

Gallagher, Michael

~~MPB~~ / ~~RJK~~ / ~~TJD~~ / ~~GMM~~ / ~~ARG~~ / ~~FFK~~ / ~~AR~~

From: Potts, Andrew R - DOA <Andrew.Potts@wisconsin.gov>
Sent: Monday, January 05, 2015 3:47 PM
To: Gallagher, Michael
Subject: DFIPS Draft Update (LRB-0807/P1)

RNR

Hi Mike,

Yes, you saw it correctly, DFIPS has lost an I.

Here are our updates to the draft:

	Remove OCI and Worker's Compensation transfers from the bill draft. WC will merge into OCI as a separate bill.	✓ TJD, RJK, GMM
	Rename new agency to Department of Financial Institutions and Professional Standards	✓
Section 47	Move Veterinary Examining Board to DATCP	✓ MPB
Section 105	dn: Should this be as noted	✓ ARG/FFK
Section 107	Need to create a mother appropriation. See 20.410(1)(kx) for an example. Also, include language to allow money to be transferred to other agencies.	✓ MPB
Section 113	dn: Do we still need a 20.144(1)(a) type appropriation? Yes.	✓ ARG/FFK
Section 114	dn: Do we need to revise to include payments to mother appropriation?	No. see insert 31-9 MPB
Section 133	dn: Do we need to revise to include payments to mother appropriation?	✓ " MPB
Section 134	dn: Repeal? Yes	✓ MPB
Section 136	dn: Do we need to revise to include payments to mother appropriation?	✓ no. see insert 31-9 MPB
Section 141	dn: Do we need to revise to include payments to mother appropriation?	✓
Section 146	dn: Federal limitation ok? Yes	✓ MPB
Section 158	dn: Do we need to revise to include payments to mother appropriation?	no. see insert 31-9 MPB
Section 217	dn: Should EAB be moved outside ch. 38? Yes	✓ ARG
Section 282-285	dn: Plan Review questions. Create an explicit plan review authority for DHS under s.50.92	✓ TJD Insert
Section 291	Program should now be repealed	✓ RNR Insert
Section 613	dn: Limiting language? Yes.	✓ MPB
Section 646	dn: Background checks? No.	✓ TJD
Section 1165	dn: Limit to DSPS-related positions? Yes.	✓ MPB

Section 9101	Positions are unclassified, so the personnel do not transfer to the new agency.	✓ mPL
Section 9143	dn: According to PMIS, they're in 20.292(2)(g)	✓ ARG
Section 9152	Delete organizational plan requirement	✓ RAC
Section 9214	dn: This is correct based on the appropriation mapping	✓ ARG/FFK

There are a few outstanding issues related to DFI that I will get to you as soon as I hear from our DFI analyst.

Thanks,

Andy

Andrew R. Potts
 Executive Budget and Policy Analyst
 Wisconsin Department of Administration
 State Budget Office
 (608) 267-0370

Gmm:
 I deleted all applicable treatments in chs. 620-655 so your workers' comp material has been eliminated from those chapters too.
 (X)
 TJD

Gallagher, Michael

From: Potts, Andrew R - DOA <Andrew.Potts@wisconsin.gov>
Sent: Thursday, January 08, 2015 7:46 AM
To: Gallagher, Michael
Subject: RE: DFIPS Draft Update (LRB-0807/P1)

Additional change:

- Change the title of the Office of Business Development to the "Office of Regulatory Reform"

From: Potts, Andrew R - DOA
Sent: Tuesday, January 06, 2015 8:41 AM
To: Gallagher, Michael - LEGIS
Subject: RE: DFIPS Draft Update (LRB-0807/P1)

Mike,

Yes, still as a budget draft.

Per Section 105, that was an internal office note I forgot to remove. I'm awaiting an answer from our DFI analyst.

Andy

From: Gallagher, Michael [<mailto:Michael.Gallagher@legis.wisconsin.gov>]
Sent: Tuesday, January 06, 2015 8:01 AM
To: Potts, Andrew R - DOA
Subject: RE: DFIPS Draft Update (LRB-0807/P1)

Andy, we're still doing this as a budget draft at this point, right? Just double-checking.

Also, under your note concerning section 105, below, could you clarify your response to the d-note there?

Thanks.

Michael Gallagher
Legislative Attorney
Wisconsin Legislative Reference Bureau
(608) 267-7511

From: Gallagher, Michael
Sent: Monday, January 05, 2015 3:54 PM
To: 'Potts, Andrew R - DOA'
Subject: RE: DFIPS Draft Update (LRB-0807/P1)

Thanks Andy. I'll take a look, let you know if I have any questions, and have the various drafters do their parts. We'll start working on the /P2.

Mike

Michael Gallagher
Legislative Attorney
Wisconsin Legislative Reference Bureau

From: Potts, Andrew R - DOA [mailto:Andrew.Potts@wisconsin.gov]
Sent: Monday, January 05, 2015 3:47 PM
To: Gallagher, Michael
Subject: DFIPS Draft Update (LRB-0807/P1)

Hi Mike,

Yes, you saw it correctly, DFIPS has lost an l.

Here are our updates to the draft:

	Remove OCI and Worker's Compensation transfers from the bill draft. WC will merge into OCI as a separate bill.
	Rename new agency to Department of Financial Institutions and Professional Standards
Section 47	Move Veterinary Examining Board to DATCP
Section 105	dn: Should this be as noted
Section 107	Need to create a mother appropriation. See 20.410(1)(kx) for an example. Also, include language to allow money to be transferred to other agencies.
Section 113	dn: Do we still need a 20.144(1)(a) type appropriation? Yes.
Section 114	dn: Do we need to revise to include payments to mother appropriation?
Section 133	dn: Do we need to revise to include payments to mother appropriation?
Section 134	dn: Repeal? Yes
Section 136	dn: Do we need to revise to include payments to mother appropriation?
Section 141	dn: Do we need to revise to include payments to mother appropriation?
Section 146	dn: Federal limitation ok? Yes
Section 158	dn: Do we need to revise to include payments to mother appropriation?
Section 217	dn: Should EAB be moved outside ch. 38? Yes
Section 282-285	dn: Plan Review questions. Create an explicit plan review authority for DHS under s.50.92
Section 291	Program should now be repealed
Section 613	dn: Limiting language? Yes.
Section 646	dn: Background checks? No.
Section 1165	dn: Limit to DSPS-related positions? Yes.

Section 9101	Positions are unclassified, so the personnel do not transfer to the new agency.
Section 9143	dn: According to PMIS, they're in 20.292(2)(g)
Section 9152	Delete organizational plan requirement
Section 9214	dn: This is correct based on the appropriation mapping

There are a few outstanding issues related to DFI that I will get to you as soon as I hear from our DFI analyst.

Thanks,

Andy

Andrew R. Potts
Executive Budget and Policy Analyst
Wisconsin Department of Administration
State Budget Office
(608) 267-0370

Gallagher, Michael

From: Potts, Andrew R - DOA <Andrew.Potts@wisconsin.gov>
Sent: Wednesday, January 14, 2015 3:28 PM
To: Gallagher, Michael
Subject: DFIPS Unclassified ESG

There will be 27.0 FTE Unclassified in DFIPS. I'll have additional draft comments to you shortly.

DFIPS Unclassified Executive Salary Grade

Not to Exceed:

- **ESG 7** (\$96,175 – \$149,073)
 - Secretary
- **ESG 6** (\$89,051 - \$138,029)
 - Deputy Secretary
 - Division Administrator (Division of Financial Institutions)
- **ESG 5** (\$82,453 – \$127,802)
 - Assistant Deputy Secretary
 - Chief Legal Counsel
- **ESG 4** (\$76,344 – \$118,333)
 - Bureau Directors (Bureau of Banking, Bureau of Licensed Financial Services, I
- **ESG 3** (\$70,687 – \$109,566)
 - Legislative Liaison
 - Director of the Office of Business Development
 - Division Administrators (Division of Professional and Business Services, Division of Compliance, Division of Industry Services, Division of Administrative Services)
 - Director of the Office of Credit Unions
 - Bureau Director (Bureau of Policy Development)
 - Executive Director (x3)
- **ESG 2** (\$65,450 – \$101,450)
 - Communications Director
 - Deputy Director of the Office of Business Development
 - Legal Counsel to the Office of Business Development
 - Bureau Directors (Bureau of Corporations and Registrations, Bureau of Professions, Bureau of Technical Services, Bureau of Field Services, Bureau of Professional

Andrew R. Potts

Executive Budget and Policy Analyst

Wisconsin Department of Administration

State Budget Office

(608) 267-0370

Gallagher, Michael

From: Potts, Andrew R - DOA <Andrew.Potts@wisconsin.gov>
Sent: Wednesday, January 14, 2015 5:10 PM
To: Gallagher, Michael; Kite, Robin; Champagne, Rick
Cc: Frederick, Caitlin - DOA
Subject: DFIPS Edits

Hi Mike, Robin & Rick,

Sorry for the massive list of comments, but here they are:

General notes:

Reconcile EAB draft request BB0410 with this one and remove the current EAB provisions in this draft. Remove elimination of the POWTS grant. This will be handled in the budget via LRB-0794/P1. Effective date of DFIPS is 1/1/2016
DFIPS will be both a standalone bill and a part of the budget.

Drafter's Note:

Vet Examining Board provisions come out. This will be handled in the budget.

Section notes:

Section 5

Change back to "Office of Business Development."

Section 15

Office of Credit Unions is in DFIPS, not attached to. Can it still be an "Office" if it's not attached to an agency, but part of one?

Section 39

Dn: See Vet "Drafter's Note" note

Section 68

Change back to "Office of Business Development."

Section 95

Is Office of Credit Unions change impacted here?

Section 96

Dn: See Vet "Drafter's Note" note

Section 106

Dn: Yes, place in sub (2)

Is Office of Credit Unions change impacted here?

Section 107

Dn: Looks correct.

Section 162

Change back to "Office of Business Development."

Section 163

DFIPS Secretary will be in ESG 7.

Also, need to add "DFIPS – Division of Financial Institutions, administrator" to ESG6

Section 166

Change back to "Office of Business Development."

Section 167

I'm not sure if this should be repealed or modified to reflect the ESG page I emailed you earlier. Also, we should add the Legal Counsel for OBD as an ESG2 somewhere.

Section 214

Dn: This is fine, but there's a superfluous "are" in line 11.

Section 218

While we're at it, let's bump the population to 750,000 to avoid Dane County.

Section 219

Dn: Yes, leave it in.

Section 221

Same comment as above regarding population.

Section 248

Dn: See Vet "Drafter's Note" note

Section 270

Dn: Yes, repeal the private organization requirement.

Section 304

Dn: Add powers referenced under 281 Subchapter IV?

Section 306

Dn: Correct.

Section 307

Dn: No, just DFIPS.

Section 309

Dn: No.

Section 316

Dn: The current language should be fine, as the systems will still be subject to the code.

Sections 324 and 333

Dn: Perhaps add that the DNR may use/request/consult with DFIPS

Section 370

Dn: Yes, limit to financial institutions.

Section 393

Dn: Okay to strike.

Section 406

Modify to reflect Unclassified/ESG chart in prior email.

Section 408

Don't repeal, modify to reflect ESG chart. Some of the "Executive Director" positions in that document are currently unclassified bureau directors in DSPS.

Section 409

Change back to Office of Business Development. Add Legal Counsel for OBD.

Section 415

Dn: Yes.

Section 428

Dn: This can be handled in the POWTS grant elimination.

Section 9101

The assets and liabilities of OBD and the Small Business Regulatory Review Board should transfer.

Section 9114

(b) employees performing financial/accounting functions will also be transferred to DOA. Leave it at the DOA Secretary's discretion to make the determination.

Section 9118

There are no positions transferring, so delete (b) and (c)

Section 9138

(b) employees performing IT, financial/accounting and HR functions will also be transferred to DOA. Leave it at the DOA Secretary's discretion to make the determination.

Thanks,

Andy

Andrew R. Potts

*Executive Budget and Policy Analyst
Wisconsin Department of Administration
State Budget Office
(608) 267-0370*

Gallagher, Michael

From: Potts, Andrew R - DOA <Andrew.Potts@wisconsin.gov>
Sent: Monday, January 19, 2015 4:53 PM
To: Gallagher, Michael
Subject: RE: DFIPS Edits

One other edit under Section 214. DHS would like "promulgate rules that" deleted.

To wit:

The department shall ~~promulgate rules that~~ establish a fee schedule for its services in conducting the plan reviews under this subsection.

From: Potts, Andrew R - DOA
Sent: Wednesday, January 14, 2015 5:10 PM
To: 'Gallagher, Michael'; 'Kite, Robin'; Champagne, Rick - LEGIS
Cc: Frederick, Caitlin - DOA
Subject: DFIPS Edits

Hi Mike, Robin & Rick,

Sorry for the massive list of comments, but here they are:

General notes:

Reconcile EAB draft request BB0410 with this one and remove the current EAB provisions in this draft. Remove elimination of the POWTS grant. This will be handled in the budget via LRB-0794/P1. Effective date of DFIPS is 1/1/2016
DFIPS will be both a standalone bill and a part of the budget.

Drafter's Note:

Vet Examining Board provisions come out. This will be handled in the budget.

Section notes:

Section 5

Change back to "Office of Business Development."

Section 15

Office of Credit Unions is in DFIPS, not attached to. Can it still be an "Office" if it's not attached to an agency, but part of one?

Section 39

Dn: See Vet "Drafter's Note" note

Section 68

Change back to "Office of Business Development."

