



## 1995 ASSEMBLY BILL 278

April 3, 1995 – Introduced by Representatives R. YOUNG, URBAN, ZIEGELBAUER, HAHN and BALDWIN, cosponsored by Senator WINEKE. Referred to Committee on Government Operations.

1     **AN ACT** *to amend* 227.14 (5) and 227.19 (3) (b); and *to create* 227.14 (4) (b) 3.,  
2           227.14 (4) (b) 4., 227.19 (4m) and 227.20 (1m) of the statutes; **relating to:** the  
3           preparation and use of fiscal estimates in the legislative process and  
4           administrative rule-making process.

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### ***Analysis by the Legislative Reference Bureau***

Under current law, as part of the rule-promulgation process, an agency is required to prepare a fiscal estimate for each proposed rule before the proposed rule is submitted to the legislature. This bill requires that an agency include the fiscal estimate every time that the agency distributes copies of a proposed rule. In addition, this bill requires that when an agency prepares a fiscal estimate for a proposed rule, it shall indicate the fiscal effect of the rule on local government administration and whether, if the rule affects local government fiscal liability or revenue, some members of the class of local governments bear unequally any increase in liability or decrease in revenue.

The bill requires that, when a rule is submitted to the legislature for review, an agency include in its analysis an explanation of any modification to the rule made since the rule was first proposed. The bill also requires that an agency have published in the administrative register a summary of changes made in the proposed rule after the rule has been submitted to a legislative standing committee for review. Finally, the bill requires that when a rule is filed with the revisor of statutes the agency must include a statement of the fiscal estimate of the rule, and requires that the revisor of statutes publish this statement in the administrative register.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 2.** 227.14 (4) (b) 3. of the statutes is created to read:

2           227.14 (4) (b) 3. An indication, if the proposed rule increases general local  
3 government fiscal liability or decreases general local government revenue, whether  
4 the increase in fiscal liability or decrease in revenue will be borne unequally by some  
5 members of the class of general local governments that are so affected.

6           **SECTION 3.** 227.14 (4) (b) 4. of the statutes is created to read:

7           227.14 (4) (b) 4. An indication whether the proposed rule may have a  
8 substantial effect on local government administration, either by requiring new  
9 administration or changes in existing administration.

10          **SECTION 4.** 227.14 (5) of the statutes is amended to read:

11          227.14 (5) COPIES AVAILABLE TO THE PUBLIC AT NO COST. An agency, upon request,  
12 shall make available to the public at no cost a copy of any proposed rule, including  
13 the analysis, ~~fiscal estimate~~ and any related form. Whenever an agency distributes  
14 a copy of a proposed rule, the agency shall include the fiscal estimate for that rule.

15          **SECTION 5.** 227.19 (3) (b) of the statutes is amended to read:

16          227.19 (3) (b) An explanation of any modification made in the proposed rule as  
17 ~~a result of testimony received at a public hearing.~~

18          **SECTION 6.** 227.19 (4m) of the statutes is created to read:

19          227.19 (4m) PUBLICATION OF RULE MODIFICATIONS. An agency shall file with the  
20 revisor a summary of any modification made to a proposed rule after the rule has  
21 been submitted to a standing committee for review under sub. (4). The revisor shall  
22 publish the summary in the register.

23          **SECTION 7.** 227.20 (1m) of the statutes is created to read:

