

2001 DRAFTING REQUEST

Bill

Received: **01/09/2001**

Received By: **kahlepj**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 6-8219**

By/Representing: **Blaine**

This file may be shown to any legislator: **NO**

Drafter: **kahlepj**

May Contact:

Alt. Drafters:

Subject: **Dom. Rel. - child support**

Extra Copies:

Pre Topic:

DOA:.....Blaine -

Topic:

Require department of workforce development to reimburse financial institutions \$125 for record matching program

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kahlepj 01/09/2001	jdye 01/09/2001		_____			State
/1			pgreensl 01/09/2001	_____	lrb_docadmin 01/10/2001		

FE Sent For:

<END>

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1?	kahlepj	1/19 jld	1/19/01 pg	1/19 pg/BW			

FE Sent For:

<END>

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY



Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date: January 8, 2001

To: Steve Miller, LRB

From: Robert Blaine, DOA

Subject: Budget Draft -- Department of Workforce Development (DWD) Division of Economic Support (DES) statutory language requests.

Attached is one statutory language request regarding Child Support Enforcement program. The language would be to set a fee for the Financial Institutions Data Match program.

If you or your staff have any questions, feel free to contact me at 266-8219 or through E-mail at robert.blaine@doa.state.wi.us.

Kahler, Pam

From: Blaine, Robert
Sent: Monday, January 08, 2001 5:03 PM
To: Kahler, Pam
Subject: Financial Institutions Data Match

per our earlier discussion. The hard copy will be over there tomorrow.



Miller memo
010801.DOC

Robert Blaine

State Budget Office
Wisconsin Department of Administration
(608) 266-8219
robert.blaine@doa.state.wi.us

STATUTORY MODIFICATIONS

Department of Administration:
2001-03 Biennial Budget

Analyst: Robert Blaine

Subject: Financial Institutions Data Match

Background S. 49.853 (2) requires the department to promulgate an administrative rule related to the reimbursement of financial institutions for participating in the data match program.

Request Amend (2) to statutorily set the reimbursement fee.

(2) Financial record matching program and agreements. The department shall operate a financial record matching program under this section. The department shall promulgate rules specifying procedures under which the department shall enter into agreements with financial institutions doing business in this state to operate the financial record matching program under this section. The agreement shall require the financial institution to participate in the financial record matching program under this section by electing either the financial institution matching option sub. (3) or the state matching option sub. (4). ~~The rules promulgated under this section shall provide for reimbursement of financial institutions in an amount not to exceed their actual costs of participation in the financial record matching program under this section~~ The department shall reimburse financial institutions not more than \$125 per quarter for participating in the financial record matching program.

The draft should also include non-statutory language directing the department to amend its administrative rules to be consistent with 49.853 (2). This provision should become effective with the passage of the biennial budget bill.



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1908

PJK

JD

DOA:.....Blaine - Require department of workforce development to reimburse financial institutions \$125 for record matching program

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

SOB
(1-09)
D-note

(formerly called alimony)

do not
gen cut

1 AN ACT relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

Under current law, financial institutions must participate in a financial record matching program operated by DWD for the purpose of determining whether a person who owes child support or maintenance has an account at a particular financial institution. DWD must promulgate rules for agreements that financial institutions must enter into related to their participation in the program. The rules must provide for reimbursement to a financial institution for an amount not exceeding its actual cost of participation. Under the bill, instead of providing for reimbursement by rule, DWD must reimburse a financial institution up to \$125 per quarter for its participation in the program.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

participation

1 SECTION 1. 49.853 (2)^X of the statutes is amended to read:

2 49.853 (2) FINANCIAL RECORD MATCHING PROGRAM AND AGREEMENTS. The
3 department shall operate a financial record matching program under this section.
4 The department shall promulgate rules specifying procedures under which the
5 department shall enter into agreements with financial institutions doing business
6 in this state to operate the financial record matching program under this section.
7 The agreement shall require the financial institution to participate in the financial
8 record matching program under this section by electing either the financial
9 institution matching option under sub. (3) or the state matching option under sub.

10 (4). The rules promulgated under this section shall provide for reimbursement of
11 ~~department shall reimburse~~ ^e financial institutions ^{↓ strike} in an amount not to exceed their
12 actual costs of participation [↑] up to \$125 per quarter for participating in the financial
13 record matching program under this section.

14 History: 1997 a. 191.

(END)

department shall reimburse
a financial institution

D. note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1908/7dn

PJK.....

1
JK

Robert:

5
We do not have to direct DWD to change their rules to be consistent with the statute. Statutes supercede rules, so even if they do not change them, the statute still applies instead of the rule.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1908/1dn
PJK:jld:pg

January 9, 2001

Robert:

We do not have to direct DWD to change their rules to be consistent with the statute. Statutes supersede rules, so even if they do not change them, the statute still applies instead of the rule.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1908/1

PJK:jld:pg

DOA:.....Blaine - Require department of workforce development to reimburse financial institutions \$125 for record matching program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

Under current law, financial institutions must participate in a financial record matching program operated by DWD for the purpose of determining whether a person who owes child support or maintenance (formerly called alimony) has an account at a particular financial institution. DWD must promulgate rules for agreements that financial institutions must enter into related to their participation in the program. The rules must provide for reimbursement to a financial institution for an amount not exceeding its actual cost of participation. Under the bill, instead of providing for reimbursement by rule, DWD must reimburse a financial institution up to \$125 per quarter for its participation in the program.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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