

1999 DRAFTING REQUEST

Senate Amendment (SA-AB315)

Received: 01/21/2000

Received By: **isagerro**

Wanted: **Today**

Identical to LRB:

For: **Jon Erpenbach (608) 266-6670**

By/Representing: **Dick Sweet**

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

Drafter: **isagerro**

May Contact:

Alt. Drafters:

Subject: **Transportation - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Technical fix to personal identifiers

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>
/?	isagerro 01/21/2000	csicilia 01/21/2000		_____			
/1			haugca 01/21/2000	_____	lrb_docadmin 01/21/2000	lrb_docadmin 01/21/2000	

FE Sent For:

<END>

1999 DRAFTING REQUEST

Senate Amendment (SA-AB315)

Received: 01/21/2000

Received By: isagerro

Wanted: Today

Identical to LRB:

For: Jon Erpenbach (608) 266-6670

By/Representing: Dick Sweet

This file may be shown to any legislator: NO

Drafter: isagerro

May Contact:

Alt. Drafters:

Subject: Transportation - miscellaneous

Extra Copies: Dick Sweet - Leg Council
RNK, MDK

Pre Topic:

No specific pre topic given

Topic:

Technical fix to personal identifiers

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>
1?	isagerro	1 cjs 1/21 oo	eh 1-21	ch 1-21 km			

FE Sent For:

<END>

1999 DRAFTING REQUEST

Senate Amendment (SA-AB315)

Received: 11/19/1999

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Jon Erpenbach (608) 266-6670

By/Representing: Julie

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Alt. Drafters: kunkemd
isagerro

Subject: Nat. Res. - miscellaneous
Occupational Reg. - misc

Extra Copies: PEN TNF

Pre Topic:

No specific pre topic given

Topic:

Release by DNR and DORL of personal information

Instructions:

See Attached

*ISR -
gave this
one a new
a 1194
(guts moved)*

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>
/P1	rkite 11/26/1999 kunkemd 12/15/1999	csicilia 12/20/1999	jfrantze 12/20/1999	_____	lrb_docadmin 12/20/1999		
/1	isagerro 01/06/2000	csicilia 01/07/2000	hhagen 01/10/2000	_____	lrb_docadmin 01/10/2000	lrb_docadmin 01/10/2000	

FE Sent For:

1999 DRAFTING REQUEST

Senate Amendment (SA-AB315)

Received: 11/19/1999

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Jon Erpenbach (608) 266-6670

By/Representing: Julie

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Alt. Drafters: kunkemd
isagerro

Subject: Nat. Res. - miscellaneous
Occupational Reg. - misc

Extra Copies: PEN TNF

Pre Topic:

No specific pre topic given

Topic:

Release by DNR and DORL of personal information

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>
/P1	rkite 11/26/1999 kunkemd 12/15/1999	csicilia 12/20/1999	jfrantze 12/20/1999	_____	lrb_docadmin 12/20/1999		

11 kfk
1/10
kfk/km 1/10

FE Sent For:

<END>

1999 DRAFTING REQUEST

Senate Amendment (SA-AB315)

Received: 11/19/1999

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Jon Erpenbach (608) 266-6670

By/Representing: Julie

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Alt. Drafters: kunkemd

Subject: Nat. Res. - miscellaneous
Occupational Reg. - misc

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Release by DNR and DORL of personal information

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>
/P1	rkite	csicilia	jfrantze	_____	lrb_docadmin		
	11/26/1999	12/20/1999	12/20/1999	_____	12/20/1999		
	kunkemd			_____			
	12/15/1999			_____			

FE Sent For:

<END>

1999 DRAFTING REQUEST

Senate Amendment (SA-AB315)

Received: 11/19/1999

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Jon Erpenbach (608) 266-6670

By/Representing: Julie

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Alt. Drafters: kunkemd

Subject: Nat. Res. - miscellaneous
Occupational Reg. - misc

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Release by DNR and DORL of personal information

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>
1?	rkite	P1 cjs 12/16/99		_____			
		P1 12/16 jlg		_____			

FE Sent For:

<END>

Kite, Robin

From: Sager-Rosenthal, Ivy
Sent: Friday, November 19, 1999 1:07 PM
To: Kite, Robin
Subject: FW: Amendment to AB 315 for Sen. Erpenbach

-----Original Message-----

From: Sager-Rosenthal, Ivy
Sent: Monday, November 15, 1999 9:31 AM
To: Kite, Robin; Kunkel, Mark
Cc: Gibson-Glass, Mary
Subject: Amendment to AB 315 for Sen. Erpenbach

I may have spoken to you earlier about Sen. Erpenbach's request for an amendment to AB 315 (release of personal identifiers by DOT). Sen. Erpenbach wants an amendment to require DNR and DORL to include on any form that collects personal information a space for a person to designate that his or her personal identifiers may not be released. AB315 was amended so that now it only requires DOT to provide an "opt out" provision on certain forms. I believe, however, that Erpenbach wants the "opt out" to be included on all DNR and DORL forms that collect pers. info.

The person to talk to in Erpenbach's office is Julie. She is aware that there is a gemaness problem. Let me know if you have questions.

Thanks, Ivy

Ivy G. Sager-Rosenthal
Legislative Attorney
Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2037
(608) 261-4455

*Per Julie -
Require "opt-out" any time the agency collects info.
on a form or by telephone etc.*



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1077/P1
RNK.....

+MDK
CJS +
JG

D-Note

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT,
TO 1999 ASSEMBLY BILL 315

WFO -
Print w/line
numbers

At the locations indicated, amend the bill as follows:

1. Page 1, line 7: after "transportation" insert "the department of natural resources and the department of regulation and licensing".

2. Page 1, line 8: before that line insert:

"SECTION 1. 23.16 (3) of the statutes is renumbered 23.16 (intro.) and amended to read:

plain text

23.16 (intro.) SUBSCRIBER LISTS. The department may refuse to reveal names and addresses of persons on any magazine or periodical subscriber list. The department may charge a fee to recover the actual costs for providing or for the use of any magazine or periodical subscriber list. The department may not reveal names and addresses of persons as prohibited under s. 23.45. No person who obtains or uses any magazine or periodical subscriber list from the department may refer to the

as shown by assembly substitute amendment 1,

(3)

(4)

department, the magazine or the periodical as the source of names or addresses unless the person clearly ~~indicates~~ states that the provision of, or permission to use, the subscriber list in no way indicates the any of the following:

(a) The department's ~~knowledge, involvement, approval, authorization~~ or connection with the person or the person's activities.

History: 1975 c. 224; 1977 c. 418; 1979 c. 221; 1981 c. 335 s. 26; 1983 a. 27; 1989 a. 31 ss. 650km, 650L, 684c, 684e, 684i; Stats. 1989 s. 23.16; 1991 a. 39; 1997 a. 248.

SECTION 1c. 23.16 (3) (b) of the statutes is created to read:

23.16 (3) (b) The department's knowledge, approval or authorization of the person's activities.

SECTION 1g. 23.165 (4) of the statutes is renumbered 23.165 (4) (intro.) and amended to read:

23.165 (4) (intro.) **SUBSCRIBER LISTS.** ~~Notwithstanding s. 19.35, the~~ The department may refuse to reveal names and addresses of persons on any publication subscriber list. The department may not reveal names and addresses as prohibited under s. 23.45 ⁽⁴⁾ ~~the~~ department may charge a fee to recover the actual costs for providing or for the use of a publication subscriber list. No person who obtains or uses a publication subscriber list from the department may refer to the department or the publication as the source of names or addresses unless the person clearly indicates states that the provision of, or permission to use, [✓]the subscriber list in no way indicates the any of the following:

(a) The department's ~~knowledge, involvement, approval, authorization~~ or connection with the person or the person's activities.

History: 1989 a. 31; 1991 a. 39.

SECTION 1n. 23.165 (4) (b) of the statutes is created to read:

23.165 (4) (b) The department's knowledge, approval or authorization of the person's activities.

SECTION 1r. 23.45^X of the statutes is created to read:

23.45 Nondisclosure of certain personal information. (1) In this[✓] section:

(a) "Approval" means any type of approval or authorization issued by the department including a license, permit, certificate, card stamp or tag.

(b) "List" means information compiled or maintained by the department that contains the personal identifiers of 10 or more individuals.

(c) "Personal identifier" means a name, street address, post-office box number or 9-digit extended zip code.

(2) If a form that the department requires an individual to complete in order to obtain ~~a license~~^{an approval} or other privilege from the department or to obtain a product or service from the department requires the individual to provide any of the individual's personal identifiers, the form shall include a place for the individual to declare that the individual's personal identifiers obtained by the department from the information on the form may not be disclosed on any list that the department furnishes to another person.

(3) If the department requires an individual to provide, by telephone or other electronic means, any of the individual's personal identifiers in order to obtain ~~a license~~^{an approval} or other privilege from the department or to obtain a product or service from the department, the department shall ask the individual at the time that the individual provides the information if the individual wants to declare that the individual's personal ~~information~~^{identifiers} obtained by telephone or other electronic means may not be disclosed on any list that the department furnishes to another person. X X

(4) (a) The department may not disclose on any list that it furnishes to another person a personal identifier of any individual who has made a declaration under sub. (2) or (3).[✓]

INSERT MDT1

(b) Paragraph (a) does not apply to a list that the department furnishes to another state agency. A state agency that receives a list from the department containing a personal identifier of any ^{individual} person who has made a declaration under sub. (2) or (3) may not disclose the ^{personal identifier} list to any person other than a state agency.

3. Page 1, line 8: delete "SECTION 1" and substitute "SECTION 1w".

4. Page 8, line 3: after that line insert:

"(1) The treatment of section 23.45 (4) of the statutes first applies to lists furnished by the department of natural resources on the effective date of this subsection."

5. Page 8, line 4: delete "(1)" and substitute "(2)".

(END)

INSERT MDT2

initial app

C

1 personal ~~information~~ ^{identifiers} obtained by telephone or other electronic means may not be ~~XX~~
 2 disclosed on any list that the department or the credentialing board furnishes to
 3 another person.

