

Fiscal Estimate - 2001 Session

Original Updated Corrected Supplemental

LRB Number 01s0272/1		Introduction Number ASA2-AB621	
Subject ASA to AB-621			
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 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 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 <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input checked="" type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		Affected Ch. 20 Appropriations	
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Fiscal Estimate Narratives
DEG 1/25/02

LRB Number	01s0272/1	Introduction Number	ASA2- AB621	Estimate Type	Supplemental
Subject ASA to AB-621					

Assumptions Used in Arriving at Fiscal Estimate

This comprehensive bill carries covers many issues, four of which have direct impact on DEG. (1) Privacy Impact Review (2) Appointment of a Security Officer and a Privacy Officer (3) Law Enforcement Juvenile Records (4) Employee Personnel records.

Privacy Impact Review: This bill requires the Executive branch to review and provide advice to the Legislature on any bill that may impact upon personal privacy of individuals.

Whenever any bill introduced into either house of the legislature that may impact on personal privacy the Legislative Reference Bureau will send the bill to DOA for a privacy impact review. Either house may also request the department of administration to order preparation of a privacy statement as to any bill before the house, not only in original form but also as affected by one or more amendments.

DOA is to route the bill to one or more state agencies for preparation of a privacy impact statement, collect the statements and return them tot he legislature. Departments are given 15 working days to prepare and submit a privacy impact statement to DOA.

Depending on the number of bills and amendments introduced, the privacy impact reviews could consume a good deal of staff time. Assuming a level of bill introduction at 50 per session and allowing for 1-2 days per review, it is anticipated at this time that DEG will absorb the staff costs of performing these reviews from existing allocations.

Security Officer and Privacy Officer:

DEG is required to appoint an employee of the department to serve as privacy officer to provide information concerning applicable laws, rules and regulations governing privacy. to employees of DEG and other s who may be the subject of any information maintained by the department. DEG is also called upon to appoint an employee of the department as security officer. This position is responsible to ensure security of the information maintained and processed by the department. A division administrator in the unclassified service may not supervise these functions in whole or in part: (s. 230.08(4)(b)(5).

It is anticipated that DEG will make these appointments from within their existing workforce, and so no incremental costs are attached to this item.

Law Enforcement Juvenile Records

This bill makes special provisions for privacy of juvenile records in the law enforcement activities of the state.

DEG currently provides services to the state's District Attorneys through the PROTECT product. We anticipate passage of this bill may cause some increase in calls to the Help Desk, but as PROTECT already has capability for tracking juvenile records separately, no significant incremental costs are expected from these provisions

Employee Personnel records

A. Disciplinary context: This bill's addresses records of investigation into disciplinary matters or employee's violation of statute, ordinance, rule or agency policy. With some exceptions this bill requires that an authority must provide notice to the employee within 72 hours of making the decision to provide access to the employee's records, and before providing access to the records, must serve written notice to the record

subject.

This bill seeks clarify and limit the application of the Wisconsin Supreme Court's Woznicki rule that requires notice to employees when potentially adverse personnel records are being requested for release. The occasion for notice is likely to be small and will require minimal additional effort from the Department. Costs should be absorbable from current budget.

B. Release of Personally Identifiable Information in regular employment context

Generally, this bill requires that employee home address and telephone number, information relating to current investigation of criminal or misconduct offenses prior to disposition of the investigation, employment examination information, other than score, and information used for staff management planning shall have access restricted except to the employee, the employee's representative or unless required for collective bargaining agreement. This provision should incur no additional cost for DEG.

Long-Range Fiscal Implications

Same as above.