



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.

ACCOUNTANCY EXAMINING BOARD - DEPARTMENT OF COMMERCE

ARC 3854B

Rule Summary The proposed amendments adopt new definitions, clarify requirements for issuance of a certificate as a CPA, allow the use of the services of a test administrator, and establish requirements for reinstatement of a lapsed certificate or license. In addition, the proposed amendments adopt new mandatory continuing education requirements, new guidelines for record retention, and provisions for confidentiality of complaint and investigative information received from the Public Company Accounting and Oversight Board (PCAOB) created by the Sarbanes-Oxley Act of 2002.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)

DEPARTMENT OF ADMINISTRATIVE SERVICES

ARC 3853B

Rule Summary This new chapter establishes procedures for the disposal of State vehicles and other items of personal property under the control of the Director of the Department of Administrative Services.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)

DEPARTMENT OF AGRICULTURE AND LAND STEWARDHSIP

ARC 3901B

Rule Summary Reinstates the rules for the monitoring of farm deer for Chronic Wasting Disease. These rules do not reinstate the whitetail deer hunting preserve program for farmed whitetail deer. They also do not reinstate the fee schedule that had previously been in place to support these programs. The rules recreating the Chronic wasting Disease Program will terminate on August 17, 2005, when the one-time federal

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funding terminates. One change was made to the noticed and emergency adopted rules after the public comment. The requirement that cervidae, being moved intrastate, must be either a natural addition to the herd of origin or have been part of the herd of origin for at least one year prior to the intrastate movement, was removed.

Fiscal Impact The fiscal impact to the State is estimated to be less than \$100,000 and will be funded from a one-time federal cooperative agreement from the United States Department of Agriculture. Farm deer producers will incur some expense for private veterinary fees for the retrieval of brain samples for testing of Chronic Wasting Disease.

STAFF CONTACT: Debra Kozel (Ext. 16767)

ALCOHOLIC BEVERAGES DIVISION - DEPARTMENT OF COMMERCE

ARC 3889B

Rule Summary The current rule, which was adopted on December 6, 2000, allows an industry member of alcoholic beverages to have an ownership interest in a retail establishment provided that the interest is sufficiently remote so as to not be violative of the legislative intent of Iowa's tied-house law. The Iowa Supreme Court declared the rule null and void. The proposed amendment returns the language contained in the rule to the language prior to the 2000 rulemaking pursuant to the Court's ruling in the case, Dave Auen, et. al. v. Alcoholic Beverages Division of the Iowa Department of Commerce.

Fiscal Impact No fiscal impact. The amendment will not have a fiscal impact to the State since no liquor licenses, wine permits or beer permits, with a remote industry member ownership interest, were issued pursuant to the rule.

STAFF CONTACT: Ron Robinson (Ext. 16256)

CORRECTIONS DEPARTMENT

ARC 3860B

Rule Summary Updates the Sex Offender Registry rules to comply with statutory changes in SF 2298 (FY 2005 Omnibus Appropriations Act).

Fiscal Impact No fiscal impact.

ARC 3859B

Rule Summary Updates current language on case auditing systems used by the Community-Based Corrections (CBC) District Departments for probation services and amends rules for supervision fees to comply with current law.

Fiscal Impact No fiscal impact.

ARC 3858B

Rule Summary Updates current language on case auditing systems used by the CBC District Departments for residential facility services.

Fiscal Impact No fiscal impact.

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ARC 3857B

Rule Summary Updates current language on case auditing systems used by the CBC District Departments for work release and amends rules for earned time to comply with current law.

Fiscal Impact No fiscal impact.

ARC 3856B

Rule Summary Updates current language on case auditing systems used by the CBC District Departments for parole services and amends rules for technical changes.

Fiscal Impact No fiscal impact.

ARC 3855B

Rule Summary Updates rules for the Operating While Intoxicated (OWI) Program by changing “inmate” to “offender” and inserting “regional deputy director” in lieu of “deputy director of the division of institutions”.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Beth Lenstra (Ext. 16301)

DEPARTMENT OF ECONOMIC DEVELOPMENT

ARC 3884B

Rule Summary Makes technical language changes and substantial changes in the per project and per unit assistance for housing programs due to a new federal allocation for the American Dream Down Payment Initiative (ADDI) Program. The substantive changes raise the maximum assistance per unit to \$50,000; raise the per project assistance to \$800,000 on rental projects; establish a \$500,000 maximum for housing rehabilitation programs; and require minimum mortgage loan standards for projects using Housing Fund resources.

Fiscal Impact No fiscal impact. The Department of Economic Development estimates it will receive \$1.3 million for this Program for FFY 2004.

STAFF CONTACT: Russell Trimble (Ext. 14613)

DEPARTMENT OF EDUCATION

ARC 3877B

Rule Summary Updates rules to reflect changes in State and federal law regarding school transportation services; eliminates standards that have no statutory authority. Increases the bus inspection fee from \$15 to \$20, effective July 1, 2005.

Fiscal Impact The fiscal impact is estimated at \$80,000 annually, which represents an increase in the Department’s fee revenue resulting from the requirement that all drivers attend an annual in-service for a fee of \$20 and the increase in the bus inspection fee. The impact to individual school districts will be minimal.

STAFF CONTACT: Robin Madison (Ext. 15270)

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DEPARTMENT OF ELDER AFFAIRS

ARC 3892B
Rule Summary Rescinds all rules pertaining to the Older Iowans Legislature (OIL), which will transition into an organization autonomous from the Department of Elder Affairs.

Fiscal Impact No fiscal impact.

ARC 3875B
Rule Summary Amendments eliminate two definitions no longer needed in the Chapter, changes a definition to correspond with the removal of a definition, deletes and replaces a definition used in the Chapter, and clarifies medication administration, and improves consistency in the rules governing adult day services, assisted living, and elder group homes.

Fiscal Impact No fiscal impact.

ARC 3703B and 3876B
Rule Summary Assisted Living Programs - Terminated.

Fiscal Impact No fiscal impact.

ARC 3878B
Rule Summary Amendments eliminate and replace two definitions, brings a rule into conformity with Code language, clarifies medication administration, adds a required statement to the occupancy agreement, and improves consistency in the rules governing assisted living, adult day services, and elder group homes.

Fiscal Impact No fiscal impact.

ARC 3874B
Rule Summary Amendments delete and replace two definitions used in the Chapter, removes a definition no longer needed in the Chapter, clarifies the provisions of medication administration, and improves consistency in the rules governing elder group homes, assisted living, and adult day services.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Lisa Burk (Ext. 17942)

ENGINEERING AND LAND SURVEYING EXAMINING BOARD - DEPARTMENT OF COMMERCE

ARC 3902B
Rule Summary This amendment is intended to clarify the Board's rules regarding the fees for reinstatement of a lapsed license and the end date for late renewals.

Fiscal Impact No fiscal impact.

ARC 3903B
Rule Summary These amendments are intended to clarify the Board's rules regarding the definitions of various professional development activities and the calculation of professional development hours. These amendments also increase the maximum allowable

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professional development hours (PDH) for independent study from six PDH per biennium to ten PDH per biennium.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)

ENVIRONMENTAL PROTECTION COMMISSION – DEPARTMENT OF NATURAL RESOURCES

ARC 3871B

Rule Summary Implements the requirement for Best Available Retrofit Technology (BART) provisions of the federal Regional Haze rule. Requires owners or operators of stationary sources meeting the eligibility criteria for BART to submit source identification and emission unit description information to the Department of Natural Resources (DNR). The Department will review the information to determine whether each stationary source of air pollution meets the requirements for being considered BART-eligible. Stationary sources not reasonably anticipated to cause or contribute to any visibility impairment in any federal mandatory Class I area would be notified by the Department that they are exempt from further action under BART. An additional rulemaking will begin in the spring of 2005 to address BART exemption determinations and engineering analyses. The federal Clean Air Act mandates the BART Provisions.

Fiscal Impact Minimal fiscal impact to the State. Based on a preliminary survey, the DNR anticipates there are 40 stationary sources that will be required to complete the BART Eligibility Certification form referenced in this rule. It is estimated that completing the form would take one to two days at an estimated maximum cost of \$500 to \$750 per stationary source. Total costs for the 40 stationary sources are estimated between \$20,000 and \$30,000.

ARC 3872B

Rule Summary Modifies an existing exemption under which cities may conduct controlled burning of a demolished building. Specifies the conditions that must be met in order for a city to use the revised exemption for controlled burning of a demolished building.

Fiscal Impact No fiscal impact to the State. Landfills may experience a loss in revenue from the burning of solid waste in demolished houses. The estimated revenue from the disposal of a house is \$1,500 and after burning only 30.0% or \$450 would be received by the landfill. This results in a loss of \$1,050 in revenue per house. Demolition contractors may also experience a loss in revenue. The estimated cost to load and transport a house is \$3,825. After burning 30.0% or \$1,148 would be taken to the landfill and this results in a loss of revenue of \$2,677 per house. City governments will experience a cost savings from burning houses. It is estimated the total cost to dispose of a house is \$8,600 by taking it to the landfill and \$5,922 to burn the house for a savings of \$2,678 per house.

ARC 3870B

Rule Summary Updates references in Chapters 60, 62, and 63 in the Code of Iowa, to federal regulations by:

- Includes amendments to the Clean Water Act.
- Updates federal toxic effluent standards references.
- Revises federal effluent and pretreatment standards for centralized waste treatment facilities.

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- Adopts federal reference updates to pharmaceutical manufacturing facilities.
- Adopts the federal approved test method for measuring bacteria in lakes, rivers, and streams.

Fiscal Impact

No fiscal impact due to:

- The federal updates to toxic effluent standards have no fiscal impact, as there were no changes when the rules were last updated on July 1, 2003.
- The effluent and pretreatment standards have no fiscal impact for waste treatment or pharmaceutical manufacturing facilities as there are none in the State that would be subjected to the standards.
- The new federal test method has no fiscal impact as the University of Iowa Hygienic Laboratory already uses this method.

ARC 3873B

Rule Summary

The proposed amendments separate Chapter 65 into two divisions, one for confinement operations and one for open feedlots. Definitions, permit requirements and minimum design standards for open feedlot manure and effluent control systems are specified. The timing of land application of settled open feedlot effluent associated with manure control alternatives for open feedlots is amended and new siting criteria for open feedlots utilizing alternative technologies to treat effluent is detailed.

Fiscal Impact

Minimal increased costs to the State because existing staff will seek to enforce compliance and evaluate construction permit applications. The Department estimates increased compliance costs to producers in the \$40-\$60 per animal capacity range. As of December 31, 2003, there were 167 cattle operations registered with the DNR with 1,000 or more animal units and currently there are 33 operations with permits. The estimated total cost to producers is between \$5.4 million and \$8.0 million. As of November 2, 2004, federal Environmental Quality Incentives Program (EQIP) cost-share funding of \$6.5 million was made available to Iowa to address open feedlot concerns. The funds are cost-shared at a rate of 50 percent, not to exceed \$50 per animal unit (\$25 per animal unit for the producer). This averages to \$49,000 for each feedlot operation that does not have a permit. In addition, the Iowa Cattlemen's Association received a federal Conservation Innovation Grant for \$415,000 to study non-basin technologies for open feedlot runoff.

ARC 2779B

Rule Summary

Reinstates a fee for the construction, installation, or modification of a public water supply system.

Fiscal Impact

During FY 2004, \$42,000 was collected for Water Quality Protection Fund Construction Permit fees. As of November 30, 2004, \$142,000 has been collected.

STAFF CONTACT: Debra Kozel (Ext. 16767)

ETHICS AND CAMPAIGN DISCLOSURE BOARD

ARC 3896B

Rule Summary

Clarifies when advisory opinions from the Board may be requested by governmental agencies.

Fiscal Impact

No fiscal impact.

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ARC 3897B
Rule Summary Clarifies the procedures to be followed by the Board's Executive Director and Legal Counsel when requesting consent to sell goods or services to a person subject to regulatory authority of the Board.

Fiscal Impact No fiscal impact.

ARC 3898B
Rule Summary Permits a state party committee to receive contributions from a corporation, insurance company, or financial institution when such funds are placed in a building fund.

Fiscal Impact No fiscal impact.

ARC 3899B
Rule Summary The Board is required to adopt a new rule prohibiting the misuse of public property by officials and employees of the Executive Branch as well as candidates for statewide office.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Sam Leto (Ext. 16764)

DEPARTMENT OF HUMAN SERVICES

ARC 3893B
Rule Summary Rescinds Chapter 186 and creates a new chapter that covers Community Care services, and provides appeal rights for customers who have exhausted the dispute resolution process of the provider agency.

As part of the Child Welfare Redesign, the Department of Human Services (DHS) plans to enter into a single, statewide performance-based contract for the development and delivery of Community Care in all areas of the State. Community Care is designed to provide voluntary child- and family-focused services and supports to families referred from the DHS for cases where the assessed risk of abuse is low and the child is older than the age of six.

The services will be geared toward keeping the children in the family safe from abuse and neglect, keeping the family intact, preventing the need for further and future intervention by the DHS, and building relationships with community-based resources.

The Community Care contractor will be selected through a competitive process, and it is anticipated that the contract will be effective on February 1, 2005, with referrals to Community Care beginning March 1, 2005.

Fiscal Impact No fiscal impact. The Community Care contractor will have the opportunity to earn a maximum of \$3.0 million during the 23-month contract period, which will be paid from the existing budget for Child Welfare.

ARC 3879B
Rule Summary Allows the Medicaid Program to accept a faxed signature.

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Fiscal Impact No fiscal impact.

STAFF CONTACT: Lisa Burk (Ext. 17942) Jennifer Vermeer (Ext. 14611)

DEPARTMENT OF INSPECTIONS AND APPEALS

ARC 3847B

Rule Summary The proposed rule change conforms Iowa's hospital licensing rules with recent federal regulatory changes impacting the state's critical access hospitals (CAHs). The proposed amendments will allow CAHs to dedicate no more than 10 beds to inpatient psychiatric or rehabilitation services without jeopardizing their 25-bed inpatient limitation imposed by the Centers for Medicare & Medicaid Services (CMS).

Fiscal Impact No fiscal impact.

ARC 3848B

Rule Summary The proposed rules clarify and simplify the process by which licensed long-term care facilities may be nominated and selected for a Governor's Award for Quality Care. Additionally, the proposed rules include two new criteria to be used in screening potential nominees – outstanding or unresolved complaint investigations and outstanding audit findings

Fiscal Impact No fiscal impact.

STAFF CONTACT: Douglas Wulf (Ext. 13250)

INSURANCE DIVISION - DEPARTMENT OF COMMERCE

ARC 3881B

Rule Summary The proposed rules are intended to reinstate a rule which was erroneously rescinded in 1999. The unintentional effect of the rescission may have required life insurance producers to undergo the Iowa securities licensing process to provide variable annuities to employers' qualified retirement plans when the federal Securities Act of 1933 exempts such variable annuities.

Fiscal Impact No fiscal impact.

ARC 3891B

Rule Summary The proposed rule authorizes the electronic delivery of accident and health group insurance certificates by health maintenance organizations, while guaranteeing that individual plan members receive the important information contained in group insurance certificates, as required by Section 514B.9, Iowa Code, and as allowed by the Uniform Electronic Transactions Act, Chapter 554D, Iowa Code.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)

IOWA FINANCE AUTHORITY

ARC 3890B

Rule Summary Adds a new chapter 22, "Iowa Aftercare Services Rent Subsidy Program" to the Authority's rules. Chapter 22 contains the rules to implement and administer the program established by the Authority and the Department of Human Services.

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Fiscal Impact No fiscal impact. The Authority expects to receive \$100,000 in federal funds from DHS for this program in FY 2005.

STAFF CONTACT: Russell Trimble (Ext. 14613)

DEPARTMENT OF NATURAL RESOURCES

ARC 3867B

Rule Summary Makes the following changes to the Land and Water Conservation Fund:

- Minor language changes.
- Provides incentive for the use of recycled content material.
- Includes participation of local political subdivisions for the grant review and awards.

Fiscal Impact Minimal fiscal impact.

ARC 3866B

Rule Summary Adds primitive camping as an allowable recreational activity on game management areas unless specific restrictions are posted on-site. Camping is limited to 48 hours of consecutive use.

Fiscal Impact No fiscal impact.

ARC 3862B

Rule Summary Creates the Gladys Black Eagle Refuge in Marion County. Signs will be posted identifying the refuge area during the late fall and winter when eagles are present. It will be available for public access during the remainder of the year.

Fiscal Impact No fiscal impact.

ARC 3868B

Rule Summary Makes the following changes:

- Adds Banner Lakes at Summerset State Park, to the list of State Parks.
- Clarifies that campers must vacate the “park” rather than the “area” for three days before returning.
- Increase the cabin rental fees at Pine Lake State Park to be consistent with the rental fees for similar cabins at other State Parks.
- Establishes new fees for the new camping cabins at Brushy Creek State Recreation Area and Honey Creek State Park.

Fiscal Impact Increased cabin rental fees will increase rental revenue:

- The fee increase at Pine Lake is estimated to increase rental revenue by \$25,000 per year.
- The five new camping cabins at Honey Creek and one new camping at Brushy Creek will generate approximately \$55,000 in rental revenue.

ARC 3869B

Rule Summary Makes the following changes:

- Specifies places where metal detectors can be used in State Parks and Recreation Areas.
- Clarifies the definition of a beach.
- Increases the time allowed on a beach during the main recreation season.
- Addresses archaeological/cultural resources when an artificial lake is drained.

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- Allows for a permit in conjunction with an archaeological/scientific study.
- Minor language changes to clarify existing rules.

Fiscal Impact No fiscal impact.

ARC 3865B

Rule Summary Establishes fees and procedures for the stocking of private waters. No fees currently exist.

Fiscal Impact Fees are based on the size of pond with a limit of 10 acres. Fees include an application fee of \$25 plus a fee of \$25 per acre or fraction thereof. Estimated total fee revenue is approximately \$35,000 per year, and cost of the program is approximately \$35,000.

ARC 3864B

Rule Summary Makes the following changes:

- Establishes a list of prohibited aquatic invasive species.
- Restricts the introduction, sale, possession, and transportation of these species.
- Establishes methods for identifying and prohibiting activities in waterbodies infested with these species.

Fiscal Impact Minimal fiscal impact. A negligible number of fines are anticipated to be collected by enforcing this proposed rule.

ARC 3861B

Rule Summary Changes regulations for hunting deer and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of taking, and transportation tag requirements. Allows nonresident deer hunters to purchase a preference point for the next year's deer license without going through the drawing and being rejected.

Fiscal Impact It is estimated that the DNR will save up to \$20,000 per year by not having to refund fees to unsuccessful applicants for any-sex deer licenses.

ARC 3863B

Rule Summary Establishes a youth spring turkey hunting season and clarifies tagging requirements.

Fiscal Impact There will be a marginal increase in license sales from the youth spring hunting season. The tagging has no fiscal impact.

ARC 3844B

Rule Summary Makes the following changes regarding a Groundwater Hazard Statement:

- Restricts the instances in which a groundwater hazard statement must be filed in order to more closely mirror the requirements of the Declaration of Value form.
- Allows for the electronic filing of groundwater hazard statements if and when the county recorders implement an electronic filing system.
- Eliminates the need to forward a copy of the statement to the DNR if a private burial site is the only item disclosed.

Fiscal Impact The changes will reduce the number of filings of a Groundwater Hazard Statement to the DNR by a County Recorder. If electronic filing is implemented by the County Recorders, the proposed rule change will allow for additional cost savings. The total

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cost savings to the DNR and the County Recorders is expected to be less than \$100,000 per year.

STAFF CONTACT: Debra Kozel (Ext. 16767)

PROFESSIONAL LICENSURE DIVISION - DEPARTMENT OF PUBLIC HEALTH

ARC 3852B
Rule Summary The proposed amendment makes changes to licensure educational program accreditation requirements for psychologists.

Fiscal Impact No fiscal impact.

ARC 3851B
Rule Summary Board of Psychology Examiners - Amendment removes a date that is no longer applicable.

Fiscal Impact No fiscal impact.

ARC 3845B
Rule Summary The proposed amendments require licensees to make supervisor termination evaluations available to the Board of Social Work Examiners upon request as opposed to being automatically submitted to the Board.

Fiscal Impact No fiscal impact.

ARC 3843B
Rule Summary The proposed amendments adopt new chapters for the Board of Interpreters for the Hearing Impaired, which was established pursuant to SF 2298 (FY 2005 Omnibus Appropriations Act).

Fiscal Impact Minimal fiscal impact. Senate File 2298 provided \$60,390 and 1.0 FTE position from the General Fund for duties related to the Board in FY 2005. This will be partially offset by revenues generated from licensure fees. It is estimated that \$10,000 in fees will be collected in FY 2005.

STAFF CONTACT: Lisa Burk (Ext. 17942)

DEPARTMENT OF PUBLIC HEALTH

ARC 3850B and 3849B
Rule Summary Pursuant to HF 2464 (Defibrillator Grant Program Act), this rule establishes and implements an Automated External Defibrillator Grant Program, which provides matching funds to local boards of health, community organizations, or cities.

Fiscal Impact For FY 2005, HF 2577 (Healthy Iowans Tobacco Trust Act) provided an appropriation of \$250,000 for the Program.

ARC 3841B
Rule Summary Amendments clarify some of the procedures followed by the Health Facilities Council, primarily putting what has been practice into the rules. Also, provides additional guidance in preliminary review determinations.

Fiscal Impact No fiscal impact.

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ARC 3842B

Rule Summary Amendments recognize long-term care hospitals and rehabilitation hospitals as defined by federal regulations. Also, the amendments provide clarification that the conversion of a long-term care or rehabilitation hospital to a general acute hospital or to a different type of specialty hospital is a permanent change in bed capacity and requires a Certificate of Need (CON).

Fiscal Impact Minimal fiscal impact. It is not anticipated that a conversion of a specialty hospital to a general hospital would occur often, if at all. The CON cost for such a conversion is the filing fee, which equals three-tenths of one percent of the capital cost of the proposal with a maximum fee of \$21,000.

STAFF CONTACT: Lisa Burk (Ext. 17942)

DEPARTMENT OF PUBLIC SAFETY

ARC 3886B and 3885B

Rule Summary Restores a provision which requires elevators in new or renovated apartment buildings of four or more stories, clarifies that elevators are not required in elevators of three or fewer stories, and that elevators in apartment buildings of three or fewer stories are not required to meet accessibility standards. This rule had previously been inadvertently rescinded.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Jennifer Acton (Ext. 17846) Beth Lenstra (Ext. 16301)

REVENUE DEPARTMENT

ARC 3895B

Rule Summary Rescinds and replaces 701-chapter 1 with new rules governing the administrative aspect of the State Board of Tax Review. The rules were replaced in order to update current administrative procedures and to delete obsolete rules and language. Item 2 rescinds and replaces 701-chapter 2 with new rules governing the practice and procedures regarding appeals to the State Board of Tax Review. The rules were replaced in order to update the language to conform to current practice before the State Board of Tax Review and provide a clear understanding of the requirements for appeal to the State Board from a decision by the Director of the Department and to allow the Department and the taxpayer to seek judicial review of a decision or order of the State Board of Tax Review pursuant to SF 2296 (Tax Policy Administration Act).

Fiscal Impact No fiscal impact.