4 (4) (a) The department or a credentialing board may not disclose on any list
 5 that it furnishes to another person a personal identifier of any individual who has
 6 made a declaration under sub. (2) or (3).

7 (b) Paragraph (a) does not apply to a list that the department or a credentialing
 8 board furnishes to another state agency. A state agency that receives a list from the
 9 department or a credentialing board containing a personal identifier of any
 10 individual who has made a declaration under sub. (2) or (3) may not disclose the ~~list~~
 11 ^{personal identifier} to any person other than a state agency."

INSERT MDK2:

✓ 13 ~~2.~~ Page 8, line 6: after that line insert:

14 "(3) The treatment of section 440.14[✓] of the statutes first applies to lists
 15 furnished by the department of regulation and licensing or a credentialing board, as
 16 defined in section 440.01 (2) (bm)[✓] of the statutes, on the effective date of this
 17 subsection."

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

LRBa1077/P1dn

RNK:y:...

ys
+
JG

1. We have prepared this draft in preliminary form to give you an opportunity to consider the following issues before preparing the draft in introducible form.
2. Under this draft, DNR may not disclose personal information that it obtains, whether by a form or by way of telephone or other electronic means, when an individual applies for an approval or other privilege or for a product or service. Please let me know if there are any other circumstances under which you believe that DNR might gather personal information on a form or by telephone or other electronic means.
3. This draft incorporates the same definition of personal identifiers that is used in AB315. That definition does not include telephone numbers. Do you want to include telephone numbers in the definition of personal identifiers for purposes of this draft?
4. AB315 specifies the procedure that DOT may follow if it receives an unanticipated number of designations. I did not include such a provision in this draft as it concerns DNR. Is this consistent with your intent?
5. This draft provides that state agencies may share personal information with other state agencies but may not disclose any personal information received from another state agency. Is this provision consistent with your intent?
6. You may want to consider including certain exceptions to the prohibition against the release of information. For example, can a state agency disclose personal information to the federal government, local governments or law enforcement authorities?
7. AB315 provides that a person may request that DOT furnish a form, other than a form related to a DOT application, by which an individual can designate that his or her personal information may not be disclosed. I did not include such a provision as it relates to DNR. If you want me to include such a provision, please let me know and I will redraft accordingly.
8. AB315 provides that DOT shall establish by rule a reasonable period for complying with designations. Do you want a similar provision for DNR?

or DORL

or DORL

or DORL

except to another state agency

or DORL

With respect to DORL, you may want to delay the effective date to give DORL an opportunity to revise its forms.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: Robin.Kite@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1077/P1dn
RNK:cjs&jlg:jf

December 20, 1999

1. We have prepared this draft in preliminary form to give you an opportunity to consider the following issues before preparing the draft in introducible form.

2. Under this draft, DNR or DORL may not disclose personal information that it obtains, whether by a form or by way of telephone or other electronic means, when an individual applies for an approval or other privilege or for a product or service. Please let me know if there are any other circumstances under which you believe that DNR or DORL might gather personal information on a form or by telephone or other electronic means.

3. This draft incorporates the same definition of personal identifiers that is used in AB-315. That definition does not include telephone numbers. Do you want to include telephone numbers in the definition of personal identifiers for purposes of this draft?

4. AB-315 specifies the procedure that DOT may follow if it receives an unanticipated number of designations. I did not include such a provision in this draft as it concerns DNR or DORL. Is this consistent with your intent?

5. This draft provides that state agencies may share personal information with other state agencies but may not disclose any personal information received from another state agency except to another state agency. Is this provision consistent with your intent?

6. You may want to consider including certain exceptions to the prohibition against the release of information. For example, can a state agency disclose personal information to the federal government, local governments or law enforcement authorities?

7. AB-315 provides that a person may request that DOT furnish a form, other than a form related to a DOT application, by which an individual can designate that his or her personal information may not be disclosed. I did not include such a provision as it relates to DNR or DORL. If you want me to include such a provision, please let me know and I will redraft accordingly.

8. AB-315 provides that DOT shall establish by rule a reasonable period for complying with designations. Do you want a similar provision for DNR? With respect to DORL, you may want to delay the effective date to give DORL an opportunity to revise its forms.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: Robin.Kite@legis.state.wi.us

Redirect instructions from Julie 1-5-2000
a/OTP

Re: DN #3 -
add telephone number & SS# to ^{DOT}
personal identifiers ~~re:~~ re: DOT, DNR & DORL

Re: DN #6 -
add exception ~~to~~ for law enforcement
and for info required by fed. govt.

