



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 01/16/2006 (Per: DAK)





Appendix A

 The 2007 drafting file for LRB 07-0422

has been copied/added to the 2007 drafting file for

LRB 07-1508

 The attached 2007 draft was incorporated into the new 2007 draft listed above. For research purposes, this cover sheet and the attached drafting file were copied, and added, as a appendix, to the new 2007 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

 This cover sheet was added to rear of the original 2007 drafting file. The drafting file was then returned, intact, to its folder and filed.

2007 DRAFTING REQUEST

Bill

Received: 09/29/2006

Received By: **dkennedy**

Wanted: As time permits

Identical to LRB:

For: **Administration-Budget 6-2288**

By/Representing: **Rhodes**

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

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - vital statistics**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to: **robin.ryan@legis.wisconsin.gov**

Pre Topic:

DOA:.....Rhodes, BB0075 -

Topic:

Birth certificate fees

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>
/?	dkennedy 10/23/2006	lkunkel 10/24/2006		_____			S&L
/1	dkennedy		nmatzke 10/25/2006	_____	sbasford 10/25/2006		

FE Sent For:

<END>

2007 DRAFTING REQUEST

Bill

Received: 09/29/2006

Received By: dkennedy

Wanted: As time permits

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For: Administration-Budget 6-2288

By/Representing: Rhodes

This file may be shown to any legislator: NO

Drafter: dkennedy

May Contact:

Addl. Drafters:

Subject: Health - vital statistics

Extra Copies:

Submit via email: YES

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/?	dkennedy 10/23/2006	lkunkel 10/24/2006		_____			S&L
/1			nnatzke 10/25/2006	_____	sbasford 10/25/2006		

FE Sent For:

<END>

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Received By: **dkennedy**

Wanted: **As time permits**

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Subject: **Health - vital statistics**

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/?	dkennedy	h/mk 10/24	nwn 10/24	nwn/sh 10/25			

FE Sent For:

<END>

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Increase Birth Certificate Search Fee and Copy Fee
- Tracking Code: BB0075
- SBO team: Health and Insurance
- SBO analyst: Dennis Rhodes
 - Phone: 6-2288
 - Email: dennis.rhodes@wisconsin.gov
- Agency acronym: CANPB
- Agency number: 433
- Priority: Medium

**Child Abuse and Neglect Prevention Board
2007-2009 Biennial Budget Statutory Language Request
Increase Birth Certificate Fee and Copy Fee**

Current Language

69.22(1)(c) Twelve dollars for issuing an uncertified copy of a birth certificate or a certified copy of a birth certificate, \$7 of which shall be forwarded to the secretary of administration as provided in sub. (1m) and credited to the appropriations under s. 20.433 (1) (g) and (h); and \$3 for issuing any additional certified or uncertified copy of the same birth certificate issued at the same time.

Proposed Change

- Raise the fee to \$14 and forward \$9 to CANPB.
- Increase the additional copy fee to \$4 and direct state and county registrars to forward \$1 generated by each copy to the secretary of administration for deposit in the non-stock, non-profit corporation created under 48.982 (2e). This corporation is known as the Celebrate Children Foundation.

Background and Rational for the Change

Increased funding to CANPB will support implementation of recommendations in the Wisconsin State Plan to Prevent Child Maltreatment that address child sexual abuse prevention, shaken baby syndrome prevention, respite care availability, community based response systems and children's mental health.

The Celebrate Children Foundation will use increased funding to support fund development, a feasibility study and identify donors. Funds could also be directed to build an endowment fund maintained by the foundation.

← CTF? Yes
— Is this the fund under 48.982 (2e) (a) 2. ? Yes

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341) Library (608-266-7040) Legal (608-266-3561)

LRB

D N

To Dennis Rhodes:

Because

69.22(5)(b)2.

→ additional copy
vital record fee (\$2)

1991 Act 39 § 1694 to 1698 (aff (5)(b)2.)

1985 Act 315 re'd ch. 69 + changed 69.24 → 69.22

85 Act 332 § 253 — changed to (1)(c) 69.22

87 Act 27 § 1233 CANPB money (\$2)

91 Act 39 § 1694 - 1698

93 Act 16 § 1677m + p

93 Act 27 § 120

95 Act 27 § 3343d

97 Act 191 § 91

97 Act 210 § 3

2001 Act 16 § 2093 - 2095g, 2096, 2097 - 2100

2001 Act 16 § 2095-h, 2096c

2001 Act 106 § 11





State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-0422/1

DAK:.....

hjk

D-NOTE

DOA:.....Rhodes, BB0075 - Birth certificate fees

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

DONOR GENERAL

1

AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES ✓

OTHER HEALTH AND HUMAN SERVICES

Currently, the state registrar or a local registrar must charge \$12 for issuing either a certified copy or an uncertified copy of a birth certificate and \$3 for issuing, at the same time, any additional certified or uncertified copy of the same birth certificate. ✓ Of the \$12 charged, \$7 must be forwarded to the secretary of administration for deposit in program revenue appropriations for the Child Abuse and Neglect Prevention Board (CANPB), to be used for CANPB expenses, for certain statewide projects, for the Family Resource Center Grant Program, and for technical assistance to organizations. ✓ This bill increases the fee for issuance of a certified or uncertified copy of a birth certificate from \$12 to \$14, and increases, from \$7 to \$9, the amount that must be forwarded to the secretary of administration for deposit in program revenue appropriation accounts of CANPB. ✓ The bill also increases the fee for issuance of an additional certified or uncertified birth certificate copy from \$3 to \$4, and requires that \$1 of that fee be forwarded to the secretary of administration for deposit in a program revenue appropriation account of CANPB, ✓ as created under the bill, for the purpose of making deposits to a fund established by the corporation Celebrate Children Foundation, Inc. ✓

Also under current law, the state registrar must charge, for the filing of a birth certificate more than 365 days after the birth, \$20 plus a fee of \$5. ✓ This bill increases,

from \$5 to \$9, the additional fee for issuance of a certified or uncertified copy of a birth certificate when filing for the birth certificate is more than 365 days after the birth.

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. 20.433 (1) (g) of the statutes is amended to read:

2 20.433 (1) (g) *General program operations.* From all moneys received under s.
3 69.22 (1m) (a), the amounts in the schedule to be used for the expenses of the child
4 abuse and neglect prevention board under s. 48.982 (2) and (3), for statewide projects
5 under s. 48.982 (5), for the general program operations of the family resource center
6 grant program under s. 48.982 (6), and for technical assistance to organizations
7 under s. 48.982 (4) and (6), and to make deposits to the fund established under s.
8 48.982 (2e) (a) 2.

History: 1983 a. 27; 1985 a. 29; 1985 a. 315 s. 22; 1987 a. 27; 1989 a. 31; 1991 a. 39; 1993 a. 16, 437, 444, 491; 1995 a. 27; 1997 a. 78; 1999 a. 9; 2001 a. 16; 2005 a. 25, 319.

9 SECTION 2. 20.433 (1) (gc) of the statutes is created to read:

10 20.433 (1) (gc) *Child abuse and neglect prevention; fund.* From all moneys
11 received under s. 69.22 (1m) (b), the amounts in the schedule to make deposits to the
12 fund established under s. 48.982 (2e) (a) 1.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 SECTION 3. 20.433 (1) (h) of the statutes is amended to read:

14 20.433 (1) (h) *Grants to organizations.* All moneys received under s. 69.22 (1m)
15 (a), less the amounts appropriated under par. (g), to be used for grants to
16 organizations under s. 48.982 (4) and (6).

History: 1983 a. 27; 1985 a. 29; 1985 a. 315 s. 22; 1987 a. 27; 1989 a. 31; 1991 a. 39; 1993 a. 16, 437, 444, 491; 1995 a. 27; 1997 a. 78; 1999 a. 9; 2001 a. 16; 2005 a. 25, 319.

17 SECTION 4. 48.982 (2e) (a) 2. of the statutes is amended to read:

1 48.982 (2e) (a) 2. The corporation shall establish and maintain a fund into
 2 which the corporation shall deposit all contributions, grants, gifts, and bequests
 3 accepted by the corporation under subd. 1. that are not deposited into the children's
 4 trust fund, all moneys received under ~~s. ss. 69.22 (1) (c) 2.~~ [✓] and 341.14 (6r) (b) 6., and
 5 all moneys transferred from the children's trust fund under 2005 Wisconsin Act 319
 6 section 64 (1). The corporation shall also credit to the fund all interest earned on the
 7 moneys deposited into the fund and may use that interest for the purposes specified
 8 in subd. 4. [✓]

History: 1983 a. 27; 1983 a. 109 s. 6; 1985 a. 29 ss. 930s, 3202 (8); 1987 a. 27, 184, 255; 1989 a. 31, 336; 1991 a. 32, 39; 1993 a. 16, 437, 444, 491; 1995 a. 27 ss. 2622 to 2623d, 9126 (19); 1995 a. 275; 1997 a. 27, 78, 252, 293; 1999 a. 9; 2001 a. 16; 2005 a. 25, 165, 319.

9 **SECTION 5.** 69.22 (1) (c) of the statutes is renumbered 69.22 (1) (c) 1. and
 10 amended to read:

11 69.22 (1) (c) 1. ~~Twelve~~ [✓] ~~Fourteen~~ dollars for issuing an uncertified copy of a birth
 12 certificate or a certified copy of a birth certificate, ~~\$7~~ [✓] ~~\$9~~ of which shall be forwarded
 13 to the secretary of administration as provided in sub. (1m) (a) and credited to the
 14 appropriations under s. 20.433 (1) (g) and (h); ~~and \$3.~~ [✓]

15 2. ~~Four~~ [✓] dollars for issuing any additional certified or uncertified copy of the
 16 same birth certificate issued at the same time, ~~\$1~~ [✓] of which shall be forwarded to the
 17 ~~secretary of administration as provided in sub. (1m) (b) and credited to the~~ [✓]
 18 ~~appropriation under s. 20.433 (1) (gc).~~ [✓]

History: 1985 a. 315; 1985 a. 332 s. 253; 1987 a. 27; 1991 a. 39; 1993 a. 16, 27; 1995 a. 27; 1997 a. 191, 210; 2001 a. 16, 106; 2003 a. 33, 300.

19 **SECTION 6.** 69.22 (1m) of the statutes is renumbered 69.22 (1m) (intro.) and
 20 amended to read:

21 69.22 (1m) (intro.) ~~The~~ [✓] By the 15th day of the first month following the end of
 22 a calendar quarter, [✓] ~~the~~ state registrar and any local registrar acting under this
 23 subchapter shall, ~~for~~ [✓] do all of the following:

1 (a) For each copy of a birth certificate for which a fee under sub. (1) (c) 1, is
 2 charged that is issued during a the calendar quarter, forward to the secretary of
 3 administration for deposit in the appropriations under s. 20.433 (1) (g) and (h) the
 4 amounts amount as specified in sub. (1) (c) by ~~the 15th day of the first month~~
 5 ~~following the end of the calendar quarter 1~~.

History: 1985 a. 315; 1985 a. 332 s. 253; 1987 a. 27; 1991 a. 39; 1993 a. 16, 27; 1995 a. 27; 1997 a. 191, 210; 2001 a. 16, 106; 2003 a. 33, 300.

SECTION 7. 69.22 (1m) (b) of the statutes is created to read:

7 69.22 (1m) (b) For each copy of a birth certificate for which a fee under sub. (1)
 8 (c) 2. is charged that is issued during the calendar quarter, forward to the secretary
 9 of administration for deposit in the appropriation under s. 20.433 (1) (gc) the amount
 10 as specified in sub. (1) (c) 2.

SECTION 8. 69.22 (5) (b) 2. of the statutes is amended to read:

12 69.22 (5) (b) 2. The filing of a birth certificate under s. 69.14 (2) (b) 5. The fee
 13 under this subdivision includes the search for the birth certificate and the first copy
 14 of the certificate except that the state registrar shall add to the \$20 fee, the \$5 \$9
 15 amount of the fee required under sub. (1) (c) 1.

History: 1985 a. 315; 1985 a. 332 s. 253; 1987 a. 27; 1991 a. 39; 1993 a. 16, 27; 1995 a. 27; 1997 a. 191, 210; 2001 a. 16, 106; 2003 a. 33, 300.

(END)

D-NOTE

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0422/?dn
DAK:.....

(date)

To Dennis Rhodes:

Note that I have created a separate appropriation, s. 20.433 (1) (gc), for moneys that are intended to go to the fund established by the Celebrate Children Foundation, Inc.; I have done so because that is the sole use for these moneys that is specified; if the moneys were included in s. 20.433 (1) (g), stats., they could be expended for all the purposes specified in that appropriation.

I have included in this bill an amendment to s. 69.22 (5) (b) 2., stats. Currently, that statute requires an add-on to the \$20 late birth certificate filing fee; the add-on is specified as "the \$5 fee required under sub. (1) (c)." There is no \$5 fee required under s. 69.22 (1) (c), stats. Looking through the history of the statute, I found that s. 69.11 (5) (b) 2., as repealed and recreated in 1985 Wisconsin Act 315, required an add-on of \$2, specified as "the \$2 fee required under sub. (1) (a) 2." Under that Act, there was no s. 69.22 (1) (a) 2., and so, under 1985 Wisconsin Act 332, the Revisor changed the cross-reference to be to "sub. (1) (c)" which it remains to this day. Section 69.22 (1) (c), stats., imposes a fee for issuing a copy of a birth certificate and requires that a part of that fee be forwarded to the CANPB appropriations; the part that is required to be forwarded is the amount that was specified, under 1985 Wisconsin Act 332, as an add-on under s. 69.22 (5) (b) 2. This dollar amount was increased to \$3, in both statutes, under 1987 Wisconsin Act 27, and was increased to \$5, in both statutes, under 1991 Wisconsin Act 39. However, under 1995 Wisconsin Act 27, the dollar amount was increased in s. 69.22 (1) (c) to \$7, but s. 69.22 (5) (b) 2., stats., was not affected, and that is the situation currently. I suspect that the omission in amending s. 69.22 (5) (b) 2., stats., at the time s. 69.22 (1) (c), stats., was amended was unintentional. One of the main requests for this bill is to increase the amount to be forwarded to the CANPB appropriations under s. 69.22 (1) (c), stats., to \$9; accordingly, I have amended s. 69.22 (5) (b) 2., stats., to refer to this \$9 amount. Under the bill, the state registrar or local registrar would keep the \$9 amount, as appears to be the case under current law. Is this what you want?

Is the current language of s. 69.22 (5) (b) 2., stats., accurate? It looks as if a person who wants to have a birth certificate issued more than a year after a birth must pay both a \$20 registration fee (under s. 69.22 (5) (b) 1., stats.) and the filing fee under s. 69.22 (5) (b) 2., stats. *Should language about searching and birth certificate first copy stay in?*

Debra A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0422/1dn
DAK:lmk:nwn

October 24, 2006

To Dennis Rhodes:

Note that I have created a separate appropriation, s. 20.433 (1) (gc), for moneys that are intended to go to the fund established by the Celebrate Children Foundation, Inc.; I have done so because that is the sole use for these moneys that is specified; if the moneys were included in s. 20.433 (1) (g), stats., they could be expended for all the purposes specified in that appropriation.

I have included in this bill an amendment to s. 69.22 (5) (b) 2., stats. Currently, that statute requires an add-on to the \$20 late birth certificate filing fee; the add-on is specified as "the \$5 fee required under sub. (1) (c)." There is no \$5 fee required under s. 69.22 (1) (c), stats. Looking through the history of the statute, I found that s. 69.11 (5) (b) 2., as repealed and recreated in 1985 Wisconsin Act 315, required an add-on of \$2, specified as "the \$2 fee required under sub. (1) (a) 2." Under that Act, there was no s. 69.22 (1) (a) 2., and so, under 1985 Wisconsin Act 332, the Revisor changed the cross-reference to be to "sub. (1) (c)," which it remains to this day. Section 69.22 (1) (c), stats., imposes a fee for issuing a copy of a birth certificate and requires that a part of that fee be forwarded to the CANPB appropriations; the part that is required to be forwarded is the amount that was specified, under 1985 Wisconsin Act 332, as an add-on under s. 69.22 (5) (b) 2. This dollar amount was increased to \$3, in both statutes, under 1987 Wisconsin Act 27, and was increased to \$5, in both statutes, under 1991 Wisconsin Act 39. However, under 1995 Wisconsin Act 27, the dollar amount was increased in s. 69.22 (1) (c) to \$7, but s. 69.22 (5) (b) 2., stats., was not affected, and that is the situation currently. I suspect that the omission in amending s. 69.22 (5) (b) 2., stats., at the time s. 69.22 (1) (c), stats., was amended was unintentional. One of the main requests for this bill is to increase the amount to be forwarded to the CANPB appropriations under s. 69.22 (1) (c), stats., to \$9; accordingly, I have amended s. 69.22 (5) (b) 2., stats., to refer to this \$9 amount. Under the bill, the state registrar or local registrar would keep the \$9 amount, as appears to be the case under current law. Is this what you want?

