

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

Original Updated Corrected

2. Administrative Rule Chapter, Title and Number

SPS 1, 1 Appendix I, 1 Appendix II, 2, 2 Appendix I, 3, 3 Appendix I, 4, 6, 7, 8, 8 Appendix I, and 500.

3. Subject

Relating to administrative procedures and small business discretion

4. Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

5. Chapter 20, Stats. Appropriations Affected

20.165(1)(g)

6. Fiscal Effect of Implementing the Rule

No Fiscal Effect Increase Existing Revenues Increase Costs
 Indeterminate Decrease Existing Revenues Could Absorb Within Agency's Budget
 Decrease Cost

7. The Rule Will Impact the Following (Check All That Apply)

State's Economy Specific Businesses/Sectors
 Local Government Units Public Utility Rate Payers
 Small Businesses (if checked, complete Attachment A)

8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

9. Policy Problem Addressed by the Rule

The Department conducted a review of SPS chapters relating to procedures. Many existing rules for Department administrative procedures are unclear and reflect previously used practices and policies.

10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

This rule was posted for 14 days for economic impact comments and none were received.

11. Identify the local governmental units that participated in the development of this EIA.

None. This rule does not affect local government units.

12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

This rule will not have an economic or fiscal impact on specific businesses, business sectors, public utility rate payers, local governmental units or the state's economy as a whole.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

Proposed modifications would update the rules to reflect current practices, align rules more closely with statute, incorporate technological efficiencies, and create more transparent processes. The proposed rule would also incorporate rule changes as affected by the enactments of 2011 Wisconsin Act 46 and 200 Wisconsin Act 255.

14. Long Range Implications of Implementing the Rule

Implementing the rule would align the rules with current practices and titles and create more transparent processes.

15. Compare With Approaches Being Used by Federal Government

None.

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Michigan, Minnesota, and Iowa have central agencies that employ administrative law judges to preside over administrative hearings.

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In Illinois, all papers filed or submitted to the Department or Committee in a contested case shall be typewritten, on 8 ½ by 11 inch white paper. Service of any document may be by mail or personal delivery. Proof of service should be attached to the original of any document served. In the absence of evidence to the contrary, the date shown on the proof of service shall be deemed the date of service. In Iowa, a document is deemed to be filed at the time it is delivered (in person) to the department and date-stamped received, delivered to an established courier service for immediate delivery, mailed by first-class mail or by state interoffice mail so long as there is adequate proof of mailing, or sent by facsimile transmission. In Minnesota, all documents must be submitted to the office on standard size 8 ½ inch y 11 inch paper. A person may file any document with the office using facsimile transmission. Filing a facsimile is equivalent to filing the original document, and is effective when the office receives it. A transmission commenced before 4:30pm on the last day of filing is timely filed.

The Illinois Department of Professional Regulation administrative rules are silent with regards to the deadlines associated with the assessment of costs in contested case hearings. In Iowa, parties in a contested case have the right to participate or to be represented in all hearings or prehearing conferences related to their case. Any party may be represented by an attorney or another person authorized by law. The cost of representation is the responsibility of the party. In Minnesota, the administrative law judge must issue a written order including the amounts awarded for fees and other expenses within 30 days following the close of the record in the proceeding for the award of expenses and attorney's fees.

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ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes No
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