

2001 DRAFTING REQUEST

Bill

Received: 10/30/2000

Received By: **gibsom**

Wanted: As time permits

Identical to LRB:

For: **Marlin Schneider (608) 266-0215**

By/Representing:

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

Drafter: **gibsom**

May Contact:

Alt. Drafters:

Subject: **Nat. Res. - fish and game
State Government - privacy**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Social security numbers for fish and game licenses

Instructions:

Same as LRB 99-1064/1

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	gibsom 10/31/2000	gilfokm 11/15/2000	martykr 11/16/2000	_____	lrb_docadmin 11/16/2000		S&L
/2	gibsom 12/08/2000	csicilia 12/08/2000	ismith 12/11/2000	_____	lrb_docadmin 12/11/2000	lrb_docadmin 01/17/2001	S&L

FE Sent For:

<END>

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For: Marlin Schneider (608) 266-0215

By/Representing:

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Drafter: gibson

May Contact:

Alt. Drafters:

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State Government - privacy

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Topic:

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FE Sent For:



 1/2 cjs 12/08
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 JS
 P/11
 JS/CMH
 P/11
 <END>

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1?	gibsom	1-11/15 KMG	KMG 11/14	JG KMG 11/14			

FE Sent For:

<END>



State of Wisconsin
2001 - 2002 LEGISLATURE

D-N

LRB-0842/1
MGG:.....

9n 10/31

EMR
Kg

~~PRELIMINARY DRAFT NOT READY FOR INTRODUCTION~~

Gen. Cat.

1 AN ACT ~~relating to~~; **relating to**: prohibiting the denial, revocation, suspension,
2 withholding or restriction of approvals issued under chapter 29 of the statutes
3 based on the failure of the approval applicants or approval holders to provide
4 social security numbers.

Analysis by the Legislative Reference Bureau

Under current law, the department of natural resources (DNR) must require ~~that~~ an individual who is applying for any type of fish or game approval, provide DNR with his or her social security number. These approvals include recreational hunting and fishing licenses as well as commercial licenses such as fish dealer and taxidermist permits that are held by individuals and not ~~separate~~ business entities. DNR must deny the application if the individual refuses to provide his or her social security number. DNR then discloses the number to the department of workforce development (DWD) so that DWD may determine whether the individual is delinquent in child support or other court-ordered family or birth expenses or has failed to comply with a subpoena or warrant that relates to paternity or child support court proceedings. If the individual is delinquent or has failed to comply, DNR must deny the application and suspend any current approvals held by the individual.

DNR also discloses the social security number to the department of revenue (DOR) so that DOR may determine whether the individual is delinquent in the payment of certain state taxes. If the individual is delinquent, DNR must deny the application and revoke any current approvals held by the individual.

which - 2 - provides

The bill prohibits DNR from requesting social security numbers and repeals the provision that DNR must deny or suspend an application or revoke or suspend an approval if an individual fails to provide his or her number.

For further information see the *state and local* 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:

1 SECTION 1. 29.024 (2g) ~~(title)~~ and (a) ^{and (intro.)} of the statutes ^{is} repealed.

2 SECTION 2. 29.024 (2g) (a) 1. of the statutes is renumbered 29.024 (2g) (ac) 1.

3 SECTION 3. 29.024 (2g) (a) 2. of the statutes is renumbered 29.024 (2g) (ac) 2.

4 SECTION 4. 29.024 (2g) (a) 3. of the statutes is renumbered 29.024 (2g) (ac) 3.

5 SECTION 5. 29.024 (2g) (ac) ^(intro.) of the statutes is created to read:

6 29.024 (2g) (ac) ~~Approvals affected.~~ ^(intro.) All of the following approvals are subject

7 to denial, suspension, withholding, or restriction under par. (ab) ^(!)

8 SECTION 6. 29.024 (2g) (am) of the statutes is repealed.

9 SECTION 7. 29.024 (2g) (b) of the statutes is amended to read:

10 29.024 (2g) (b) *Duplicates*. For purposes of this subsection, an application for
11 a duplicate of an approval specified in par. (a) (ac) shall be considered an application
12 for the issuance of the approval.

History: 1997 a. 248 ss. 90, 91, 123 to 134, 161; 1997 a. 249 ss. 1, 2; 1999 a. 9, 32.

13 SECTION 8. 29.024 (2g) (c) of the statutes is amended to read:

14 29.024 (2g) (c) *Disclosure of social security numbers*. The department of
15 natural resources may not disclose any social security ~~numbers~~ ^{number} (received under par.
16 (a) s. 29.024 (2g) (a), 1999 stat. s., to any person except to the department of workforce
17 development for the sole purpose of administering s. 49.22.

History: 1997 a. 248 ss. 90, 91, 123 to 134, 161; 1997 a. 249 ss. 1, 2; 1999 a. 9, 32.

18 SECTION 9. 29.024 (2g) (d) (title) of the statutes is renumbered 29.024 (2g) (ab)

19 (title).

1 ~~SECTION 10. 29.024 (2g) (d) (title) of the statutes is renumbered 29.024 (2g) (ab)~~
2 ~~(title).~~

3 SECTION 11. 29.024 (2g) (d) 1. of the statutes is renumbered 29.024 (2g) (ab) and
4 amended to read:

5 29.024 (2g) (ab) As provided in the memorandum of understanding required
6 under s. 49.857 (2), the department shall deny an application to issue or renew,
7 suspend if already issued, or otherwise withhold or restrict an approval specified in
8 par. (a) (ac) 1. to 3. if the applicant for or the holder of the approval is delinquent in
9 making court-ordered payments of child or family support, maintenance, birth
10 expenses, medical expenses, or other expenses related to the support of a child or
11 former spouse or if the applicant or holder fails to comply with a subpoena or warrant
12 issued by the department of workforce development or a county child support agency
13 under s. 59.53 (5) and relating to paternity or child support proceedings.

History: 1997 a. 248 ss. 90, 91, 123 to 134, 161; 1997 a. 249 ss. 1, 2; 1999 a. 9, 32.

14 SECTION 12. 29.024 (2g) (d) 2. of the statutes is repealed. *plain*

15 SECTION 13. 29.024 (2g) (e) of the statutes is repealed.

16 SECTION 14. 29.024 (2r) (a) (intro.) of the statutes is amended to read:

17 29.024 (2r) (a) *Social security and Federal employer identification numbers*
18 *required.* (intro.) ~~Except as provided in par. (am), the~~ The department shall require
19 ~~an applicant who is an individual to provide his or her social security number and~~
20 ~~an applicant who is not an individual to provide the applicant's federal employer~~
21 ~~identification number as a condition of applying for, or applying to renew, any of the~~
22 following approvals:

History: 1997 a. 248 ss. 90, 91, 123 to 134, 161; 1997 a. 249 ss. 1, 2; 1999 a. 9, 32.

23 SECTION 15. 29.024 (2r) (am) of the statutes is repealed.

24 ~~SECTION 16. 29.024 (2r) (d) (title) of the statutes is created to read:~~

~~29.024 (2r) (d)~~ Denial of approvals.

SECTION 17. 29.024 (2r) (d) 1. of the statutes is renumbered 29.024 (2r) (d) and amended to read:

29.024 (2r) (d) ~~Except as provided in subd. 2.,~~ [✓] the department shall deny an application to issue or renew, or revoke if already issued, an approval specified in par. (a) if the applicant for or the holder of the approval is not an individual and if either ^{any} of the following ~~apply~~: ^{applies}

1. The applicant for or the holder of the approval fails to provide ^{plain} the information ~~the~~ federal employer identification number required under par. (a) or if the

2. The department of revenue certifies that the applicant or approval holder is liable for delinquent taxes under s. 73.0301.

History: 1997 a. 248 ss. 90, 91, 123 to 134, 161; 1997 a. 249 ss. 1, 2; 1999 ~~9, 32.~~

SECTION 18. 29.024 (2r) (d) 2. of the statutes is repealed.

SECTION 19. 29.024 (2r) (d) 3. of the statutes is created to read:

29.024 (2r) (d) 3. The department shall deny an application to issue or renew, or revoke if already issued, an approval specified in par. (a) if the applicant for or the holder of the approval is an individual.

SECTION 20. 29.229 (5m) (b) of the statutes is ^{renumbered 29.229 (5m)} ~~repealed and recreated~~ ^{amended} to read:

29.229 (5m) (b) ^(intro.) The band is requested to enact repeal any tribal laws or ordinances in effect that require each any of the following:

1. That each person who has a social security number, as a condition of being issued an approval under this section, [✓] ~~to~~ provide to the band his or her social security number, ~~tribal laws or ordinances that require each.~~

