

Fiscal Estimate - 2001 Session

Original Updated Corrected Supplemental

LRB Number 01-3774/1	Introduction Number	
Subject		
Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers		
Fiscal Effect		
State:		
<input checked="" type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local:		
<input checked="" type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue 5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
Fund Sources Affected		Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
Agency/Prepared By	Authorized Signature	Date
HEAB/ Jane Hojan-Clark (608) 264-6181	Jane Hojan-Clark (608) 264-6181	10/16/01

copy to Rep. Powers 10-16-2001 → *FE is for old "1" version* → *draft is now "13"*

Fiscal Estimate Narratives

HEAB 10/16/01

LRB Number 01-3774/1	Introduction Number	Estimate Type Original
Subject Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers		

Assumptions Used in Arriving at Fiscal Estimate

This bill creates various prohibitions, restrictions, and requirements, and makes changes in existing laws with respect to protection of personal privacy and security of personal information, and changes the place of trial for certain existing crimes.

Under current law, the University of Wisconsin System, a technical college district board, a school board, and the governing body of a private school are prohibited from assigning to any student an identification number that is identical to or incorporates the student's social security number.

Beginning January 1, 2007, this bill extends this prohibition to private institutions of higher education located in this state.

The Higher Educational Aids Board (HEAB) collects data from the U. S. Department of Education Financial Aid Application Processing Centers related to applicants for State college financial assistance. This data is student specific by social security number. Therefore, all the records HEAB processes and maintains are tied to social security numbers. Current law allows institutions to require that college students disclose their social security number and enables schools to use these numbers if the use is required by a federal or state agency in order for the student to participate in a particular program. HEAB will continue to process and maintain data that is tied to social security numbers.

Under this bill, private schools will be prohibited from assigning a student identification number that is identical to or incorporates the student's social security number. However, for State financial aid purposes the student's social security number will need to be collected, maintained, and used.

FISCAL ESTIMATE:

Since no changes are necessary, this bill will not have a fiscal impact on HEAB.

Long-Range Fiscal Implications

None.

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Agency/Prepared By	Authorized Signature	Date
ETF/ Pam Henning (608) 267-2929	Dave Hinrichs (608) 266-3763	10/16/01

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FE is for old "1" version

draft is now a "13"

Fiscal Estimate Narratives

ETF 10/16/01

LRB Number 01-3774/1	Introduction Number	Estimate Type	Original
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Assumptions Used in Arriving at Fiscal Estimate

LRB 3774/1 requires health plans to eliminate the use of Social Security numbers from plan identification (ID) cards. This proposal has a fiscal impact to the extent that health plans pass on any increased administrative costs to the state through the health plan premium charged to the state. This will primarily involve a one-time charge for health plans to re-distribute compliant ID cards to members and to make the necessary information system changes to accommodate this requirement. Individual health plans have varying capability to make these changes. Based on information provided by a sampling of health plans, these costs range from \$0 to approximately one-half of one percent of premium. Based on estimated state share of premium costs in CY 2001 of \$434 million and assuming an average of one-quarter of one percent of premium, we estimate the fiscal effect of this proposal to range up to \$1.085 million.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2001 Session

Detailed Estimate of Annual Fiscal Effect

Original
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Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
\$0 - \$1.085 million (see narrative)			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
	State Operations - Salaries and Fringes	\$	
	(FTE Position Changes)		
	State Operations - Other Costs		
	Local Assistance		
	Aids to Individuals or Organizations		
	TOTAL State Costs by Category	\$	\$
B. State Costs by Source of Funds			
	GPR		
	FED		
	PRO/PRS		
	SEG/SEG-S		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
		Increased Rev	Decreased Rev
	GPR Taxes	\$	\$
	GPR Earned		
	FED		
	PRO/PRS		
	SEG/SEG-S		
	TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT			
		<u>State</u>	<u>Local</u>
	NET CHANGE IN COSTS	\$	\$
	NET CHANGE IN REVENUE	\$	\$
Agency/Prepared By		Authorized Signature	Date
ETF/ Pam Henning (608) 267-2929		Dave Hinrichs (608) 266-3763	10/16/01

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Affected Ch. 20 Appropriations		
Agency/Prepared By	Authorized Signature	Date
SPD/ Mike Tobin (608) 266-8259	Krista Ginger (608) 264-8572	10/16/01

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old FE is for "1" version
 draft is now a "13"

Fiscal Estimate Narratives

SPD 10/16/01

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Assumptions Used in Arriving at Fiscal Estimate

Since the proposed new offenses are forfeitures (not crimes), SPD will not experience increased costs for client representation. However, changes in access to social security numbers could reduce the SPD's program revenue from collections.

SPD presently provides social security numbers (of those clients who have voluntarily given the numbers to SPD) to the private collection agency responsible for collecting delinquent accounts. The agency advises SPD that the social security number is essential to maximize the chance for successful collection efforts. It is unclear whether this bill would prohibit SPD from disclosing social security numbers in the future. Also, it is possible that public awareness of new restrictions on use of social security numbers may result in fewer clients providing SPD with their social security numbers.

Long-Range Fiscal Implications

Memo

To: Rep. Powers

(The Bill's Requestor)

Attached is a fiscal estimate prepared for your 2001 draft that has not yet been introduced.

LRB Number: LRB 3774

Version: "/ 1 "

Entered In Computer And Copy Sent To Requestor Via E-Mail: 10/18 / 2001

Fiscal Estimate Prepared By: (agency abbr.) DHFS

If you have questions about the attached fiscal estimate, you may contact the agency/ individual who prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

* * * * *

To: LRB – Legal Section PA's

Subject: Fiscal Estimate Received For A Un-Introduced Draft

- If this is re-drafted to a new version please attach this early fiscal estimate to the back of the draft's file between the old version and the new version.
- If this draft gets introduced ... and the version of the attached fiscal estimate is correct ... please write the drafts intro. number below and give this fiscal estimate to Mike (or Lynn) to process.

THIS DRAFT WAS INTRODUCED AS: 2001 _____

- If this draft gets introduced ... and the version of the attached fiscal estimate is for a previous version ... please attach this early fiscal estimate to the back of the draft's file between the old version and the new version. Have Mike (or Lynn) get the ball rolling on getting a fiscal estimate prepared for the introduced version.

Emery, Lynn

From: Emery, Lynn
Sent: Thursday, October 18, 2001 12:25 PM
To: Rep.Powers
Subject: LRB-3774/1 (FE by DHFS - attached - for your review)



FE_Powers.pdf

FE_Powers.pdf

Fiscal Estimate Narratives

DHFS 10/18/01

LRB Number 01-3774/1	Introduction Number	Estimate Type	Original
Subject			
Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers			

Assumptions Used in Arriving at Fiscal Estimate

This bill contains a number of provisions that could impact the Department of Health and Family Services (DHFS). The bill would:

- a. prohibit the listing of a person's social security number on a person's health insurance card as an identification number or other purpose;
- b. Expand health care records confidentiality requirements for licensed pharmacies and pharmacists;
- c. Prohibit health care providers from assigning to any patient an identification number that is identical or incorporates the patient's social security number; and
- d. Add restrictions to the access of public records containing social security numbers.

The requirement that prohibits the listing of a person's social security number on the person's health insurance card would apply to the HIRSP program. Currently, for most policyholders, the HIRSP program uses the person's social security number as an identification number and lists the social security number on the person's insurance card. As a result of this provision, HIRSP would have to design and implement a new patient identification system, issue approximately 12,000 new ID cards, inform providers and policyholders of the changed identification system, modify applications processing, and make all of the systems changes to process claims, report and track benefits histories on the new identification system. At this time, the exact costs of these changes are uncertain, but these changes are major systems modifications that would have significant costs that could be in the range of several hundred thousand dollars. Any increased cost to the HIRSP program is borne by policy-holders in the form of premiums, insurers through increased assessments, and providers through reduced reimbursements.

The provision expanding confidentiality requirements for licensed pharmacies and pharmacists would not have a significant impact on the Department. The confidentiality provisions would not apply to the processing of pharmacy claims for MA or other programs operated by the Department.

The bill's prohibition that health care providers not use social security numbers as identification numbers would apply to the Department's two Mental Health Institutes and three State Centers for the Developmentally Disabled. However, these institutions do not currently use social security numbers as identification numbers. Although these institutions collect social security numbers for purposes of MA claiming, the bill would allow health care providers to collect social security numbers and to use those numbers for participation in state and federal programs.

The bill would also restrict the release of public records, with certain exceptions, to require that the social security number be removed when the record is released under a public request. Assuming that this provision would not apply to the exchange of information between MA providers and the Department for the processing of MA claims, this restriction would not impact the operation of the MA and BadgerCare programs. However, it should be recognized that the MA and BadgerCare programs rely substantially on the use of social security numbers, and if courts would interpret the bill's provisions more broadly, there could be major impacts on the operation of these programs.

Long-Range Fiscal Implications

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Affected Ch. 20 Appropriations	
Agency/Prepared By DA/ Stu Morse (608) 267-2700	Authorized Signature Charles McDowell (608) 267-3836
Date 10/19/01	

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 → FE is for old "1" version
 → draft is now a "1.5"

Fiscal Estimate Narratives

DA 10/22/01

LRB Number 01-3774/1	Introduction Number	Estimate Type Original
Subject Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers		

Assumptions Used in Arriving at Fiscal Estimate

None of the changes proposed by this bill would materially increase the number of cases brought to district attorneys' offices in Wisconsin.

Long-Range Fiscal Implications

None

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Original Updated Corrected Supplemental

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Agency/Prepared By	Authorized Signature	Date
DOC/ Nathan White (608) 240-5415	Robert Margolies (608) 240-5056	10/19/01

Copy sent
 To Rep. Powers
 (10-22-2001)
 → FE is for
 old "/1" version
 → draft is now
 a "/5"

Fiscal Estimate Narratives

DOC 10/22/01

LRB Number 01-3774/1	Introduction Number	Estimate Type Original
Subject Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers		

Assumptions Used in Arriving at Fiscal Estimate

This bill makes changes in the existing law with respect to protection of personal privacy and security of personal information.

Under current law, inmates performing data entry or telemarketing in the Corrections system are prohibited from having access to an individual's financial records. This bill prohibits inmates from having access to an individual's date of birth. Under current practice, DOC inmates are already prohibited from having access to this type of information.

Another provision states that under most circumstances, the records custodian of any state governing unit must delete the social security account number on an individual's record before permitting access. DOC generally does not disclose this information.

The bill also permits a law enforcement agency and a juvenile court or municipal court to disclose information in its records relating to a juvenile under certain circumstances. DOC does not keep information on juveniles based on a social security number, rather they are assigned an identification number.

None of these provisions are anticipated to have any fiscal impact on the Department of Corrections.

Long-Range Fiscal Implications

Fiscal Estimate Narratives

DOA 10/23/01

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Assumptions Used in Arriving at Fiscal Estimate

The bill would change and add certain procedures regarding public records held by the agency. The number of potential cases under which individuals may seek court orders to restrain access and the number of instances where notice to individuals about access to records may be required in the future is unknown. The department now follows the court based procedures that would be supplanted in favor of a statutory process. It is assumed agency records managers would handle the matter with existing resources.

No data exists on local government costs about similar public records access.

Long-Range Fiscal Implications

Unknown.