Re: DN #7
add this provision

Re: DOT

1. For those given exceptions - prohibit
"re-release" of personal identifiers for
"marketing purposes"

2. Add forfeiture for those that "re-release"
- per violation & per name -
wants "standard" penalty amt. - I told her
I didn't know if there was such an
amount but would talk to Fug about
this

* Instructions per Julie, aide to Eperbach 12/5/07 9:30

- SSN: name - include in pers. id's definition
- clarify that any pers. id's. disclosed by DOT under an exception (to insurers and manufacturers) may not be disclosed for marketing purposes
 - Ex: insurer gets info and can't release info to firm for firm to solicit consumer re: other types of insurance
- make penalty for disclosure of confidential pers. id's strict liability
 - delete "willfully"



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1077/3
RNK&MDK:cjs&jlg:jf

ISR
RM, run

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT,
TO 1999 ASSEMBLY BILL 315

SEJON
1/6/00

1 At the locations indicated, amend the bill, as shown by assembly substitute
2 amendment 1, as follows:

3 1. Page 1, line 7: ~~After "transportation" insert~~ "the department of natural
4 resources and the department of regulation and licensing". ~~of transportation~~

5 2. Page 1, line 8: before that line insert:

6 "SECTION 1. 23.16 (3) of the statutes is renumbered 23.16 (3) (intro.) and
7 amended to read:

8 23.16 (3) SUBSCRIBER LISTS. (intro.) The department may refuse to reveal
9 names and addresses of persons on any magazine or periodical subscriber list. The
10 department may charge a fee to recover the actual costs for providing or for the use
11 of any magazine or periodical subscriber list. The department may not reveal names
12 and addresses of persons as prohibited under s. 23.45 (5). No person who obtains or

granting rule-making
authority and providing
a penalty.

1 uses any magazine or periodical subscriber list from the department may refer to the
2 department, the magazine or the periodical as the source of names or addresses
3 unless the person clearly indicates states that the provision of, or permission to use,
4 the subscriber list in no way indicates the any of the following:

5 (a) The department's knowledge, involvement, approval, authorization or
6 connection with the person or the person's activities.

7 **SECTION 1c.** 23.16 (3) (b) of the statutes is created to read:

8 23.16 (3) (b) The department's knowledge, approval or authorization of the
9 person's activities.

10 **SECTION 1g.** 23.165 (4) of the statutes is renumbered 23.165 (4) (intro.) and
11 amended to read:

12 23.165 (4) SUBSCRIBER LISTS. (intro.) ~~Notwithstanding s. 19.35, the~~ The
13 department may refuse to reveal names and addresses of persons on any publication
14 subscriber list. ~~The department may not reveal names and addresses as prohibited~~
15 under s. 23.45 (4).⁵ The department may charge a fee to recover the actual costs for
16 providing or for the use of a publication subscriber list. No person who obtains or uses
17 a publication subscriber list from the department may refer to the department or the
18 publication as the source of names or addresses unless the person clearly indicates
19 states that the provision of, or permission to use, the subscriber list in no way
20 indicates the any of the following:

21 (a) The department's knowledge, involvement, approval, authorization or
22 connection with the person or the person's activities.

23 **SECTION 1n.** 23.165 (4) (b) of the statutes is created to read:

24 23.165 (4) (b) The department's knowledge, approval or authorization of the
25 person's activities.

1 SECTION 1r. 23.45 of the statutes is created to read:

2 23.45 Nondisclosure of certain personal information. (1) In this section:

3 (a) "Approval" means any type of approval or authorization issued by the
4 department including a license, permit, certificate, card stamp or tag.

5 (b) "List" means information compiled or maintained by the department that
6 contains the personal identifiers of 10 or more individuals. *number*

7 (c) "Personal identifier" means a name, *social security number, telephone*
8 or 9-digit extended zip code. *street address, post-office box number*

9 (2) If a form that the department requires an individual to complete in order
10 to obtain an approval or other privilege from the department or to obtain a product
11 or service from the department requires the individual to provide any of the
12 individual's personal identifiers, the form shall include a place for the individual to
13 declare that the individual's personal identifiers obtained by the department from
14 the information on the form may not be disclosed on any list that the department
15 furnishes to another person.

16 (3) If the department requires an individual to provide, by telephone or other
17 electronic means, any of the individual's personal identifiers in order to obtain an
18 approval or other privilege from the department or to obtain a product or service from
19 the department, the department shall ask the individual at the time that the
20 individual provides the information if the individual wants to declare that the
21 individual's personal identifiers obtained by telephone or other electronic means
22 may not be disclosed on any list that the department furnishes to another person.

*Insert
3-22*

23 (b) (a) The department may not disclose on any list that it furnishes to another
24 person a personal identifier of any individual who has made a declaration under sub.

25 (2) (3) *or (4)*

1 (b) Paragraph (a) does not apply to a list that the department furnishes to
 2 another state agency. A state agency that receives a list from the department
 3 containing a personal identifier of any individual who has made a declaration under
 4 sub. (2) ^{or (4)} (3) may not disclose the personal identifier to any person other than a state
 5 agency." ^{a law enforcement agency or a federal governmental}

6 **3.** Page 1, line 8: delete "SECTION 1" and substitute "SECTION 1w".

* → Inserts 4-G, 4-GA, 4-GB, 4-GC, 4-GD, 4-GE, 4-GF

7 **4.** Page 8, line 2: after that line insert:

8 "SECTION 21m. 440.14 of the statutes is created to read:

9 **440.14 Nondisclosure of certain personal information.** (1) In this
 10 section:

11 (a) "List" means information compiled or maintained by the department or a
 12 credentialing board that contains the personal identifiers of 10 or more individuals.

13 (b) "Personal identifier" means a name, ^{social security number, telephone number,} street address, post-office box number
 14 or 9-digit extended zip code.

15 (2) If a form that the department or a credentialing board requires an
 16 individual to complete in order to apply for a credential or credential renewal or to
 17 obtain a product or service from the department or the credentialing board requires
 18 the individual to provide any of the individual's personal identifiers, the form shall
 19 include a place for the individual to declare that the individual's personal identifiers
 20 obtained by the department or the credentialing board from the information on the
 21 form may not be disclosed on any list that the department or the credentialing board
 22 furnishes to another person.

23 (3) If the department or a credentialing board requires an individual to
 24 provide, by telephone or other electronic means, any of the individual's personal

1 identifiers in order to apply for a credential or credential renewal or to obtain a
2 product or service from the department or a credentialing board, the department or
3 the credentialing board shall ask the individual at the time that the individual
4 provides the information if the individual wants to declare that the individual's
5 personal identifiers obtained by telephone or other electronic means may not be
6 disclosed on any list that the department or the credentialing board furnishes to
7 another person.

Insert
5-7 →

8 ~~(a)~~ (5) The department or a credentialing board may not disclose on any list
9 that it furnishes to another person a personal identifier of any individual who has
10 made a declaration under sub. (2), ~~or~~ (3) *or (4)* a law enforcement agency or a
11 federal governmental agency

12 (b) Paragraph (a) does not apply to a list that the department or a credentialing
13 board furnishes to another state agency. A state agency that receives a list from the
14 department or a credentialing board containing a personal identifier of any
15 individual who has made a declaration under sub. (2), ~~or~~ (3) *or (4)* may not disclose the
16 personal identifier to any person other than a state agency.

5. Page 8, line 3: after that line insert:

INIT
APP

17 "(1) The treatment of section 23.45 (4) of the statutes first applies to lists
18 furnished by the department of natural resources on the effective date of this
19 subsection."

6. Page 8, line 4: delete "(1)" and substitute:

INIT
APP

"(2)".

7. Page 8, line 6: after that line insert:

Insert
5-22

22 (4)
23 The treatment of section 440.14 of the statutes first applies to lists
24 furnished by the department of regulation and licensing or a credentialing board, as

INIT
APP

1 defined in section 440.01 (2) (bm) of the statutes, on the effective date of this
2 subsection.”.

3 (END)

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1077/linsISR
ISR:.....

1 Insert 4-6

2 1. Page 1, line 10: after "name," insert "social security number, telephone
3 number,".

4 2. Page 4, line 12: after that line insert:

5 "SECTION 4r. 341.17 (9) (a) 3. of the statutes is amended to read:

6 341.17 (9) (a) 3. "Personal identifier" ~~means a name, street address, post-office~~
7 ~~box number or 9-digit extended zip code~~ has the meaning given in s. 85.103 (1)."

8 History: 1971 c. 164; 1977 c. 29 ss. 1422, 1654 (7) (a), (e); 1977 c. 273; 1979 c. 221; 1985 a. 202; 1987 a. 217; 1991 a. 269; 1997 a. 27.

9 Insert 4-6B

10 3. Page 5, line 5: after "recalls." insert "Notwithstanding par. (e), no person
11 receiving a personal identifier under this subdivision may disclose the personal
12 identifier to another person for marketing purposes."

13 4. Page 5, line 11: after that line insert:

14 "SECTION 9m. 341.17 (9) (f) 1. and 2. of the statutes are amended to read:

15 341.17 (9) (f) 1. Any person who ~~wilfully~~ discloses a personal identifier in
16 violation of this subsection may be required to forfeit not more than \$500 for each
17 violation.

18 2. Any person who ~~wilfully~~ requests or obtains a personal identifier from the
19 department under this subsection under false pretenses may be required to forfeit
20 not more than \$500 for each violation."

21 History: 1971 c. 164; 1977 c. 29 ss. 1422, 1654 (7) (a), (e); 1977 c. 273; 1979 c. 221; 1985 a. 202; 1987 a. 217; 1991 a. 269; 1997 a. 27.

22 5. Page 5, line 22: after that line insert:

"SECTION 11r. 343.235 (1) (c) of the statutes is amended to read:

1 343.235 (1) (c) "Personal identifier" means a name, street address, post-office
2 ~~box number or 9-digit extended zip code~~ has the meaning given in s. 85.103 (1)."

3 History: 1991 a. 269.

4 Insert 4-6D

5 **6.** Page 6, line 15: after that line insert:

6 "SECTION 15m. 343.235 (6) (a) and (b) of the statutes are amended to read:

7 343.235 (6) (a) Any person who wilfully discloses a personal identifier in
8 violation of this section may be required to forfeit not more than \$500 for each
9 violation.

10 (b) Any person who wilfully requests or obtains a personal identifier from the
11 department under this section under false pretenses may be required to forfeit not
12 more than \$500 for each violation.

13 History: 1991 a. 269.

13 SECTION 15r. 343.24 (4) (a) 3. of the statutes is amended to read:

14 343.24 (4) (a) 3. "Personal identifier" ~~means a name, street address, post-office~~
15 ~~box number or 9-digit extended zip code~~ has the meaning given in s. 85.103 (1)."

16 History: 1975 c. 297 s. 9; Stats. 1975 s. 343.24; 1977 c. 29 s. 1654 (7) (e); 1979 c. 221, 331, 355; 1989 a. 105; 1991 a. 269; 1993 a. 16, 490; 1995 a. 113.

17 Insert 4-6F

18 **7.** Page 7, line 6: after that line insert:

19 "SECTION 19g. 343.24 (4) (f) 1. and 2. of the statutes are amended to read:

20 343.24 (4) (f) 1. Any person who wilfully discloses a personal identifier in
21 violation of this subsection may be required to forfeit not more than \$500 for each
22 violation.

C

1 2. Any person who wilfully requests or obtains a personal identifier from the
2 department under this subsection under false pretenses may be required to forfeit
3 not more than \$500 for each violation." ✓

4 History: 1975 c. 297 s. 9; Stats. 1975 s. 343.24; 1977 c. 29 s. 1654 (7) (e); 1979 c. 221, 331, 355; 1989 a. 105; 1991 a. 269; 1993 a. 16, 490; 1995 a. 113.

Insert 5-22

INIT
APP

5 ¶ “(3) The treatment of sections 341.17 (9) (c) 3. and 4. and (f) 1. and 2., 343.235
6 (3) (b) and (6) (a) and (b) and 343.24 (4) (c) 2. and (f) 1. and 2. first applies to personal
7 identifiers disclosed by the department of transportation on the effective date of this
8 subsection. ✓

5

Insert 3-22



¶ (4) The department shall provide to an individual upon request a form that includes a place for the individual to declare that the individual's personal identifiers obtained by the department may not be disclosed on any list that the department furnishes to another person.

②
m

Insert ~~§ 19.27~~ 5-7

§ (4) The department ^{or a credentialing board} shall provide to an individual upon request a form that includes a place for the individual to declare that the individual's personal identifiers obtained by the department ^{or credentialing board} may not be disclosed on any list that the department ^{or credentialing board} furnishes to another person.

**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 315**

October 1, 1999 - Offered by Representative SCHNEIDER

Insert 4-6A

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

2 **1.** Page 4, line 25: after "claim." insert "Notwithstanding par. (e), no insurer,
3 or agent of an insurer, may disclose to another person *for marketing purposes*
4 received under this subdivision."

5 **2.** Page 6, line 9: after "claim." insert "Notwithstanding sub. (5), no insurer,
6 or agent of an insurer, may disclose to another person *for marketing purposes*
7 received under this paragraph."

8 **3.** Page 6, line 25: after "claim." insert "Notwithstanding par. (e), no insurer,
9 or agent of an insurer, may disclose to another person *for marketing purposes*
10 received under this subdivision."

11 (END)

Insert 4-6E

*Insert
4-6C*

2



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa 10774
RNK/MDK/ISR:cjs&jlg:hmh

Amn Arun

SENATE AMENDMENT,
TO 1999 ASSEMBLY BILL 315

NOW 1/21/00
note

only changes on pg. 4

1 At the locations indicated, amend the bill, as shown by assembly substitute
2 amendment 1, as follows:

3 1. Page 1, line 7: delete that line and substitute "of transportation, the
4 department of natural resources and the department of regulation and licensing,
5 granting rule-making authority and providing a penalty."

6 2. Page 1, line 8: before that line insert:

7 "SECTION 1. 23.16 (3) of the statutes is renumbered 23.16 (3) (intro.) and
8 amended to read:

9 23.16 (3) SUBSCRIBER LISTS. (intro.) The department may refuse to reveal
10 names and addresses of persons on any magazine or periodical subscriber list. The
11 department may charge a fee to recover the actual costs for providing or for the use
12 of any magazine or periodical subscriber list. The department may not reveal names
13 and addresses of persons as prohibited under s. 23.45 (4). No person who obtains or

1 uses any magazine or periodical subscriber list from the department may refer to the
2 department, the magazine or the periodical as the source of names or addresses
3 unless the person clearly ~~indicates~~ states that the provision of, or permission to use,
4 the subscriber list in no way indicates ~~the~~ any of the following:

5 ~~(a) The department's knowledge, involvement, approval, authorization or~~
6 connection with the person or the person's activities.

7 **SECTION 1c.** 23.16 (3) (b) of the statutes is created to read:

8 23.16 (3) (b) The department's knowledge, approval or authorization of the
9 person's activities.

10 **SECTION 1g.** 23.165 (4) of the statutes is renumbered 23.165 (4) (intro.) and
11 amended to read:

12 23.165 (4) SUBSCRIBER LISTS. (intro.) ~~Notwithstanding s. 19.35, the~~ The
13 department may refuse to reveal names and addresses of persons on any publication
14 subscriber list. The department may not reveal names and addresses as prohibited
15 under s. 23.45 (5). The department may charge a fee to recover the actual costs for
16 providing or for the use of a publication subscriber list. No person who obtains or uses
17 a publication subscriber list from the department may refer to the department or the
18 publication as the source of names or addresses unless the person clearly ~~indicates~~
19 states that the provision of, or permission to use, the subscriber list in no way
20 indicates ~~the~~ any of the following:

21 ~~(a) The department's knowledge, involvement, approval, authorization or~~
22 connection with the person or the person's activities.

23 **SECTION 1n.** 23.165 (4) (b) of the statutes is created to read:

24 23.165 (4) (b) The department's knowledge, approval or authorization of the
25 person's activities.

1 **SECTION 1r.** 23.45 of the statutes is created to read:

2 **23.45 Nondisclosure of certain personal information. (1)** In this section:

3 (a) “Approval” means any type of approval or authorization issued by the
4 department including a license, permit, certificate, card stamp or tag.

5 (b) “List” means information compiled or maintained by the department that
6 contains the personal identifiers of 10 or more individuals.

7 (c) “Personal identifier” means a name, social security number, telephone
8 number, street address, post-office box number or 9-digit extended zip code.

9 **(2)** If a form that the department requires an individual to complete in order
10 to obtain an approval or other privilege from the department or to obtain a product
11 or service from the department requires the individual to provide any of the
12 individual’s personal identifiers, the form shall include a place for the individual to
13 declare that the individual’s personal identifiers obtained by the department from
14 the information on the form may not be disclosed on any list that the department
15 furnishes to another person.

16 **(3)** If the department requires an individual to provide, by telephone or other
17 electronic means, any of the individual’s personal identifiers in order to obtain an
18 approval or other privilege from the department or to obtain a product or service from
19 the department, the department shall ask the individual at the time that the
20 individual provides the information if the individual wants to declare that the
21 individual’s personal identifiers obtained by telephone or other electronic means
22 may not be disclosed on any list that the department furnishes to another person.

23 **(4)** The department shall provide to an individual upon request a form that
24 includes a place for the individual to declare that the individual’s personal identifiers

1 obtained by the department may not be disclosed on any list that the department
2 furnishes to another person.

3 (5) (a) The department may not disclose on any list that it furnishes to another
4 person a personal identifier of any individual who has made a declaration under sub.
5 (2), (3) or (4).

6 (b) Paragraph (a) does not apply to a list that the department furnishes to
7 another state agency, a law enforcement agency or a federal governmental agency.
8 A state agency that receives a list from the department containing a personal
9 identifier of any individual who has made a declaration under sub. (2), (3) or (4) may
10 not disclose the personal identifier to any person other than a state agency, a law
11 enforcement agency or a federal governmental agency.”.

12 3. Page 1, line 8: delete “SECTION 1” and substitute “SECTION 1w”.

13 4. Page 1, line 10: after “name,” insert “social security number, telephone
14 number,”.

15 ~~11~~ #. Page 3, line 3: delete “(2)”.

16 5. Page 4, line 12: after that line insert:

17 “SECTION 4r. 341.17 (9) (a) 3. of the statutes is amended to read:

18 341.17 (9) (a) 3. “Personal identifier” means a name, street address, post-office
19 box number or 9-digit extended zip code has the meaning given in s. 85.103 (1).”.

20 6. Page 4, line 25: after “claim.” insert “Notwithstanding par. (e), no insurer,
21 or agent of an insurer, may disclose to another person for marketing purposes any
22 personal identifier received under this subdivision.”.

23 7. Page 5, line 5: after “recalls.” insert “Notwithstanding par. (e), no person
24 receiving a personal identifier under this subdivision may disclose the personal
identifier to another person for marketing purposes.”.

1 **8.** Page 5, line 11: after that line insert:

2 “**SECTION 9m.** 341.17 (9) (f) 1. and 2. of the statutes are amended to read:

3 341.17 (9) (f) 1. Any person who wilfully discloses a personal identifier in
4 violation of this subsection may be required to forfeit not more than \$500 for each
5 violation.

6 2. Any person who wilfully requests or obtains a personal identifier from the
7 department under this subsection under false pretenses may be required to forfeit
8 not more than \$500 for each violation.”.

9 **9.** Page 5, line 22: after that line insert:

10 “**SECTION 11r.** 343.235 (1) (c) of the statutes is amended to read:

11 343.235 (1) (c) “Personal identifier” ~~means a name, street address, post-office~~
12 ~~box number or 9-digit extended zip code~~ has the meaning given in s. 85.103 (1).”.

13 **10.** Page 6, line 9: after “claim.” insert “Notwithstanding sub. (5), no insurer,
14 or agent of an insurer, may disclose to another person for marketing purposes any
15 personal identifier received under this paragraph.”.

16 **11.** Page 6, line 15: after that line insert:

17 “**SECTION 15m.** 343.235 (6) (a) and (b) of the statutes are amended to read:

18 343.235 (6) (a) Any person who wilfully discloses a personal identifier in
19 violation of this section may be required to forfeit not more than \$500 for each
20 violation.

21 (b) Any person who wilfully requests or obtains a personal identifier from the
22 department under this section under false pretenses may be required to forfeit not
23 more than \$500 for each violation.

24 **SECTION 15r.** 343.24 (4) (a) 3. of the statutes is amended to read:

1 343.24 (4) (a) 3. “Personal identifier” means a name, street address, post-office
2 box number or 9-digit extended zip code has the meaning given in s. 85.103 (1).”.

3 **12.** Page 6, line 25: after “claim.” insert “Notwithstanding par. (e), no insurer,
4 or agent of an insurer, may disclose to another person for marketing purposes any
5 personal identifier received under this subdivision.”.

6 **13.** Page 7, line 6: after that line insert:

7 “**SECTION 19g.** 343.24 (4) (f) 1. and 2. of the statutes are amended to read:

8 343.24 (4) (f) 1. Any person who wilfully discloses a personal identifier in
9 violation of this subsection may be required to forfeit not more than \$500 for each
10 violation.

11 2. Any person who wilfully requests or obtains a personal identifier from the
12 department under this subsection under false pretenses may be required to forfeit
13 not more than \$500 for each violation.”.

14 **14.** Page 8, line 2: after that line insert:

15 “**SECTION 21m.** 440.14 of the statutes is created to read:

16 **440.14 Nondisclosure of certain personal information.** (1) In this
17 section:

18 (a) “List” means information compiled or maintained by the department or a
19 credentialing board that contains the personal identifiers of 10 or more individuals.

20 (b) “Personal identifier” means a name, social security number, telephone
21 number, street address, post-office box number or 9-digit extended zip code.

22 (2) If a form that the department or a credentialing board requires an
23 individual to complete in order to apply for a credential or credential renewal or to
24 obtain a product or service from the department or the credentialing board requires

1 the individual to provide any of the individual's personal identifiers, the form shall
2 include a place for the individual to declare that the individual's personal identifiers
3 obtained by the department or the credentialing board from the information on the
4 form may not be disclosed on any list that the department or the credentialing board
5 furnishes to another person.

6 (3) If the department or a credentialing board requires an individual to
7 provide, by telephone or other electronic means, any of the individual's personal
8 identifiers in order to apply for a credential or credential renewal or to obtain a
9 product or service from the department or a credentialing board, the department or
10 the credentialing board shall ask the individual at the time that the individual
11 provides the information if the individual wants to declare that the individual's
12 personal identifiers obtained by telephone or other electronic means may not be
13 disclosed on any list that the department or the credentialing board furnishes to
14 another person.

15 (4) The department or a credentialing board shall provide to an individual upon
16 request a form that includes a place for the individual to ~~delcare~~ ^{declare} that the individual's
17 personal identifiers obtained by the department or credentialing board may not be
18 disclosed on any list that the department or credentialing board furnishes to another
19 person.

20 (5) (a) The department or a credentialing board may not disclose on any list
21 that it furnishes to another person a personal identifier of any individual who has
22 made a declaration under sub. (2), (3) or (4).

23 (b) Paragraph (a) does not apply to a list that the department or a credentialing
24 board furnishes to another state agency, a law enforcement agency or a federal
25 governmental agency. A state agency that receives a list from the department or a

1 credentialing board containing a personal identifier of any individual who has made
2 a declaration under sub. (2), (3) or (4) may not disclose the personal identifier to any
3 person other than a state agency, a law enforcement agency or a federal
4 governmental agency.”.

5 **15.** Page 8, line 3: after that line insert:

6 “(1) The treatment of section 23.45 (5) of the statutes first applies to lists
7 furnished by the department of natural resources on the effective date of this
8 subsection.”.

9 **16.** Page 8, line 4: delete “(1)” and substitute:

10 “(2)”.

11 **17.** Page 8, line 6: after that line insert:

12 “(3) The treatment of sections 341.17 (9) (c) 3. and 4. and (f) 1. and 2., 343.235
13 (3) (b) and (6) (a) and (b) and 343.24 (4) (c) 2. and (f) 1. and 2. first applies to personal
14 identifiers disclosed by the department of transportation on the effective date of this
15 subsection.

16 (4) The treatment of section 440.14 of the statutes first applies to lists furnished
17 by the department of regulation and licensing or a credentialing board, as defined
18 in section 440.01 (2) (bm) of the statutes, on the effective date of this subsection.”.

19 (END)

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

LRBa1194/1dn

ISR: *ajs & jlg*

January 21, 2000

This amendment is the same as LRBa1077/1 except that it fixes an incorrect cross-reference.

↑ in AB-315

Ivy G. Sager-Rosenthal
Legislative Attorney
Phone: (608) 261-4455
E-mail: Ivy.Sager-Rosenthal@legis.state.wi.us

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

LRBa1194/1dn
ISR:cjs/jlg:ch

January 21, 2000

This amendment is the same as LRBa1077/1 except that it fixes an incorrect cross-reference in AB-315.

Ivy G. Sager-Rosenthal
Legislative Attorney
Phone: (608) 261-4455
E-mail: Ivy.Sager-Rosenthal@legis.state.wi.us