



1995 SENATE BILL 395

November 1, 1995 – Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Joint committee on Information Policy.

1 **AN ACT to amend** 13.90 (1) (intro.) and (1m) (a) and (b), 19.45 (8) (intro.) and
2 20.765 (3) (g); and **to create** 13.58 (5) (a) 6., 13.96, 20.765 (3) (cm), 20.923 (4)
3 (a) 4g., 20.923 (6) (gm) and 230.08 (2) (fq) of the statutes; **relating to:** duties
4 of the joint committee on information policy, creation of a legislative
5 information policy and privacy bureau and making appropriations.

Analysis by the Legislative Reference Bureau

This bill is explained in the PREFATORY NOTE provided by the legislative council in the bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

PREFATORY NOTE: This bill was originated by the joint legislative council's special committee on communication of governmental proceedings and amended by the joint legislative council.

Current law establishes a 10-member joint committee on information policy (JCIP), which consists of the cochairpersons of the joint committee on finance or members of the committee who are designees of the cochairpersons, 4 senators (2 from each party) and 4 representatives to the assembly (2 from each party). Current law specifies a number of powers and duties for the joint committee on information policy, including the power to make recommendations to the governor, the legislature, state agencies or local units of government regarding information technology.

This bill creates an additional duty for the joint committee on information policy. Under the bill, the joint committee is required to review any use by legislative committees and legislators of public video conferencing facilities for conducting public hearings and

other meetings and make recommendations to the joint committee on legislative organization on use of public video conferencing facilities for these purposes.

The bill creates a new nonpartisan legislative service agency, the legislative information policy and privacy bureau. The bureau shall: (1) develop, and make available to the legislature and its committees, such information relating to information policy, including the management of personally identifiable information and the protection of the privacy of personally identifiable information, as will assist the legislature or a legislative committee in its deliberations; and (2) gather information and prepare studies as directed by the JCIP. The bureau must, at all times, observe the confidential nature of the research requests received by it. The bureau's staff may call upon any state department, agency or officer, or any agency of any political subdivision, for such facilities and data as are available and such departments and agencies shall cooperate with the bureau's staff to the fullest possible extent.

The bill provides that the joint committee on legislative organization (JCLO) shall be the policy-making board for the bureau and that the bureau shall be headed by a director selected by the JCLO. The JCIP shall make recommendations concerning a person to serve as director for the approval of the JCLO. The director shall be compensated under executive salary group 1. The bill requires the director to: (1) supervise and train the personnel assigned to the director; (2) supervise all expenditures of the bureau; and (3) attend, or designate a representative who shall attend, all meetings of the JCIP.

The bill appropriates \$200,000 general purpose revenue (GPR) to the bureau for the 1995-97 fiscal biennium. The bill authorizes, in addition to the director, 2 full-time equivalent GPR positions for the bureau. All staff of the bureau serve in the unclassified civil service.

1 **SECTION 1.** 13.58 (5) (a) 6. of the statutes is created to read:

2 13.58 **(5)** (a) 6. Review any use by legislative committees and legislators of
3 public video conferencing facilities for conducting public hearings or other meetings
4 and make recommendations to the joint committee on legislative organization and
5 other appropriate legislative committees on use of public video conferencing facilities
6 for these purposes.

7 **SECTION 2.** 13.90 (1) (intro.) and (1m) (a) and (b) of the statutes are amended
8 to read:

9 13.90 **(1)** (intro.) The joint committee on legislative organization shall be the
10 policy-making board for the legislative reference bureau, the revisor of statutes
11 bureau, the legislative fiscal bureau, the legislative information policy and privacy
12 bureau and the legislative audit bureau. The committee shall:

1 **(1m)** (a) In this subsection, “legislative service agency” means the legislative
2 council staff, the legislative audit bureau, the legislative fiscal bureau, the
3 legislative reference bureau, the legislative information policy and privacy bureau
4 and the revisor of statutes bureau.

5 (b) The joint committee on legislative organization shall select the head of each
6 legislative service agency. The appointment of each legislative service agency head
7 shall be made without regard to political affiliation in order to safeguard the
8 nonpartisan character of each legislative service agency. In the case of the state
9 auditor, the joint legislative audit committee shall make recommendations for the
10 approval of the joint committee on legislative organization. In the case of the director
11 of the legislative information policy and privacy bureau, the joint committee on
12 information policy shall make recommendations for the approval of the joint
13 committee on legislative organization. The committee shall designate an employe
14 of each legislative service agency to exercise the powers and authority of each
15 legislative service agency head in case of absence or disability.

16 **SECTION 3.** 13.96 of the statutes is created to read:

17 **13.96 Legislative information policy and privacy bureau. (1)**

18 DEFINITION. In this section, “personally identifiable information” has the meaning
19 given in s. 19.62 (5).

20 **(2) CREATION.** There is created a bureau to be known as the “Legislative
21 Information Policy and Privacy Bureau” headed by a director. The bureau shall be
22 strictly nonpartisan and shall at all times observe the confidential nature of the
23 research requests received by it. The bureau’s staff may call upon any state
24 department, agency or officer, or any agency of any political subdivision, for such

1 facilities and data as are available and such departments, agencies and officers shall
2 cooperate with the bureau's staff to the fullest possible extent.

3 **(3) DUTIES OF THE BUREAU.** The legislative information policy and privacy
4 bureau shall perform its services for the legislature objectively and impartially and
5 to the limits of its facilities and staff. The bureau shall:

6 (a) Develop, and make available to the legislature and its committees, such
7 information relating to information policy, including the management of personally
8 identifiable information and the protection of the privacy of personally identifiable
9 information, as will assist the legislature or any legislative committee in its
10 deliberations.

11 (b) Gather information and prepare studies as directed by the joint committee
12 on information policy.

13 **(4) DUTIES OF THE DIRECTOR.** The director of the legislative information policy
14 and privacy bureau shall:

15 (a) Employ, supervise and train the personnel assigned to the director.

16 (b) Supervise all expenditures of the legislative information policy and privacy
17 bureau.

18 (c) Attend, or designate a representative who shall attend, all meetings of the
19 joint committee on information policy.

20 **SECTION 4.** 19.45 (8) (intro.) of the statutes is amended to read:

21 19.45 **(8)** (intro.) Except in the case where the state public office formerly held
22 was that of legislator, legislative employe under s. 20.923 (6) (f), (g), (gm) or (h), chief
23 clerk of a house of the legislature, sergeant at arms of a house of the legislature or
24 a permanent employe occupying the position of auditor for the legislative audit
25 bureau:

