



Fiscal Services Division

ADMINISTRATIVE RULES – FISCAL IMPACT SUMMARIES

September 8, 2009

Section 17A.4(3) Iowa Code Supplement 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 http://staffweb.legis.state.ia.us/lfb/docs/Admin_Rules/arfiscal_notes.htm

Department of Public Safety

ARC 7977B

Rule Summary Provides an exception to existing requirements that flammable liquids be dispensed only by dispensers listed for use with the specific flammable liquid. Creates a parallel exemption for use with blends of biodiesel up to B-20 that provides an alternative method for dispensing E-85.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

Banking Division – Department of Commerce

ARC 8067B

Rule Summary Requires persons acting as mortgage loan originators to be licensed by the Banking Division beginning January 1, 2010. The rule addresses the bonding requirement for mortgage loan originators relating to regulated loan companies.

Fiscal Impact No fiscal impact.

ARC 8068B

Rule Summary Requires persons acting as mortgage loan originators to be licensed by the Banking Division beginning January 1, 2010. The rule addresses the bonding requirement for mortgage loan originators relating to industrial loan companies.

Fiscal Impact No fiscal impact.

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ARC 8066B

Rule Summary Requires persons acting as mortgage loan originators to be licensed by the Banking Division beginning January 1, 2010. Addresses the processes and requirements for applying for and renewing a mortgage banker or mortgage broker license. Addresses continuing education requirements, licensing fees, and the complaint and disciplinary process applicable to mortgage bankers or brokers.

Fiscal Impact No fiscal impact.

ARC 8065B

Rule Summary Requires persons acting as mortgage loan originators to be licensed by the Banking Division beginning January 1, 2010. Addresses the processes and requirements for applying for and renewing a mortgage loan originator license. Addresses continuing education requirements, licensing fees, and the complaint and disciplinary process applicable to mortgage loan originators.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Iowa Finance Authority

ARC 8078B

Rule Summary Conforms to a statutory change made to Section 16.4, Code of Iowa, during the 2007 Legislative Session, by making a local contributing effort permissive and not required for multifamily loans.

Fiscal Impact No fiscal impact.

ARC 8071B

Rule Summary Adopts the 2010 version of the Qualified Allocation Plan (QAP), that establishes criteria for allocation of 2010 Low Income Housing Tax credits. The Allocation Plan is available at:
http://www.iowafinanceauthority.gov/documents/filelibrary/2010_QAP_8_332598A0B_DDAB.pdf.

Fiscal Impact No fiscal impact.

ARC 8072B

Rule Summary Terminates the Notice of Intended Action that addressed the new allocation plans for both the Local Housing Trust Fund Program and the Project-Based Housing Program. Replacement rules have been noticed as ARC 7895B.

Fiscal Impact No fiscal impact.

	ARC 8073B
Rule Summary	Adopts the 2009 allocation plan for the Local Housing Trust Fund Program and conforms the Project-Based Allocation Plan to SF 207 (Iowa Finance Authority Chapter Update Act). The Act required at least 60.0% of the Housing Trust Fund moneys be allocated for the Local Housing Trust Fund Program with the remaining funds used to make awards to project-based housing programs located in areas where a local housing trust fund does not exist or for a project-based housing program that is not eligible for funding through a local housing trust fund. The Local Housing Trust Fund Allocation Plan is available at: http://www.iowafinanceauthority.gov/documents/filelibrary/shtf/SHTF_2010_Allocation_Plan_7B6FD85134E80.pdf . The Project-Based Allocation Plan is available at: http://www.iowafinanceauthority.gov/documents/filelibrary/shtf/SHTF_2010_Allocation_Plan_ProjectBa_31C365503A7FC.pdf .
Fiscal Impact	No fiscal impact.
	ARC 8079B
Rule Summary	Allows the Director of the Iowa Finance Authority (IFA) to extend the term for the payment of Planning and Design loans.
Fiscal Impact	No fiscal impact.
	ARC 8074B
Rule Summary	Revises the Jump-Start Assistance Program to comply with HF 64 (Disaster Assistance Appropriations Act). Allocates the Disaster Damage Housing Assistance Grant Fund created by SF 376 (Revenue Bonding and I-Jobs Program Act) for grants that provide financial assistance to ease and speed recovery efforts of neighborhoods affected by the 2008 disasters.
Fiscal Impact	Senate File 376 included a \$5.0 million Revenue Bonds Capitals Fund appropriation to the IFA for the Disaster Damage Housing Assistance Grant Fund. House File 64 included a \$24.0 million Economic Emergency Fund (EEF) appropriation for FY 2009 for the Jumpstart Housing Assistance Program. The funding may be carried forward to FY 2010.
	ARC 8075B
Rule Summary	Extends the time period that the Jump-Start Housing Assistance Program eligible residents may receive interim mortgage assistance. Extends the forgiveness period for forgivable loans from five years to 10 years.
Fiscal Impact	Minimal fiscal impact. The change to the interim mortgage assistance availability period does not make more money available, it extends the period of time that homeowners may receive it. The loan forgiveness does not change the amount of funding used for the loans and conforms to SF 289 (Jump-Start Housing Loan Forgiveness Act).

ARC 8080B

Rule Summary Provides the framework to create a program to enhance water quality and to assist communities with water and wastewater improvement projects established in SF 376 (Revenue Bonding and I-Jobs Program Act). Adopts a plan for allocating grants from the Water Quality Financial Assistance Fund to provide additional financial assistance to communities receiving loans from the existing mechanism for water pollution and drinking water improvements. The Authority made the following changes to the rules as originally noticed:

- Projects in small and large communities are eligible if the project is eligible for State Revolving Fund (SRF) loans. This would include wastewater, drinking water, and storm water projects.
- The specification of “wastewater projects” pertaining to priority projects was eliminated.
- Eliminated the requirement that after construction, recipients were required to agree to provide the IFA and the Department of Economic Development periodic access to the project site to ensure it is being operated and maintained as designed.

Fiscal Impact Senate File 376 included a \$55.0 million Revenue Bonds Capitals Fund appropriation to the IFA for the Affordable Housing Assistance Grant Fund for grants to assist in obtaining affordable housing for certain elderly, disabled, low-income people, and to attract people for public service jobs that are facing a critical shortage area in the State. The Act required \$35.0 million to be allocated for projects in small communities with a population of less than 10,000 people.

ARC 8076B

Rule Summary Provides the framework for the Affordable Housing Assistance Grant Fund established in SF 376 (Revenue Bonding and I-Jobs Program Act). Adopts a plan for allocating grants from the Fund.

Fiscal Impact Senate File 376 included a \$20.0 million Revenue Bonds Capitals Fund appropriation to the IFA for the Affordable Housing Assistance Grant Fund. The Fund provides grants to assist in obtaining affordable housing for certain elderly, disabled, low-income people, as well as to attract new people for public service jobs that are facing a critical shortage area in the State.

ARC 8077B

Rule Summary Provides the framework for the Public Service Shelter Grant Fund established in SF 376 and adopts a plan for allocating grants from the Fund.

Fiscal Impact Senate File 376 included a \$10.0 million Revenue Bonds Capitals Fund appropriation to the IFA for the Public Service Shelter Grant Fund, for construction, renovation, and improvements to homeless shelters, emergency shelters, and family and domestic violence shelters.

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Department of Economic Development

ARC 8032B

Rule Summary Permits moneys in the Innovation and Commercialization Fund to be used for information technology training. Expands the program to businesses outside the Targeted Industries of bioscience, advanced manufacturing, and information technology. Limits the eligible equipment and software costs to \$1,000 each.

Fiscal Impact No fiscal impact.

ARC 8031B

Rule Summary Permits moneys in the Innovation and Commercialization Fund to be used for supply chain initiatives. Adds a definition of “performance improvement programs,” and rescinds rules relating to the Lean Manufacturing Institute. The revised Supply Chain Development Program incorporates activities currently found in the Lean Manufacturing Institute rules. Applicants with projects that currently qualify under the Lean Manufacturing Institute will now be able to qualify under the Supply Chain Development Program.

Fiscal Impact No fiscal impact.