Section 95

Is Office of Credit Unions change impacted here?

Section 96

Dn: See Vet "Drafter's Note" note

Section 106

Dn: Yes, place in sub (2)

Is Office of Credit Unions change impacted here?

Section 107

Dn: Looks correct.

Section 162

Change back to "Office of Business Development."

Section 163

DFIPS Secretary will be in ESG 7.

Also, need to add "DFIPS – Division of Financial Institutions, administrator" to ESG6

Section 166

Change back to "Office of Business Development."

Section 167

I'm not sure if this should be repealed or modified to reflect the ESG page I emailed you earlier. Also, we should add the Legal Counsel for OBD as an ESG2 somewhere.

Section 214

Dn: This is fine, but there's a superfluous "are" in line 11.

Section 218

While we're at it, let's bump the population to 750,000 to avoid Dane County.

Section 219

Dn: Yes, leave it in.

Section 221

Same comment as above regarding population.

Section 248

Dn: See Vet "Drafter's Note" note

Section 270

Dn: Yes, repeal the private organization requirement.

Section 304

Dn: Add powers referenced under 281 Subchapter IV?

Section 306

Dn: Correct.

Section 307

Dn: No, just DFIPS.

Section 309

Dn: No.

Section 316

Dn: The current language should be fine, as the systems will still be subject to the code.

Sections 324 and 333

Dn: Perhaps add that the DNR may use/request/consult with DFIPS

Section 370

Dn: Yes, limit to financial institutions.

Section 393

Dn: Okay to strike.

Section 406

Modify to reflect Unclassified/ESG chart in prior email.

Section 408

Don't repeal, modify to reflect ESG chart. Some of the "Executive Director" positions in that document are currently unclassified bureau directors in DSPS.

Section 409

Change back to Office of Business Development. Add Legal Counsel for OBD.

Section 415

Dn: Yes.

Section 428

Dn: This can be handled in the POWTS grant elimination.

Section 9101

The assets and liabilities of OBD and the Small Business Regulatory Review Board should transfer.

Section 9114

(b) employees performing financial/accounting functions will also be transferred to DOA. Leave it at the DOA Secretary's discretion to make the determination.

Section 9118

There are no positions transferring, so delete (b) and (c)

Section 9138

(b) employees performing IT, financial/accounting and HR functions will also be transferred to DOA. Leave it at the DOA Secretary's discretion to make the determination.

Thanks,

Andy

Andrew R. Potts

Executive Budget and Policy Analyst

Wisconsin Department of Administration

State Budget Office

(608) 267-0370

Gary, Aaron

To: Gallagher, Michael
Subject: RE: DFIPS Edits

From: Potts, Andrew R - DOA [mailto:Andrew.Potts@wisconsin.gov]
Sent: Wednesday, January 14, 2015 5:10 PM
To: Gallagher, Michael; Kite, Robin; Champagne, Rick
Cc: Frederick, Caitlin - DOA
Subject: DFIPS Edits

Hi Mike, Robin & Rick,

Sorry for the massive list of comments, but here they are:

*Ignore for: S.
MPH*

General notes:

ARG Reconcile EAB draft request BB0410 with this one and remove the current EAB provisions in this draft.

~~Remove elimination of the POWTS grant. This will be handled in the budget via LRB-0794/P1.~~

✓ All Effective date of DFIPS is 1/1/2016 → *CMH to create eff. date for all provisions in 9452 Other by generating catalogue*
DFIPS will be both a standalone bill and a part of the budget.

MPH **Drafter's Note:**

Vet Examining Board provisions come out. This will be handled in the budget.

Section notes:

MPH Section 5
Change back to "Office of Business Development."

ARG Section 15
✓ Office of Credit Unions is in DFIPS, not attached to. Can it still be an "Office" if it's not attached to an agency, but part of one? *yes*

MPH Section 39
Dn: See Vet "Drafter's Note" note

MPH Section 68
Change back to "Office of Business Development."

ARG Section 95
Is Office of Credit Unions change impacted here? *no*

MPH Section 96
Dn: See Vet "Drafter's Note" note

ARG Section 106
Dn: Yes, place in sub (2)
Is Office of Credit Unions change impacted here? *no*

ARG Section 107
Dn: Looks correct.

✓ Section 162
Change back to "Office of Business Development."

Section 163
DFIPS Secretary will be in ESG 7.
Also, need to add "DFIPS – Division of Financial Institutions, administrator" to ESG6 — no ? *

✓ Section 166
Change back to "Office of Business Development."