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Agency/Prepared By	Authorized Signature
DOJ/ JoAnna Richard (608) 267-1932	JoAnna Richard (608) 267-1932
Date	
10/23/01	

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 draft is now "15"

Fiscal Estimate Narratives

DOJ 10/24/01

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Assumptions Used in Arriving at Fiscal Estimate

This bill appears to be a consolidation of many of the privacy proposals from the last few legislative sessions. It incorporates the provisions of AB 175 which limits the scope of the Woznicki decision. It also provides greater right of access to juvenile police and court records by other law enforcement agencies and other courts.

There should be no fiscal impact on the Department of Justice. DOJ already redacts social security numbers and other identifying information from many records and we advise other state agencies to do the same. This law would simply require DOJ and other state agencies to do what they are already doing in that area.

This bill requires the Department of Administration to provide privacy impact statements required under 13.0991. These would be similar to the fiscal notes that must now accompany legislation. The bill requires that either house of the Legislature may request DOA to order the preparation of privacy impact statement. However, DOA can "direct one or more state agencies or authorities to prepare a privacy impact statement with respect to that bill." Section 13.0991(3). Without experience in providing privacy impact statements, it is difficult for our department to quantify our costs. If this is similar to our experience with fiscal estimates, these costs should be able to be absorbed within existing operations.

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Agency/Prepared By	Authorized Signature
OCI/ Jim Guidry (608) 264-6239	Connie O'Connell (608) 267-1233
Date	
10/26/01	

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Fiscal Estimate Narratives

OCI 10/29/01

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Assumptions Used in Arriving at Fiscal Estimate

Sec. 601.423 Wis Stats requires OCI to prepare a social and financial impact report for the legislature for any proposed health insurance mandate. Any privacy impact statement that OCI is directed by the Department of Administration to prepare would be prepared under the same system using the criteria proposed in AB 459. No fiscal impact to the agency is expected that cannot be absorbed within the agency's budget.

OCI makes every effort to keep personal medical information private, but any medical records that are included in closed complaint files do become public records subject to Sec 19.35 (1) Wis Stats. This bill would require OCI to remove any social security number information included in those medical records prior to releasing the information. No fiscal impact to the agency is expected that cannot be absorbed within the agency's budget.

Local governments that self-insure their health insurance plans to employees would be required to alter the ID cards issued to their employees if the employee's SSN is visible on the ID card. OCI is not aware of any municipality that administers their own self-insured plan. Any costs involved for changes that may required due to this bill would be borne by the third party administrator who may pass those associated administrative costs to the municipality. OCI is not able to determine the size or scope of those associated costs.

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State:		
<input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate		
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues	<input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Decrease Costs
Local:		
<input checked="" type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate		
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
Fund Sources Affected		Affected Ch. 20 Appropriations
<input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.115(1)(a)		
Agency/Prepared By	Authorized Signature	Date
DATCP/ Jim Rabbitt (608) 224-4965	Barb Knapp (608) 224-4746	10/19/01

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 (10-19-2001)
 → FE is for
 old "1" version
 → draft is now
 a "4"
 → not yet
 introduced

Fiscal Estimate Narratives

DATCP 10/19/01

LRB Number 01-3774/1	Introduction Number	Estimate Type	Original
Subject Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers			

Assumptions Used in Arriving at Fiscal Estimate

It is assumed this bill will result in a minor increase in consumer complaints about telemarketer hang-up calls and a minor increase in complaints about telemarketers blocking caller id services. This bill, more significantly, will add additional levels of complexity to complaints already received by the Bureau of Consumer Protection. Telemarketing is the number five consumer complaint category and has been on a steady increase for the past four years generating over 700 written consumer complaints in 2000. The time to investigate the additional elements this bill proposes will require a 0.5 FTE investigator dedicated to telemarketing complaints.

This bill also restricts private information that can be released to the public. The Bureau of Consumer Protection has thousands of complaint records. Consumers who file complaints often send credit, banking, family and medical records with their complaints. Unlike many records, consumer complaints are not submitted or kept in a particular format. Each open records demand requires a manual review of the effected records for confidential information. The Bureau assumes a 0.5 FTE Program Assistant will be needed to preserve the confidentiality of private information held by the Bureau.

Long-Range Fiscal Implications

Continuing appropriation of \$39,300 and 1.0 FTE position will be necessary to comply with the requirements of this bill.

Fiscal Estimate Worksheet - 2001 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

LRB Number 01-3774/1		Introduction Number	
Subject			
Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
\$17,800 one-time office set-up, desks, chairs, network connections, etc.			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
	State Operations - Salaries and Fringes	\$32,100	
	(FTE Position Changes)	(1.0 FTE)	
	State Operations - Other Costs	7,200	
	Local Assistance		
	Aids to Individuals or Organizations		
	TOTAL State Costs by Category	\$39,300	\$
B. State Costs by Source of Funds			
	GPR	39,300	
	FED		
	PRO/PRS		
	SEG/SEG-S		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
		Increased Rev	Decreased Rev
	GPR Taxes	\$	\$
	GPR Earned		
	FED		
	PRO/PRS		
	SEG/SEG-S		
	TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT			
		<u>State</u>	<u>Local</u>
	NET CHANGE IN COSTS	\$39,300	\$
	NET CHANGE IN REVENUE	\$	\$
Agency/Prepared By		Authorized Signature	Date
DATCP/ Jim Rabbitt (608) 224-4965		Barb Knapp (608) 224-4746	10/19/01

Fiscal Estimate - 2001 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 01-3774/1	Introduction Number	
Subject		
Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers		
Fiscal Effect		
State:		
<input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local:		
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		
5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
Fund Sources Affected		
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
Affected Ch. 20 Appropriations		
Agency/Prepared By	Authorized Signature	Date
DOR/ Dennis Collier (608) 266-5773	Brian Pahnke (608) 266-2700	10/31/01

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 10-31-2001
 FE is for old "1" version
 draft is now a "15"

Fiscal Estimate Narratives

DOR 10/31/01

LRB Number	01-3774/1	Introduction Number	Estimate Type	Original
Subject				
Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers				

Assumptions Used in Arriving at Fiscal Estimate

The bill would restrict access to social security numbers that are contained on public records of the state and local governments. It would also require state agencies to prepare privacy impact statements on bills impacting on personal privacy.

The proposed restrictions on social security numbers are not expected to interfere with the Department of Revenue's administration of state taxes and in particular with enforcing compliance with those taxes. In addition, the proposed privacy impact statements could be prepared using existing resources.

Local governments may incur additional costs as a result of the proposed restrictions on access to social security numbers. However, the impact on their costs is not expected to be significant.

Long-Range Fiscal Implications

Fiscal Estimate - 2001 Session

Original Updated Corrected Supplemental

LRB Number 01-3774/1	Introduction Number
Subject	
Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers	
Fiscal Effect	
State:	
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs	
Local:	
<input checked="" type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
Fund Sources Affected	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEGS s.20.395(5)(cq)	
Affected Ch. 20 Appropriations	
Agency/Prepared By	Authorized Signature
DOT/ John Alley (608) 266-0614	Carol Buckmaster (608) 267-6979
	Date
	10/31/01

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 FE is for old "11" version
 Draft is now a "15"

Fiscal Estimate Narratives

DOT 10/31/01

LRB Number 01-3774/1	Introduction Number	Estimate Type	Original
Subject Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers			

Assumptions Used in Arriving at Fiscal Estimate

LRB 3774/1 relates to disclosure of records and information, in most cases limiting access to information which may impact personal privacy.

DMV records are subject to federal privacy guidelines under the Driver Privacy Protection Act (DPPA). In general, the DPPA guidelines and existing statutes related to DMV records are at least as stringent as these proposed requirements. In fact LRB 3774/1 expands access to DMV collected social security numbers in limited situations.

There may be an indeterminable workload increase for DMV to manually provide records with social security numbers to individuals allowed to obtain them under this proposal.

DMV includes privacy impact information and analyses in the fiscal estimate process. Therefore the Privacy Impact Statement requirement in this proposal would have no additional workload impact.

The Division of State Patrol would not be impacted by the provisions of this bill related to juvenile offenders and juvenile criminal investigations because of its limited interaction and investigative authority relating to juveniles.

Long-Range Fiscal Implications

Indeterminable

Fiscal Estimate - 2001 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 01-3774/1	Introduction Number
Subject	
Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers	
Fiscal Effect	
State:	
<input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate	
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Decrease Costs
Local:	
<input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate	
1. <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
5. Types of Local Government Units Affected <input checked="" type="checkbox"/> Towns <input type="checkbox"/> Village <input checked="" type="checkbox"/> Cities <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input checked="" type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
Fund Sources Affected	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.370(8)(mu)	
Affected Ch. 20 Appropriations	
Agency/Prepared By	Authorized Signature
DNR/ Joe Polasek (608) 266-2794	Joe Polasek (608) 266-2794
Date	
11/9/01	

copy sent to Rep. Powers (11-09-01)
RE's for old "11" version
Draft is now a "15"
Intro as AB621

Fiscal Estimate Narratives

DNR 11/9/01

LRB Number 01-3774/1	Introduction Number	Estimate Type Original
Subject Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers		

Assumptions Used in Arriving at Fiscal Estimate

Bill Summary:

This bill creates various prohibitions, restrictions and requirements, and makes changes in existing laws with respect to protection of personal privacy and security of personal information, and changes the place of trial for certain existing crimes. The only provisions with significant impact on the department are those under the heading "Access to public records containing personally identifiable information."

The bill requires the department to notify employees, who are the subjects of records requests regarding a wide range of human resources records, prior to the release of their records. The bill establishes a labor-intensive set of requirements on both the agency and the employees who are subjects of record requests. Each year the department receives approximately 120-150 requests for employee information. Under the bill, the department must respond to each of these requests by sending a notice to the affected employees by certified mail or personal delivery informing them of the information being requested and their right to get a court order barring the department from complying with the request. Then each of the employees will need to decide whether to seek an injunction against the agency to prevent release of the information.

Fiscal Estimate:

The section titled "Access to public records containing personally identifiable information" is the only part of this bill that is likely to have a significant fiscal impact on the department. There are two primary areas of impact, the cost of sending notices to employees and the cost to respond to employees after the notices have been sent.

Notification to employees: For purposes of estimating the cost of this bill, there are four kinds of employee record requests: individual, where only one person's records are being requested; small group, where the request pertains to 10-20 employees; large group, pertaining to 50-100 employees, and all employees, covering 3,000-5,000 individuals depending on the nature of the request. The total notifications required under this bill are shown below by type. These figures are based on current requests; it is possible that the number of requests could increase as a result of the publicity generated by this bill.

NOTIFICATIONS	Number of requests	Number of employee notifications
Type	Per Year	Per request Per year
Individual	15-20	1 15-20
Small group	50-60	10-20 500-1,200
Large group	50-60	50-100 2,500-6,000
All employees	5-10	3,000-5,000 15,000-50,000
Total	120-150	18,015-57,220

In total, between 18,000 and 57,000 notices would go to employees each year telling them that their records are being requested.

COSTS

Cost Element	Amount Per Year	Total Cost
1st class postage	\$0.34	18,015-57,220
Certified mail fee	\$2.10 notification letters	
Paper	\$0.06 to employees	
Total mail expense	\$2.50	\$45,038-\$143,050

Processing time	5 minutes (12/hr)	1,501-4,768
LTE salary	\$8.50/hour	hours to \$12,758-\$40,528 for LTE

process outgoing salary

Fringe benefits at 7.65% \$0.65/hour certified mail \$976-\$3,099 for LTE fringe

Total staff expense \$9.15/hour \$13,734-\$43,627 total

staff cost

Total Cost (Range) \$58,772-\$186,677

Average Cost (Mean) \$122,725

The total cost of supplies and services for these notifications would be between \$45,038 and \$143,050. At five minutes each, the staff time to process these notifications would be between 1,501 and 4,768 hours, for a total staff cost of between \$13,734 and \$43,627.

