



ADMINISTRATIVE RULES – FISCAL IMPACT SUMMARIES

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.

Board of Medicine

ARC 7756B

Rule Summary Clarifies that the preliminary notice of denial for licensure is considered a public record and any applicant that was denied will be notified by the Board of Medicine of the process for appealing the denial.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Board of Nursing

ARC 7714B

Rule Summary Permits registered nurse practitioners (ARNP) to provide direct supervision in the use of fluoroscopic x-ray equipment. Clarifies the scope of practice for the ARNP and the educational requirements for the supervision of fluoroscopy. Fluoroscopy is an x-ray procedure that makes it possible to see internal organs in motion.

Fiscal Impact No fiscal impact.

Table of Contents			
Agency	Page	Agency	Page
Board of Medicine	1	Department of Public Safety	10
Board of Nursing	1	Department of Revenue	10
Iowa Ethics and Campaign Disclosure Board	2	Natural Resource Commission	11
Iowa Finance Authority	2	Department of Ag. and Land Stewardship	14
Department of Economic Development	3	Labor Services Div. – Dept. of Work. Develop.	14
Iowa Empowerment Board	4	Insurance Division – Dept. of Commerce	15
Environmental Protection Commission	4	Accountancy Examining Board	15
Environmental Protection Commission	5	Department of Corrections	15
Department of Human Services	6	Office of Energy Independence	15
Department of Veterans Affairs	7	Homeland Sec. and Emergency Mgmt. Div.	16
Professional Licensure Div. – Dept. of Public Health	8	Department of Natural Resources	16
Board of Pharmacy	8	Board of Regents	16
Professional Licensure Div. – Dept. of Public Health	9	Soil Cons. Div. – Dept. of Ag. & Land Stwshp.	17
Department of Public Health	9	Department of Transportation	17
		Utilities Division – Dept. of Commerce	18

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

2

ARC 7668B

Rule Summary Rescinds provisions relating to child support noncompliance and student loan default or noncompliance. Provides for license denial, suspension, or revocation for nonpayment of child support, student loan, or State debt. Deletes the definition of “withdrawal certificate” from the noticed rule.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Iowa Ethics and Campaign Disclosure Board

ARC 7705B

Rule Summary Establishes criteria that the Ethics and Campaign Disclosure Board will use in determining whether a publication is entitled to the press exception or is a sham newspaper that triggers the campaign laws. This rule applies only to a publication sent out when the owner, editor, or publisher of the publication is also a candidate for public office.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Iowa Finance Authority

ARC 7702B

Rule Summary Removes the definition of “title plant” in the Title Guarantee Division administrative rule references.

Fiscal Impact No fiscal impact.

ARC 7701B and 7700B

Rule Summary Modifies the Low Income Housing Tax Credit Compliance Manual to comply with the federal Housing and Economic Recovery Act of 2008.

Fiscal Impact No fiscal impact.

ARC 7703B

Rule Summary Implements a process for allocating new federal authority for the issuance of tax exempt bonds for disaster relief projects.

Fiscal Impact State funds are not impacted. The Governor's designee (Director of the Iowa Finance Authority) has the authority to issue tax exempt bonds.

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

3

ARC 7704B

Rule Summary Creates the Council on Homelessness as required by SF 2161 (Homelessness Council Act).

Fiscal Impact There is a \$5,000 FY 2010 General Fund appropriation to reimburse actual and necessary expenses incurred by general public members of the Council in SF 478 (FY 2010 Standing Appropriations Act).

STAFF CONTACT: Ron Robinson (Ext. 16256)

Department of Economic Development

ARC 7709B and 7710B

Rule Summary Creates eligibility requirements, establishes application review and approval procedures, and specifies the allocation for the federal Neighborhood Stabilization Program.

Fiscal Impact The State's share of funding from the federal Program is anticipated to be \$21,607,197. A State match is not required.

ARC 7706B

Rule Summary Implements HF 2687 (Underutilized Property Redevelopment Tax Credits Act). Adds new definitions for Brownfield Redevelopment Advisory Council, Grayfield site, green development, qualifying investment, qualifying redevelopment project, and sustainable design. Amends the definition of "Brownfield site." Provides the eligibility requirements and application procedures for the new redevelopment tax credits.

Fiscal Impact Redemption of tax credits is projected to reduce net General Fund revenue by the following amounts:

- FY 2010 = \$300,000
- FY 2011 = \$400,000
- FY 2012 = \$300,000

There is no projected impact past FY 2012. The decrease in revenue is the same as the estimate used during the 2008 General Assembly.

Redemption of the tax credits is also projected to reduce local option income surtax for schools revenue by a total of \$30,000 over the FY 2010 through FY 2012 time period.

ARC 7707B and 7708B

Rule Summary Establishes the Community Development Block Grant (CDBG) Disaster Assistance Business Rental Program. Includes Program definitions and establishes eligibility requirements. Limits the maximum amount of financial assistance available.

Fiscal Impact The Department of Economic Development (DED) anticipates using approximately \$15.0 million from the \$125.3 million Federal CDBG Disaster Relief appropriation for the Business Rental Program. The remaining federal Disaster Relief funding will be used for other programs.

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

4

ARC 7561B (Held over from 70-day delay)

Rule Summary Establishes a limit on the total amount of Targeted Jobs Withholding Tax credits awarded based on the total amount of depreciable assets in a project. Permits required financial support to include either tax abatement or cash or in-kind grants equivalent to tax abatement. Requires applications to be presented to the Iowa Department of Economic Development Board for comment prior to the Department's approval. The rules remain unchanged since the delay by the Administrative Rules Review Committee. This includes previous changes to establish a limit on the total amount of withholding tax credits awarded based on the total amount of land, site preparation costs, and depreciable assets in the project.

Fiscal Impact The 2009 General Assembly addressed an issue regarding the tax credits in SF 304 (Targeted Jobs Withholding Tax Credit Program Bill) that is estimated to reduce General Fund receipts by approximately \$23.3 million over 12 fiscal years.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Iowa Empowerment Board

ARC 7677B

Rule Summary Updates definitions and the Iowa Empowerment Board membership. Clarifies the responsibility of community empowerment boards and the carryforward-of-funds process to reflect current law. Adds a reference to the criteria for the use of First Years First funds.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Robin Madison (Ext. 15270)

Environmental Protection Commission

With Notice ARC 7678B/ Filed Without Notice 7679B

Rule Summary Distributes federal funding from the American Recovery and Reinvestment Act of 2009, to reduce diesel emissions. The funds will be distributed to eligible applicants through grants or a combination of grants and loans. Eligible projects include engine idling reduction and retrofit technologies, engine replacement, vehicle replacement, and clean diesel emerging technologies.

Fiscal Impact Estimated funding for grants in Iowa is \$1.73 million. The federal Environmental Protection Agency will award the funds to the Department to fund eligible projects. The funding is expected in May 2009.

ARC 7694B

Rule Summary Changes rules for water use by requiring a person that withdraws at least 25,000 gallons of water in Iowa in a single 24-hour period to have a permit. Implements HF 2672 (FY 2008 Water Resource Management Program Act) that allows a fee schedule to be set in rule for water usage.

Caps the fees at \$500,000 per year that will be deposited in the Water User Permit Fund. Funds will be used to administer the Program. The fees include an application fee that becomes effective July 1, 2009, and the annual fee becomes effective on December 1, 2009. A person is required to pay an application fee or annual fee in one year, but not both.

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

5

Fiscal Impact The amount of fees collected in FY 2010 is estimated at \$385,000 and the funds will be used to administer the Program.

ARC 7728B

Rule Summary Corrects inconsistencies between the Code of Iowa and administrative rules related to Solid Waste Comprehensive Planning Requirements. Extends the public comment period to May 12, 2009.

Fiscal Impact No fiscal impact.

Special Review

Rule Summary Permits the use of a new General Permit to authorize discharge through the use of best management practices (BMPs), require the monitoring of the wastewater effluent to determine compliance of the BMPs, and take enforcement action against dischargers who fail to establish or maintain the required BMPs or meet the water quality standards. Specific rule changes include:

- Exempts the requirement for a Department of Natural Resources (DNR) operating permit for water well construction and well services-related discharge that does not reach the waters of the United States.
- Require the issuance of a General Permit #6 for any water well construction and well services-related discharge that reach waters of the United States.
- Exempts water well construction and well services-related discharges which are authorized by General Permit #6 from the requirement of submitting a Notice of Intent.
- Adds the ability of the DNR to suspend or revoke any General Permit #6 if the well construction and well services-related wastewater is not managed in a manner consistent with General Permit #6.
- Establishes effective and expiration dates for the General Permit #6.
- Exempts the General Permit #6 from the collection of permitting fees.

The DNR has worked with stakeholders in the development of the proposed rules and plans to hold public hearings as part of the rulemaking process.

The proposed changes will be presented to the Environmental Protection Commission at the May 19 meeting as an information item, and the Commission will approve the Notice of Intended Action at a future meeting.

Fiscal Impact The DNR cannot determine the fiscal impact of the rule change at this time.

STAFF CONTACT: Debra Kozel (Ext. 16767)

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

6

Department of Human Services

ARC 7730B

- Rule Summary** Makes the following changes related to appeals and hearings:
- Updates the definition of aggrieved person to add the Iowa Individual Disaster Assistance Grant Program and for a drug manufacturer disputing drug rebates.
 - Updates form names and numbers.
 - Replaces references to the Food Stamp Program with references to "Food Assistance."
 - Reorganizes the rules on time limits for appeals to make it easier to understand and adds a separate time limit for child abuse appeals.

Fiscal Impact The fiscal impact cannot be determined. The rule has the potential to increase the number of appeals by drug manufacturers, but the outcome and number of appeals cannot be determined.

ARC 7717B

Rule Summary Makes technical changes relating to the State Mental Health Institutes and the State Resource Centers.

Fiscal Impact No fiscal impact.

ARC 7724B

Rule Summary Limits to 12 months the amount of time that the Department can collect on a Food Assistance claim from the recipient that is the result of an error by the Department.

Fiscal Impact No fiscal impact.

ARC 7718B

Rule Summary Updates Medicaid Health Insurance Premium Payment (HIPP) Program rules.

Fiscal Impact Minimal fiscal impact.

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

7

ARC 7732B

- Rule Summary** Makes the following changes related to case management:
- Redefines the scope of case management services to federal regulations.
 - Clarifies the role of the case manager in ensuring the health, safety, and welfare of members, including requirements for monitoring in response to incident reports.
 - Removes the requirement for preauthorization for members not covered under the Iowa Plan managed behavioral care contract and adds quality assurance oversight.
 - Lengthens from 30 to 60 days the period that case management may be provided to Medicaid members before transition from an institution to a community setting.
 - Changes the basis of reimbursement for case management from a monthly unit to a 15-minute unit as required by federal regulations.
 - Deletes the scope of service for case management for the home- and community-based (HCBS) habilitation services and elderly and brain injury waiver programs and instead refers to the case management scope of service.

Fiscal Impact Changing from a monthly unit of reimbursement to a 15-minute unit is estimated to be cost neutral, with the Medicaid Program paying more for some individuals than the current payment and less for others.

ARC 7667B

Rule Summary Updates IowaCare Program premiums based on annual changes in the federal poverty level.

Fiscal Impact Minimal fiscal impact.

ARC 7712B

Rule Summary Implements the Department's Child Welfare Redesign changes to foster family home licensing and training and for foster care and adoption services. Clarifies the activities that previously were performed by the DHS staff that are now performed by the foster parent recruitment and retention contractor. Brings the Department into compliance with changes to the federal Social Security Act and aligns rules related to foster parent licensing with childcare provider requirements.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Jess Benson (Ext. 14611) Deborah Helsen (Ext. 16764)

Department of Veterans Affairs

ARC 7659B

Rule Summary Updates the responsibilities of the Department of Veterans Affairs and the Commission of Veterans Affairs. Creates operational procedures for the Iowa Veterans Cemetery. Modifies the training requirements for county officers provided by the Department.

Fiscal Impact No fiscal impact.

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

8

ARC 7660B

Rule Summary Requires County Commission of Veterans Affairs staff training. Allocates \$10,000 per county from the County Commission of Veterans Affairs Fund. Requires the Department of Veterans Affairs to provide training to the county veterans service officers.

Fiscal Impact House File 811 (FY 2010 Health and Human Services Appropriations Bill) provided \$1.0 million for the Program in lieu of the statutory standing appropriation.