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Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.wisconsin.gov

Kennedy, Debora

From: Rhodes, Dennis - DOA [dennis.rhodes@wisconsin.gov]
Sent: Monday, November 06, 2006 2:50 PM
To: Kennedy, Debora
Cc: Snyder, MaryAnne
Subject: RE: LRB Draft: 07-0422/1 Birth certificate fees
Attachments: 07-04221dn.pdf

Debora,

I believe your note asks for clarification on two items:

1) Is the intent that the \$1 increase in the additional copy fee that it go exclusively to the CCF fund rather than to CANPB's general program operations appropriation where it could presumably be then deposited in the CCF fund, or uses for other purposes specified in that appropriation, including deposit in the CCF fund.

I believe the CANPB board's intent was to create a distinct revenue stream exclusively for the CCF fund. If not MaryAnne can set me straight.

2) On the question of the changing the \$5 fee to \$9 under 69.22(5)b) 2--it's my understanding from talking to Vital Records staff that current practice is to charge the late filers a total \$25. Of the \$25, \$18 stays with to DHFS and \$7 goes to CANPB. They don't charge customers \$20 + \$5 under this section and then another \$12. According the DHFS this section has the effect of giving the customer a discount on the first copy. They are paying the \$20 late registration fee, but then getting the first copy for \$5 instead of \$12.

If we can take this chance to straighten this out, why not eliminate the \$5 and replace it with our new \$14. Or better yet, why not eliminate any special treatment of first copies after a delayed registration?

Thoughts?

Thanks,

Dennis

From: Natzke, Noah [mailto:Noah.Natzke@legis.wisconsin.gov]
Sent: Wednesday, October 25, 2006 10:04 AM
To: Rhodes, Dennis - DOA
Cc: Johnston, James - DOA; Hanaman, Cathlene; Palchik, Laurie A - DOA
Subject: LRB Draft: 07-0422/1 Birth certificate fees

Following is the PDF version of draft 07-0422/1.

Kennedy, Debora

From: Rhodes, Dennis - DOA [dennis.rhodes@wisconsin.gov]
Sent: Wednesday, November 08, 2006 4:43 PM
To: Kennedy, Debora
Subject: RE: LRB Draft: 07-0422/1 Birth certificate fees

Debora,

Thanks for the call. I established that CANPB is fine with new appropriation, but a question came up regarding how the foundation can use the funds it receives from that new appropriation. We are trying to avoid a situation where the funding is limited to building an endowment and rather can be used to make grants or provide for foundation operations.

I'm waiting on information from DHFS Vital Records before I can say how we want to treat the late registration language under 69.22 (5) (b) 2.

Thanks,

Dennis

From: Rhodes, Dennis - DOA
Sent: Monday, November 06, 2006 2:50 PM
To: 'Debora.Kennedy@legis.wisconsin.gov'
Cc: Snyder, MaryAnne - CTF
Subject: RE: LRB Draft: 07-0422/1 Birth certificate fees

Debora,

I believe your note asks for clarification on two items:

1) Is the intent that the \$1 increase in the additional copy fee that it go exclusively to the CCF fund rather than to CANPB's general program operations appropriation where it could presumably be then deposited in the CCF fund, or uses for other purposes specified in that appropriation, including deposit in the CCF fund.

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If we can take this chance to straighten this out, why not eliminate the \$5 and replace it with our new \$14. Or better yet, why not eliminate any special treatment of first copies after a delayed registration?

Thoughts?

Thanks,

Dennis

From: Natzke, Noah [mailto:Noah.Natzke@legis.wisconsin.gov]
Sent: Wednesday, October 25, 2006 10:04 AM

11/08/2006

To: Rhodes, Dennis - DOA

Cc: Johnston, James - DOA; Hanaman, Cathlene; Palchik, Laurie A - DOA

Subject: LRB Draft: 07-0422/1 Birth certificate fees

Following is the PDF version of draft 07-0422/1.

Kennedy, Debora

To: Rhodes, Dennis - DOA
Cc: Jablonsky, Sue; Johnston, James
Subject: RE: s.69.22 (5) (b) 2

The DHFS request mentions the Children's Trust Fund but does not mention the Celebrate Children Foundation. I ask that you read that request, confer with Sue Jablonsky, and, between you, provide me with clear instructions about how you want me to handle these two requests, i.e., whether they are in some way to be merged, or whether the original request is to be abandoned.

From: Rhodes, Dennis - DOA [mailto:dennis.rhodes@wisconsin.gov]
Sent: Thursday, November 16, 2006 4:58 PM
To: Kennedy, Debora
Subject: RE: s.69.22 (5) (b) 2

Debora,

If the DHFS request allows for increase in additional copy fees to go to the Celebrate Children Foundation, and I think it does, I can't see why we would need the CANPB draft.

Thanks,

Dennis

From: Kennedy, Debora [mailto:Debora.Kennedy@legis.wisconsin.gov]
Sent: Thursday, November 16, 2006 4:29 PM
To: Rhodes, Dennis - DOA
Subject: RE: s.69.22 (5) (b) 2

Dennis, is Sue's drafting request intended to replace the one under your name, that is, may I cancel your request?

From: Rhodes, Dennis - DOA [mailto:dennis.rhodes@wisconsin.gov]
Sent: Wednesday, November 15, 2006 2:53 PM
To: Kennedy, Debora
Subject: s.69.22 (5) (b) 2

Debora,

A vital records drafting request is in transit under Sue Jablonky's name that clears up the problems related to delayed birth certificates under s.69.22 (5) (b) 2 in a way that is OK with DOA and CANPB.

Thanks,

Dennis Rhodes
6-2288

11/17/2006

Kennedy, Debora

To: Rhodes, Dennis - DOA; Jablonsky, Sue - DOA

1/9/07

Subject: RE: Vital Records - 0422

Yes, I believe that these requests should be combined, so as to work out any conflicts between them. I have never entered Sue's request (BB0173) as an LRB number. Unless I hear from you to the contrary, I will now draft the two together.

From: Rhodes, Dennis - DOA

Sent: Friday, December 29, 2006 4:15 PM

To: Kennedy, Debora

Cc: Jablonsky, Sue - DOA

Subject: Vital Records - 0422

Debora,

We need to make some changes to the Birth Certificate Fee Increase draft (0422/1) and Sue's Vital Records Draft. If it is more logical to combine these drafts into 1, please advise us to that effect.

Regarding 0422 and CANPB:

- Please delete the new appropriation created in Section 2 for receipt of revenue from increasing the additional copy fee by \$1 and delete all references to 69.22(1)(c)2. In short, we want to erase any reference to CANPB getting revenue from an increased fee for additional copies and depositing revenue in the fund established under 49.982 (2e) (a) 2.
- Please increase the amount of revenue CANPB receives under 69.22 (1)(c) in Section 5 from the first copy by 1\$ -- from \$9 in 0422/1 to \$10. The total dollar amount for issuing the first copy will go to at least \$20. That increase will be reflected in Sue's draft. ?
- Please delete entirely Section 8 that addresses fees CANBP receives from the issuance of delayed birth certificates. Sue's draft addresses fees for delayed issuances. It is my understanding that the regular copy fee (going up to at least \$20 in Sue's draft) is charged in addition to the charge for issuing a delayed certificate. The delayed issuance fee will rise to \$50 in Sue's draft. CANPB doesn't need to be involved because they will still receive the \$10 from the regular fee.

Thanks,

Dennis

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

LRB-0422/1dn
DAK:lmk:nwn

October 24, 2006

To Dennis Rhodes:

Note that I have created a separate appropriation, s. 20.433 (1) (gc), for moneys that are intended to go to the fund established by the Celebrate Children Foundation, Inc.; I have done so because that is the sole use for these moneys that is specified; if the moneys were included in s. 20.433 (1) (g), stats., they could be expended for all the purposes specified in that appropriation.

