

## Fiscal Estimate - 2011 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>11-2990/1</b>	<b>Introduction Number</b> <b>AB-0389</b>	
<b>Description</b> The authority of a state agency to promulgate rules interpreting the provisions of a statute enforced or administered by the agency and to implement or enforce standards, requirements, and thresholds; elimination of gubernatorial approval of proposed administrative rules; economic impact reports of proposed rules; elimination of statements of scope for emergency rules; legislative review of proposed rules; legislative authorization for certain proposed rules; and venue in a declaratory judgment action seeking judicial review of the validity of an administrative rule		
<b>Fiscal Effect</b>  <b>State:</b> <input checked="" type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
<b>Local:</b> <input checked="" type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs      3. <input type="checkbox"/> Increase Revenue      5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs      4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
<b>Fund Sources Affected</b> <b>Affected Ch. 20 Appropriations</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
<b>Agency/Prepared By</b> DOR/ Robert Schmidt (608) 267-9892	<b>Authorized Signature</b> Paul Ziegler (608) 266-5773	<b>Date</b> 1/31/2012

## Fiscal Estimate Narratives

DOR 1/31/2012

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<b>Description</b> The authority of a state agency to promulgate rules interpreting the provisions of a statute enforced or administered by the agency and to implement or enforce standards, requirements, and thresholds; elimination of gubernatorial approval of proposed administrative rules; economic impact reports of proposed rules; elimination of statements of scope for emergency rules; legislative review of proposed rules; legislative authorization for certain proposed rules; and venue in a declaratory judgment action seeking judicial review of the validity of an administrative rule					

### Assumptions Used in Arriving at Fiscal Estimate

2011 Wisconsin Act 21 made changes to the administrative rule-making process for state agencies. The changes under Act 21: limited the authority of state agencies to promulgate administrative rules; required agencies to submit a statement of the scope of the proposed rule to the Governor for approval before sending the scope statement to the Legislative Reference Bureau for publication; required agencies to submit final drafts of proposed rules to the Governor for approval before sending the rule to the legislature for review; required all agencies to prepare economic impact reports for proposed administrative rules; modified the legislative review process; and moved the venue for declaratory judgments as to the validity of a rule.

The bill repeals the changes relating to administrative rules made under Act 21, restoring prior law.

Under the bill, the Department of Revenue would no longer be required to prepare economic impact reports for proposed rules.

The fiscal impact of the bill is expected to be minimal.

### Long-Range Fiscal Implications