



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.

BANKING DIVISION – DEPARTMENT OF COMMERCE

ARC 5010B

Rule Summary The rule provides the application procedures for applying for a mobile bank office, a courier service, or a convenience office. The rule also requires banks operating such offices to adopt a policy addressing the operation of the office. In addition, the rule addresses banks' options for charging for courier services provided by a third party.

Fiscal Impact No fiscal impact.

ARC 5011B

Rule Summary The rule implements HF 737 (FY 2006 Mortgage Brokers Licensing Act), which requires individuals acting as mortgage bankers and mortgage brokers to register with the Division and to complete annual continuing education requirements. The rules address the processes and requirements of original individual registration and the annual renewal of those registrations. The rule also addresses the application and renewal requirements for mortgage banker and mortgage broker licenses, establishes administrative fees associated with licenses and registrations administered pursuant to Chapter 535B, Code of Iowa, and establishes record keeping and reporting requirements for licensees. Finally, the rule describes the complaint and disciplinary process that applies to mortgage banker and broker licensees and individual registrants.

Fiscal Impact As reflected in the fiscal note for HF 737, the estimated net fiscal impact will be minimal. Expenses relating to personnel and computer costs will be offset by moneys collected from background checks and broker and banker fees.

STAFF CONTACT: Sam Leto (Ext. 16764)

DEPARTMENT FOR THE BLIND

ARC 4965B

Rule Summary Prohibits dangerous weapons on the premises of the Department for the Blind. Also, eliminates unnecessary language, as advised by the Attorney General, regarding disciplinary action against a blind food service manager.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Robin Madison (Ext. 15270)

Table of Contents:

Banking Division – p. 1	Natural Resources Commission – p. 7
Department for the Blind – p. 1	Professional Licensure Division (Public Health) – p. 8
Civil Rights Commission – p. 2	Department of Public Health – p. 10
Department of Education – p. 2	Department of Public Safety – p. 11
Department of Elder Affairs – p. 2	Department of Revenue – p. 11
Engineering and Land Surveying Board – p. 4	Secretary of State – p. 12
Environmental Protection Commission – p. 4	Department of Transportation – p. 13
Department of Human Services – p. 5	Utilities Division – p. 13
Iowa Finance Authority – p. 6	Voter Registration Commission – p. 13
Labor Services Division – p. 6	

Administrative Rules – Fiscal Impact Summaries

April 10, 2006 2

CIVIL RIGHTS COMMISSION

ARC 4964B

Rule Summary Updates administrative rules to reflect the enactment of SF 215 (FY 2006 Civil Rights Commission Mailing Requirements Act). The Act eliminated certified mail requirements for certain Civil Rights Commission complaints and orders.

Fiscal Impact The savings is anticipated to be approximately \$4,000 annually in operating costs.

STAFF CONTACT: Beth Lenstra (Ext. 16301)

DEPARTMENT OF EDUCATION

ARC 4986B

Rule Summary Changes eligibility requirements for extracurricular interscholastic competitions to require that students must be passing all coursework in the current grading period and be making adequate progress toward graduation requirements to participate. The ineligibility period is 20 days, followed by a review of the student's grades; subsequent 20-day ineligibility periods may be applied if the student is still not passing all coursework.

Expands "sportsmanship" obligations to schools, as well as contestants and coaches, and permits governing organizations to penalize schools in violation of those obligations.

Exempts any transferring student, who is entering grade 9 for the first time and who did not participate in interscholastic athletic competition for another school during the preceding summer, from the 90-day ineligibility period. Also, specifies that ineligibility applies only to varsity level contests and competitions.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Robin Madison (Ext. 15270)

DEPARTMENT OF ELDER AFFAIRS

ARC 4947B

Rule Summary Technical changes to the Department's chapter on introduction, abbreviations, and definitions to clarify language and eliminate duplication of statutory language.

Fiscal Impact No fiscal impact.

ARC 4949B

Rule Summary Technical changes to correct the Department's mailing address; clarify language; and eliminate duplication of statutory language.

Fiscal Impact No fiscal impact.

ARC 4950B

Rule Summary Technical changes to the Department's chapter on planning responsibilities to clarify language and eliminate duplication of statutory language.

Fiscal Impact No fiscal impact.

Administrative Rules – Fiscal Impact Summaries

April 10, 2006 3

ARC 4951B
Rule Summary Technical changes to the Department’s chapter on fiscal policy to clarify language and eliminate duplication of statutory language.

Fiscal Impact No fiscal impact.

ARC 4952B
Rule Summary Technical changes to the Department’s chapter on the Area Agencies on Aging planning and administration to clarify language and eliminate duplication of statutory language.

Fiscal Impact No fiscal impact.

ARC 4948B
Rule Summary Technical changes to the Department’s chapter on Area Agencies on Aging service delivery to clarify language, eliminate duplication of statutory language, and eliminate the section related to federal Title III-G on elder abuse, which has been transferred to a new chapter.

Fiscal Impact No fiscal impact.

ARC 4953B
Rule Summary Technical changes to the Department’s chapter on the Senior Internship Program to transfer the Senior Internship Program definition from Chapter 1 to Chapter 10.

Fiscal Impact No fiscal impact.

ARC 4954B
Rule Summary Establishes rules on elder abuse, neglect, or exploitation prevention and awareness to reflect current policies and procedures.

Fiscal Impact No fiscal impact.

ARC 4955B
Rule Summary Establishes rules for the elder abuse initiative and emergency shelter to reflect current policies and procedures.

Fiscal Impact No fiscal impact.

ARC 4956B
Rule Summary Technical changes to the Department’s chapter on the Senior Living Coordinating Unit to clarify language and eliminate the responsibilities and definition of Community-Based Adult Services Committee.

Fiscal Impact No fiscal impact.

ARC 4994B
Rule Summary Rescinds rules previously noticed to makes changes relating to the addition of case management as a Medicaid-covered service under the home and community-based Medicaid Elderly Waiver.

Fiscal Impact No fiscal impact.

Administrative Rules – Fiscal Impact Summaries

April 10, 2006 4

ARC 4957B

Rule Summary Technical changes to the Department's chapter on the Senior Living Program and home and community-based services for seniors to clarify language and eliminate duplication of statutory language.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Lisa Burk (Ext. 17942)

ENGINEERING AND LAND SURVEYING EXAMINING BOARD – PROFESSIONAL LICENSING DIVISION, DEPARTMENT OF COMMERCE

ARC 4985B

Rule Summary The purpose of this rule is to protect the public from misleading or deceptive advertising by business entities, and to guard against the practice of professional engineering or land surveying by persons who are not properly licensed to perform such services.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Sam Leto (Ext. 16764)

ENVIRONMENTAL PROTECTION COMMISSION

ARC 4983B

Rule Summary Incorporates the use of environmental covenants as one form of regulated corrective action at leaking underground storage tank sites that are enrolled in the land recycling program. The rules provide policies and procedures for drafting covenants and submitting them to the Department of Natural Resources (DNR).

Fiscal Impact Minimal fiscal impact.

ARC 4984B

Rule Summary Exempts additional equipment and processes from the requirement to obtain an air construction permit. This exemption was developed by a workgroup consisting of the Iowa Department of Economic Development, the federal Environmental Protection Agency, and the Iowa Air Emissions Assistance Program at the University of Northern Iowa.

Fiscal Impact Minimal fiscal impact.

ARC 4982B

Rule Summary Rule revisions to update the Water Use/Water Allocation Program, which is a permit program that was administered by the Natural Resources Council until its merger in 1983 with the agency now called the Department of Natural Resources. The rule changes include:

- Clarifying existing definitions, including correcting the definition of public water system usage to consumptive use (Chapter 50).
- Adopting definitions for specialty and general crops (Chapter 50).
- Updating form references and form usage in the rules (Chapter 50).
- Correcting the references to Iowa's Geological Survey, certified well contractor, and licensed professional engineer (all Chapters).
- Eliminating the requirement for the Department's Flood Plain Section to review a surface runoff plan at a rock quarry (Chapter 50).

Administrative Rules – Fiscal Impact Summaries

April 10, 2006 5

- Incorporates new legislation that requires water use permits for community public water supplies to be posted in the paper of largest circulation in the county as well as the paper nearest the locale of the permittee. (Chapter 50).
- Clarifying the water use permitting of cooling and heating systems using groundwater (Chapter 51).
- Exempting public water system consumptive usage from the protected flow restrictions (Chapter 52).
- Removing the protected streamflow at six “protected water use” locations (Chapter 52).
- Modifying the emergency conservation rules to be consistent with other sections of the Administrative Code (Chapter 52).

Fiscal Impact Minimal fiscal impact. For current and proposed rule changes, a \$25 fee is charged for a 10-year permit or a modified permit and is deposited into the General Fund. Estimated receipts are \$10,000 annually.

ARC 4652B

Rule Summary Regulatory analysis completed by the DNR on wastewater fees associated with National Pollutant Discharge Elimination System (NPDES) permits.

Fiscal Impact The DNR estimates the fees will generate \$877,000 annually. The fees would be deposited into the General Fund; however, the Department has proposed legislation that would redirect the fees to the DNR. The fees would be used to add three NPDES permit writers, one construction permit engineer, one wasteload allocation engineer, and six field office staff.

ARC 4981B

Rule Summary Makes the following changes:

- Amends Chapters 40, 90, and 91, and rescinds and adopts new Chapters 44, 92, and 93.
- Updates definitions and program procedures for the Drinking Water and Clean Water State Revolving Fund Programs.
- Transfers the responsibility for financial analysis and loan processing to the Iowa Finance Authority (IFA).
- Updates the rules to reflect new and streamlined processes.

Fiscal Impact No fiscal impact. Administrative costs for the State Revolving Fund Programs are covered through federal grants and loan fees.

STAFF CONTACT: Debra Kozel (Ext. 16767)

DEPARTMENT OF HUMAN SERVICES

ARC 4980B

Rule Summary These rule changes are necessary to implement a self-directed care option under the Ill and Handicapped, Elderly, AIDS/HIV, Mental Retardation, Physical Disability, and Brain Injury Waivers in Medicaid.

Fiscal Impact No fiscal impact. Implementation costs will be funded with a grant from the Robert Wood Johnson Foundation.

ARC 5007B

Rule Summary Sets up framework for administration of the Children’s Mental Health Waiver; adds consumers of the Children’s Mental Health Waiver as an eligible group for targeted

Administrative Rules – Fiscal Impact Summaries

April 10, 2006 6

case management; and defines “eligible group for case management,” and “severe emotional disturbance” as it relates to eligibility for the Waiver.

Fiscal Impact No fiscal impact.

ARC 4979B

Rule Summary This rule excludes Medicaid coverage of drugs used to treat sexual dysfunction.

Fiscal Impact No fiscal impact. Coverage of these types of drugs was discontinued in November 2005.

ARC 5008B

Rule Summary Changes clarify definitions, allowable funding streams, implementation procedures and requirements, governance board roles and responsibilities, and reporting requirements for the decategorization initiative to ensure alignment with the statutory requirements of HF 616 (FY 2006 Decategorization Act).

Fiscal Impact The current allocation methods or amount of funding available to provide services will not be impacted; however, it is possible that some carryover funds will not be expended by the time limits designated in the rules and will revert to the General Fund.

