

1999 DRAFTING REQUEST

Bill

Received: **09/13/1999**

Received By: **gibsom**

Wanted: **As time permits**

Identical to LRB:

For: **Robert Welch (608) 266-0751**

By/Representing:

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

Drafter: **gibsom**

May Contact:

Alt. Drafters:

Subject: **Nat. Res. - fish and game**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Social security numbers for fish and game licenses

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>
/?	gibsom 09/13/1999	chanaman 09/14/1999		_____			S&L
/1			martykr 09/14/1999	_____	lrb_docadmin 09/14/1999	lrb_docadmin 09/29/1999	

FE Sent For:

11-02-99

<END>

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/?	gibsom	cmh 1	9/14	9/14			

FE Sent For:

9/24

<END>

MGG

September 3, 1999

Memorandum

To : Jeff Kuesel

From : Senator Robert T. Welsh 

Subject : Subjects for Legislative Drafts

I would like two separate bill drafted dealing with the following matters:

1. A bill which would no longer allow the Department of Natural Resources to deny issuing a license for hunting, fishing or trapping activities covered in Chapter 29 of the statutes if the party does not provide his/her social security number. This would include the following licenses/permits:
 - Recreational hunting and fishing licenses
 - Commercial licenses; e.g. fish dealers, taxidermist permits etc

~~2. The second bill is outlined in an American Legislative Exchange Council draft called "The National Firearms Holding Act". The outline was prepared by [redacted] and would be turned into a bill suitable for introduction into the Wisconsin Legislature.~~

1999 BILL

D-Rate

negot

1 AN ACT *to repeal* 29.024 (2g) (a) (title) and (intro.), 29.024 (2g) (d) 2. and 29.024
2 (2r) (a) (title) and (intro.); *to renumber* 29.024 (2g) (a) 1., 29.024 (2g) (a) 3. and
3 29.024 (2g) (d) (title); *to renumber and amend* 29.024 (2g) (a) 2., 29.024 (2g)
4 (d) 1., 29.024 (2r) (a) 1., 29.024 (2r) (a) 2., 29.024 (2r) (a) 3., 29.024 (2r) (a) 4.,
5 29.024 (2r) (a) 5., 29.024 (2r) (a) 6., 29.024 (2r) (a) 7., 29.024 (2r) (a) 8., 29.024
6 (2r) (a) 9., 29.024 (2r) (a) 10., 29.024 (2r) (a) 11., 29.024 (2r) (a) 12., 29.024 (2r)
7 (a) 13., 29.024 (2r) (a) 14., 29.024 (2r) (a) 14m., 29.024 (2r) (a) 14r., 29.024 (2r)
8 (a) 15., 29.024 (2r) (a) 16., 29.024 (2r) (a) 17., 29.024 (2r) (a) 18., 29.024 (2r) (a)
9 19., 29.024 (2r) (a) 20., 29.024 (2r) (a) 21. and 29.024 (2r) (d); *to amend* 29.024
10 (2g) (b), 29.024 (2g) (c), 29.024 (2r) (b), 29.024 (2r) (c), 29.229 (5m) (b), 29.229
11 (5m) (c), 49.857 (1) (d) 2., 49.857 (1) (d) 2m. and 73.0301 (1) (d) 1.; and *to create*
12 29.024 (2g) (ar) (intro.), 29.024 (2r) (ar) (intro.), 49.857 (2m) and 73.0301 (2m)
13 of the statutes; **relating to:** prohibiting the denial, revocation, suspension,
14 withholding or restriction of approvals issued under chapter 29 of the statutes

BILL

1 based on the failure of the approval applicants or approval holders to provide
2 social security numbers.

Analysis by the Legislative Reference Bureau

Under current law, the department of natural resources (DNR) must require that a person who is applying for any type of fish or game approval provide DNR with his or her social security number. These approvals include recreational hunting and fishing licenses as well as commercial licenses such as fish dealer and taxidermist permits. DNR must deny the application if the person refuses to provide his or her social security number. DNR then discloses the number to the department of workforce development (DWD) so that DWD may determine whether the person is delinquent in child support or other court-ordered family or birth expenses or has failed to comply with a subpoena or warrant that relates to paternity or child support court proceedings. If the person is delinquent or has failed to comply, DNR must deny the application and suspend any current approvals held by the person.

DNR also discloses the social security number to the department of revenue (DOR) so that DOR may determine whether the person is delinquent in the payment of certain state taxes. If the person is delinquent, the person must deny the application and revoke any current approvals held by the person.

The bill repeals the provision requiring that an applicant for a fish or game approval provide his or her social security number and the provision that DNR must deny or suspend an application or revoke or suspend an approval if a person fails to provide his or her number.

For further information see the *state and local* 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:

3 **SECTION 1.** 29.024 (2g) (a) (title) and (intro.) of the statutes are repealed.

4 **SECTION 2.** 29.024 (2g) (a) 1. of the statutes is renumbered 29.024 (2g) (ar) 1.

5 **SECTION 3.** 29.024 (2g) (a) 2. of the statutes is renumbered 29.024 (2g) (ar) 2.

6 and amended to read:

7 29.024 (2g) (ar) 2. Any permit issued under s. ~~29.38, 29.521, 29.525, 29.53 or~~
8 ~~29.578~~ 29.537, 29.733, 29.735, 29.736 or 29.871.

9 **SECTION 4.** 29.024 (2g) (a) 3. of the statutes is renumbered 29.024 (2g) (ar) 3.

BILL

1 **SECTION 5.** 29.024 (2g) (ar) (intro.) of the statutes is created to read:

2 29.024 (2g) (ar) *Approvals affected.* (intro.) All of the following approvals are
3 subject to denial, suspension, withholding or restriction under par. (ag):

4 **SECTION 6.** 29.024 (2g) (b) of the statutes is amended to read:

5 29.024 (2g) (b) *Duplicates.* For purposes of this subsection, an application for
6 a duplicate of an approval specified ~~in par. (a)~~ under par. (ar) shall be considered an
7 application for the issuance of the approval.

8 **SECTION 7.** 29.024 (2g) (c) of the statutes is amended to read:

9 29.024 (2g) (c) *Disclosure of social security numbers.* The department of
10 natural resources may not disclose any social security numbers received under par.
11 ~~(a)~~ s. 29.024 (2g) (a), 1997 stats., to any person except to the department of workforce
12 development for the sole purpose of administering s. 49.22.

13 **SECTION 8.** 29.024 (2g) (d) (title) of the statutes is renumbered 29.024 (2g) (ag)
14 (title).

15 **SECTION 9.** 29.024 (2g) (d) 1. of the statutes is renumbered 29.024 (2g) (ag) and
16 amended to read:

17 29.024 (2g) (ag) As provided in the memorandum of understanding required
18 under s. 49.857 (2), the department shall deny an application to issue or renew,
19 suspend if already issued or otherwise withhold or restrict an approval specified in
20 par. ~~(a) 1. to 3.~~ (ar) if the applicant for or the holder of the approval is delinquent in
21 making court-ordered payments of child or family support, maintenance, birth
22 expenses, medical expenses or other expenses related to the support of a child or
23 former spouse or if the applicant or holder fails to comply with a subpoena or warrant
24 issued by the department of workforce development or a county child support agency
25 under s. 59.53 (5) ~~and relating that relates~~ to paternity or child support proceedings.

BILL

1 **SECTION 10.** 29.024 (2g) (d) 2. of the statutes is repealed.

2 **SECTION 11.** 29.024 (2r) (a) (title) and (intro.) of the statutes are repealed.

3 **SECTION 12.** 29.024 (2r) (a) 1. of the statutes is renumbered 29.024 (2r) (ar) 1.
4 and amended to read:

5 29.024 (2r) (ar) 1. A license issued under s. ~~29.134~~ 29.501.

