

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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1. Type of Estimate and Analysis

Original    Updated    Corrected

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2. Administrative Rule Chapter, Title and Number

SPS 330-Fire Department Safety and Health Standards

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3. Subject

Comprehensive update of the Fire Department Safety and Health Standards code.

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4. Fund Sources Affected

GPR    FED    PRO    PRS    SEG    SEG-S

5. Chapter 20, Stats. Appropriations Affected

20.165(2)(j)

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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

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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)

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

Yes       No

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9. Policy Problem Addressed by the Rule

The Fire Department Safety and Health Standards code has not been reviewed in its entirety since April 2000.

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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.

The proposed rule was posted on the Department of Safety and Professional Services' website for 14 days in order to solicit comments from businesses, representative associations, local governmental units, and individuals that may be affected by the rule. Stakeholders were notified of the open comment period via an electronic announcement disseminated by the Department.

Comments were received from 3 individuals. While several of the comments did not directly pertain to the economic impact of the proposed rules, these comments were taken into consideration in the department's analysis of the economic impact of the proposed rules. Some of the comments suggested certain provisions in the proposed rules would have a negative impact on volunteerism among the state's fire departments.

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

No local governmental units participated in the development of this EIA.

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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)

No significant negative economic or additional fiscal impact is expected.

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

This update is necessary to keep the Fire Department Safety and Health Standards code consistent with regional and national standards. Changes to the rule will ensure Wisconsin meets current Federal OSHA and national standards relating to employee safety and health.

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14. Long Range Implications of Implementing the Rule

Adopting this rule will keep Wisconsin's current with industry practices designed to increase public employee health and safety.

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15. Compare With Approaches Being Used by Federal Government

A comparison with Federal counterpart OSHA provisions (e.g., 29 CFR 1903.3, 1903.8, 1903.11, 1904.4, 1910.95, 1910.132, 1910.133, 1910.134, 1910.40, 1910.151, 1910.155, 1910.156, and 1912.5) indicated that SPS 330 meets OSHA requirements. In some cases, the language of ch. SPS 330 was modified to incorporate current OSHA terminology in order to simplify conformity with federal requirements.

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

**Illinois:** All public employees are covered by the Illinois Occupational Safety and Health Act, which incorporates the federal OSHA standards as state administrative rules. Illinois reserves the right to deviate from OSHA standards if it promulgates alternate standards that are "at least as effective in providing safe and healthful employment and places of employment as a federal standard."

**Iowa:** Iowa's occupational safety and health standards are promulgated to conform to federal OSHA standards. Both public and private sector employees, including fire fighters, are subject to these OSHA-based standards.

**Michigan:** Michigan's occupational safety and health standards adopt most federal OSHA standards by reference and differ only in the area of child labor. The Michigan standards apply to public and private employers, as well as all places of employment except domestic employment and in mines.

**Minnesota:** Minnesota's occupational safety and health standards incorporate 29 CFR 1910 by reference and apply to public and private employers, as well as all places of employment except those where working conditions fall under the exclusive jurisdiction of the federal government.

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