

Fiscal Estimate - 2021 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 21-3190/1	Introduction Number AB-0326
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Description
 the procedure for promulgating a proposed rule relating to fish or wildlife that is considered at the joint annual spring hearing of the Department of Natural Resources and the Wisconsin Conservation Congress

Fiscal Effect

State:

<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input checked="" type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Increase Existing Appropriations	<input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Decrease Existing Appropriations		

Local:

<input type="checkbox"/> No Local Government Costs	5. Types of Local Government Units Affected	
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> 0 <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	

Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

Agency/Prepared By DNR/ Paul Neumann (608) 266-0818	Authorized Signature Paul Neumann (608) 266-0818	Date 5/13/2021
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Fiscal Estimate Narratives

DNR 5/13/2021

LRB Number	21-3190/1	Introduction Number	AB-0326	Estimate Type	Original
Description the procedure for promulgating a proposed rule relating to fish or wildlife that is considered at the joint annual spring hearing of the Department of Natural Resources and the Wisconsin Conservation Congress					

Assumptions Used in Arriving at Fiscal Estimate

The bill makes various changes to the rule-making process with respect to proposed administrative rules considered at the joint annual spring hearing of the Department of Natural Resources and the Wisconsin Conservation Congress.

State Fiscal Effect

1. Requiring only the Natural Resources Board to approve the scope statement of spring hearing rules will save approximately 20 hrs. of staff time in the document preparation, review, and approval process.
2. The impact of not requiring approval for the scope statement if revised and eliminating the need for a scope statement for emergency rules is indeterminate. WDNR has not revised a scope statement or promulgated an emergency rule through a spring hearing process in the past 5 years.
3. Eliminating the requirement of submitting the final rule for gubernatorial approval has no fiscal effect. The WDNR anticipates that this will reduce the time it takes for a rule to become effective. It will also provide the department greater flexibility in implementing the rule and communicating rule changes to stakeholders. The benefit from reduced implementation time is indeterminate.
4. The elimination of the requirement of preparing an economic impact analysis (EIA) for each spring hearing rule reduces staff hours that are dedicated to the spring hearing rule promulgation process. The WDNR estimates approximately 80 hrs. of staff time is spent on two spring hearing rules EIA documents every other year. In addition, approximately 40 hrs. of staff time is spent reviewing these EIA documents every other year.
5. In an event that one of the measures that will require an EIA is triggered, the content of an EIA for the spring hearing rule has been modified to include several economic indicators as well as an assessment of risk to public health or the environment. The WDNR lacks expertise in public health risk assessment. The WDNR anticipates that the Wisconsin Department of Health (DHS) will have the expertise and information that will be required to make a public health risk assessment.
6. The effect of eliminating the requirement of an independent EIA or the requirement of ceasing all rule efforts and seek legislative approval if the compliance cost of a rule is more than \$10 million in any 2 years is indeterminate. In the past 5 years, none of the spring hearing rules promulgated by the WDNR has been quantified as having significant economic impacts or has triggered an independent economic impacts statute.
7. The modification of statute to declare that a rule is only considered to be submitted after the end of a legislative session if the rule is submitted after September 1st of an even number year is not anticipated to have any fiscal impact.
8. The fiscal effect of modifying statutes to declare that a legislative committee will only have thirty days to review a rule is indeterminate.

Long-Range Fiscal Implications