The range and average costs to send notifications would be:

Minimum \$45,038 supplies + \$13,734 salary & fringe = \$58,772

Maximum \$143,050 supplies + \$43,627 salary & fringe = \$186,677

Average (mean) \$94,044 supplies + \$28,681 salary & fringe = \$122,725

There would be a fiscal impact on local units of government, including county and municipal governments, but the impact cannot be estimated.

Long-Range Fiscal Implications

The costs listed in the fiscal worksheet assume the upper end of the estimated range of costs. However, it is possible that over time costs would grow beyond this estimate as people become more familiar with the requirements for formal notification and adjudication procedures established under the bill.

Fiscal Estimate Worksheet - 2001 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

LRB Number 01-3774/1		Introduction Number	
Subject			
Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
	State Operations - Salaries and Fringes	\$43,600	
	(FTE Position Changes)	(0.2 FTE)	
	State Operations - Other Costs	143,100	
	Local Assistance		
	Aids to Individuals or Organizations		
	TOTAL State Costs by Category	\$186,700	\$
B. State Costs by Source of Funds			
	GPR		
	FED		
	PRO/PRS		
	SEG/SEG-S	186,700	
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
		Increased Rev	Decreased Rev
	GPR Taxes	\$	\$
	GPR Earned		
	FED		
	PRO/PRS		
	SEG/SEG-S		
	TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT			
		<u>State</u>	<u>Local</u>
	NET CHANGE IN COSTS	\$186,700	\$
	NET CHANGE IN REVENUE	\$	\$
Agency/Prepared By		Authorized Signature	Date
DNR/ Joe Polasek (608) 266-2794		Joe Polasek (608) 266-2794	11/9/01

Fiscal Estimate - 2001 Session

Original Updated Corrected Supplemental

LRB Number **01-3774/1** Introduction Number

Subject
 Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers

Fiscal Effect

State:

No State Fiscal Effect
 Indeterminate

Increase Existing Appropriations Increase Existing Revenues Increase Costs - May be possible to absorb within agency's budget
 Decrease Existing Appropriations Decrease Existing Revenues Yes No
 Create New Appropriations Decrease Costs

Local:

No Local Government Costs
 Indeterminate

1. Increase Costs 3. Increase Revenue 5. Types of Local Government Units Affected

Permissive Mandatory Permissive Mandatory Towns Village Cities
 Counties Others
 School Districts WTCS Districts

2. Decrease Costs 4. Decrease Revenue
 Permissive Mandatory Permissive Mandatory

Fund Sources Affected **Affected Ch. 20 Appropriations**

GPR FED PRO PRS SEG SEGS 20.530 (1)(g)

Agency/Prepared By DEG/ Bruce Reines (608) 266-8878	Authorized Signature Bruce Reines (608) 266-8878	Date 11/13/01
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draft is now a "5"

Intro. As AB-621

Fiscal Estimate Narratives

DEG 11/13/01

LRB Number 01-3774/1	Introduction Number	Estimate Type Original
Subject Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers		

Assumptions Used in Arriving at Fiscal Estimate

The bill draft would require two positions in the Department of Electronic Government (DEG) be assigned to special duties. One position would serve as the State Privacy Officer and another position as the State Security Officer.

While existing DEG staff deal with both privacy and security the dedication of two staff to hold these positions may reallocate certain staff resource from other areas. Likewise, the Privacy Impact Statement review outline in the view would redirect staff effort from other services.

It should be noted that the bill calls for the designated officers to report to a "classified division administrator". That requirement may be problematic in that the Department of Electronic Government has only three unclassified division administrators under the statutes.

No data exists on local government costs.

Long-Range Fiscal Implications

Unknown