ARC 8030B

Rule Summary Permits moneys in the Innovation and Commercialization Fund to be used for recruiting management talent. Revises the purpose of the Management Talent Recruitment Program to include recruitment of in-state management talent. Revises the definition of “early-stage” to mean a company with five or fewer years of operating experience.

Fiscal Impact No fiscal impact.

ARC 8033B and 8034B

Rule Summary Requires the Community Attraction and Tourism (CAT) Review Committee to review CAT applications and the Vision Iowa Review Committee to evaluate and rank River Enhancement Community Attraction and Tourism (RECAT) applications. Establishes a process for the Vision Iowa Board to review requests to waive any required local or private matching moneys under the CAT and RECAT Programs.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Department of Agriculture and Land Stewardship

ARC 8041B

Rule Summary Changes the labeling on biodiesel fuel pumps to specify the volume percent of ethanol blended in the fuel. Requires wholesalers to specify the exact percentage of ethanol in biodiesel on the invoices sent to purchasers.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

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Department of Education

		ARC 8050B
Rule Summary	Conforms special education rules to federal regulatory changes, special education eligibility determination, residency status of students within a care facility, and general education provisions.	
Fiscal Impact	No fiscal impact.	
		ARC 8052B
Rule Summary	Makes technical changes to the Gifted and Talented Children Program.	
Fiscal Impact	No fiscal impact.	
		ARC 8051B
Rule Summary	Conforms funding provisions for limited English proficient students that were approved in HF 2792 (Government Operations and Education Programs Act) that passed during the 2006 Legislative Session.	
Fiscal Impact	The length of time English proficient students are eligible to receive additional weighting through the school aid formula was increased from three to four years effective for FY 2007. The estimated impact to State school aid was an increase of approximately \$3.3 million in FY 2007, \$3.4 million in FY 2008, and \$4.4 million in FY 2009. The funding is included in each district's school aid formula allocation.	
		ARC 8053B
Rule Summary	Updates administrator preparation requirements to reflect current State and national standards and address changing forms of delivery systems. Adds rules for approval of professional educational programs that lead to State licensure for the following school personnel: <ul style="list-style-type: none">• Guidance counselor• Audiologist• Psychologist• Social Worker• Speech-Language Pathologist• Supervisor of Special Education Support• Orientation and Mobility Specialist Amends requirements to better prepare new educators to implement the required Iowa Core Curriculum, and makes other updates and clarifications.	
Fiscal Impact	No fiscal impact.	
		ARC 8048B
Rule Summary	Makes technical changes relating to statewide school infrastructure funding. Requires a school district with an enrollment less than 250 students to receive approval for certain expenditures from the tax funding. Eliminates a class size requirement relating to a required feasibility study in the application form for the expenditure approval.	
Fiscal Impact	No fiscal impact.	

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ARC 8054B

Rule Summary Provides guidance for the appropriate use of funds received by school districts and area education agencies for categorical funding.

Fiscal Impact No fiscal impact.

ARC 8049B

Rule Summary Rescinds rules for the School Infrastructure Program. Funding for the Program was eliminated during the 2005 Legislative Session in HF 882 (State and Local Government Financial and Regulatory Matters Act) and was retroactive to the beginning of FY 2005.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Shawn Snyder (Ext. 17799) Robin Madison (Ext. 15270)

Department of Inspections and Appeals

ARC 8047B

Rule Summary Adds new responsibilities related to the regulation of boarding homes.

Fiscal Impact The number of investigations that will be conducted is unknown at this time and the fiscal impact is not known.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Environmental Protection Commission

ARC 8038B

Rule Summary Amends the State's antidegradation policy and implements procedures. The purpose of the antidegradation policy is to set minimum requirements for the State to follow in order to conserve, maintain, and protect existing uses and water quality. See the following for detailed information:
<http://www.iowadnr.gov/water/standards/antidegradation.html>.

Revises the list of Outstanding Iowa Waters (OIWs). The changes more appropriately reflect waters that satisfy the criteria proposed for OIWs in addition to limiting the initial regulatory impact identified during the public comment process.

Fiscal Impact No fiscal impact.

