

Fiscal Estimate Narratives

DSPS 12/2/2011

LRB Number	11-2990/1	Introduction Number	AB-0389	Estimate Type	Original
Description 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

There is no clear way to determine the fiscal impact of this bill.

The bill eliminates a number of steps in the rule-making process which would seem to have the effect of reducing costs. However, while some steps in the process are eliminated, so too are a number of safeguards and opportunities for guidance as to what constitutes a permissible subject for rule-making, what constitutes an appropriate scope for a rule and what fiscal impacts will result from the rule. Elimination of these current safeguards would likely result in the creation of more rules and staff time being spent on rules which would not have been created under current law. Further, current safeguards suspend work early in the process on ill-advised rules and the elimination of such safeguards could result in the creation of rules with undesirable policy impacts and the creation of rules with unpredictable and potentially damaging fiscal impacts.

Long-Range Fiscal Implications