

Purpose and Summary

Pursuant to Executive Order 10 (January 10, 2023), the Authority proposes to rescind Chapter 196 and adopt a new chapter in lieu thereof. The new chapter will incorporate Iowa Code chapter 17A by reference and provide contact information for the Authority.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

- Classes of persons that will bear the costs of the proposed rulemaking:

Persons who want to participate in the Authority's rulemaking process may incur the costs described below.

- Classes of persons that will benefit from the proposed rulemaking:

The proposed rulemaking will benefit persons interested in participating in the procedures for rulemaking for the Authority.

2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:

- Quantitative description of impact:

Members of the public who want to participate in the rulemaking process may incur costs to draft and submit documents to the Authority relating to rulemakings or to participate in opportunities for oral proceedings.

- Qualitative description of impact:

The proposed rulemaking will provide clarity about the Authority's procedures for rulemaking since the current chapter is inconsistent with Iowa Code chapter 17A.

3. Costs to the State:

- Implementation and enforcement costs borne by the agency or any other agency:

Authority staff time is required to administer the procedures for rulemaking, including drafting Notices of Intended Action or associated documents and overseeing any public participation in the process. No additional costs are imposed by the proposed rulemaking compared to the current chapter.

- Anticipated effect on state revenues:

The rulemaking has no anticipated effect on state revenues.

4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:

Costs to participate in the rulemaking process are minimal and incurred only by those who choose to participate. The proposed rulemaking will provide clarity about the Authority's procedures for rulemaking since the current chapter is inconsistent with Iowa Code chapter 17A.

5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:

The Authority has not identified any less costly methods or less intrusive methods of describing procedures for rulemaking.

6. Alternative methods considered by the agency:

- Description of any alternative methods that were seriously considered by the agency:

The Authority did not consider any alternative methods.

- Reasons why alternative methods were rejected in favor of the proposed rulemaking:

The Authority did not consider any alternative methods because the Authority did not identify any less costly or less intrusive method.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.

- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

The proposed rules do not have a substantial impact on small business. The rules do not establish compliance or reporting requirements. The rules do not establish design or operational standards.

Text of Proposed Rulemaking

ITEM 1. Rescind 261—Chapter 196 and adopt the following **new** chapter in lieu thereof:

CHAPTER 196
AGENCY PROCEDURE FOR RULEMAKING

261—196.1(17A) Incorporation by reference. The authority incorporates by this reference all such matters in Iowa Code chapter 17A that relate to procedures for rulemaking.

261—196.2(17A) Contact information.

196.2(1) General. Inquiries about authority rules and the rulemaking process may be directed to Director, Iowa Economic Development Authority, 1963 Bell Avenue, Suite 200, Des Moines, Iowa 50315.

196.2(2) Comments on proposed rules. Any public comment on a Notice of Intended Action or similar document relating to rules may be directed to Director, Iowa Economic Development Authority, 1963 Bell Avenue, Suite 200, Des Moines, Iowa 50315, or as directed in the Notice of Intended Action or similar document.

These rules are intended to implement Iowa Code chapter 17A.