17
18 Fix component

renumbered 29.229 (5m)
amended (b) (intro.) and

1 2. That each person who does not have a social security number, as a condition
 2 of being issued an approval under this section, ~~to~~ provide to the band a statement
 3 made or subscribed under oath or affirmation on a form prescribed by the
 4 department of workforce development that the person does not have a social security
 5 number, ~~and tribal laws or ordinances that prohibit the disclosure of that number by~~
 6 ~~the band to any other person except to the department of workforce development for~~
 7 ~~the purpose of administering s. 49.22.~~

8 History: 1997 a. 27, 191, 237; 1997 a. 248 s. 308; Stats. 1997 s. 29.229; 1999 a. 9, 32, 185.

8 SECTION 21. 29.229 ^(5m) (d) of the statutes is created to read:

9 29.229 ^(5m) ~~(5)~~ (d) The band is ~~request~~ ^{requested} to maintain in effect any tribal law or
 10 ordinance that prohibits the disclosure to any other person ~~except to the department~~
 11 of workforce development for the purpose of administering s. ~~49.22(a)~~ security
 12 number provided under s. 29.229 ⁽⁵⁾ (b), 1999 stats. ^(5m)

13 SECTION 22. 29.229 (5m) (c) of the statutes is repealed.

14 SECTION 23. 49.857 (2m) of the statutes is created to read:

15 49.857 (2m) Notwithstanding sub. (2) (b) 4., the memorandum of
 16 understanding with the department of natural resources or with the Lac du
 17 Flambeau band of the Lake Superior Chippewa under sub. (2) (b) may not require
 18 a license applicant or a license holder to provide or display his or her social security
 19 number under the system established by the department of workforce development.

20 SECTION 24. 73.0301 (2m) of the statutes is created to read:

21 73.0301 (2m) ^{CS} Notwithstanding sub. (2) (c) 1., the department of natural
 22 resources may not request that a license applicant or a license holder provide or
 23 display his or her social security number.

24 (END)

Handwritten notes: 49.22(a) and social

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

0842/1
LRB 1062/1dm
MGG:cmh:km

~~August 25, 1999~~

KG

1. You have requested a repeal of the provisions created in 1997 Acts 191 and 237 requiring a person to disclose his or her social security number (SSN). Please note that, under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), each state must require a person's SSN to be recorded on any application for a professional, driver's, occupational, recreational, or marriage license, on any records relating to a judgment of divorce, support order, or paternity determination, and on every death certificate. A state that fails to enact these requirements risks losing federal funding for child and spousal support enforcement. Wisconsin passed 1997 Act 191 to comply with ~~the~~ PRWORA. If enacted, this draft would jeopardize Wisconsin's receipt of federal funds.

2. Do you want a delayed effective date?

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0842/1dn
MGG:kg:km

November 16, 2000

1. You have requested a repeal of the provisions created in 1997 Acts 191 and 237 requiring a person to disclose his or her social security number (SSN). Please note that, under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), each state must require a person's SSN to be recorded on any application for a professional, driver's, occupational, recreational, or marriage license, on any records relating to a judgment of divorce, support order, or paternity determination, and on every death certificate. A state that fails to enact these requirements risks losing federal funding for child and spousal support enforcement. Wisconsin passed 1997 Act 191 to comply with PRWORA. If enacted, this draft would jeopardize Wisconsin's receipt of federal funds.

2. Do you want a delayed effective date?

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

2 RMR
LRB-0842/4
MGG:kg:km
kg & cs

Mem

D-Note

(in on
Fri Dec 8)

2001 BILL

1 AN ACT to repeal 29.024 (2g) (a) (intro.), 29.024 (2g) (am), 29.024 (2g) (d) 2.,
2 29.024 (2g) (e), 29.024 (2r) (am), 29.024 (2r) (d) 2. and 29.229 (5m) (c); to
3 renumber 29.024 (2g) (a) 1., 29.024 (2g) (a) 2., 29.024 (2g) (a) 3. and 29.024 (2g)
4 (d) (title); to renumber and amend 29.024 (2g) (d) 1., 29.024 (2r) (d) 1. and
5 29.229 (5m) (b); to amend 29.024 (2g) (b), 29.024 (2g) (c) and 29.024 (2r) (a)
6 (intro.); and to create 29.024 (2g) (ac) (intro.), 29.024 (2r) (d) 3., 29.229 (5m) (d),
7 49.857 (2m) and 73.0301 (2m) of the statutes; relating to: prohibiting the
8 denial, revocation, suspension, withholding, or restriction of approvals issued
9 under chapter 29 of the statutes based on the failure of the approval applicants
10 or approval holders to provide social security numbers.

