

**1999 DRAFTING REQUEST**

**Bill**

Received: **10/7/98**

Received By: **kahlepj**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 6-7329**

By/Representing: **Justus**

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

Drafter: **kahlepj**

May Contact:

Alt. Drafters:

Subject: **Econ. Development - tourism**

Extra Copies:

**Topic:**

DOA:.....Justus - Confidentiality of tourism's customer database

**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 10/7/98	gilfokm 10/8/98					State
/1			jfrantze 10/8/98		lrb_docadmin 10/8/98		

FE Sent For:

<END>

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1?	kahlepj	1-10-7 hmg	JG 10/8	JG/KM 10/8			

FE Sent For:

<END>

23.165(4)

**(4) Subscriber lists.** Notwithstanding s. 19.35, the department may refuse to reveal names and addresses of persons on any publication subscriber list. 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 that the provision of or permission to use the subscriber list in no way indicates the department's knowledge, involvement, approval, authorization or connection with the person or the person's activities.

23.27(3)(b)

**(b) Access to information; fees.** The department shall make information and data from the natural heritage inventory program available to any individual or public or private agency for research, educational, environmental, land management or similar authorized purposes. The department may establish a fee to be collected to recover the actual cost of collecting, storing, managing, compiling and providing this information and data. The department may reduce or waive the fee established under this paragraph if the department determines that a waiver or reduction of the fee is in the public interest. The natural heritage inventory and related information and data are not subject to s. 19.35 and the department may refuse to release information or data for any purpose which is not authorized.

DEPARTMENT OF TOURISM  
1999-01 DECISION ITEM REQUEST

**Appropriation No: 122**

**Bureau/Unit: Customer Services**

**Customer Database Protection**

**DI No: 5002**

**Request:**

The Department is requesting the following statutory language that parallels language contained in s. 23.165(4), Stats. and s. 23.27 (3) (b), Stats., as it relates to the disclosure of public record customer lists in the custody of the Wisconsin Department of Natural Resources. Both sections exempt the information from s. 19.35, Stats., which normally requires disclosure of public records, and both sections also allow the DNR to charge the actual cost of developing the information. A similar approach for Tourism reads as follows:

41.11 (4) CUSTOMER LISTS. Notwithstanding s. 19.35, the department may refuse to reveal names, addresses and related demographic information maintained in any list it has developed of persons who have asked the department about travel opportunities in the state. Notwithstanding s. 19.71, the department may establish a fee to be charged to recover the actual costs of compiling and providing any such customer list of names, addresses and related demographic information. The department may reduce or waive the fee established under this paragraph if the department determines that a waiver or reduction of the fee is in the public interest.



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-0513/1  
PJK.....

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DOA:.....Justus - Confidentiality of tourism's customer database

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

Soon  
(10-7)

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gen cat

1 AN ACT relating to: keeping confidential the department of tourism's  
2 customer lists.

*Analysis by the Legislative Reference Bureau*  
**COMMERCE AND ECONOMIC DEVELOPMENT**  
**ECONOMIC DEVELOPMENT**

Under the statutes, records created and maintained by a government agency are normally open to inspection by anyone who requests inspection or copies of the records. Also under current law, a government agency is prohibited from selling or renting a record containing an individual's name or address unless authorized by statute. The bill provides that the department of tourism may refuse to reveal names, addresses and related demographic information from any lists of persons who have requested travel information from the department. In addition, if the department provides information from any such list, the department may charge a fee to recover its costs in compiling and providing the information. The department may also waive or reduce the fee if doing so is in the public interest.

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

maintained by the department

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



1999

Insert 2-11

Nonstat File Sequence: **EEE**

LRB \_\_\_\_\_ / \_\_\_\_\_

\_\_\_\_\_ : \_\_\_\_\_ : \_\_\_\_\_

**INITIAL APPLICABILITY**

- In the component bar:  
 For the action phrase, execute: ..... create → action: → \*NS: → inappl  
 For the budget action phrase, execute: ..... create → action: → \*NS: → 93XX  
 For the text, execute: ..... create → text: → \*NS: → inappl
- Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, for the budget, fill in the 9300 department code; and fill in "\_\_\_" or "( )" only if a "frozen" number is needed.

**SECTION #** 44M9349 . **Initial applicability;** .....  
*tourism.*  
 ( #1 ) W <sup>(CS)</sup> Confidentiality of customer lists. .....  
 ..... **The treatment of sections** # ..  
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. .....

- In the component bar:  
 For the action phrase, execute: ..... create → action: → \*NS: → inappl  
 For the text, execute: ..... create → text: → \*NS: → inapplA
- Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in "\_\_\_" or "( )" only if a "frozen" number is needed.

**SECTION #** \_\_\_\_ . **Initial applicability;** .....  
 .....  
 ( #1 ) ( ) ..... **This act first ap-**  
**plies to** .....

(end of insert 2-11)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-0513/1

PJK:kmg:jf

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