

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: 06/22/99

Received By: kahlepj

Wanted: Soon

Identical to LRB:

For: Senate Democratic Caucus

By/Representing: Walter

This file may be shown to any legislator: NO

Drafter: kahlepj

May Contact:

Alt. Drafters:

Subject: Econ. Development - tourism

Extra Copies:

**Pre Topic:**

SDC:.....Walter - Caucus #2307.

**Topic:**

Allow tourism to refuse names from lists

**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>
/?	kahlepj 06/22/99	wjackson 06/24/99		_____ _____			
/1			martykr 06/25/99	_____ _____	lrb_docadmin 06/25/99		

FE Sent For:

<END>

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/?	kahlepj	1 Wlj 6/24	km 6/26	ds 6/26 ams			

FE Sent For:

<END>

yes

SDC

**Agency: Tourism**

caucus number 2102

duplicate flag:

duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: St Croix Vally Tourism Alliance. Allocate \$50,000 PR from the tribal gaming marketing appropriation for grants to Alliance.

**other notes**

drafting instructions: See above and attached

more instructions:

caucus number 2307

duplicate flag:

duplicate with:

Other reference numbers:	LFB Sum #: Page 573, Item #6 of Summary of Governor's Budget Summary, Bill Sections 945 and 9349(1)
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bill number/amendment number:

LRB draft #

LRB P-draft:

954

description: Restore Gov's proposal to allow DNR to withhold mailing lists and other information of persons who have requested tourism info from those seeking it under Open Records Law. Allow DNR to charge a fee for compiling and supplying anything it does provide.

**other notes** Modification to above: provide the exemption does not apply to requests made by members of the news media.

drafting instructions: See above.

more instructions:

caucus number 2308

duplicate flag:

duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Internet Referral Tourism Pilot Program. Create a grant to fund 2 county-wide tourism grants to financially-needy counties or consortiums who seek to establish an internet referral system for tourism-related businesses. Preference for Wisconsin companies.

**other notes**

drafting instructions: See above

more instructions:

Agency: Tourism

Number of Amendments: 3

+

**DEPARTMENT OF TOURISM – OPEN RECORDS LAW EXEMPTION**

CN 2307

**DESCRIPTION**

This amendment would restore the Governor's proposal to allow the Department of Tourism to withhold mailing lists and other identifying information of persons who have requested tourism information from those seeking such information under the Open Records Law. Also, allow the Department to charge a fee to cover the costs of compiling and supplying any such information it does provide and all Tourism to reduce or waive the fee if the Department believes that the reduction or waiver is in the public interest.

**EXPLANATION/JUSTIFICATION**

We have invested significant state resources in the Department of Tourism's research database. Under current law, any person can demand access to our market research and/or database for a nominal photocopying or disk fee. In order to better protect our investment, it is important that the Department be allowed to withhold this data from our competitors and others. The Governor's recommendation also provides that the Department may be able to generate fee revenue from the investment we have already made, making this limited exemption a fiscal issue worthy of inclusion in the state budget.

**AGENCY**

Department of Tourism

**LRB/FISCAL BUREAU HISTORY**

Page 573, Item #6 of LFB Summary of Governor's Budget Recommendations.  
Bill Sections 945 and 9349(1)

**TOTAL FISCAL EFFECT**

None

MOD: PROVIDE THE EXEMPTION  
DOES NOT APPLY TO REQUESTS  
MADE BY MEMBERS OF THE  
NEWS MEDIA.

**SENATE COMMITTEE ON INSURANCE, TOURISM,  
TRANSPORTATION & CORRECTIONS**

**Budget Recommendation Motion**

Senator Roger Breske, Chair

**Department of Tourism – Exemption from Open Records Law**

*LFB Summary of Governor's Budget Recommendations, Page 573, Item 6*

**Governor:** Allow Tourism to withhold mailing lists and other identifying information of persons who have requested tourism information from those seeking such information under the Open Records Law. Also, allow the Department to charge a fee to cover the costs of compiling and supplying any such information it does provide and allow Tourism to reduce or waive the fee if the Department believes that the reduction or waiver is in the public interest.

**Senator Breske:** We have invested significant state resources in the Department of Tourism's research database. Under current law, any person can demand access to our market research and/or database for a nominal photocopying or disk fee. In order to better protect our investment, it is important that the Department be allowed to withhold this data from our competitors and others. The Governor's recommendation also provides that the Department may be able to generate fee revenue from the investment we have already made, making this limited exemption a fiscal issue worthy of inclusion in the state budget.

**Motion:** Restore Governor's recommendation.

***MOTION PASSED***

**Ayes: 6;** Breske, Zien, Lasee, Schultz, Shibilski, & Grobschmidt

**Noes: 1;** Baumgart

**Motion 6**

*Relating to the Limited Exemption for Tourism from the Open Records Law*

1999

Date (time) needed

*SOON* (6-22-99)

LRB b 0954/1

**CAUCUS BUDGET AMENDMENT  
[ONLY FOR CAUCUS]**

*RJK : WLj :*

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1  
TO 1999 ASSEMBLY BILL 133**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page *536*, line *12*: *after that line insert:*

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :



944<sup>w</sup> } (b)

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SECTION 41.11 (4m) of the statutes is created to read: (a)

41.11 (4m) ACCESS TO CUSTOMER INFORMATION; FEES. (Notwithstanding s. 19.35,  
 the department may refuse to reveal names, addresses and related demographic  
 information maintained on any list that the department has compiled of persons who  
 have requested information about travel opportunities in the state.  
 Notwithstanding s. 19.71, if the department provides information from a list of  
 persons requesting travel information, the department may charge the person  
 requesting the information a fee to recover the department's actual costs of compiling  
 and providing the information. The department may reduce or waive the fee under  
 this subsection if the department determines that the reduction or waiver is in the  
 public interest. )

Insert A

~~SECTION 9349. Initial applicability; tourism.~~

(1) CONFIDENTIALITY OF CUSTOMER LISTS. The treatment of section 41.11 (4m) of  
 the statutes first applies to requests for information from customer lists that are  
 received on the effective date of this subsection. )

(END)

LIMIT APP

#. Page 1601, line 5: after that line insert:

Ins. A

no 41 The department may not refuse to reveal  
= such information to representatives of  
the news media.

(end of ins. A)





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0954/1  
PJK:wj:km

SDC:.....Walter - Caucus #2307, Allow tourism to refuse names from lists

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 1999 ASSEMBLY BILL 133**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 536, line 12: after that line insert:

3 **“SECTION 944wr.** 41.11 (4m) of the statutes is created to read:

4 41.11 (4m) ACCESS TO CUSTOMER INFORMATION; FEES. (a) Notwithstanding s.  
5 19.35, the department may refuse to reveal names, addresses and related  
6 demographic information maintained on any list that the department has compiled  
7 of persons who have requested information about travel opportunities in the state.  
8 The department may not refuse to reveal such information to representatives of the  
9 news media.