✓ Section 167
I'm not sure if this should be repealed or modified to reflect the ESG page I emailed you earlier. Also, we should add the Legal Counsel for OBD as an ESG2 somewhere. *1 leave as is*

✓ Section 214
Dn: This is fine, but there's a superfluous "are" in line 11.

✓ Section 218
While we're at it, let's bump the population to 750,000 to avoid Dane County.

✓ Section 219
Dn: Yes, leave it in.

Section 221
✓ Same comment as above regarding population.

✓ Section 248
Dn: See Vet "Drafter's Note" note

✓ Section 270
Dn: Yes, repeal the private organization requirement.

✓ Section 304
Dn: Add powers referenced under 281 Subchapter IV? *

✓ Section 306
Dn: Correct.

✓ Section 307
Dn: No, just DFIPS.

✓ Section 309
Dn: No.

✓ Section 316
Dn: The current language should be fine, as the systems will still be subject to the code.

✓ Sections 324 and 333
Dn: Perhaps add that the DNR may use/request/consult with DFIPS

✓ Section 370
Dn: Yes, limit to financial institutions.

1826 ✓
Section 393
Dn: Okay to strike.

1826 ✓
Section 406
Modify to reflect Unclassified/ESG chart in prior email. / leave as is, per Andy

1826 ✓
Section 408
Don't repeal, modify to reflect ESG chart. Some of the "Executive Director" positions in that document are currently unclassified bureau directors in DSPS. / leave as is per Andy

1826 ✓
Section 409
Change back to Office of Business Development. Add Legal Counsel for OBD.

1826 ✓
Section 415
Dn: Yes.

1826 ✓
Section 428
Dn: This can be handled in the POWTS grant elimination.

→ Talked to Andy.
Don't eliminate grant elimination.

1826 ✓
Section 9101
The assets and liabilities of OBD and the Small Business Regulatory Review Board should transfer. *

1826 ✓
Section 9114
(b) employees performing financial/accounting functions will also be transferred to DOA. Leave it at the DOA Secretary's discretion to make the determination. - no, per Andy

SD
Section 9118
There are no positions transferring, so delete (b) and (c)

1826 ✓
Section 9138
(b) employees performing IT, financial/accounting and HR functions will also be transferred to DOA. Leave it at the DOA Secretary's discretion to make the determination. → no, take out IT carve out

Thanks,

Andy

Andrew R. Potts
Executive Budget and Policy Analyst
Wisconsin Department of Administration
State Budget Office
(608) 267-0370

Gary, Aaron

From: Potts, Andrew R - DOA <Andrew.Potts@wisconsin.gov>
Sent: Friday, January 16, 2015 12:57 PM
To: Gary, Aaron
Cc: Knepp, Fern; Champagne, Rick
Subject: RE: DFIPS Edits

Aaron,

Yes, please attached CURB to DFIPS.

Regarding 9114, I was just going to call over about that. I've just been informed that the transfer to DOA will occur on 7/1/15, prior to the creation of DFIPS. Therefore, we need to remove the language as it relates to IT and not add in HR or Finance. Jenny or somebody on her team will submit non-stat language for this budget provision.

Rick: I'll call regarding the ESG/unclassified issue.

Andy

From: Gary, Aaron [mailto:Aaron.Gary@legis.wisconsin.gov]
Sent: Friday, January 16, 2015 12:29 PM
To: Potts, Andrew R - DOA
Cc: Knepp, Fern - LEGIS; Champagne, Rick - LEGIS
Subject: RE: DFIPS Edits

Hi Andy,

Just wanted to follow up on a couple of your questions and ask a question of my own.

Re section 15, yes, OCU can be in, rather than attached to, DFIPS. I have made the change. Regarding a few related questions after that, no, this change doesn't impact the other provisions. I should mention that the Credit Union Review Board is in the Office of Credit Unions, which will now be in DFIPS. Rather than having this "nesting" of a board within an office within a department, do you want to specify that the board is in DFIPS, rather than in OCU?

My question: Regarding 9114 toward the bottom of your email, I have made the change re DFI's financial/accounting positions going with IT functions to DOA, not DFIPS. Do you want the same change re tangible personal property? (compare p. 146 lines 3-7 with lines 17-20 of the "/P2" draft of LRB-0807)

Finally, regarding section 163, my understanding is that we won't be adding administrator here and that you are working with Rick on related issues.

Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Potts, Andrew R - DOA [mailto:Andrew.Potts@wisconsin.gov]
Sent: Wednesday, January 14, 2015 5:10 PM
To: Gallagher, Michael; Kite, Robin; Champagne, Rick
Cc: Frederick, Caitlin - DOA
Subject: DFIPS Edits

Hi Mike, Robin & Rick,