Wisconsin Department of Administration
Division of Executive Budget and Finance

Fiscal Estimate - 2013 Session

☒ Original ☐ Updated ☐ Corrected ☐ Supplemental

LRB Number **13-2349/1**	Introduction Number **AB-0231**

Description
Citation procedure applicable to wetland discharge violations, sturgeon spearing license issuance period, electronic methods for reporting natural resource and environmental law violations, publication of class 1 notices, air dispersion modeling requirements, and membership on the Dry Cleaner Environmental Response Council

Fiscal Effect

State:
- ☐ No State Fiscal Effect
- ☒ Indeterminate
  - ☐ Increase Existing Appropriations
  - ☐ Decrease Existing Appropriations
  - ☐ Create New Appropriations
  - ☐ Increase Existing Revenues
  - ☐ Decrease Existing Revenues
  - ☒ Increase Costs - May be possible to absorb within agency's budget ☒ Yes ☐ No
  - ☒ Decrease Costs

Local:
- ☐ No Local Government Costs
- ☐ Indeterminate
  1. ☐ Increase Costs ☐ Permissive ☐ Mandatory
  2. ☐ Decrease Costs ☐ Permissive ☐ Mandatory
  3. ☐ Increase Revenue ☐ Permissive ☐ Mandatory
  4. ☐ Decrease Revenue ☐ Permissive ☐ Mandatory
  5. Types of Local Government Units Affected
     ☐ Towns ☐ Village ☐ Cities
     ☐ Counties ☐ Others 0
     ☐ School Districts ☐ WTCS Districts

Fund Sources Affected
☐ GPR ☐ FED ☒ PRO ☐ PRS ☐ SEG ☐ SEGS

Affected Ch. 20 Appropriations

Agency/Prepared By	Authorized Signature	Date
DNR/ Joe Polasek (608) 266-2794	Joe Polasek (608) 266-2794	6/5/2013

Fiscal Estimate Narratives

DNR 6/5/2013

LRB Number **13-2349/1**	Introduction Number **AB-0231**	Estimate Type **Original**
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Assumptions Used in Arriving at Fiscal Estimate

The bill makes 6 statutory changes that affect the Department.

1. The bill provides that the Department may establish other electronic methods than a toll-free number to receive reports of violations of statutes or administrative laws that it enforces.

Estimated Fiscal Impact: This provision will have no fiscal impact on the Department.

2. The bill allows the Department to use citation procedures to enforce laws that regulate the discharge of certain materials into wetlands.

Estimated Fiscal Impact:

a. This provision is expected to result in more efficient handling of minor wetland violations by providing an alternative to the current stepped enforcement process. Reduced staff time for wetland enforcement cases will result in an indeterminate cost savings, and fewer referrals to the Department of Justice will result in indeterminate costs savings in annual agency chargebacks.

b. The Department will be required to set the penalty amount for citations in the bond schedule; however, since number of cases and specific enforcement outcomes are difficult to predict from year to year, the revenue that would be generated is indeterminate.

3. The bill includes a technical correction to a statutory change enacted into law in 2011 Act 168 that lowers the minimum age for the issuance of a sturgeon spearing license from age 14 to age 12.

Estimated Fiscal Impact: There are not costs to the Department to implement this statutory change.

4. The bill prohibits the Department from requiring an applicant for certain air pollution permits, including some permits for major sources, to conduct air dispersion modeling as a basis for making those findings for a minor source unless specifically provided for under the federal Clean Air Act (CAA), rules promulgated by the Department, or a federal or state agreement. It also creates an exception to this prohibition under certain circumstances affecting American Indian tribes or bands.

Estimated Fiscal Impact: The bill does not require, nor does it restrict a permit applicant from submitting the air quality analysis (dispersion modeling) for any type of permit. This provision reflects current Department practice and therefore has no fiscal impact.

5. The bill eliminates gross receipts requirements for representation on the Dry Cleaner Environmental Response Council and provides, instead, that three members of the council must represent dry cleaning operations, regardless of the amount of the operation's annual gross receipts.

Estimated Fiscal Impact: This provision has no fiscal impact on the Department.

6. The bill allows the applicant for a navigable water or wetland permit to request the Department to publish a class 1 newspaper notice for the application and allows the Department to charge the applicant a fee in an amount that equals the average cost to the Department for publishing the notice.

Estimated Fiscal Impact:

a. The publication of notices by the Department on behalf of the permit applicant is projected to be cost-neutral. The Department will incur publication costs, but will charge a fee to all applicants who request the Department to publish the notice, to recoup those costs. The Department currently processes approximately 2,000 waterway/wetland individual permits each year, and it assumes that over time, all applicants will request the Department to publish the notice.

b. Based on the Department's current experience with the public noticing of wastewater permits, up to 1 hour of staff time will be needed for each public notice in order to complete tasks including preparation of the notice, the submittal to the newspaper, documenting the proof of publication sent back to the Department by the newspaper, and paying invoices. Assuming that there are 2,000 waterway/wetland individual permits processed annually, and assuming that over time, all applicants will request the Department to publish the notice, up to 2,000 hours of staff time will be needed for an office associate (or similar) classification with an hourly salary/fringe rate of $20.54 and a total salary/fringe cost of up to $41,100.

c. This provision is expected to result in increased one-time staffing costs of $3,900 related to updating internal program procedures and databases, revising application materials and web pages, and conducting customer outreach.

Long-Range Fiscal Implications

Wisconsin Department of Administration
Division of Executive Budget and Finance

Fiscal Estimate Worksheet - 2013 Session

Detailed Estimate of Annual Fiscal Effect

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Description
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I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

Estimated one-time staffing costs of $3,900 related to updating internal program procedures and databases, revising application materials and web pages, and conducting customer outreach.

II. Annualized Costs:	**Annualized Fiscal Impact on funds from:**	
	Increased Costs	Decreased Costs
A. State Costs by Category		
State Operations - Salaries and Fringes	$	$
(FTE Position Changes)		
State Operations - Other Costs		
Local Assistance		
Aids to Individuals or Organizations		
TOTAL State Costs by Category	**$**	**$**
B. State Costs by Source of Funds		
GPR		
FED		
PRO/PRS		
SEG/SEG-S		

III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, ets.)

	Increased Rev	Decreased Rev
GPR Taxes	$	$
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S		
TOTAL State Revenues	**$**	**$**

NET ANNUALIZED FISCAL IMPACT

	State	Local
NET CHANGE IN COSTS	$	$
NET CHANGE IN REVENUE	$	$

Agency/Prepared By	**Authorized Signature**	**Date**
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