

APR 05 2001

LCRC
FORM 2



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 01-024

AN ORDER to amend Adm 30.05 (11), relating to payroll deductions for charitable purposes.

Submitted by **DEPARTMENT OF ADMINISTRATION**

03-01-01 RECEIVED BY LEGISLATIVE COUNCIL.

03-27-01 REPORT SENT TO AGENCY.

RNS:DLS:jal

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO

AT 11/17/01 08:12
10/21/01

**PROPOSED ORDER OF THE
DEPARTMENT OF ADMINISTRATION**

The Department of Administration proposes an order to amend Chapter Adm 30 of the Wisconsin Administrative Code.

Analysis Prepared by the Department of Administration:

Statutory Authority: Sections 16.004(1) and 20.921(1)(a) 4., Stats.

Statute Interpreted: Section 20.921, Stats.

Chapter Adm 30 was created in 1980 to implement payroll deductions for charitable purposes as provided in s. 20.921(1)(a)4, Stats. The current s. Adm 30.05(11), does not include a requirement of nondiscrimination in terms of sexual orientation, which is required by s. 227.10(3)(a), Stats. The Department proposes to amend the rule to conform to existing statutory provisions.

Initial Regulatory Flexibility Analysis:

Pursuant to s. 227.114, Stats., the rule herein is not expected to negatively impact on small businesses.

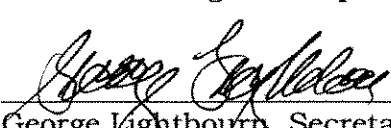
TEXT OF RULE

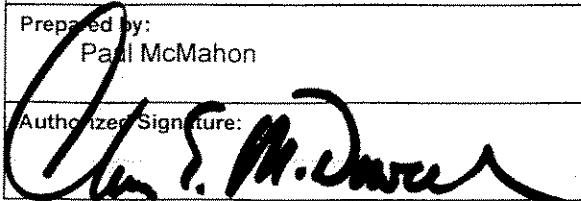
Section 1: Adm 30.05(11), is amended to read:

Adm 30.05(11) NONDISCRIMINATION. The charitable organization shall have a policy and procedure of nondiscrimination in regard to race, color, religion, national origin, handicap, age, sexual orientation as defined in s. 111.32(13m), Stats., or sex applicable to persons served by the charitable organization, application to charitable organization staff employment, and applicable to membership on the charitable organization's governing board.

This rule shall take effect on the first day of the month commencing after the date of publication in the Wisconsin Administrative Register as provided in s. 227.22(2)(intro.), Stats.

Dated: 8-21-01


George Lightbourn, Secretary
Department of Administration

FISCAL ESTIMATE DOA-2048 N(R06/99)		2001 Session		LRB Number
		<input checked="" type="checkbox"/> ORIGINAL	<input type="checkbox"/> UPDATED	Bill Number
		<input type="checkbox"/> CORRECTED	<input type="checkbox"/> SUPPLEMENTAL	
Subject Payroll deduction for charitable purposes			Amendment No. if Applicable	
			Administrative Rule Number Adm 30	
Fiscal Effect				
State: <input checked="" type="checkbox"/> No State Fiscal Effect				
Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.				
<input type="checkbox"/> Increase Existing Appropriation		<input type="checkbox"/> Increase Existing Revenues		<input type="checkbox"/> Increase Costs - May be possible to Absorb Within Agency's Budget <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Decrease Existing Appropriation		<input type="checkbox"/> Decrease Existing Revenues		
<input type="checkbox"/> Create New Appropriation				<input type="checkbox"/> Decrease Costs
Local: <input checked="" type="checkbox"/> No local government costs				
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		5. Types of Local Governmental Units Affected: <input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities	
2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<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"/> SEG-S			Affected Chapter 20 Appropriations	
Assumptions Used in Arriving at Fiscal Estimate				
The proposed amendment to Adm 30 simply adds "sexual orientation" to the list of prohibited types of discrimination that a charity may practice with regard to the persons it serves, the staff it employees and the persons who may serve on its governing board. This requirement will not cause any change in the cost of administering the Administrative Rule.				
Long-Range Fiscal Implications None				
Prepared by: Paul McMahon		Telephone No. (608) 266-1359		Agency Administration
Authorizer Signature: 		Telephone No. (608) 267-3836		Date January 10, 2001