ARC 5009B

Rule Summary Corrects an error in the recently revised chapter on family-centered services. The error is corrected by adding language that specifically allows for delivery of the psychosocial evaluation component on a non-rehabilitative service basis.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Lisa Burk (Ext. 17942) Kerri Johannsen (Ext. 14611)

IOWA FINANCE AUTHORITY

ARC 5006B

Rule Summary The rule permits participating abstractors to issue title guaranty commitments and certificates.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)

LABOR SERVICES DIVISION – DEPARTMENT OF WORKFORCE DEVELOPMENT

ARC 5003B

Rule Summary Updates and streamlines Iowa’s Occupational Safety and Health Administration (OSHA) rules to remove outdated, duplicative, and inconsistent standards.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Administrative Rules – Fiscal Impact Summaries

April 10, 2006 7

NATURAL RESOURCE COMMISSION

		ARC 5014B
Rule Summary	The Department of Natural Resources (DNR) was petitioned by the Dubuque County Conservation Board and the federal Fish and Wildlife Service to establish a “nowake” zone in a portion of a backwater area known as Mud Lake on the Mississippi River. This will reduce the shoreline erosion and excessive noise level from large boats operating at higher speeds. The DNR was also petitioned by the East Okoboji Lakes Improvement Corporation for rule making that establishes a speed limit for vessels on certain Dickinson County lakes between the hours of sunset and sunrise. This addresses a boating safety issue which concerns limited sight visibility during nighttime hours.	
Fiscal Impact	No fiscal impact.	
		ARC 5019B
Rule Summary	Removes the Iowa River Corridor Wildlife Area in Iowa County from the list of wildlife refuges.	
Fiscal Impact	No fiscal impact.	
		ARC 5018B
Rule Summary	Establishes the dates for waterfowl hunting seasons, and eliminates the area closed to Canada goose hunting at Rathbun Lake.	
Fiscal Impact	No fiscal impact.	
		ARC 5020B
Rule Summary	Establishes rules for reporting the harvesting of deer and wild turkey. Also provides procedures to verify that landowners or tenants are eligible for a free deer and/or wild turkey license.	
Fiscal Impact	Minimal fiscal impact.	
		ARC 5021B
Rule Summary	Establishes the zones and quotas for the wild turkey spring hunting season.	
Fiscal Impact	No fiscal impact.	
		ARC 5015B
Rule Summary	Establishes season dates and antlers-only deer license quotas for the resident deer hunting season. Final quota recommendations will be made after all harvest data and winter deer surveys have been completed.	
Fiscal Impact	No fiscal impact.	
		ARC 5016B
Rule Summary	Reduces the bag and possession limits for jackrabbits.	
Fiscal Impact	No fiscal impact.	
		ARC 5017B
Rule Summary	Establishes a river otter trapping season and specifies quotas, zones, tagging, and reporting requirements.	

Administrative Rules – Fiscal Impact Summaries

April 10, 2006 8

Fiscal Impact Minimal fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

PROFESSIONAL LICENSURE DIVISION – DEPARTMENT OF PUBLIC HEALTH

Rule Summary Impaired Practitioner Review Committee – Removes the requirement that a member of each licensure Board is a member of the Committee, and adds the option for a Board member to be invited to attend as needed. **ARC 4990B**

Fiscal Impact No fiscal impact.

Rule Summary Dietetic Examiners – Provides the Board with the ability to retain licensure overpayments of less than \$10 to reduce program administrative costs. **ARC 4988B**

Fiscal Impact No fiscal impact.

Rule Summary Dietetic Examiners – Provides the Board with the ability to order an evaluation for mental, physical, or clinical competency, or alcohol or drug screening. **ARC 4987B**

Fiscal Impact No fiscal impact.

Rule Summary Mortuary Science Examiners – Clarifies responsibilities of funeral directors; clarifies requirements of crematory establishments; corrects rules relating to burial transits; clarifies disposition of cremation remains; and provides the Board with the ability to order an examination for mental, physical, or clinical competency, or alcohol or drug screening. **ARC 4996B**

Fiscal Impact No fiscal impact.

Rule Summary Massage Therapy Examiners – Provides the Board with the ability to retain licensure overpayments of less than \$10 to reduce program administrative costs. **ARC 4993B**

Fiscal Impact No fiscal impact.

Rule Summary Massage Therapy Examiners – Permits the Board to accept the applicant's copy of examination passage as initial proof prior to official examination service notification to expedite the application process. **ARC 4991B**

Fiscal Impact No fiscal impact.

Rule Summary Massage Therapy Examiners – Defines the national examination required for endorsement and provides the Board with the ability to order an evaluation for mental, physical, or clinical competency, or alcohol or drug screening. **ARC 4992B**

Fiscal Impact No fiscal impact.

Administrative Rules – Fiscal Impact Summaries

April 10, 2006 9

ARC 4976B
Rule Summary Optometry Examiners – Amends continuing education requirements regarding implementation of the substitution of Council on Endorsed Licensure Mobility for Optometrists (CELMO) certification in lieu of proof of attendance at a continuing education program.

Fiscal Impact No fiscal impact.

ARC 4961B
Rule Summary Physical and Occupational Therapy Examiners – Provides the Board with the ability to retain licensure overpayments of less than \$10 to reduce program administrative costs.

Fiscal Impact No fiscal impact.

ARC 4963B
Rule Summary Physical and Occupational Therapy Examiners – Provides the Board with the ability to order an evaluation for mental, physical, or clinical competency, or alcohol or drug screening.

Fiscal Impact No fiscal impact.

ARC 4960B
Rule Summary Physical and Occupational Therapy Examiners – Provides the Board with the ability to retain licensure overpayments of less than \$10 to reduce program administrative costs.

Fiscal Impact No fiscal impact.

ARC 4989B
Rule Summary Physical and Occupational Therapy Examiners – Provides additional flexibility in the supervision of the occupational therapy assistants during the screening process.

Fiscal Impact No fiscal impact.

ARC 4962B
Rule Summary Physical and Occupational Therapy Examiners – Provides the Board with the ability to order an evaluation for mental, physical, or clinical competency, or alcohol or drug screening.

Fiscal Impact No fiscal impact.

ARC 4958B
Rule Summary Social Work Examiners – Provides the Board with the ability to retain licensure overpayments of less than \$10 to reduce program administrative costs, and removes language relating to sponsors from the continuing education chapter.

Fiscal Impact No fiscal impact.

ARC 4945B
Rule Summary Social Work Examiners – Provides that the Board will accept the Association of Social Work Board's registry verification of academic transcripts and verification of licensure in other states.

Administrative Rules – Fiscal Impact Summaries

April 10, 2006 10

Fiscal Impact No fiscal impact.

Rule Summary Social Work Examiners – Provides the Board with the ability to order an evaluation for mental, physical, or clinical competency, or alcohol or drug screening. **ARC 4946B**

Fiscal Impact No fiscal impact.

Rule Summary Interpreters for the Hearing Impaired Examiners – Provides the Board with the ability to retain licensure overpayments of less than \$10 to reduce program administrative costs. **ARC 4973B**

Fiscal Impact No fiscal impact.

Rule Summary Interpreters for the Hearing Impaired Examiners – Adopts a new continuing education chapter. **ARC 4971B**

Fiscal Impact No fiscal impact.

Rule Summary Interpreters for the Hearing Impaired Examiners – Adopts a new discipline chapter. **ARC 4972B**

Fiscal Impact No fiscal impact.

STAFF CONTACT: Lisa Burk (Ext. 17942)

DEPARTMENT OF PUBLIC HEALTH

Rule Summary Private Sector Drug-Free Workplace Testing – Adds the definition of “sample” from the human body to include “saliva” so the rule is consistent with the definition in the Code of Iowa. The rule also updates the name of the federal agency (Centers for Medicare and Medicaid Services) responsible for laboratory proficiency testing. **ARC 4998B**

Fiscal Impact No fiscal impact.

Rule Summary Private Well Sampling, Reconstruction, and Plugging – Provides for the distribution of grants to county boards of health for the purpose of sampling, reconstructing, and plugging private water wells. **ARC 5000B**

Fiscal Impact The Program is supported with revenues from the Agricultural Account established pursuant to Section 455.11(2)(b)(3), Code of Iowa, which averages \$1.4 million annually.

Rule Summary Radiation Machines and Radioactive Materials – Changes to correct errors, provide clarification, and meet federal compatibility requirements. Also, increases mammography fees to cover increased regulation costs. **ARC 5002B**

Fiscal Impact The additional revenues generated from the increased fee will be an estimated \$10,000 and will be used to support regulation activities.

Administrative Rules – Fiscal Impact Summaries

April 10, 2006 11

ARC 5001B

Rule Summary Radiologist Assistants – Rescinds previous rules and adopts a new rule to correct errors in scope of practice, which is more aligned with national standards.

Fiscal Impact No fiscal impact.

ARC 4997B

Rule Summary County Medical Examiners – Makes changes to clarify existing rules covering deaths that require autopsies. The rule also adds other categories of deaths that require autopsies performed by the State Medical Examiner or an approved representative.

Fiscal Impact The fiscal impact is anticipated to be minimal due to a slight increase in the number of required autopsies.

ARC 4999B

Rule Summary Substance Abuse Commission – Changes that transfer the duties of the Substance Abuse Commission to the State Board of Health. The Commission was dissolved by the 2005 General Assembly, and duties were transferred to the Board.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Lisa Burk (Ext. 17942)

DEPARTMENT OF PUBLIC SAFETY

ARC 4753B

Rule Summary The rule proposes adoption of a new Chapter governing the certification program for fire extinguishing system contractors.

Fiscal Impact The fiscal impact of this rule is \$30,000 from the General Fund annually for 0.50 FTE position for clerical support.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

DEPARTMENT OF REVENUE

ARC 5013B

Rule Summary The rules explain a number of changes in Iowa sales and use tax law, both State and locally imposed. The taxation of lodging and sales of certain types of construction equipment is moved from Chapters 423, 423B, and 423E, Code of Iowa, to separate chapters. The wording of the exemption “in favor of medical devices used by a consumer” is changed. The definition of “sales price” is amended slightly. The definition of the word “employee” is changed significantly. The exemption “in favor of services used in processing” is clarified.

Fiscal Impact No fiscal impact.

ARC 5012B

Rule Summary These rules implement HF 761 (FY 2006 Early Childhood Policy Act), which provides for an Early Childhood Development Tax Credit and a Child and Dependent Care Tax Credit for taxpayers with an income of between \$40,000 and \$45,000.

Fiscal Impact The estimated fiscal impact of the Early Childhood Development Tax Credit is a decrease of \$2.5 million to the General Fund for FY 2007, as reflected in the fiscal

Administrative Rules – Fiscal Impact Summaries

April 10, 2006 12

note for HF 761. The estimated fiscal impact of expansion of the Child and Dependent Care Tax Credit is a decrease of \$2.3 million to the General Fund for FY 2007.

ARC 4978B

Rule Summary Creates a new chapter to implement Section 423.4(4), Code of Iowa, as amended by HF 840 (FY 2006 Event Venue, Use of Sales Tax Revenue Act). The Act provides for a rebate pilot program of Iowa sales tax to qualifying owners and operators of sanctioned automobile racetrack facilities in order to increase tourism in Iowa.

Fiscal Impact The estimated fiscal impact of the sales tax rebate is \$12.5 million over 10 fiscal years beginning in FY 2007. The sales tax rebate will be paid from the State General Fund.

STAFF CONTACT: Jess Benson (Ext. 14613)

SECRETARY OF STATE

ARC 5005B and ARC 5004B

Rule Summary House File 2050 (FY 2006 Fast Track Election Reform) grants county commissioners of elections the option to print the voter's declaration of eligibility on each page of the election register and to have voters sign the register in lieu of a separate form. The newly adopted law requires the State Commissioner of Elections to prescribe by rule an alternate method for the affected precinct election officials to provide the information contained in the eligibility declaration to observers who are legally present at the polling place. Item 2 addresses the required procedure. The Commissioner is required to provide a sign-in sheet, or voter roster, for voters to print the information that is contained on the voter's declaration of eligibility.

Item 1 addresses a situation not mentioned in HF 2050. Voters who have moved into a new precinct and are reporting changes of address at the polls on Election Day will not be listed in the election register. These voters are required by Section 48A.27, Code of Iowa, to complete a voter registration form. In order to collect all the required information, this proposed amendment to the agency's existing rules governing Election Day address changes, requires the voter to complete a form that includes both the voter registration form and the eligibility declaration.

Fiscal Impact No fiscal impact.

ARC 4974B

Rule Summary The proposed amendments provide additional security procedures to protect the integrity of the election process for counties using voting systems with memory cards. Additional amendments provide for the preparation, testing and use procedures for Election Systems & Software's AutoMARK Voter Assist Terminal (VAT).

Fiscal Impact No fiscal impact.

STAFF CONTACT: Doug Wulf (Ext. 13250)

Administrative Rules – Fiscal Impact Summaries

April 10, 2006 13

DEPARTMENT OF TRANSPORTATION

ARC 4959B

Rule Summary This rule adopts by reference a new edition of Section II of the “Uniform Manual, Real Property Acquisition and Relocation Assistance.” The manual is revised to incorporate amended federal regulations (49 CFR Part 24).

For businesses to be displaced by a project, the revisions expand advisory services to be provided by the displacing agency, increase reimbursement limits from \$1,000 to \$2,500 for expenses incurred in searching for a replacement business property, and remove certain relocation costs from inclusion in the \$10,000 cap placed on reestablishment expenses.

For residential displacements, the revisions provide that a displaced tenant's income will be considered in determining the maximum rental assistance payment, only if the person is classified as low income, allows a displaced tenant to apply the entire amount of the rental assistance payment toward a down payment on replacement housing, and allows a displaced homeowner to apply the entire amount of the calculated replacement housing payment toward a rental assistance payment if justified.

Fiscal Impact The DOT does not anticipate any significant increase in costs. Benefits paid on federal-aid projects are reimbursable from federal-aid funds (80.0% federal match for non-interstate highway projects and 90.0% federal match for interstate highway projects).

ARC 4975B

Rule Summary The Code of Federal Regulations (CFR) was updated in October 2005, and the DOT needs to cite the current version within Chapter 529 of the Administrative Code.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Mary Beth Mellick (Ext. 18223)

UTILITIES DIVISION – DEPARTMENT OF COMMERCE

ARC 4977B

Rule Summary Proposes eligibility, reporting, and certification requirements for carriers seeking to be designated as Eligible Telecommunications Carriers (ETC) to meet Federal Communications Commission requirements.

Fiscal Impact Minimal fiscal impact for administrative work related to the additional requirements.

STAFF CONTACT: Sam Leto (Ext. 16764)

VOTER REGISTRATION COMMISSION

ARC 4970B

Rule Summary This amendment rescinds Chapter 4, which is no longer applicable since Section 47.7(2)(b), Code of Iowa, prohibits a county from establishing its own voter registration system.

Fiscal Impact No fiscal impact.

Administrative Rules – Fiscal Impact Summaries

April 10, 2006 14

ARC 4969B

Rule Summary This amendment rescinds Chapter 6, which is no longer applicable since Section 47.7(2)(b), Code of Iowa, prohibits a county from establishing or maintaining its own voter registration system.

Fiscal Impact No fiscal impact.

ARC 4968B

Rule Summary This amendment rescinds Chapter 7, which is no longer applicable since Section 47.7, Code of Iowa, requires each county to participate in the single, uniform, official, centralized, interactive computerized voter registration file defined, maintained, and administered at the State level.

Fiscal Impact No fiscal impact.

ARC 4967B and ARC 4966B

Rule Summary This amendment outlines the National Change of Address Program and the responsibilities of the State Registrar of Voters and county commissioners.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Doug Wulf (Ext. 13250)