6 **SECTION 13.** 29.024 (2r) (a) 2. of the statutes is renumbered 29.024 (2r) (ar) 2.
7 and amended to read:

8 29.024 (2r) (ar) 2. A wholesale fish dealer license issued under s. ~~29.135~~ 29.503.

9 **SECTION 14.** 29.024 (2r) (a) 3. of the statutes is renumbered 29.024 (2r) (ar) 3.
10 and amended to read:

11 29.024 (2r) (ar) 3. A taxidermist permit issued under s. ~~29.136(2)~~ 29.506(2).

12 **SECTION 15.** 29.024 (2r) (a) 4. of the statutes is renumbered 29.024 (2r) (ar) 4.
13 and amended to read:

14 29.024 (2r) (ar) 4. A bait dealer license issued under s. ~~29.137~~ 29.509.

15 **SECTION 16.** 29.024 (2r) (a) 5. of the statutes is renumbered 29.024 (2r) (ar) 5.
16 and amended to read:

17 29.024 (2r) (ar) 5. A guide license issued under s. ~~29.165~~ 29.512.

18 **SECTION 17.** 29.024 (2r) (a) 6. of the statutes is renumbered 29.024 (2r) (ar) 6.
19 and amended to read:

20 29.024 (2r) (ar) 6. A sport trolling license issued under s. ~~29.166~~ 29.514.

21 **SECTION 18.** 29.024 (2r) (a) 7. of the statutes is renumbered 29.024 (2r) (ar) 7.
22 and amended to read:

23 29.024 (2r) (ar) 7. A commercial fishing license issued under s. ~~29.33~~ 29.519.

24 **SECTION 19.** 29.024 (2r) (a) 8. of the statutes is renumbered 29.024 (2r) (ar) 8.
25 and amended to read:

BILL

1 29.024 (2r) (ar) 8. A net license issued under s. ~~29.34~~ 29.523.

2 **SECTION 20.** 29.024 (2r) (a) 9. of the statutes is renumbered 29.024 (2r) (ar) 9.

3 and amended to read:

4 29.024 (2r) (ar) 9. A slat net license issued under s. ~~29.343~~ 29.526.

5 **SECTION 21.** 29.024 (2r) (a) 10. of the statutes is renumbered 29.024 (2r) (ar)

6 10. and amended to read:

7 29.024 (2r) (ar) 10. A trammel net license issued under s. ~~29.344~~ 29.529.

8 **SECTION 22.** 29.024 (2r) (a) 11. of the statutes is renumbered 29.024 (2r) (ar)

9 11. and amended to read:

10 29.024 (2r) (ar) 11. A set or bank pole license issued under s. ~~29.36~~ 29.531.

11 **SECTION 23.** 29.024 (2r) (a) 12. of the statutes is renumbered 29.024 (2r) (ar)

12 12. and amended to read:

13 29.024 (2r) (ar) 12. A setline license issued under s. ~~29.37~~ 29.533.

14 **SECTION 24.** 29.024 (2r) (a) 13. of the statutes is renumbered 29.024 (2r) (ar)

15 13. and amended to read:

16 29.024 (2r) (ar) 13. A clamming license or permit issued under s. ~~29.38~~ 29.537.

17 **SECTION 25.** 29.024 (2r) (a) 14. of the statutes is renumbered 29.024 (2r) (ar)

18 14. and amended to read:

19 29.024 (2r) (ar) 14. A fish farm permit issued under s. ~~29.524~~ 29.733.

20 **SECTION 26.** 29.024 (2r) (a) 14m. of the statutes is renumbered 29.024 (2r) (ar)

21 14m. and amended to read:

22 29.024 (2r) (ar) 14m. A fish importation permit under s. ~~29.525~~ 29.735.

23 **SECTION 27.** 29.024 (2r) (a) 14r. of the statutes is renumbered 29.024 (2r) (ar)

24 14r. and amended to read:

25 29.024 (2r) (ar) 14r. A fish stocking permit under s. ~~29.53~~ 29.736.

BILL

1 **SECTION 28.** 29.024 (2r) (a) 15. of the statutes is renumbered 29.024 (2r) (ar)

2 15. and amended to read:

3 29.024 (2r) (ar) 15. A wild rice dealer license issued under s. ~~29.544~~ 29.607 (4)

4 (b).

5 **SECTION 29.** 29.024 (2r) (a) 16. of the statutes is renumbered 29.024 (2r) (ar)

6 16. and amended to read:

7 29.024 (2r) (ar) 16. A wild ginseng dealer license issued under s. ~~29.547~~ (7)

8 29.611 (7).

9 **SECTION 30.** 29.024 (2r) (a) 17. of the statutes is renumbered 29.024 (2r) (ar)

10 17. and amended to read:

11 29.024 (2r) (ar) 17. A license issued under s. ~~29.573~~ 29.865.

12 **SECTION 31.** 29.024 (2r) (a) 18. of the statutes is renumbered 29.024 (2r) (ar)

13 18. and amended to read:

14 29.024 (2r) (ar) 18. A game bird or animal farm license issued under s. ~~29.574~~

15 29.867.

16 **SECTION 32.** 29.024 (2r) (a) 19. of the statutes is renumbered 29.024 (2r) (ar)

17 19. and amended to read:

18 29.024 (2r) (ar) 19. A fur animal farm license issued under s. ~~29.575~~ 29.869.

19 **SECTION 33.** 29.024 (2r) (a) 20. of the statutes is renumbered 29.024 (2r) (ar)

20 20. and amended to read:

21 29.024 (2r) (ar) 20. A deer farm license or a permit issued under s. ~~29.578~~

22 29.871.

23 **SECTION 34.** 29.024 (2r) (a) 21. of the statutes is renumbered 29.024 (2r) (ar)

24 21. and amended to read:

25 29.024 (2r) (ar) 21. A wildlife exhibit license issued under s. ~~29.585~~ 29.877.

BILL

1 **SECTION 35.** 29.024 (2r) (ar) (intro.) of the statutes is created to read:

2 29.024 (2r) (ar) *Approvals affected.* All of the following approval applications
3 are subject to denial and revocation under par. (ag):

4 **SECTION 36.** 29.024 (2r) (b) of the statutes is amended to read:

5 29.024 (2r) (b) *Duplicates.* For purposes of this subsection, an application for
6 a duplicate of an approval specified in ~~par. (a)~~ under par. (ar) shall be considered an
7 application for the issuance of the approval.

8 **SECTION 37.** 29.024 (2r) (c) of the statutes is amended to read:

9 29.024 (2r) (c) *Disclosure of numbers.* The department of natural resources
10 may not disclose any information received under ~~par. (a)~~ s. 29.024 (2r) (a), 1997 stats.,
11 to any person except to the department of revenue for the sole purpose of making
12 certifications required under s. 73.0301.

13 **SECTION 38.** 29.024 (2r) (d) of the statutes is renumbered 29.024 (2r) (ag) and
14 amended to read:

15 29.024 (2r) (ag) *Denial and revocation.* The department shall deny an
16 application to issue or renew, or revoke if already issued, an approval specified in par.
17 ~~(a) if the applicant for or the holder of the approval fails to provide the information~~
18 ~~required under par. (a) or (ar)~~ if the department of revenue certifies that the
19 applicant or approval holder is liable for delinquent taxes under s. 73.0301.

20 **SECTION 39.** 29.229 (5m) (b) of the statutes is amended to read:

21 29.229 (5m) (b) The band is requested to enact tribal laws or ordinances that
22 ~~require each person, as a condition of being issued an approval under this section,~~
23 ~~to provide to the band his or her social security number and tribal laws or ordinances~~
24 that prohibit the disclosure of ~~that number by~~ social security numbers provided to

BILL

1 the band under s. 29.229 (5m) (b), 1997 stats., to any other person except to the
2 department of workforce development for the purpose of administering s. 49.22.