ARC 8039B

Rule Summary Amends water quality standards for a number of waterbodies as detailed in the Notice of Intended Action ARC 7624B:

- Lists 33 river and stream segments as Class A2 Secondary Contact Recreational Use designated waters.
- Lists 83 river and stream segments as Class A2 Secondary Contact Recreational Use and Class B (WW-2) or Warm Water Type 2.
- Lists four stream segments as Class A2 Secondary Contact Recreational Use and Class B (WW-3) or Warm Water Type 3.
- Lists six river and stream segments as Class A3 Children's Recreational Use and Class B (WW-2) or Warm Water Type 2.
- Lists 11 river and stream segments as Class A3 Children's Recreational Use.
- Lists one stream segment as Class HH or Human Health designated water.

Two changes were made from the Notice of Intended Action by the Environmental Protection Commission. They include:

- Ballard Creek in Story County and added Class A3 near the City of Cambridge.
- Little Maquoketa River in Dubuque County that changed from Class A2 to Class A1 from Durango to Asbury Road.

Fiscal Impact

The cost to the Department of Natural Resources (DNR) is minimal. Industries affected by these standards may be required to provide additional treatment to disinfect or reduce the levels of nitrogen. The initial cost estimate related to water quality standards was estimated to be between \$790.0 million and \$956.0 million. This rule change represents only a small portion of the original fiscal estimate and no separate fiscal impact was completed by the DNR.

ARC 8037B

Rule Summary

Changes rules related to the tonnage fee exemption for municipal solid waste (MSW) landfills that dispose of construction and demolition (C&D) waste. Streamlines the comprehensive planning submittal requirements for cities, counties, and municipal solid waste sanitary disposal projects and expedites the DNR review of the plans.

Tonnage fees remitted to the DNR are deposited in the Groundwater Protection Fund for support and operations of statewide solid waste programs. A portion of the tonnage fee is retained locally for waste management plan development and for environmental protection activities. The base tonnage fee is \$4.25; however, based on a planning area's progress towards State mandated goals, each landfill pays slightly more or slightly less than the base amount. On average, \$2.78 per ton is remitted to the DNR and \$1.47 is retained locally. For FY 2008, a total of 278,831 tons of C&D waste were reported as exempt from the tonnage fee at MSW landfills. This equates to \$709,000 not remitted to the DNR and \$409,000 not being retained locally for waste management plan development and implementation and environmental protection activities.

Requires transfer stations to become a member of a comprehensive plan for the cities and counties that they provide solid waste services for, but specifies they can only be in a single planning area. This could result in a loss of revenue to the transfer station if they could no longer provide services for cities or counties outside of the planning area they participate in.

There are three transfer stations in the State that collect solid waste from cities and counties within an existing comprehensive planning area that they are not a participating member of. One the three transfer stations potentially affected by the proposed rule revision has not been in operation since June 2005. The remaining two transfer stations have the potential to be affected by the proposed revision. For FY 2008, the two transfer stations potentially affected by the revision collected 101 tons and 8,749 tons of solid waste respectively, and neither transfer station collects solid waste from more than one comprehensive planning area.

Fiscal Impact

The estimated fiscal impact is an increase of \$709,000 of revenue to the Groundwater Protection Fund for FY 2010 and an increase of \$409,000 of revenue to be retained by the local landfills. The additional \$1.2 million in tonnage fees will be paid by persons that dispose of C&D waste.

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Department of Human Services

