

Fiscal Estimate - 2017 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 17-3586/2	Introduction Number AB-0384
Description the expiration of administrative rules	
Fiscal Effect	
State: <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations </div> <div style="width: 30%;"> <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues </div> <div style="width: 30%;"> <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs </div> </div>	
Local: <input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> 1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> <div style="width: 30%;"> 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> <div style="width: 30%;"> 5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts </div> </div>	
Fund Sources Affected Affected Ch. 20 Appropriations <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input checked="" type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.445 (1)(kc)	
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Date 7/24/2017	

Fiscal Estimate Narratives

DWD 7/24/2017

LRB Number	17-3586/2	Introduction Number	AB-0384	Estimate Type	Original
Description the expiration of administrative rules					

Assumptions Used in Arriving at Fiscal Estimate

Current law dictates that agencies may promulgate administrative rules when they are granted rule-making authority under the statutes. Once promulgated, these rules remain in effect indefinitely unless repealed or amended by the agency or suspended by the Joint Committee for Review of Administrative Rules (JCRAR).

This bill provides for the expiration of each chapter of the Wisconsin Administrative Code after seven years, unless the chapter is readopted by the agency through the re-adoption process established under this bill. The bill requires JCRAR to establish a schedule for the expiration of all existing code chapters that are in effect on the effective date of the bill. Under the bill, in the year before a code chapter expires, an agency may send a re-adoption notice to JCRAR and the appropriate standing committees proposing to re-adopt the chapter. If no member of JCRAR or the standing committee object to the re-adoption, the chapter is considered re-adopted and no further action is required of the agency. If a member objects, the chapter expires on its expiration date unless the agency promulgates a rule to re-adopt the chapter using the standard rule-making process.

Under the bill, JCRAR may also extend the effective date of the chapter set to expire for up to one year to accommodate re-adoption of the chapter through the standard rule-making process. Finally, the bill requires agencies to avoid the use in rules of words or phrases that are outdated or that are now understood to be offensive or derogatory.

The fiscal impact to the Department of Workforce Development is indeterminate. Any resulting costs are predicated on JCRAR's approval or objection to a DWD rule re-adoption proposal. Re-adoption opposition from JCRAR will require additional, indeterminate staff time to promulgate a new rule through the rule-making process.

Long-Range Fiscal Implications