

Fiscal Estimate Narratives

DNR 11/28/2001

LRB Number 01-3774/5	Introduction Number AB-621	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. The only provisions with significant effect on the department are those in the Legislative Reference Bureau summary 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 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	\$6.50/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

Local Government Costs:

The same sections of the bill that apply to the DNR appear to also apply to county and local governments, but the costs 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

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Subject			
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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, ets.)			
		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
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