Analysis by the Legislative Reference Bureau

Under current law, the department of natural resources (DNR) must require an individual who is applying for any type of fish or game approval to provide DNR with his or her social security number. These approvals include recreational hunting and fishing licenses as well as commercial licenses such as fish dealer and taxidermist permits that are held by individuals and not business entities. DNR must deny the

BILL

application if the individual refuses to provide his or her social security number. DNR then discloses the number to the department of workforce development (DWD) so that DWD may determine whether the individual is delinquent in child support or other court-ordered family or birth expenses or has failed to comply with a subpoena or warrant that relates to paternity or child support court proceedings. If the individual is delinquent or has failed to comply, DNR must deny the application and suspend any current approvals held by the individual.

DNR also discloses the social security number to the department of revenue (DOR) so that DOR may determine whether the individual is delinquent in the payment of certain state taxes. If the individual is delinquent, DNR must deny the application and revoke any current approvals held by the individual.

The bill prohibits DNR from requesting social security numbers and repeals the provision which provides that DNR must deny an application or revoke or suspend an approval if an individual fails to provide his or her number.

For further information see the *state and local* 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:

1 ~~SECTION 1.~~ 29.024 (2g) (a) (intro.) of the statutes is repealed.

2 ~~SECTION 2.~~ 29.024 (2g) (a) 1. of the statutes is renumbered 29.024 (2g) (ac) 1.

3 ~~SECTION 3.~~ 29.024 (2g) (a) 2. of the statutes is renumbered 29.024 (2g) (ac) 2.

4 ~~SECTION 4.~~ 29.024 (2g) (a) 3. of the statutes is renumbered 29.024 (2g) (ac) 3.

5 ~~SECTION 5.~~ 29.024 (2g) (ac) (intro.) of the statutes is created to read:

6 29.024 (2g) (ac) *Approvals affected.* (intro.) All of the following approvals are

7 subject to denial, suspension, withholding, or restriction under par. (ab):

8 ~~SECTION 6.~~ 29.024 (2g) (am) of the statutes is repealed.

9 ~~SECTION 7.~~ 29.024 (2g) (b) of the statutes is amended to read:

10 29.024 (2g) (b) *Duplicates.* For purposes of this subsection, an application for

11 a duplicate of an approval specified in par. (a) ~~(a)~~ (ac) shall be considered an application

12 for the issuance of the approval.

13 ~~SECTION 8.~~ 29.024 (2g) (c) of the statutes is amended to read:

BILL

1 29.024 (2g) (c) *Disclosure of social security numbers.* The department of
2 natural resources may not disclose any social security ~~numbers~~ number received
3 under ~~par. (a)~~ s. 29.024 (2g) (a), 1999 stats., to any person except to the department
4 of workforce development for the sole purpose of administering s. 49.22.

5 [^]
SECTION 9. 29.024 (2g) (d) (title) of the statutes is renumbered 29.024 (2g) (ab)
6 (title).

7 ^x
SECTION 10. 29.024 (2g) (d) 1. of the statutes is renumbered 29.024 (2g) (ab) and
8 amended to read:

9 29.024 (2g) (ab) As provided in the memorandum of understanding required
10 under s. 49.857 (2), the department shall deny an application to issue or renew,
11 suspend if already issued, or otherwise withhold or restrict an approval specified in
12 par. ~~(a)~~ (ac) 1. to 3. if the applicant for or the holder of the approval is delinquent in
13 making court-ordered payments of child or family support, maintenance, birth
14 expenses, medical expenses, or other expenses related to the support of a child or
15 former spouse or if the applicant or holder fails to comply with a subpoena or warrant
16 issued by the department of workforce development or a county child support agency
17 under s. 59.53 (5) and relating to paternity or child support proceedings.

18 ^x
SECTION 11. 29.024 (2g) (d) 2. of the statutes is repealed.

19 ^x
SECTION 12. 29.024 (2g) (e) of the statutes is repealed.

20 ^x
SECTION 13. 29.024 (2r) (a) (intro.) of the statutes is amended to read:

21 29.024 (2r) (a) ~~*Social security and Federal employer identification numbers*~~
22 ~~*required.*~~ (intro.) ~~Except as provided in par. (am), the~~ The department shall require
23 ~~an applicant who is an individual to provide his or her social security number and~~
24 ~~an applicant who is not an individual to provide the applicant's federal employer~~

BILL

1 identification number as a condition of applying for, or applying to renew, any of the
2 following approvals:

3 SECTION 14. 29.024 (2r) (am) of the statutes is repealed.

4 SECTION 15. 29.024 (2r) (d) 1. of the statutes is renumbered 29.024 (2r) (d) and
5 amended to read:

6 29.024 (2r) (d) Denial of approvals. Except as provided in subd. 2., the The
7 department shall deny an application to issue or renew, or revoke if already issued,
8 an approval specified in par. (a) if the applicant for or the holder of the approval is
9 not an individual and if any of the following applies:

10 1. The applicant for or the holder of the approval fails to provide the
11 information federal employer identification number required under par. (a) ~~or if the~~

12 2. ^m The department of revenue certifies that the applicant or approval holder is
13 liable for delinquent taxes under s. 73.0301.

