

**State of Wisconsin
Department of Workforce Development
Equal Rights Division**

Chapter DWD 278

Garnishment

The Wisconsin Department of Workforce Development proposes an order to repeal chapter DWD 278, relating to garnishment.

Analysis Prepared by the Department of Workforce Development

Statutory authority: Section 812.18 (2)(a)3., 1991-92 Stats., as repealed by 1993 Wisconsin Act 80, and 227.11 (2), Stats.

Statutes interpreted: Section 812.18 (2)(a)3., 1991-92 Stats., as repealed by 1993 Wisconsin Act 80

Explanation of agency authority. Section 812.18 (2)(a)2., 1991-92 Stats., provided a subsistence allowance that was exempt from garnishment of an amount equal to 30 times the federal minimum wage for each full week of the debtor's pay period. Section 812.18 (2)(a)3., 1991-92 Stats., directed DWD's predecessor agency, the Department of Industry, Labor and Human Relations, to prescribe by rule a subsistence allowance computed so that it was the equivalent of subd. 2. for earnings for a period other than a week. 1993 Wisconsin Act 80 repealed s. 812.18 (2), 1991-92 Stats., and earnings exempt from garnishment are now computed pursuant to s. 812.34, Stats.

Summary of the proposed changes. The Department no longer has any statutory authority regarding garnishment and proposes to repeal this obsolete rule.

SECTION 1. Chapter DWD 278 is repealed.

SECTION 2. EFFECTIVE DATE. This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22 (2) (intro.), Stats.