiscal Impact** No fiscal impact. The Board of Medicine retains fees charged to licensees to fund its operations.

STAFF CONTACT: Deborah Thompson (Ext. 16764)

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**Professional Licensure Division – Department of Public Health**

**ARC 9319B**

**Rule Summary** Board of Massage Therapy: Removes a requirement that the Iowa Massage Therapy Board to send a renewal notice to licensees.

**Fiscal Impact** Minimal fiscal impact. The Board of Massage Therapy retains fees charged to licensees to fund its operations.

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### ARC 9328B

**Rule Summary** Board of Physical and Occupational Therapy: Adds requirements for foreign-trained physical therapist assistants to parallel with the current requirements for foreign-trained physical therapists. Requires a clinical component for continuing education for physical and occupational therapy licensure. Updates the physical and occupational therapy discipline requirements to be consistent with the Iowa Code.

**Fiscal Impact** No fiscal impact.

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### Real Estate Commission

### ARC 9338B

**Rule Summary** Requires real estate licensees to provide verification of coverage for mandated errors and omission insurance within thirty days upon written notice by the Real Estate Commission.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 18223)

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