ARC 7661B

Rule Summary Decreases the financial eligibility criteria for the Veterans Trust Fund interest expenditures. Modifies the process for the Subcommittee of the Commission of Veterans Affairs to determine the awards from the Fund. Establishes a new process for payments from the Fund in the event of a waiting list due to funding limitations.

Fiscal Impact The Commission of Veterans Affairs has expended most of the available interest from the Veterans Trust Fund and has been required to establish a waiting list for eligible applicants. The rules will decrease the number of eligible applicants.

STAFF CONTACT: Sue Lerdal (Ext. 17794)

Professional Licensure Division – Department of Public Health

Special review of Licensure of Sign Language Interpreters and Transliterators for School Services

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Board of Pharmacy

ARC 7676B

Rule Summary Establishes the requirements, authorizations, and limitations relating to the Board of Pharmacy's Prescription Drug Monitoring Program. Requires pharmacies to report specific information regarding the dispensing of identified controlled substances to patients and authorizes practitioners involved in the care and treatment of a patient to query program information to identify the patient's use of substances. Practitioners are not required to utilize or query the information in the program database.

Fiscal Impact The Program was established and implemented with federal funds. Upon the expiration of the federal funding, the Board will continue to contract with the Program's current vendor. The Board collects and retains sufficient funds from license and registration fees to support the estimated annual cost of the Program of \$85,000.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

9

Professional Licensure Division – Department of Public Health

ARC 7673B

Rule Summary Updates educational and clinical experience requirements for marital and family therapy and mental health counselor licensure.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Department of Public Health

ARC 7675B

Rule Summary Provides for changes to the regulation of indoor and outdoor public swimming pools to comply with the federal Virginia Graeme Baker Pool and Spa Safety Act (VGB). Authorizes the Department of Public Health and its contractors to enforce provisions of the VGB.

Fiscal Impact No fiscal impact.

ARC 7670B

Rule Summary Defines the scope of services provided, client eligibility criteria, priority for program expenditures, and client application procedures for the Iowa Breast and Cervical Cancer Early Detection Program (IA BCCEDP).

Fiscal Impact No fiscal impact. This Program is federally funded.

ARC 7672B

Rule Summary Revises the definition of “dental home” from the original proposal that was delayed by the Administrative Rules Committee in August and October of 2008.

Fiscal Impact No fiscal impact.

ARC 7669B

Rule Summary Updates current requirements for the Women, Infants, and Children (WIC) Program’s food package to be consistent with federal requirements effective on October 1, 2009. Permits the State to limit the number of foods for the WIC-approved food list based on accessibility, availability, retail value of products, United States Department of Agriculture recommendations, increased number of WIC participants, and any changes in federal funding.

Fiscal Impact No fiscal impact.

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

10

ARC 7671B

Rule Summary Requires the Department of Public Health to provide follow-up after receipt of a certificate of noncompliance from the centralized collection unit of the Department of Revenue regarding certain money owed by licensees. Specifies the procedures for denial of issuance or renewal of a license or the suspension or revocation of a license issued by the DPH.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Department of Public Safety

ARC 7720B

Rule Summary Updates various definitions for closed circuit surveillance systems to make the rules more consistent with the rules of the Iowa Racing and Gaming Commission and to make the rules more reflective of the statutory authority afforded the Department.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

Department of Revenue

ARC 7726B

Rule Summary Makes technical corrections to various rules including tax exemptions, assessor examinations, rent reimbursements, manufactured homes, and real estate.

Fiscal Impact No fiscal impact.

ARC 7727B

Rule Summary Includes unprocessed marijuana plants in the references for the four different tax stamps.

Fiscal Impact No fiscal impact.

ARC 7725B

Rule Summary Reflects changes made in sales and use tax laws as a result of the Streamlined Sales Tax Act and groups all rules related to agricultural production into a single chapter. Reflects a legislative change in the sales and use tax exemption for replacement parts for the repair or reconstruction of farm machinery and equipment. Senate File 2400 (FY 2009 Administration and Regulation Appropriations Act) changed the word "essential" to "used in."

Fiscal Impact Broadens existing exemptions and will result in a minor loss of tax revenue. The estimate was known during the 2008 General Assembly when the action was enacted.

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

11

ARC 7666B

Rule Summary Authorizes an eligible city with a local option sales and services tax to establish by ordinance a sales tax increment financing district for the purpose of funding urban renewal projects without an election.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Natural Resource Commission

ARC 7682B

Rule Summary Increases (from \$25,000 to \$100,000) the cost of public improvement projects that the Department of Natural Resources (DNR) may approve related to bidding requirements. If the estimated total cost of a public improvement is \$100,000 or less, the DNR must utilize the competitive quotation process.

Fiscal Impact No fiscal impact.

ARC 7693B

Rule Summary Adds all of Pool 15 and the portion of Pool 14 below the National Wildlife and Fish Refuge to the list of pools of the Mississippi River where the use of stationary blinds and waterfowl decoys is allowed.

Fiscal Impact No fiscal impact.

ARC 7685B

Rule Summary Adds four new Wildlife Area sites to the list of locations where game refuges can be posted.

Fiscal Impact No fiscal impact.

ARC 7684B

Rule Summary Changes rules related to camping fees. Updates reference to the State sales tax to 6.00% and establishes fees for new cabins being constructed at Pine Lake, Nine Eagles, and Springbrook State Parks. Increases the camping cabin fee at Pleasant Creek State Recreation Area. Establishes minimum-stay requirements for the multi-family cabins.

Fiscal Impact The estimated increase in revenue from the new cabins is \$98,000 per year beginning in FY 2011. Not all of the cabins will be completed in FY 2009 and FY 2010, so the revenue will be less in those two years. Cabin rental fees are deposited in the Land and Water Conservation Fund. These funds pay for State Park expenditures.

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

12

ARC 7683B

Rule Summary Permits a person to register at a State Park to swim outside the designated swimming area from sunrise to sunset. Specifies the swimmer must be accompanied by a person in a vessel and that the vessel must display a 12-inch square, bright orange flag that can be seen all around the horizon. The change is for persons training for triathlons.

Fiscal Impact Minimal fiscal impact to State Parks for registering swimmers.

ARC 7680B

Rule Summary Changes rules related to the harvest of ginseng by changing definitions and licensing requirements. Prohibits the harvesting or planting of ginseng at State Parks and State Preserves. Establishes recordkeeping and reporting requirements of ginseng transactions.

Fiscal Impact Based on data from the DNR, there are approximately 65 ginseng growers, eight ginseng dealers, and 525 ginseng harvesters. Of the eight ginseng dealers, four are residents and four are nonresidents. Of the ginseng harvesters, 495 are residents and 30 are nonresidents. Total estimated revenue from license sales is estimated at \$22,000 per year for the Fish and Wildlife Trust Fund.

ARC 7686B

Rule Summary Provides the regulations for hunting waterfowl and coot. This includes season dates, bag limits, possession limits, shooting hours, and areas open to hunting. Adjusts season dates to comply with federal regulations and to ensure the seasons open on a weekend. The duck and goose seasons in the north and south zones will be the same. Revises the boundary dividing the State into north and south zones for goose hunting to match the boundary for duck hunting zones. Hunting for Canada goose changes include closing areas in Worth and Winnebago counties. Allows landowners with permits to hunt Canada goose in closed hunting zones from October 31 instead of October 15.

Fiscal Impact Minimal fiscal impact.

ARC 7687B

Rule Summary Amends regulations for nonresident deer hunting and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of taking, and transportation and reporting requirements.

Adds 1,000 licenses to the quota for optional antlerless-only licenses. This change should allow more does to be taken in counties where the doe harvest needs to be increased. This allows more former residents to return and hunt with their families and traditional groups.

Requires hunters during the shotgun seasons to use hunter orange on hunting blinds. This change makes the requirements the same for both residents and nonresidents during the regular gun season.

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

13

Permits nonresidents to obtain antlerless licenses for the January antlerless season. These licenses will come from the resident quota in those counties where the resident quota has not filled and will go on sale to nonresidents on January 3rd.

All regulations that apply to resident hunters during the January season will apply to nonresident hunters as well.

Fiscal Impact No fiscal impact.

Rule Summary **ARC 7688B**
Changes rules related to landowner-tenant hunting licenses. Removes the three-year eligibility period limit and requires registered landowners and tenants to notify the DNR if their information or eligibility status changes. The eligibility information will be periodically verified by DNR.

Fiscal Impact Minimal fiscal impact.

Rule Summary **ARC 7689B**
Reduces the quota for the fall turkey hunting season in portions of Iowa where turkey brood surveys indicate turkey production is lower than average. Removes the option for a third fall turkey license.

Fiscal Impact No fiscal impact.

Rule Summary **ARC 7690B**
Removes 17 counties from the paid November and January antlerless-only deer seasons and restricts the November antlerless-only deer licenses to taking antlerless deer on private land. Specifies the January antlerless-only deer licenses will go on sale on December 15.

Increases the antlerless-only quotas for 13 counties and reduces quotas in five counties. The quotas may be adjusted after deer population surveys are completed.

Clarifies that Statewide paid any-deer licenses may not be used in deer population management zones if prohibited by the rules for the management zone.

Specifies that all antlerless deer taken on shooting permits issued as part of a depredation agreement must be turned over to a Conservation Officer within 48 hours.

Fiscal Impact Minimal fiscal impact.

Rule Summary **ARC 7691B**
Changes the ending date for the unrestricted taking of muskrats from April 15 to April 1 and requires that traps be placed entirely within a muskrat lodge to reduce the incidental catch of other wildlife. Clarifies that persons displaying bobcats or otters as taxidermy mounts must keep the Convention on the International Trade of Endangered Species (CITES) tag in their possession.

Fiscal Impact No fiscal impact.

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

14

ARC 7692B

Rule Summary Makes changes to trapping rules and prohibits the placement of traps or stakes in the public right-of-way outside of the legal season. Requires that live animals be released immediately or euthanized by the trapper.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

Department of Agriculture and Land Stewardship

ARC 7723B

Rule Summary Eliminates quarantine requirements in the Chronic Wasting Disease Program for cervid imports. (Cervids are members of the deer family that includes deer, caribou, elk, and moose that bears antlers in the male or in both sexes.)

Fiscal Impact No fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

Labor Services Division – Department of Workforce Development

ARC 7699B

Rule Summary Complies with changes to the U.S. Department of Labor's rules regarding occupational safety and health training and personal protective equipment. Clarifies that each covered employee must be provided training and personal protective equipment. Noncompliance may expose an employer to liability on a per-employee basis.

Fiscal Impact No fiscal impact.

ARC 7696B

Rule Summary Elevator Safety Board: Removes unnecessary and obsolete rules. Creates a process for verifying correction of certain hazards without an on-site inspection. Creates a special permit for controller upgrades. Increases the inspection fee for moving walks and escalators.

Fiscal Impact The \$15.00 fee increase for inspections of approximately 230 escalators and moving walks will increase revenue to the Elevator Fund by \$3,450. New fees are created for extensions of certain permits and for controller upgrade permits but only a few of these are anticipated each year. Elevator companies will have additional requirements concerning training for their mechanics.

ARC 7697B

Rule Summary Details the circumstances and procedures for revocation, suspension, and denial of an elevator special inspector commission.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

15

Insurance Division – Department of Commerce

ARC 7711B
Rule Summary Implements electronic delivery of certain licensure notices, eliminates the mailing of paper licenses, and implements the electronic billing and payment for monthly and renewal appointments.

Fiscal Impact No fiscal impact.

ARC 7729B
Rule Summary Makes technical corrections to conform the administrative rule chapter on Viatical and Life Settlements to the Code of Iowa.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Accountancy Examining Board

ARC 7715B
Rule Summary Permits out-of-State Certified Public Accountants (CPA) firms and individuals to practice in Iowa without licensure under certain conditions. Provides for final peer review reports for CPAs. Updates references to the 2001 Iowa Accountancy Act. Transitions biennial licensure renewals to annual renewals with fee amounts to be determined later. Adds guidelines for licensee conflicts of interest.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Department of Corrections

ARC 7731B
Rule Summary Rescinds outdated and unnecessary rules including various procurement contracts, background investigations, and supervision under an interstate compact.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Beth Lenstra (Ext. 16301)

Office of Energy Independence

ARC 7698B
Rule Summary Permits the Power Fund Board meetings to be electronically recorded. Increases the percentage of the Iowa Power Fund that is available for administrative costs from 1.50% to 3.50% of the amount appropriated. Establishes a process for considering requests to keep information confidential.

Fiscal Impact No fiscal impact. The amount appropriated to the Fund is not changed.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

16

Homeland Security and Emergency Management Division – Department of Public Defense

ARC 7695B

Rule Summary Clarifies the Joint E911 Service Board membership and reflects changes to the Division's organizational structure.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

Department of Natural Resources

ARC 7681B

Rule Summary Increases (from \$25,000 to \$100,000) the cost of public improvement projects that the Department of Natural Resources (DNR) may approve related to bidding requirements. If the estimated total cost of a public improvement is \$100,000 or less, the DNR must utilize the competitive quotation process.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

Board of Regents

ARC 7713B

Rule Summary Increases five of the 20 fines for parking violations at Iowa State University (ISU). The affected fines are:

<u>Offense</u>	<u>Old Fine</u>	<u>New Fine</u>
Altering, forging or counterfeiting any parking permit	\$ 80.00	\$ 150.00
Unauthorized possession and use of a parking permit	80.00	150.00
Illegal parking	15.00	30.00
Overtime parking at meter	7.50	10.00
Failure to purchase a parking receipt	7.50	10.00

Fiscal Impact No significant fiscal impact. Revenues from parking fines go to the ISU Parking Division and are not part of the University's general operations budget. The increase in fines is expected to produce a small decrease in fine revenues. The last time fines were raised in 2006, approximately 21,000 fewer tickets were written, and fine collections decreased by about \$18,000 annually.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

17

Soil Conservation Division – Department of Agriculture and Land Stewardship

ARC 7722B

Rule Summary Amends the Summer Construction Incentive Program for soil erosion by allowing up to \$200 per acre for the establishment of permanent conservation practices. Allows up to \$200 per acre for the establishment of a conservation cover crop that will offset income lost from cropland acres taken out of production during the growing season. Payment will be made upon completion of the permanent conservation practice.

Fiscal Impact Minimal fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

Department of Transportation

ARC 7716B

Rule Summary Cites the current version (October 2008) of the Code of Federal Regulations (CFR) relating to regulating interstate for-hire carriers. No changes to the CFR have occurred.

Fiscal Impact No fiscal impact.

ARC 7721B

Rule Summary Provides for the following changes:

- Amends the documentation acceptable for proof of age and identity from persons applying for Iowa driver's licenses and nondriver identification cards.
- Increases the time before a driver's license skills test is required when an expired out-of-state license is presented.
- Changes the definition of an airbrake system on a commercial motor vehicle.
- Eliminates the use of a marriage license as evidence of a name change.
- Adopts the current version (October 2008) of the CFR relating to:
 - Commercial driver's license (CDL) school bus endorsements.
 - Motor Carrier Safety Assistance Program.
 - Withholding of federal-aid highway funds based on State noncompliance with the CDL program.
 - Intrastate operations of interstate motor carriers.
 - Civil penalties and disqualifications for violations of out-of-service orders.
 - Civil penalties for denial of access to records and property and for violations of statutes and regulations governing hazardous materials transportation.
 - Exemption from the federal hours-of-service regulations for operators of commercial motor vehicles engaged in certain defined operations.
 - Exemption of drivers of propane service or pipeline emergency vehicles during emergency conditions requiring immediate response; and interstate transportation of household goods.
- Allows SR-22 lift notices to indicate that future proof of insurance is on file with the State rather than listing specific motor vehicle information.
- Strengthens the requirements to obtain personal information for motor vehicle records.

Administrative Rules – Fiscal Impact Summaries

May 12, 2009

18

- Provides procedures for the suspension of the driving privilege when a driver is not in compliance with tax-related requirements of the Department of Revenue.
- Changes procedures for conducting remedial driver improvement actions with young drivers subject graduated driver licenses.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Mary Beth Mellick (Ext. 18223)

Utilities Division – Department of Commerce

Rule Summary Terminates a proposed rule concerning notification requirements for natural gas and electric utilities. **ARC 7719B**

Fiscal Impact No fiscal impact.

Rule Summary Establishes notification requirements specifically for certificated local exchange carriers when loss of power service to customers meets certain criteria. **ARC 7674B**

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)
