

EXISTING ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

Repeal Modification

2. Administrative Rule Chapter, Title and Number

Wisconsin Administrative Code Chap. Adm 2

3. Date Rule promulgated and/or revised; Date of most recent Evaluation

4/1/98.

4. Plain Language Analysis of the Rule, its Impact on the Policy Problem that Justified its Creation and Changes in Technology, Economic Conditions or Other Factors Since Promulgation that alter the need for or effectiveness of the Rule.

Wisconsin Administrative Code Chap. Adm 2 governs the use of State Building and Facilities. The code as it currently exists provides for use by "...any governmental body or official, or any nonprofit, fraternal, religious, or veterans' organization..." These restricted categories of users do not reflect the practices of the Department of allowing many other categories of users for many years. Additionally, recent experience in enforcing the code has shown that some provisions could benefit by clarification.

5. Describe the Rule's Enforcement Provisions and Mechanisms

Chap. Adm 2 is enforced by citation authority under existing law.

6. Repealing or Modifying the Rule Will Impact the Following
(Check All That Apply)

State's Economy

Local Government Units

Specific Businesses/Sectors

Public Utility Rate Payers

Small Businesses

7. Summary of the Impacts, including Compliance Costs, identifying any Unnecessary Burdens the Rule places on the ability of Small Business to conduct their Affairs.

None anticipated.

8. List of Small Businesses, Organizations and Members of the Public that commented on the Rule and its Enforcement and a Summary of their Comments.

Public hearings have not yet been held; public hearings will be held on a date TBD.

9. Did the Agency consider any of the following Rule Modifications to reduce the Impact of the Rule on Small Businesses in lieu of repeal?

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:

10. Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

11. Chapter 20, Stats. Appropriations Affected

12. Fiscal Effect of Repealing or Modifying the Rule

No Fiscal Effect

Increase Existing Revenues

Increase Costs

Indeterminate

Decrease Existing Revenues

Could Absorb Within Agency's Budget

Decrease Cost

13. Summary of Costs and Benefits of Repealing or Modifying the Rule

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Modification of the existing rules should decrease the costs of gaining compliance with the rules by reducing the number of issues currently subject to litigation.

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

Yes No

15. Long Range Implications of Repealing or Modifying the Rule

In the long term, modification of existing rules to conform to practice and to expand the legally recognized categories of permitted users should increase the legitimacy of the permitting process for the general public, leading to greater voluntary compliance and reduced costs.

16. Compare With Approaches Being Used by Federal Government

Federal governmental practices vary by facility, building, or agency, and are too numerous to permit valid comparison.

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

All adjacent states have similar administrative code provisions. Illinois requires permits for demonstrations or other events to be submitted at least 48 hours in advance of the use, unless the requestor can prove by a preponderance of the evidence that the cause of the event was unknown or resulted from changed circumstances. Michigan does not permit demonstrations or other activities without written authorization. Michigan also requires written authorization for displays, and requires that such requests "normally" be submitted 30 days in advance. Likewise, Minnesota requires a written permit, with agreements to be reached regarding topics including, "security, police protection, liability for damages, and cleanup of areas" prior to issuance of a permit. Iowa also requires a written application and approval by written letter or a memorandum of understanding signed by the event director.

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