14 SECTION 16. 29.024 (2r) (d) 2. of the statutes is repealed.

15 SECTION 17. 29.024 (2r) (d) 3. of the statutes is created to read:

16 29.024 (2r) (d) 3. The department shall deny an application to issue or renew,
17 or revoke if already issued, an approval specified in par. (a) if the applicant for or the
18 holder of the approval is an an individual.

19 SECTION 18. 29.229 (5m) (b) of the statutes is renumbered 29.229 (5m) (b)
20 (intro.) and amended to read:

21 29.229 (5m) (b) (intro.) The band is requested to enact repeal any tribal laws
22 or ordinances in effect that require each any of the following:

23 1. That each person who has a social security number, as a condition of being
24 issued an approval under this section, to provide to the band his or her social security
25 number, ~~tribal laws or ordinances that require each.~~

INSECT
4-4

(intro.)

(intro.)

Score this space

BILL

1 2. That each person who does not have a social security number, as a condition
2 of being issued an approval under this section, ~~to provide to the band a statement~~
3 made or subscribed under oath or affirmation on a form prescribed by the
4 department of workforce development that the person does not have a social security
5 number, ~~and tribal laws or ordinances that prohibit the disclosure of that number by~~
6 ~~the band to any other person except to the department of workforce development for~~
7 ~~the purpose of administering s. 49.22.~~

8 **SECTION 19.** 29.229 (5m) (c) of the statutes is repealed.

9 **SECTION 20.** 29.229 (5m) (d) of the statutes is created to read:

10 29.229 (5m) (d) The band is requested to maintain in effect any tribal law or
11 ordinance that prohibits the disclosure to any other person, except to the department
12 of workforce development for the purpose of administering s. 49.22, a social security
13 number provided under s. 29.229 (5m) (b), 1999 stats.

14 **SECTION 21.** 49.857 (2m) of the statutes is created to read:

15 49.857 (2m) Notwithstanding sub. (2) (b) 4., the memorandum of
16 understanding with the department of natural resources or with the Lac du
17 Flambeau band of the Lake Superior Chippewa under sub. (2) (b) may not require
18 a license applicant or a license holder to provide or display his or her social security
19 number under the system established by the department of workforce development.

20 **SECTION 22.** 73.0301 (2m) of the statutes is created to read:

21 73.0301 (2m) DISPLAY OF SOCIAL SECURITY NUMBER. Notwithstanding sub. (2) (c)
22 1., the department of natural resources may not request that a license applicant or
23 a license holder provide or display his or her social security number.

24 (END)

Section #. 29.024 (2r) (c) of the statutes is amended to read:

federal employer identification numbers

29.024 (2r) (c) *Disclosure of numbers.* The department of natural resources may not disclose any ~~information~~ received under par. (a) to any person except to the department of revenue for the sole purpose of making certifications required under s. 73.0301.

History: 1997 a. 248 ss. 90, 91, 123 to 134, 161; 1997 a. 249 ss. 1, 2; 1999 a. 9, 32.

, or any social security numbers received under s. 29.024 (2r) (a), 1999 stats.,

D-Note

¶ This redraft inserts a section that amends
= s. 29.024(2r)(c), which was inadvertently

omitted in ~~LRB~~ LRB ^{close up} (1/11) - 0842/1.

MGG

no ¶ It also deleted the creation of
= s. 29.024(2r)(d)3, which was
inadvertently included.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0842/2dn
MGG:kg&cs:ijs

December 11, 2000

This redraft inserts a section that amends s. 29.024 (2r) (c), which was inadvertently omitted in LRB-0842/1. It also deletes the creation of s. 29.024 (2r) (d) 3. which was inadvertently included.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

December 11, 2000

MEMORANDUM

To: Representative Schneider

From: Mary Gibson-Glass, Senior Legislative Attorney

Re: LRB-0842 Social security numbers for fish and game licenses

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-3215 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.