



Fiscal Services Division

ADMINISTRATIVE RULES – FISCAL IMPACT SUMMARIES

August 7, 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 Veterans Affairs – Iowa Veterans Home

ARC 8014B

Rule Summary Revises the discharge and appeal criteria for residents of the Iowa Veterans Home. Eliminates, as required by the federal Department of Veterans Affairs (DVA) the 96-hour pass-off-site practice and establishes a new bed hold policy. Reflects federal DVA per diem payments for only for the first ten consecutive days the veteran is hospitalized and the first 12 calendar days the veteran is absent for reasons other than hospital care. Parallels federal changes regarding reimbursement for certain veterans based upon the percentage of disability.

Fiscal Impact In the event that a resident continues to utilize the previous 15 days off site in lieu of the revised 12 day federal limit, the resident will be responsible for the cost of those three days instead of the Iowa Veterans Home. The Home has not yet received the number of residents from the federal DVA regarding the reimbursement change.

STAFF CONTACT: Sue Lerdal (Ext. 17794)

Department of Economic Development

ARC 7971B and 7970B

Rule Summary Implements SF 344 (Economic Development Financial Assistance Program Act) that simplified the Grow Iowa Values Fund (GIVF) and other State financial assistance programs administered by Department.

Fiscal Impact No fiscal impact.

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ARC 7955B and 7956B

Rule Summary Implements SF 480 (Film, Television, and Video Project Tax Credits Act) that makes several changes to the Film, Television, and Video Project Promotion Program.

Fiscal Impact The Act extends the time it takes for film project vendors to fully benefit from Iowa’s film vendor income tax exclusion and will decrease the total value of the exclusion for vendors that do not remain Iowa taxpayers for an extended time after a project is complete. The decrease in the taxpayers that are able to utilize the exclusion will result in the following increases in General Fund revenue:

Net General Fund Revenue Increase	
	<u>Vendor Income Tax Payments</u>
FY 2011	\$810,000
FY 2012	675,000
FY 2013	540,000
FY 2014	405,000
FY 2015	405,000
FY 2016	405,000

This fiscal impact includes only projects assumed to occur under the current film incentive program and does not include any additional projects that may be attracted by the Act’s enhanced credit structure. According to the Department of Economic Development, Iowa’s film business has not had a project with \$10.0 million or more in Iowa expenditures. Should a single \$20.0 million project be completed under the enhanced Program, the redemption of income tax credits could reduce net General Fund revenue by as much as \$10.0 million as a result of that one project. The fee level is not specified in the Act. The Department estimates annual General Fund fee revenue would equal \$5,000 to \$20,000 per year. This is the same as was estimated during the 2009 Legislative Session.

ARC 7978B

Rule Summary Allows businesses affected by the 2008 disasters to apply for assistance under the Disaster Recovery Component of the Grow Iowa Values Fund (GIVF) through the end of July 2009. Aligns the eligibility requirements for businesses affected by the 2008 disasters with the requirements of the disaster recovery provisions under the former Community Economic Betterment Account (CEBA) Program.

Fiscal Impact No fiscal impact.

ARC 7953B and 7954B

Rule Summary Implements SF 483 (FY 2010 Tax Credit Allocations Act). Describes the tax credit cap, the programs subject to the cap, the procedures for allocating the cap, and the reporting requirements.

Fiscal Impact The cap will reduce tax credit redemptions in future years, as long as demand for the three major programs under the cap exceeds \$185.0 million per year. It is not possible to predict the future demand for the tax credits.

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ARC 7948B

Rule Summary Provides financial support for microenterprise development through the Community Microenterprise Development Organization.

Fiscal Impact Senate File 2430 (FY 2009 Economic Assistance for Microenterprises, River and Lake Enhancements, and Individual Development Act) included an FY 2009 appropriation of \$475,000 from the Federal Economic Stimulus and Jobs Holding Fund to the to the Department of Economic Development for competitive grants to community microenterprise development organizations to assist microenterprises. The funds do not revert at the close of FY 2009 and approximately \$425,000 is expected to be available during FY 2010.

ARC 7949B

Rule Summary Requires the fuel dispenser installer's cost estimate to be included with the application, and changes the starting date for calculating the three- or five-year period that the Renewable Fuels Infrastructure Grant recipient must continue to dispense renewable fuel.

Fiscal Impact Minimal fiscal impact with the rule alone. There is \$1.8 million allocated from the Grow Iowa Values Fund (GIVF) for FY 2010 for this Program.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Environmental Protection Commission

ARC 7944B

Rule Summary Distributes the federal American Recovery and Reinvestment Act of 2009 (ARRA) to reduce diesel emissions. The ARRA included \$300 million dollars to reduce diesel emissions across the country. The State of Iowa received approximately \$1.73 million dollars. The ARRA funds will be distributed to eligible applicants through grants. The ARRA program addresses diesel vehicles and equipment currently used for on-road applications that includes buses and heavy-duty diesel trucks. This would also include non-road applications such as equipment for construction, agriculture, or mining. Eligible projects include engine idling reduction and retrofit technologies, engine replacement, vehicle replacement, and clean diesel emerging technologies. Guidelines for the financial assistance and application forms are posted at <http://www.iowadnr.gov/air/RIDE/index.html>.

Fiscal Impact No fiscal impact to the State as the money will be used for approved grants.

ARC 7945B

Rule Summary Changes the rules related to a General Permit #6 relating to water well construction and related discharge:

- 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.
- Requires compliance with 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 that are authorized by General Permit #6 from the requirement of submitting a Notice of Intent.
- Adds the ability of the Department to suspend or revoke authorization of 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 General Permit #6 from the collection of permitting fees.
- Allows the DNR to take enforcement action against a permittee that does not meet the water quality criteria or does not maintain best management practices.

Fiscal Impact The fiscal impact to the DNR is estimated to be less than \$100,000 per year. Increased costs would be due to notification of the changes and compliance issues related to the change.

The DNR estimates a 10.0% cost increase for well construction due to the rule change due to:

- Development of a Well Water Pollution Prevention Plan for each site.
- Implementation and monitoring of best management practices used to control wastewater discharge at each site.
- Training costs for well contractors and engineering firms related to the rule changes.

The DNR also estimates about one-third of new well construction will be impacted by the rule change. Only wells with discharge to waters of the United States must comply.

ARC 7961B

Rule Summary Modifies the filing and hearing procedures when an applicant or county demands a hearing before the Environmental Protection Commission regarding the preliminary decision by the DNR on a construction permit application.

Fiscal Impact No fiscal impact.

ARC 7946B

Rule Summary Changes the format in Part C that pertains to the licensing of underground storage tank (UST) installers, installer-inspectors, testers, and liners. Adds rules for the licensing of tank removers.

Major changes include:

- Increasing the insurance liability coverage.
- Clarifying the type of work requiring a licensed professional.
- Requiring submittal of a Department authorized checklist following installation inspection.
- Changing the licensing period from one year to two years, increasing the fee and adding reciprocity criteria.
- Changing the requirement for UST Professionals to report releases, clarifying conflict-of-interest, training and certification of cathodic protection testers, and retesting of a failed exam.

Fiscal Impact Minimal fiscal impact to the State.

STAFF CONTACT: Debra Kozel (Ext. 16767)

Natural Resource Commission

ARC 8019B

Rule Summary Limits anglers to use a maximum 5/0 treble hook size when snagging paddlefish, reduces the length of the fishing season, and establishes a maximum length limit on paddlefish.

Fiscal Impact No fiscal impact.

ARC 8020B

Rule Summary Allows the electronic submission of fishing tournament applications and adjusts the time period when applications shall be accepted.

Fiscal Impact No fiscal impact.

ARC 8016B

Rule Summary Makes changes to nonresident deer hunting regulations and allows a nonresident that is 21 years of age or younger with a severe physical disability or has been diagnosed with a terminal illness to obtain a special license to hunt deer during any season in any zone. A nonresident that receives a special license pursuant to this subsection must purchase a hunting license and the nonresident deer hunting license, and pay the wildlife habitat fee, but is not required to complete the hunter safety and ethics education course if the person is accompanied and aided by a person at least eighteen years of age.

Fiscal Impact Minimal fiscal impact.

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ARC 8017B

Rule Summary Makes changes to the nonresident spring wild turkey hunting regulations and allows a nonresident that is 21 years of age or younger with a severe physical disability or has been diagnosed with a terminal illness to obtain a special license to hunt in any zone. The nonresident that receives a special license pursuant to this subsection must purchase a hunting license, a wild turkey hunting license, and pay the wildlife habitat fee, but is not required to complete the hunter safety and ethics education course if the person is accompanied and aided by a person at least eighteen years of age.

Fiscal Impact Minimal fiscal impact.

ARC 8018B

Rule Summary Makes changes to the nonresident fall wild turkey hunting regulations and allows a nonresident that is 21 years of age or younger with a severe physical disability or has been diagnosed with a terminal illness to obtain a special license to hunt in any zone. The nonresident that receives a special license pursuant to this subsection must purchase a hunting license, a wild turkey hunting license, and pay the wildlife habitat fee, but is not required to complete the hunter safety and ethics education course if the person is accompanied and aided by a person at least eighteen years of age.

Fiscal Impact Minimal fiscal impact.

ARC 8015B

Rule Summary Allows the issuance of an any sex deer hunting license to a resident nonambulatory person that is valid and may be used to hunt deer with a shotgun or a muzzleloading rifle during any established deer hunting season. These changes are from Senate File 187 (FY 2010 Deer Hunting by Disabled Act).

Fiscal Impact Minimal fiscal impact. The Department estimates the one-time cost to implement this change is \$60,000 with funding from the Fish and Wildlife Trust Fund.

STAFF CONTACT: Debra Kozel (Ext. 16767)

Department of Natural Resources

ARC 7973B

Rule Summary Details when a groundwater hazard statement is required by persons inspecting private septic systems. Requires that private sewage disposal systems be inspected prior to the transfer of title when a property is sold.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

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Department of Public Health

	ARC 7966B
Rule Summary	Revises the notification and surveillance of reportable communicable and infectious diseases rules. Changes the title of the chapter to “Reportable Diseases, Poisonings and Conditions – Quarantine and Isolation.” Clarifies what information to report, how and when to report, and what entities are required to report. Clarifies rules for disease control through quarantine and isolation. Revises current definitions and adds new ones.
Fiscal Impact	No fiscal impact.
	ARC 7967B
Rule Summary	Updates rules related to universal screening of all newborns and infants in Iowa. Makes technical changes to eliminate unnecessary dates, clarifies roles of hospitals and health care providers that conduct hearing screenings in reporting results to the Department of Public Health. Changes include establishment of procedures for the distribution of funds to support the purchase of hearing aids and audiological services for children.
Fiscal Impact	Funding for hearing aids and audiological services for children has existing in the annual Health and Human Services Appropriations Act since FY 2008. For FY 2010, HF 811 (FY 2010 Health and Human Services Act) appropriated \$190,000 for the program.
	ARC 7981B
Rule Summary	Increases the neonatal metabolic screening fee from \$97.00 to \$112.00. Fees are retained by the University of Iowa Hygienic Laboratory and are used to pay for staffing, testing, and case management. Requires birthing providers to retain documentation of neonatal metabolic screening waivers and provide notification to the Department. Renames the Maternal Serum Alpha-fetoprotein Screening Program to the Iowa Maternal Prenatal Screening Program (IMPSP) to reflect the broader scope of testing available. Provides for additional definitions related to the Program.
Fiscal Impact	Minimal fiscal impact.
	ARC 7982B
Rule Summary	Updates requirements for tattoo artists and establishments in Iowa. Major changes include: new definitions for inspection agency, residential dwelling, tattoo mobile unit, temporary establishment permit, and temporary event. Revises the definition for tattoo artist. Restricts tattoo operations in a residential dwelling. Adds requirements for maintenance of records related to sterilization and clients. Increases permit and application fees, adds educational and age requirements for tattoo artists. Adds requirements for mobile units and requirements for disclosure of past criminal activities. Deletes outdated language. Changes to Notice Rule ARC# 7530B due to public comment include revisions to the definitions of permanent color technologist and tattoo establishment, clarification that beginning January 1, 2010, new tattoo establishments must be in commercially zoned buildings, and sterilized pouches must be re-sterilized after 30 days unless disposable. Other changes are technical.
Fiscal Impact	Minimal fiscal impact. Artist permit, establishment, and inspection fee increases will generate minimal revenue to the State General Fund and to local governments that perform inspections.

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ARC 7983B
Rule Summary Updates provisions related to the regulation of the use of radioactive materials and radiation machines in Iowa to meet the federal Nuclear Regulatory Commission's requirements.

Fiscal Impact No fiscal impact.

ARC 7984B
Rule Summary Updates requirements for the Women, Infants, and Children (WIC) Program's food package to be consistent with federal requirements effective on October 1, 2009. Provides for the right of 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 (USDA) recommendations, increased number of WIC participants, and any changes in federal funding. The Department had to reschedule the public hearing for the rule to reflect a scheduling conflict with the ICN. Technical changes made to the Noticed Rule are the result of internal review. A new public hearing is scheduled for June 10, 2009.

Fiscal Impact No fiscal impact.

ARC 7985B
Rule Summary Establishes the structure of the Early Childhood Iowa Council. The Council was created as the advisory body for the development and implementation of a comprehensive early care, health and education system in Iowa. Provides for the purpose, duties, membership, and structure of the Council, the Council's Steering Committee, the various component groups that will work within the Council, and the Council's State Agency Liaison Team. Establishes the Department of Public Health as the lead agency to support the Council.

Fiscal Impact No fiscal impact.

ARC 7968B
Rule Summary Reduces the number of required meetings held in a year for the Interagency Coordinating Council for the State Medical Examiner and the Advisory Council for the State Medical Examiner from four to two.

Fiscal Impact Minimal savings will occur to the Office of the State Medical Examiner due to the reduction in meetings.

ARC 7969B
Rule Summary Makes technical changes to update the reference made to the Iowa Emergency Medical Services (EMS) Scope of Practice document from the April 2005 edition to the April 2009 edition where applicable.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

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Department of Inspections and Appeals

ARC 7989B

Rule Summary Corrects the name of the Division within the Iowa Department of Workforce Development that is responsible for oversight of boilers in residential care facilities and nursing facilities, and corrects the rule chapters governing boilers. Removes a prohibition of plastic piping for hot or cold water systems in residential care facilities and nursing facilities.

Fiscal Impact No fiscal impact.

ARC 7960B

Rule Summary Creates a new chapter relating to regulation of elder group homes. Senate File 601 (FY 2008 Standings Appropriation Act) transferred regulatory authority of elder group homes, assisted living programs, and adult services from the Department of Elder Affairs (now the Department of Aging) to the Department of Inspections and Appeals.

Fiscal Impact No fiscal impact.

ARC 7959B

Rule Summary Creates a new chapter relating to regulation of adult day services. Senate File 601 (FY 2008 Standings Appropriation Act) transferred regulatory authority of elder group homes, assisted living programs, and adult services from the Department of Elder Affairs (now the Department of Aging) to the Department of Inspections and Appeals.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Insurance Division – Department of Commerce

ARC 7964B

Rule Summary Brings the Insurance Division in conformance with revisions to the model regulation issued by the National Association of Insurance Commissioners (NAIC). The proposed amendments contain portions of the NAIC model regulation on advertising of Medicare supplement policies.

Fiscal Impact No fiscal impact.

ARC 7965B

Rule Summary Includes an action by an insurer not in compliance with the federal Genetic Information Nondiscrimination Act of 2008 as an unfair trade practice.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

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Iowa Finance Authority

ARC 7942B and 7941B

Rule Summary Provides the framework for creating and administrating the I-JOBS Program established in SF 376 (FY 2010 Revenue Bonding and I-JOBS Program Act). Regulates the award of competitive and non-competitive I-JOBS grants.

Fiscal Impact Senate File 376 appropriates \$200,000 annually to the Iowa Finance Authority (IFA) from the Rebuild Iowa Infrastructure Fund (RIIF) for administrative costs for the duration of the Program.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Historical Division – Department of Cultural Affairs

ARC 7943B

Rule Summary Implements SF 481 (State Historic Tax Credit Program Act). The Act increases the annual credit maximum from the current \$20.0 million to \$50.0 million. The Act also alters the percentage allotment between subcategories of tax credit recipients.

Fiscal Impact The projected increased redemption of historic preservation and cultural and entertainment tax credits will reduce net General Fund revenue by the amounts listed in the right-hand column of the following table:

Net General Fund Direct Impact
(Dollars in Millions)

<u>Fiscal Year</u>	<u>Increase in Tax Credits Awarded</u>	<u>Fiscal Impact: Increase in Tax Credit Redemption</u>
FY 2010	\$0.0	\$0.0
FY 2011	\$30.0	\$24.0
FY 2012	\$30.0	\$36.0
FY 2013	\$60.0	\$60.0
FY 2014	\$30.0	\$30.0

The fiscal impact continues past FY 2014 as long as sufficient demand for tax credits exists. The tax credit is refundable so it does not impact the local option income surtax for schools. The Department of Cultural Affairs expenses will increase \$50,000, due to workload and support expenses to receive, evaluate, and approve the additional projects. The increased expenses for the Department will be absorbed in their current General Fund operating budget. The tax credit estimates are the same as used during the 2009 Legislative Session.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Department of Agriculture and Land Stewardship

ARC 8022B

Rule Summary Adds new insects and diseases to the Crop Pest Listing and removes soybean rust from the Listing.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

Department of Public Safety

ARC 7975 and 7974B

Rule Summary Changes Iowa Sex Offender Registry rules to include an annual fee, provides for the tiering of offenders based upon the offense, and adds various definitions.

Fiscal Impact The change from a \$10.00 appearance fee (paid per appearance to the Sheriff) to a \$25.00 annual fee paid to the Sheriff is expected to have a minimal fiscal impact on the county Sheriffs' budgets.

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 the 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)

Department of Human Services

ARC 8003B

Rule Summary Makes the following changes to appeals rules:

- Updates the definition of aggrieved person to add recipients of disaster assistance and drug manufacturer disputing drug rebates.
- Updates form names and numbers.
- Replaces references to the Food Stamp Program with references to "Food Assistance."
- Reorganizes the section on time limits for appeals to make it easier to understand and to add a section about the timeliness of child abuse appeals.

Fiscal Impact The change updating the definition of aggrieved person has the potential to increase the number of appeals by drug manufacturers, but the fiscal impact cannot be determined.

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	ARC 8004B
Rule Summary	Requires families approved for assistance under the Family Investment Program (FIP) to assign their child support receipts to the Department of Human Services during the period of time that the family receives FIP reimbursement.
Fiscal Impact	This change is estimated to save the General Fund \$94,000 in FY 2010 and \$125,000 in FY 2011. These changes are required by the federal Deficit Reduction Act of 2005.
	ARC 8006 and ARC 8005B
Rule Summary	Permits the Department to issue assistance under the Family Investment Program (FIP) either by electronic access card, by direct deposit to the client's own bank account, or by warrant.
Fiscal Impact	This change is estimated to save the General Fund \$110,000 in FY 2010 and \$173,000 in FY 2011.
	ARC 8007B
Rule Summary	Implements the Iowa Unmet Needs Disaster Grant Program. Provides State assistance to address unmet disaster-related expenses that cannot be met by other financial assistance. The amount of assistance available to a household is capped at \$2,500.
Fiscal Impact	House File 64 (FY 2009 Disaster Assistance Appropriations Act) provided \$10.0 million from the Economic Emergency Fund for the grants. Senate File 478 (FY 2010 Standings Appropriations Act) reduced the appropriation to \$7.9 million.
	ARC 8011B
Rule Summary	Eliminates several of the eligibility requirements from the Transitional Medicaid coverage group to provide continuous eligibility for 12 months.
Fiscal Impact	This rule is estimated to cost the General Fund \$751,000 in FY 2010 and \$2.3 million in FY 2011. No funding has been provided for this rule and it is not required by State or federal law.
	ARC 8008B
Rule Summary	Eliminates requirement for completing two forms in order to qualify for Medicaid payment for a hearing aid.
Fiscal Impact	No fiscal impact.

ARC 7957B

- Rule Summary** Makes the following changes related to the provision of case management services under the Medicaid Program:
- Redefines the scope of case management services to closely match the language of 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, but adds quality assurance oversight.
 - Lengthens the period that case management may be provided to Medicaid members before transitioning from an institution to a community setting from 30 days to 60 days.
 - Changes the basis of reimbursement for case management from a monthly unit to a 15-minute unit billing system.
 - Deletes the scope of service for case management for the Home and Community Based Services (HCBS) habilitation services and elderly and brain injury waiver programs and instead refers to the case management scope of service.
- Fiscal Impact** Minimal fiscal impact. It is estimated that changing from a monthly reimbursement system to a 15-minute cycle billing system will average out to be cost neutral, with providers being paid for more hours with difficult individuals and less for less demanding cases.

