

**1999 DRAFTING REQUEST**

**Bill**

Received: **12/9/98**

Received By: **hubliks**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Holden**

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

Drafter: **hubliks**

May Contact:

Alt. Drafters:

Subject: **Fin. Inst. - banking inst.**

Extra Copies:

**Topic:**

DOA:.....Holden - Authority to charge for access and use of computer databases

**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>
/1	hubliks 12/10/98	wjackson 12/11/98	jfrantze 12/11/98	_____	lrb_docadmin 12/11/98		State
/2	hubliks 01/8/99	wjackson 01/8/99	lpaasch 01/8/99	_____	lrb_docadmin 01/8/99		State

FE Sent For:

<END>

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FE Sent For: *1/2 WJ 1/8*  
*1/2 JG 1/8*  
*1/8 LP.*  
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*<ENDS> kmh*

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1?	hubliks	1 12/10 WLJ 1 12/10 jlg	10/12/11	12/11			

FE Sent For:

<END>



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

Mailing Address:  
Post Office Box 7864  
Madison, WI 53707-7864



TOMMY G. THOMPSON  
GOVERNOR  
MARK D. BUGHER  
SECRETARY

**Date:** December 9, 1998

**Priority:** High

**To:** Steve Miller  
Legislative Reference Bureau

**From:** Kerry Holden, SBO, 6-8593

**Subject:** Draft for Governor's 1999-2001 Budget Bill - DFI Appropriation

Please draft for inclusion in the Governor's 1999-2001 budget bill language that will give the Department of Financial Institutions the ability to establish and assess fees to access and otherwise use departmental computer systems. It appears the most reasonable place for this language would be in s. 224.30(3), Wisconsin Statutes.

The purpose of this amendment to statutes is to allow DFI to charge "private" customers a fee for data that will be available electronically. While DFI will not likely charge governmental agencies for electronic data, the Department would like to be able to establish and assess a fee to help recapture the costs of providing the data electronically for public access. Please call me with any questions. Thank you.



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1191/1  
KSH.:... <sup>WLJ + Jlg</sup>

DOA:.....Holden - Authority to charge for <sup>lc</sup> Access and <sup>lc</sup> Use of <sup>lc</sup> Computer  
<sup>lc</sup> Databases

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

*soon*

*do not get out.*

1 AN ACT *do not get out.*; relating to: authority for the department of financial institutions to  
2 charge fees for providing certain computer-related services.

*Analysis by the Legislative Reference Bureau*  
**COMMERCE AND ECONOMIC DEVELOPMENT** ✓

✓ the department of financial institutions COMMERCE ✓

DFI'S This bill authorizes (DFI) to charge members of the public a fee for accessing or  
using the department's databases or computer systems. A fee charged under this (bill)  
may not exceed the amount that the department estimates will be necessary to  
recapture the costs of providing the access or use to the public. The department may  
not charge a fee to a state agency or a local governmental unit.

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:*

3 SECTION 1. 224.30 (1) <sup>x</sup> of the statutes is renumbered 224.30 (1) (intro.) and  
4 amended to read:





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1191/1  
KSH:wlj&jlg:jf

DOA:.....Holden - Authority to charge for access and use of computer  
databases

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: authority for the department of financial institutions to  
2 charge fees for providing certain computer-related services.

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*Analysis by the Legislative Reference Bureau*  
**COMMERCE AND ECONOMIC DEVELOPMENT**  
**COMMERCE**

This bill authorizes the department of financial institutions (DFI) to charge members of the public a fee for accessing or using DFI's databases or computer systems. A fee charged under this bill may not exceed the amount that DFI estimates will be necessary to recapture the costs of providing the access or use to the public. DFI may not charge a fee to a state agency or a local governmental unit.

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

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3 SECTION 1. 224.30 (1) of the statutes is renumbered 224.30 (1) (intro.) and  
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State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1191/1  
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COMMERCE AND ECONOMIC DEVELOPMENT

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

3 SECTION 1. 224.30 (1) of the statutes is renumbered 224.30 (1) (intro.) and  
4 amended to read:



## Hubli, Scott

---

**From:** Holden, Kerry [Kerry.Holden@doa.state.wi.us]  
**Sent:** Monday, December 14, 1998 10:48 AM  
**To:** Hubli, Scott  
**Subject:** FW: LRB draft

Scott-

DFI was wondering if LRB draft 1191/1 could be changed to allow DFI to charge state and local agencies for these services (I had incorrectly assumed their intent). Why don't we take out the language prohibiting DFI from charging the fee to state and local agencies, at least for now.

DFI also wanted to include something that allows them to charge a small premium if a request is for a special service that DFI doesn't routinely provide. DFI suggested this change to line 17:

"recapture the costs of providing the access or use to the public, unless the product or service is in a form created solely for the purpose of sale."  
"

Please call me if you have any questions.

Kerry Holden  
266-8593

3 years

93-94 - taught

1 year

~~1~~ 1 year

TCW: Kerry Holden 1/8/99 12:58

Explained that the exception seemed to swallow the rule. Kerry agreed & so we took out the limitation on charges completely.

KSH



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1191/A  
KSH:wlj&jlg:jf

2

DOA:.....Holden - Authority to charge for access and use of computer databases

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

SOON

do not get cut

1 AN ACT ~~relating to:~~ authority for the department of financial institutions to  
2 charge fees for providing certain computer-related services.

*Analysis by the Legislative Reference Bureau*  
**COMMERCE AND ECONOMIC DEVELOPMENT**

**COMMERCE**

This bill authorizes the department of financial institutions (DFI) to charge members of the public a fee for accessing or using DFI's databases or computer systems. ~~A fee charged under this bill may not exceed the amount that DFI estimates will be necessary to recapture the costs of providing the access or use to the public. DFI may not charge a fee to a state agency or a local governmental unit.~~

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:*

Keep

3 SECTION 1. 224.30 (1) of the statutes is ~~renumbered 224.30 (1) (intro.) and~~

4 amended to read:

created

(title)

Handwritten scribbles

(title)

Keep

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~~224.30 (1) DEFINITIONS (intro) In this section, "department"~~

~~(a) "Department" means the department of financial institutions.~~

~~SECTION 2. 224.30 (1) (b) and (c) of the statutes are created to read:~~

~~224.30 (1) (b) "Local governmental unit" has the meaning given in s. 19.42 (7u).~~

~~(c) "State agency" means an office, department, agency, institution of higher education, the legislature, a legislative service agency, the courts, a judicial branch agency, an association, society or other body in state government that is created or authorized to be created by the constitution or by law, for which appropriations are made by law.~~

SECTION 3. 224.30 (2) (title) of the statutes is created to read:

224.30 (2) (title) ELECTRONIC FORMS AND SIGNATURES.

SECTION 4. 224.30 (3) of the statutes is created to read:

224.30 (3) ACCESS AND USE OF COMPUTER DATABASES AND SYSTEMS. The department may charge members of the public a fee for accessing or using the department's databases or computer systems. ~~A fee charged under this subsection may not exceed the amount that the department estimates will be necessary to recapture the costs of providing the access or use to the public. (The department may not charge a state agency or a local governmental unit a fee under this subsection.~~

(END)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1191/2  
KSH:wlj&jlg:lp

DOA:.....Holden - Authority to charge for access and use of computer  
databases

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: authority for the department of financial institutions to  
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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3 SECTION 1. 224.30 (1) (title) of the statutes is created to read:

4 224.30 (1) (title) DEFINITION.

5 SECTION 2. 224.30 (2) (title) of the statutes is created to read:



