

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3572/P1dn
RNK.....:....

1. In accordance with your instructions, I drafted the prohibitions created in the draft broadly. Accordingly, DNR is prohibited from including on any list of 10 or more individuals, the personal identifiers of any person who has requested that DNR keep this information off such a list. The request can be made on a form when applying for an approval or a subscription or can be made by requesting a form from DNR solely for this purpose. If these provisions are drafted too broadly or are inconsistent with your intent, please let me know and I will redraft accordingly.

2. Please look carefully at the definition of “personal identifier” in this draft to make sure that the information that you wish to be excluded from lists is covered by the definition. I did not include zip codes, for example, because it seems to me that this information, standing alone, is not identifiable with a particular individual.

3. There may be circumstances when an individual gives DNR his or her personal identifiers over the phone or the internet. Do you want to require that any individual at DNR who takes information over the phone must give the caller the option of declaring that his or her personal identifiers may not be disclosed on a list? Do you want this information included in connection with transactions occurring over the internet, if any?

4. The draft does not address how DNR must handle “conflicting” declarations. For example, if a person applies for various approvals in a year, and the person makes a declaration on some of the forms but not on others, which declaration takes precedence? You may wish to provide that the last declaration prevails or provide that the individual may make only one declaration in any year.

5. If you have any other question regarding this draft, please feel free to contact me.

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