ARC 8009B

- Rule Summary** Establishes safety and facility standards for children’s centers that are privately owned and operated. Provides for definitions and standards related to providing basic needs for children in care; protection from mistreatment, physical abuse, sexual abuse, and neglect; required record checks; seclusion and restraints; and health, safety, emergencies, and buildings.
- Fiscal Impact** No fiscal impact.

ARC 8010B

- 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 in 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.

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Attorney General

ARC 7940B
Rule Summary Establishes the process for the application, processing, and issuance of an identity theft passport, specifies the forms to be used, and defines certain terminology.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Beth Lenstra (Ext. 16301)

Board of Educational Examiners

ARC 7987B
Rule Summary Combines the existing Class B, C, and D licenses in one license – Class B for teacher licenses and endorsements.

Fiscal Impact No fiscal impact.

ARC 7986B
Rule Summary Repeals duplicative rules relating to licensures and endorsements.

Fiscal Impact No fiscal impact.

ARC 7988B
Rule Summary Permits recently retired teachers to use their recent teaching experience in lieu of the one-hour class or recent substitute teaching experience otherwise required.

Fiscal Impact No fiscal impact.

ARC 7979B
Rule Summary Amends the definition of “practitioner” to conform with current law.

Fiscal Impact No fiscal impact.

ARC 7980B
Rule Summary Creates a new Professional Services license to be issued to the following school personnel:

- Audiologist
- Psychologist
- Social Worker
- Speech-language pathologist
- Supervisor of special education (support)
- Director of Special Education for an Area Education Agency
- Guidance Counselor

These personnel are currently required to have an initial or standard “teaching” license. The new license is intended to eliminate confusion regarding what work they are licensed to perform.

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Fiscal Impact No significant fiscal impact. The Board of Educational Examiners may experience a decrease of \$8,000 to \$16,000 in annual fee revenue because an initial license will no longer be required for these personnel. The Board is required to deposit 25.00% of fee revenue in the State's General Fund.

STAFF CONTACT: Robin Madison (Ext. 15270)

Ethics and Campaign Disclosure Board

Rule Summary Requires the Ethics and Campaign Disclosure Board to elect its officers at the first in-person meeting after April 30 of each year. **ARC 8000B**

Fiscal Impact No fiscal impact.

Rule Summary Defines "electronic format" and "electronic filing" for purposes of filing campaign statements and reports with the Ethics and Campaign Disclosure Board as being electronically filed via the Internet through the Board's website. **ARC 7995B**

Fiscal Impact Minimal fiscal impact. Every campaign filing received electronically via the Board's website reduces the cost of paper and staff time in scanning and posting the paper report to the Board's website.

Rule Summary Requires Form DR-SFA be filed for each election by a person that voluntarily registers a campaign committee for purposes of using the shorter "paid for by" attribution. **ARC 7994B**

Fiscal Impact No fiscal impact.

Rule Summary Requires a candidate that registers for one office and then seeks another office and wants to transfer funds for the second office to register and file reports regardless if the \$750.00 financial filing threshold for the second office has been exceeded. **ARC 7992B**

Fiscal Impact No fiscal impact.

Rule Summary Clarifies that a federal or out-of-state committee is not required to file a Verified Statement of Registration when purchasing an item for fair market value from an Iowa committee. **ARC 7999B**

Fiscal Impact No fiscal impact.

Rule Summary Requires a former campaign committee officer to forward committee records to the new officer within seven days. **ARC 7998B**

Fiscal Impact No fiscal impact.

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		ARC 7996B
Rule Summary	Requires a request for waiver of a civil penalty for a late-filed report to be filed via Form Petition for Waiver of Civil Penalty instead of by letter or electronic email.	
Fiscal Impact	No fiscal impact.	
		ARC 8001B
Rule Summary	Requires a personal financial disclosure statement (PFD) filed by candidates for statewide office, officials, and employees of the Executive Branch to be filed with the Board electronically via the Board's website.	
Fiscal Impact	No fiscal impact.	
		ARC 8002B
Rule Summary	Clarifies the prohibition on post-state employment lobbying activities by certain State officials and employees.	
Fiscal Impact	No fiscal impact.	
		ARC 7990B
Rule Summary	Adds the filing of an Executive Branch lobbyist registration statement to the prohibition on Executive Branch lobbyists from falsely communicating with Executive Branch personnel.	
Fiscal Impact	No fiscal impact.	
		ARC 7991B
Rule Summary	Permits the Board to impose a civil penalty up to \$500.00 as part of the administrative resolution of a matter that is not a late filed statement or report.	
Fiscal Impact	Minimal fiscal impact. It is possible the Board would order penalties in this situation. The funds would be deposited in the General Fund.	
		ARC 7993B
Rule Summary	Permits the Board to order an assessment of direct costs related to a hearing as one of the remedial actions available if a violation is found.	
Fiscal Impact	Minimal fiscal impact. The Board usually holds five hearings or less a year and the cost involved in each hearing has historically been less than \$100.00.	
		ARC 7997B
Rule Summary	Sets out the number of days prior to a hearing that a statement of charges and notice of hearing must be served on all parties.	
Fiscal Impact	No fiscal impact.	

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Homeland Security and Emergency Management Division – Department of Public Defense

ARC 7951B

Rule Summary Updates the continuing education requirements for local emergency management coordinators.

Fiscal Impact No fiscal impact.

ARC 7958B

Rule Summary Provides changes to the fee schedule for the repair, calibration, and maintenance of radiological monitoring, detection, and survey equipment resulting from an increase in the cost to provide the service.

Fiscal Impact The Homeland Security and Emergency Management Division currently retains approximately \$15,000 annually for providing these services. It is anticipated the revised fee schedule would generate an additional \$7,000 in revenue for a total of \$22,000 annually.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

Labor Services Division – Department of Workforce Development

ARC 7952B

Rule Summary Increases the civil penalty amount for wage violations from \$100.00 to \$500.00.

Fiscal Impact Typically only a very small number of wage violations result in a civil penalty. Those few violations will now result in a higher civil penalties increasing money going to the General Fund. The average annual amount is estimated to be \$15,000.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Professional Licensure Division – Department of Public Health

ARC 8023B

Rule Summary Board of Optometry: Clarifies that cardiopulmonary resuscitation (CPR) certification required for the renewal of an optometry license must be completed in person. Therapeutically licensed optometrists are permitted to use injections to counteract an anaphylactic reaction and therefore are required to obtain CPR certification.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Real Estate Commission

ARC 7950B

Rule Summary Removes a question relating to real estate improvement districts on the Seller Property Disclosure form.

Fiscal Impact No fiscal impact.

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ARC 7972B

Rule Summary Increases the maximum number of allowable distance education continuing education hours from 18 to 24 hours for the three-year renewal period.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Department of Revenue

ARC 7963B

Rule Summary Permits the public or an agency to file a petition for rulemaking. The general State model rule is the basis for the Department's proposed rule.

Fiscal Impact No fiscal impact.

ARC 8021B

Rule Summary Expands and provides definitions used in the taxation of communication service, telecommunication service, ancillary service, and other similar communication service. The amendment is required for compliance with the Streamlined Sales and Use Tax Agreement. Adds a new rule to deal with payments made by a third party, such as a reimbursement to a retailer from a manufacturer for a manufacturer's coupon, as to the sales price and amount of tax.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Utilities Division – Department of Commerce

ARC 7962B

Rule Summary Updates and makes corrections to the technical standards for natural gas and electric facilities. Requires these updates periodically as the federal and industry standards are updated or revised. Recognizes that the State Fire Marshal has established installation standards for some facilities.

Fiscal Impact No fiscal impact.

ARC 7976B

Rule Summary Allows electric service load limiters for residential customers, if used as an alternative to disconnection of electric service. Allows for a service limiter if a customer has defaulted on a first payment agreement and agrees to the use of a service limiter in conjunction with a second payment agreement.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

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Workers' Compensation Division – Department of Workforce Development

ARC 8013B

Rule Summary Permits the Workers' Compensation Division to deliver proposed and final decisions, rulings, and orders by e-mail. Increases the filing fee from \$65.00 to \$100.00 per worker's compensation contested case petition.

Fiscal Impact The increase in the filing fee will increase revenue by an estimated \$147,000 annually. The fees are deposited in the Iowa Workforce Development Workers' Compensation Operations General Fund and expended for the administration of the Division of Workers' Compensation.

ARC 7947B

Rule Summary Updates references to payroll taxes for determination of the rate of weekly workers' compensation benefits.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)