ARC 3882B

Rule Summary These rules implement SF 2290 (New Jobs and Income Program and the New Capital Investment Program Act), 2004 Iowa Acts, which make changes relating to tax credits for eligible businesses approved under the New Jobs and Income Program, Enterprise Zone Program, Eligible Development Business Program and the New Capital Investment Program.

Fiscal Impact The tax credits will reduce General Fund revenues by the following amounts:

- FY 2005 - \$1.0 million

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- FY 2006 - \$1.4 million
- FY 2007 - \$1.4 million
- FY 2008 - \$1.6 million
- FY 2009 - \$1.8 million

The tax credit will continue to increase until a maximum of \$2.6 million is reached in FY 2014.

ARC 3894B

Rule Summary These rules remove provisions relating to the University-Based Research Utilization Program Tax Credit and increased Property Rehabilitation Tax Credits due to the Iowa Supreme Court decision in Rants v. Vilsack, which invalidated the enactment of provisions contained in HF 692 (Tax Changes, Grow Iowa Values, Regulatory Reform Act), 2003 Iowa Acts, First Extraordinary Session.

Fiscal Impact State General Fund revenues will be increased by as much as \$2.0 million for FY 2005 and \$10.0 million for FY 2006, since Section 111 of HF 692 capped the amount of credits relating to the University-Based Research Utilization Program Tax Credit. General Fund revenues will be increased by \$500,000 for FY 2006, since Section 90 of HF 683 (Grow Iowa Values Appropriations Act) capped the amount of additional Property Rehabilitation Tax Credits, and this appropriation was contingent on the passage of House File 692.

STAFF CONTACT: Ron Robinson (Ext. 16256)

TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

ARC 3887B

Rule Summary Reflects recent organizational and statutory changes. Consolidates professional services contracting into existing purchasing rules and permits the Commission to join a purchasing cooperative/consortium.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Jennifer Acton (Ext. 17846) Beth Lenstra (Ext. 16301)

DEPARTMENT OF TRANSPORTATION

ARC 3846B

Rule Summary This rule modifies existing methods of distributing funds to providers of motorcycle rider education. Distribution will be based on moneys available after administration costs are deducted and applied on a per pupil course completion ratio.

Fiscal Impact No fiscal impact. The rule only modifies the distribution of funds.

ARC 3883B

Rule Summary This rule is proposed as a result of SF 2070 (FY 2005 Department of Transportation Omnibus Act). Section 32 of the Act amends Section 326.15, Code of Iowa, to certify the destruction of International Registration Plan (IRP) credentials for motor vehicles registered under Chapter 326, Code of Iowa. The proposed rule allows qualified fleet owners to self-certify the destruction of IRP credentials in lieu of returning the credentials to the DOT to be destroyed. Credentials include license plates, cab cards, and vehicle registration stickers. Definitions for “qualified fleet owner” and “self-certification of IRP credential destruction” were also added, in addition to editorial changes and a new rule concerning fleet deletions.

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Fiscal Impact No fiscal impact. The rule eliminates the need for DOT staff to destroy returned credentials. Qualified fleet owners will save on postage and handling since they will be able to self-certify the destruction of credentials.

ARC 3888B

Rule Summary This rule requires the DOT to adopt rules requiring railroads in the State to provide reasonable and adequate access to first aid or medical treatment for employees injured in the course of employment.

Fiscal Impact No fiscal impact to the State. The impact on railroads should be minimal since the DOT believes that in most situations, railroads already provide reasonable medical care for employees injured on the job.

STAFF CONTACT: Mary Beth Mellick (Ext. 18223)

UTILITIES DIVISION - DEPARTMENT OF COMMERCE

ARC 3900B

Rule Summary Current subrule 199 IAC 22.23(2) requires customer authorization of a change in telecommunications service provider. The Board regularly waives this rule in cases where a provider acquires the customers of another provider by sale or transfer of assets. The proposed rule creates a self-certification process to be used by providers instead of seeking a waiver of the customer authorization rule. The new procedure would protect consumers by requiring advance notice to the Board and to affected customers.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)
