

Report From Agency

# RULE REPORT

## Department of Commerce

Clearinghouse Rule No.: 08-039

Rule No.: Chapters Comm 2 and 5

Relating to: Program Revenue Fees

Contact person for substantive questions:

Contact person for internal processing:

Name Robert DuPont

Name James Quast

Title Bureau Director

Title Program Manager

Telephone Number (608) 266-8984

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1. Basis and purpose of the proposed rule.

The objective of the rule is to update the provisions of the Department's administrative rules relating to the fees charged by the Safety and Buildings Division. The update is intended to provide a sufficient revenue stream to cover the operational costs of the division for four years.

2. How the proposed rule advances relevant statutory goals or purposes.

Section 101.19, Stats., requires the Department to fix and collect fees by rule which shall, as closely as possible, equal the cost of providing services such as plan examination, inspections, and permits to operate.

3. Changes to the rule analysis or fiscal estimate that was prepared for public hearing.

The fiscal estimate was revised indicating a reduction in the overall projected revenue increase to be realized. The original fiscal estimate indicated a revenue increase of \$2,915,700; the new project increase is now \$2,480,900. The reduction reflects the Department's decision to reduce the fee increases for permits and credentials associated with the one- and two- family program.

# FINAL REGULATORY FLEXIBILITY ANALYSIS

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Final regulatory flexibility analysis not required. (Statement of determination required.)

Pursuant to s. 227.19 (3m), Stats., the department has determined that the proposed rules will not have a significant economic impact on a substantial number of small businesses.

1. Reason for including or failing to include the following methods for reducing impact of the rule on small businesses: Less stringent compliance or reporting requirements; less stringent schedules or deadlines for compliance or reporting requirements; simplification of compliance or reporting requirements; establishment of performance standards to replace design or operational standards; exemption from any or all requirements.
2. Issues raised by small businesses during hearings, changes in proposed rules as a result of comments by small businesses and reasons for rejecting any alternatives suggested by small businesses.



# RESPONSE TO LEGISLATIVE COUNCIL CLEARINGHOUSE REPORT

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Legislative Council report recommendations accepted in whole.

Yes

No

1. Review of statutory authority [s. 227.15(2)(a)]

- a.  Accepted
- b.  Accepted in part
- c.  Rejected
- d.  Comments attached

2. Review of rules for form, style and placement in administrative code [s. 227.15(2)(c)]

- a.  Accepted
- b.  Accepted in part
- c.  Rejected
- d.  Comments attached

*(Continued on reverse side)*

3. Review rules for conflict with or duplication of existing rules [s. 227.15(2)(d)]
- a.  Accepted
  - b.  Accepted in part
  - c.  Rejected
  - d.  Comments attached
4. Review rules for adequate references to related statutes, rules and forms [s. 227.15(2)(e)]
- a.  Accepted
  - b.  Accepted in part
  - c.  Rejected
  - d.  Comments attached
5. Review language of rules for clarity, grammar, punctuation and plainness [s. 227.15(2)(f)]
- a.  Accepted
  - b.  Accepted in part
  - c.  Rejected
  - d.  Comments attached
6. Review rules for potential conflicts with, and comparability to, related federal regulations [s. 227.15(2)(g)]
- a.  Accepted
  - b.  Accepted in part
  - c.  Rejected
  - d.  Comments attached
7. Review rules for permit action deadline [s. 227.15(2)(h)]
- a.  Accepted
  - b.  Accepted in part
  - c.  Rejected
  - d.  Comments attached