I have included in this bill an amendment to s. 69.22 (5) (b) 2., stats. Currently, that statute requires an add-on to the \$20 late birth certificate filing fee; the add-on is specified as "the \$5 fee required under sub. (1) (c)." There is no \$5 fee required under s. 69.22 (1) (c), stats. Looking through the history of the statute, I found that s. 69.11 (5) (b) 2., as repealed and recreated in 1985 Wisconsin Act 315, required an add-on of \$2, specified as "the \$2 fee required under sub. (1) (a) 2." Under that Act, there was no s. 69.22 (1) (a) 2., and so, under 1985 Wisconsin Act 332, the Revisor changed the cross-reference to be to "sub. (1) (c)," which it remains to this day. Section 69.22 (1) (c), stats., imposes a fee for issuing a copy of a birth certificate and requires that a part of that fee be forwarded to the CANPB appropriations; the part that is required to be forwarded is the amount that was specified, under 1985 Wisconsin Act 332, as an add-on under s. 69.22 (5) (b) 2. This dollar amount was increased to \$3, in both statutes, under 1987 Wisconsin Act 27, and was increased to \$5, in both statutes, under 1991 Wisconsin Act 39. However, under 1995 Wisconsin Act 27, the dollar amount was increased in s. 69.22 (1) (c) to \$7, but s. 69.22 (5) (b) 2., stats., was not affected, and that is the situation currently. I suspect that the omission in amending s. 69.22 (5) (b) 2., stats., at the time s. 69.22 (1) (c), stats., was amended was unintentional. One of the main requests for this bill is to increase the amount to be forwarded to the CANPB appropriations under s. 69.22 (1) (c), stats., to \$9; accordingly, I have amended s. 69.22 (5) (b) 2., stats., to refer to this \$9 amount. Under the bill, the state registrar or local registrar would keep the \$9 amount, as appears to be the case under current law. Is this what you want?

Is the current language of s. 69.22 (5) (b) 2., stats., accurate? It looks as if a person who wants to have a birth certificate issued more than a year after a birth must pay both a \$20 registration fee (under s. 69.22 (5) (b) 1., stats.) and the filing fee under s. 69.22 (5) (b) 2., stats. Should the language about searching and birth certificate first copy stay in?

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State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-0422/2
DAK:lmk:nen

DOA:.....Rhodes, BB0075 - Birth certificate fees

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

Currently, the state registrar or a local registrar must charge \$12 for issuing either a certified copy or an uncertified copy of a birth certificate and \$3 for issuing, at the same time, any additional certified or uncertified copy of the same birth certificate. Of the \$12 charged, \$7 must be forwarded to the secretary of administration for deposit in program revenue appropriations for the Child Abuse and Neglect Prevention Board (CANPB), to be used for CANPB expenses, for certain statewide projects, for the Family Resource Center Grant Program, and for technical assistance to organizations. This bill increases the fee for issuance of a certified or uncertified copy of a birth certificate from \$12 to \$14, and increases, from \$7 to \$9, the amount that must be forwarded to the secretary of administration for deposit in program revenue appropriation accounts of CANPB. The bill also increases the fee for issuance of an additional certified or uncertified birth certificate copy from \$3 to \$4, and requires that \$1 of that fee be forwarded to the secretary of administration for deposit in a program revenue appropriation account of CANPB, as created under the bill, for the purpose of making deposits to a fund established by the corporation Celebrate Children Foundation, Inc.

Also under current law, the state registrar must charge, for the filing of a birth certificate more than 365 days after the birth, \$20 plus a fee of \$5. This bill increases,

from \$5 to \$9, the additional fee for issuance of a certified or uncertified copy of a birth certificate when the filing for the birth certificate is more than 365 days after the birth.

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.** 20.433 (1) (g) of the statutes is amended to read:

2 20.433 (1) (g) *General program operations.* From all moneys received under s.
3 69.22 (1m) (a), the amounts in the schedule to be used for the expenses of the child
4 abuse and neglect prevention board under s. 48.982 (2) and (3), for statewide projects
5 under s. 48.982 (5), for the general program operations of the family resource center
6 grant program under s. 48.982 (6), and for technical assistance to organizations
7 under s. 48.982 (4) and (6), ~~and to make deposits to the fund established under s.~~
8 ~~48.982 (2e) (a) 2.~~

9 **SECTION 2.** 20.433 (1) (gc) of the statutes is created to read:

10 20.433 (1) (gc) *Child abuse and neglect prevention; fund.* From all moneys
11 received under s. 69.22 (1m) (b), the amounts in the schedule to make deposits to the
12 fund established under s. 48.982 (2e) (a) 1.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 **SECTION 3.** 20.433 (1) (h) of the statutes is amended to read:

14 20.433 (1) (h) *Grants to organizations.* All moneys received under s. 69.22 (1m)
15 (a), less the amounts appropriated under par. (g), to be used for grants to
16 organizations under s. 48.982 (4) and (6).

~~17 **SECTION 4.** 48.982 (2e) (a) 2. of the statutes is amended to read,~~

1 48.982 (2e) (a) 2. The corporation shall establish and maintain a fund into
2 which the corporation shall deposit all contributions, grants, gifts, and bequests
3 accepted by the corporation under subd. 1. that are not deposited into the children's
4 trust fund, all moneys received under s. ss. 69.22 (1) (c) 2. and 341.14 (6r) (b) 6., and
5 all moneys transferred from the children's trust fund under 2005 Wisconsin Act 319
6 section 64 (1). The corporation shall also credit to the fund all interest earned on the
7 moneys deposited into the fund and may use that interest for the purposes specified
8 in subd. 4.

9 SECTION 5. 69.22 (1) (c) of the statutes is ~~renumbered 69.22 (1) (c) and~~
10 amended to read:

11 69.22 (1) (c) ~~Twelve~~ ^{Twenty} ~~Fourteen~~ dollars for issuing an uncertified copy of a birth
12 certificate or a certified copy of a birth certificate, \$7 ~~\$9~~ ^{\$10} of which shall be forwarded
13 to the secretary of administration as provided in sub. (1m) ~~(a)~~ and credited to the
14 appropriations under s. 20.433 (1) (g) and (h); and \$3 ~~and~~

15 ~~2. Four dollars~~ for issuing any additional certified or uncertified copy of the
16 same birth certificate issued at the same time, \$1 ~~of which shall be forwarded to the~~
17 ~~secretary of administration as provided in sub. (1m) (b) and credited to the~~
18 ~~appropriation under s. 20.433 (1) (g).~~

19 SECTION 6. 69.22 (1m) of the statutes is renumbered 69.22 (1m) (intro.) and
20 amended to read:

21 69.22 (1m) (intro.) ~~The~~ By the 15th day of the first month following the end of
22 a calendar quarter, the state registrar and any local registrar acting under this
23 subchapter shall, for do all of the following:

24 (a) For each copy of a birth certificate for which a fee under sub. (1) (c) 1. is
25 charged that is issued during a the calendar quarter, forward to the secretary of

1 administration for deposit in the appropriations under s. 20.433 (1) (g) and (h) the
2 amounts ~~amount~~ as specified in sub. (1) (c) by the 15th day of the first month
3 following the end of the calendar quarter 1.

4 **SECTION 7.** 69.22 (1m) (b) of the statutes is created to read:

5 69.22 (1m) (b) For each copy of a birth certificate for which a fee under sub. (1)
6 (c) 2. is charged that is issued during the calendar quarter, forward to the secretary
7 of administration for deposit in the appropriation under s. 20.433 (1) (gc) the amount
8 as specified in sub. (1) (c) 2.

9 **SECTION 8.** 69.22 (5) (b) 2. of the statutes is amended to read:

10 69.22 (5) (b) 2. The filing of a birth certificate under s. 69.14 (2) (b) 5. The fee
11 under this subdivision includes the search for the birth certificate and the first copy
12 of the certificate except that the state registrar shall add to the \$20 fee, the \$5 ~~\$2~~
13 amount of the fee required under sub. (1) (c) ~~1~~.

14

(END)

\$10

DOA:.....Rhodes, BB0075 - Birth certificate fees

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6 grant program under s. 48.982 (6), ~~and~~ for technical assistance to organizations
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13 to the secretary of administration as provided in sub. (1m) (a) and credited to the
14 appropriations under s. 20.433 (1) (g) and (h); ~~and \$3.~~

15 2. Four dollars for issuing any additional certified or uncertified copy of the
16 same birth certificate issued at the same time, \$1 of which shall be forwarded to the
17 secretary of administration as provided in sub. (1m) (b) and credited to the
18 appropriation under s. 20.433 (1) (gc).

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2 amounts amount as specified in sub. (1) (c) ~~by the 15th day of the first month~~
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11 under this subdivision includes the search for the birth certificate and the first copy
12 of the certificate except that the state registrar shall add to the \$20 fee, the \$5 \$9
13 amount of the fee required under sub. (1) (c) 1.

14 (END)