		ARC 8083B
Rule Summary	Establishes presumptive eligibility for children under the Medicaid and the Healthy and Well Kids in Iowa (hawk-i) Programs.	
Fiscal Impact	This rule is estimated to cost the General Fund \$383,000 in FY 2010 and \$3.2 million in FY 2011. Funding has been provided in HF 820 (FY 2010 Federal Funds Appropriations Act) for FY 2010.	
		ARC 8086B
Rule Summary	Implements a nursing facility quality assurance assessment based on facilities' non-Medicare patient days. This change requires federal approval prior to taking effect.	
Fiscal Impact	This change is estimated to generate an additional \$7.4 million of revenue in FY 2010 and \$11.6 million in FY 2011 for the newly created Quality Assurance Trust Fund created in HF 476 (FY 2010 Nursing Facility Assessment Act). The budget for Medicaid did not include this revenue in the available revenues for FY 2010.	
		ARC 8064B
Rule Summary	Eliminates the Family Investment Program (FIP) Diversion Program. Makes technical changes to clarify that Family Self-Sufficiency Grants are targeted toward PROMISE JOBS participants and to update a form number.	
Fiscal Impact	No fiscal impact.	
		ARC 8056B
Rule Summary	The proposed amendments: <ul style="list-style-type: none">• Requires the resource limits for Medicaid's Medicare savings programs to increase each year beginning January 1, 2010, to match the resource limit for the full low-income subsidy (LIS) for the Medicare Part D drug program.• Requires an application for LIS benefits to be considered an application for Medicare savings plan coverage (or any other coverage group that the Department finds the applicant eligible).• Makes technical changes to update the title of the review form used for children in foster care, subsidized adoption, or subsidized guardianship	
Fiscal Impact	This rule is estimated to cost the General Fund \$1.4 million in FY 2010 and \$4.7 million in FY 2011. This rule is required by the federal Medicare Improvements for Patients and Providers Act of 2008. No additional funding has been provided for this rule for FY 2010.	
		ARC 8040B
Rule Summary	Make the income policy for the coverage group "Medicaid for Kids with Special Needs" less restrictive. The program will now match the exclusions and deductions of the Supplemental Security Income (SSI) program.	
Fiscal Impact	This change is estimated to cost the General Fund \$65,000 in FY 2010 and \$90,000 in FY 2011. This change is required by the federal Centers for Medicare and Medicaid Services. No additional funding has been provided for this change.	

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ARC 8084B

Rule Summary Clarifies documentation required for Medicaid services billed using time-related Current Procedural Terminology (CPT) codes.

Fiscal Impact No fiscal impact.

ARC 8059B

Rule Summary Updates the Medical Assistance Advisory Council to conform to legislative changes regarding Council membership and recommendations to the Department.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Jess Benson (Ext. 14611)

Secretary of State

ARC 8046B and 8045B

Rule Summary Makes technical changes to Iowa's election laws that were enacted in HF 475 (Secretary of State Technical Act) and became effective July 1, 2009. Updates various references to the Code of Iowa to accommodate previous statutory changes. Updates certain special election date provisions that became effective January 1, 2009, due to the enactment of HF 2620 (2008 School Board and Other Election Law Changes Act). Changes text of several forms that the Secretary of State has prescribed to make the forms easier for the public to find and use via posting on the Secretary of State's website.

Fiscal Impact No significant fiscal impact to the State.

STAFF CONTACT: David Reynolds (Ext. 16934)

Department of Transportation

ARC 8027B and 8026B

Rule Summary Implements the creation of a Bridge Safety Fund.

Fiscal Impact Senate File 376 (Revenue Bonding and I-Jobs Program Act) appropriates \$50.0 million to the Department of Transportation from tax-exempt revenue bonds to be used for infrastructure projects relating to functionally obsolete and structurally deficient bridges on the State's primary road system.

ARC 8025B and 8024B

Rule Summary Makes changes to temporary restricted licenses (TRLs). Implements SF 419 (FY 2010 Department of Transportation (DOT) Omnibus Act) changing temporary restricted licenses (TRLs).

Senate File 419 (FY 2010 DOT Omnibus Act) amended Section 321J.4(2), Code of Iowa, to reduce the minimum period of ineligibility from one year to 45 days for a temporary restricted license (TRL) for a repeat offender (a person convicted of operating while intoxicated (OWI) that has had a previous conviction or revocation).

This change was made to comply with an amendment to 23 U.S.C. (United States Code of Federal Regulations) Section 164 made by the Safe, Accountable, Flexible, and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) Technical Corrections Act of 2008 that now allows states to impose either a one-year hard revocation or a 45-day hard revocation, followed by a period of restricted driving to and from work, school, or alcohol treatment program. The National Highway Traffic Safety Administration (NHTSA) has advised the DOT that Iowa is out of compliance with the federal requirements without a change in this rule.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Mary Beth Mellick (Ext. 18223)

Department of Administrative Services

ARC 8063B

Rule Summary Clarifies that the appointing authority may rescind an appointment to a position or vacancy when an employee has been disqualified or removed by the appointing agency director.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

College Student Aid Commission

ARC 8036B

Rule Summary Modifies the current eligibility requirements for the All Iowa Opportunity Scholarship Program so that an award notice may be sent to high school seniors prior to graduation. This allows the scholarship to be factored into the student's college decision process in a more timely manner.

Fiscal Impact No fiscal impact. The Program is funded each year through an appropriation by the General Assembly and is limited by the amount appropriated.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

Department of Cultural Affairs

ARC 8087B

Rule Summary Defines and establishes criteria for the Iowa Cultural Trust. Specifies Grant Program eligibility.

Fiscal Impact Funds in the Iowa Cultural Trust Grant Account are to be used for the purposes of the Iowa Cultural Trust. For FY 2010, the Cultural Trust Board of Trustees approved \$13,000 for related salary costs, \$5,000 for administrative expenses, and \$50,000 for grants. The Board anticipates the FY 2011 administration budget to be approximately the same as FY 2010 with an increase of \$25,000 to \$50,000 in grants compared to FY 2010. Funds are available from the interest generated by the Iowa Cultural Trust Fund.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Dental Board

ARC 8044B

Rule Summary Updates definitions relating to supervision. Clarifies the definition of inactive status and the existing procedures used to place or reinstate a license or registration on inactive status. Adopts a new definition for overpayments. Specifies that a licensee may not self-prescribe, self-administer or self-dispense controlled substances or Tramadol, or prescribe, administer, or dispense these medications to members of their immediate family. Clarifies that graduates of accredited dental assistant programs are eligible for dental assistant registration. Requires that a dentist provide radiographs that are of diagnostic quality when transferring patient records. Specifies standards for use and recordkeeping requirements for nitrous oxide inhalation analgesia. Increases the quarterly fee from \$100.00 to \$300.00 that covers the Dental Board's expenses associated with monitoring a licensee's or registrant's compliance with the settlement agreement. The licensee or registrant must agree to the fee provision as part of a settlement agreement to resolve a contested case. Allows continuing education credit for sexual boundaries courses.

Fiscal Impact Minimal fiscal impact. Additional fee revenue will be retained by the Dental Board.

ARC 8042B

Rule Summary Implements SF 2428 (2008 Delinquent Debt Collection Act) that established procedures to deny a license, permit, or registration, or take disciplinary action against a license, permit, or registration upon receipt of a certificate of noncompliance from the Centralized Collection Unit of the Iowa Department of Revenue.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Insurance Division – Department of Commerce

ARC 8062B

Rule Summary Permits the Insurance Commissioner to exempt a conduit from the quarterly reporting requirements if the conduit's obligations to the insurers in its holding company system are unconditionally guaranteed by a "qualified counterparty" known as an "investment grade" business entity.

Fiscal Impact No fiscal impact.

ARC 8061B

Rule Summary Addresses the mismatch related to changes in the value for the derivative assets as compared to the interest accrual in the reserve. This allows for a more accurate representation of an insurance company's capital position.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Labor Services Division – Department of Workforce Development

ARC 8082B
Rule Summary Changes the required membership of the Boiler and Pressure Vessel Board. Includes the Iowa Centralized Collection Unit of the Department of Revenue for a certificate of noncompliance. Adds definitions of “Power Boiler and “Unfired Steam Pressure Vessel.” Changes references to current national consensus codes. Changes registration and reporting requirements for specified devices. Specifies changes to low-water fuel cutoff requirements for automatically fired hot water heating boilers. Updates combustion air requirements, rescinds unnecessary rules, makes technical and editorial changes, and adopts new definitions.

Fiscal Impact No fiscal impact.

ARC 8081B
Rule Summary Changes the timing of the fee charged to owners of boilers.

Fiscal Impact Owners of boilers currently pay \$50.00 for a two-year certificate. The change requires payment of \$100.00 for a four-year certificate. The annual cost remains at \$25.00 per year.

ARC 8035B
Rule Summary Rescinds a \$25.00 fee for a two-year contractor registration and includes the transition to the new fee of \$50.00 per year.

Fiscal Impact Increases the contractor registration fee from \$25.00 every two years to \$50.00 every year. This is estimated to increase fee revenue by \$675,000 annually. Changes the deposit of the fee revenue from the General Fund to the Contractor Registration Fund. This is estimated to decrease General Fund revenue by \$225,000 annually. The estimate is the same as provided during the 2009 Legislative Session.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Professional Licensure Division – Department of Public Health

ARC 8085B
Rule Summary Barbering: Implements a national computerized theory examination and a national practical examination. Amends the continuing education requirement for barbers by requiring two of the eight hours of continuing education to relate to barbering law and rules and sanitation. Decreases the fee for an initial license to practice barbering from \$120.00 to \$60.00. Increases fees associated with the cost of administering an examination from \$60.00 to \$75.00

Fiscal Impact Minimal fiscal impact. Increases in fee revenue will be retained by the Board.

ARC 8028B

Rule Summary Podiatry: Clarifies that a residency program must be completed before permanent licensure is issued and a temporary license is replaced. Permits an applicant to sit for Part III of the required National Board of Podiatric Medical Examiners examination without Board of Podiatry approval. Requires participating faculty, with clinical privileges, of a podiatric college in Iowa to obtain permanent licensure. This eliminates their eligibility for temporary licensure.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Racing and Gaming Commission

ARC 8029B

Rule Summary Makes various technical changes to reflect current standards of the industry. Requires fingerprinting of all applicants applying for an occupational license.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Real Estate Commission

ARC 8058B

Rule Summary Requires a request for a license transfer from a releasing broker to an affiliated broker to be signed and returned to the affiliated broker within 48 hours.

Fiscal Impact No fiscal impact.

ARC 8055B

Rule Summary Terminates a previously filed rule relating to residential seller property disclosure (ARC 7799B) due to a planned substantial change in verbiage regarding a radon fact sheet.

Fiscal Impact No fiscal impact.

ARC 8057B

Rule Summary Requires that the seller, buyer, and a real estate licensee representing a buyer to acknowledge the delivery and receipt of the "Iowa Radon Home-Buyers and Sellers Fact Sheet" prepared by the Iowa Department of Health concerning radon gas.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Board of Regents

ARC 8069B

Rule Summary Updates admission requirements for the College of Veterinary Medicine at Iowa State University, including information by website, changes in the application deadline, hours completed before application, and related adjustments. Requires all applicants to use the Veterinary Medical College Application Service (VMCAS – www.aavmc.org). Specifies that fees are charged to applicants by the organization based up the number of colleges applied to.

Fiscal Impact No significant fiscal impact.

ARC 8070B

Rule Summary Update titles and other department information, clarifies the Departments that are permitted to enter into contracts, conforms smoking rules to comply with the Iowa Smoke-Free Act, and makes other technical changes.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

Department of Revenue

ARC 8043B

Rule Summary Reflects the increase in the penalties for the illegal use of dyed fuel, the illegal importation of untaxed fuel, and the interference with the inspection of fuel or shipping papers. Requires an invoice for the transportation of ethanol blended gasoline or biodiesel blended fuel to include the designation. Requires the invoice to show that the tax rates for gasoline (21¢) and ethanol blended gasoline (19¢) are the same for Fiscal Year 2010 as they were for Fiscal Year 2009. Requires invoices to explain the method for computing the tax rates for the rates effective July 1, 2010. Requires bills of lading (cargo) to identify the percentage of renewable fuel in the product being transported and indicate whether diesel fuel being transported is dyed or undyed.

Fiscal Impact Increased penalties could result in additional revenue for the State, but at the same time the increased penalties could result in better compliance and timely payment of any tax due.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Utilities Division – Department of Commerce

ARC 8060B

Rule Summary Permits a 12-month extension for wind generation facilities to become operational if specified equipment is not available.

Fiscal Impact No fiscal impact. Although eligibility for certain tax credits is altered, it is expected that the changes would be cost neutral when considered together.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)