3 **SECTION 40.** 29.229 (5m) (c) of the statutes is amended to read:

4 29.229 (5m) (c) The band is requested to enact tribal laws or ordinances that
5 deny an application to issue or renew, suspend if already issued or otherwise
6 withhold or restrict an approval issued under this section if the applicant for or the
7 holder of the approval ~~fails to provide the information required under tribal laws or~~
8 ~~ordinances enacted under par. (b) or~~ fails to comply, after appropriate notice, with a
9 subpoena or warrant issued by the department of workforce development or a county
10 child support agency under s. 59.53 (5) and related to paternity or child support
11 proceedings or if the department of workforce development certifies that the
12 applicant for or the holder of the approval has failed to pay court-ordered payments
13 of child or family support, maintenance, birth expenses, medical expenses or other
14 expenses related to the support of a child or former spouse.

15 **SECTION 41.** 49.857 (1) (d) 2. of the statutes is amended to read:

16 49.857 (1) (d) 2. An approval specified in s. ~~29.09 (11m)~~ 29.024 (2g).

17 **SECTION 42.** 49.857 (1) (d) 2m. of the statutes is amended to read:

18 49.857 (1) (d) 2m. A fishing approval issued under s. ~~29.138~~ 29.229.

19 **SECTION 43.** 49.857 (2m) of the statutes is created to read:

20 49.857 (2m) Notwithstanding sub. (2) (b) 4., the memorandum of
21 understanding with the department of natural resources or with the Lac du
22 Flambeau band of the Lake Superior Chippewa under sub. (2) (h) may not require
23 a license applicant to provide or display his or her social security number under the
24 system established by the department of workforce development.

25 **SECTION 44.** 73.0301 (1) (d) 1. of the statutes is amended to read:

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

3000/1 dn
LRB-1064/1 dn
MGG:cmh:km

~~August 25, 1999~~

*new
date*

1. You have requested a repeal of the provisions created in 1997 Acts 191 and 237 requiring a person to disclose his or her social security number (SSN). Please note that, under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), each state must require a person's SSN to be recorded on any application for a professional, driver's, occupational, recreational or marriage license, on any records relating to a judgment of divorce, support order or paternity determination and on every death certificate. A state that fails to enact these requirements risks losing federal funding for child and spousal support enforcement. Wisconsin passed 1997 Act 191 to comply with the PRWORA. If enacted, this draft would jeopardize Wisconsin's receipt of federal funds.

2. Do you want a delayed effective date?

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3600/1dn

MGG:cmh:km

September 14, 1999

1. You have requested a repeal of the provisions created in 1997 Acts 191 and 237 requiring a person to disclose his or her social security number (SSN). Please note that, under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), each state must require a person's SSN to be recorded on any application for a professional, driver's, occupational, recreational or marriage license, on any records relating to a judgment of divorce, support order or paternity determination and on every death certificate. A state that fails to enact these requirements risks losing federal funding for child and spousal support enforcement. Wisconsin passed 1997 Act 191 to comply with the PRWORA. If enacted, this draft would jeopardize Wisconsin's receipt of federal funds.

2. Do you want a delayed effective date?

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

**SUBMITTAL
FORM**

LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 09/14/1999

To: Senator Welch

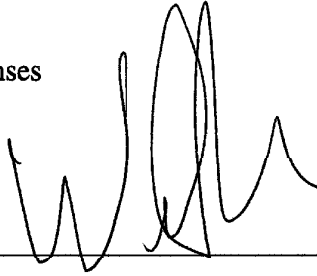
Relating to LRB drafting number: LRB-3600

Topic

Social security numbers for fish and game licenses

Subject(s)

Nat. Res. - fish and game



1. **JACKET** the draft for introduction _____

in the Senate or the Assembly _____ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Mary Gibson-Glass, Senior Legislative Attorney
Telephone: (608) 267-3215