

 **99hr_AC-JPP_ab0596_pt01**



(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

1999-00

(session year)

Assembly

(Assembly, Senate or Joint)

**Committee on ... Judiciary and Personal Privacy
(AC-JPP)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (May/2012)

Assembly

Record of Committee Proceedings

Committee on Judiciary and Personal Privacy

Assembly Bill 596

Relating to: the disclosure of personal identifiers obtained by the department of natural resources from fish and game approval applications, campsite reservation applications and subscription requests.

By Representatives Petrowski, Huebsch, Albers, Jensen, Balow, Freese, Goetsch, Hahn, Jeskewitz, Johnsrud, Kestell, Kreibich, Ladwig, F. Lasee, Montgomery, Musser, Nass, Olsen, Owens, Ainsworth, Pettis, Ryba, Schneider, Schooff, Spillner, Stone, Suder, Sykora, Vrakas, Grothman, Meyerhofer, Gronemus, Seratti and Underheim; cosponsored by Senators Erpenbach, Darling, Panzer, Roessler, Schultz, Welch and Lazich.

November 24, 1999 Referred to committee on Judiciary and Personal Privacy.

January 18, 2000 **PUBLIC HEARING HELD**

Present: (9) Representatives Huebsch, Gundrum, Walker, Suder, Grothman, Sherman, Colon, Hebl and Staskunas.

Absent: (0) None.

Appearances for

- Rep. Jerry Petrowski, 86th Assembly District

Appearances against

- None.

Appearances for Information Only

- None.

Registrations for

- Senator Dave Zien, 23rd Senate District
- Senator Alberta Darling, 8th Senate District

Registrations against

- None.

January 27, 2000 **EXECUTIVE SESSION**

Present: (9) Representatives Huebsch, Gundrum, Walker, Suder, Grothman, Sherman, Colon, Hebl and Staskunas.

Absent: (0) None.

Moved by Representative Staskunas, seconded by Representative Walker, that **Assembly Substitute Amendment 1 to Assembly Bill 596** be recommended for adoption.

Ayes: (9) Representatives Huebsch, Gundrum, Walker, Suder, Grothman, Sherman, Colon, Hebl and Staskunas.

Noes: (0) None.

Absent: (0) None.

ADOPTION RECOMMENDED, Ayes 9, Noes 0, Absent 0

Moved by Representative Walker, seconded by Representative Staskunas, that **Assembly Bill 596** be recommended for passage as amended.

Ayes: (9) Representatives Huebsch, Gundrum, Walker, Suder, Grothman, Sherman, Colon, Hebl and Staskunas.

Noes: (0) None.

Absent: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 9, Noes 0,
Absent 0

A handwritten signature in black ink, appearing to read "Robert Delaporte", written over a horizontal line.

Robert Delaporte
Committee Clerk

Vote Record

Assembly Committee on Judiciary and Personal Privacy

Date: 1-27-00
Moved by: Stask Seconded by: Walker
AB: 596 Clearinghouse Rule: _____
AB: _____ SB: _____ Appointment: _____
AJR: _____ SJR: _____ Other: _____
A: _____ SR: _____

A/S Amdt: _____
A/S Amdt: _____ to A/S Amdt: _____
A/S Sub Amdt: 1
A/S Amdt: _____ to A/S Sub Amdt: _____
A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- Passage
- Introduction
- Adoption
- Rejection

- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

Committee Member

Rep. Michael Huebsch, Chair
Rep. Mark Gundrum
Rep. Scott Walker
Rep. Scott Suder
Rep. Glenn Grothman
Rep. Gary Sherman
Rep. Pedro Colon
Rep. Tom Hebl
Rep. Tony Staskunas

<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Totals: 9 _____

Motion Carried

Motion Failed

Vote Record

Assembly Committee on Judiciary and Personal Privacy

Date: 1-27-00
 Moved by: Walker Seconded by: Stask.
 AB: 596 Clearinghouse Rule: _____
 AB: _____ Appointment: _____
 AJR: _____ Other: _____
 A: _____ SR: _____

A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:
 Passage *as amend.*
 Introduction
 Adoption
 Rejection

Indefinite Postponement
 Tabling
 Concurrence
 Nonconcurrence
 Confirmation

Committee Member	Aye	No	Absent	Not Voting
Rep. Michael Huebsch, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Gundrum	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Walker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Glenn Grothman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gary Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pedro Colon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tom Hebl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tony Staskunas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>9</u>	<u>1</u>	_____	_____

Motion Carried Motion Failed





WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536
Telephone: (608) 266-1304
Fax: (608) 266-3830
Email: leg.council@legis.state.wi.us

DATE: January 14, 2000

TO: REPRESENTATIVE MICHAEL HUEBSCH, CHAIRPERSON, ASSEMBLY COMMITTEE ON JUDICIARY

FROM: Don Dyke, Senior Staff Attorney

SUBJECT: 1999 Assembly Bill 596, Relating to the Disclosure of Personal Identifiers Obtained by the Department of Natural Resources From Fish and Game Approval Applications, Campsite Reservation Applications and Subscription Requests

This memorandum, prepared at your request, describes the provisions of the above-captioned bill, which has been referred to the Assembly Committee on Judiciary.

A. PROHIBITION ON DEPARTMENT OF NATURAL RESOURCES DISCLOSURE OF CERTAIN PERSONAL INFORMATION

1999 Assembly Bill 596 prohibits the Department of Natural Resources (DNR) from disclosing, in a list containing the "personal identifiers" of 10 or more individuals ("list"), a personal identifier of any individual who has requested that his or her personal identifiers not be so disclosed. "Personal identifier" is defined as "a name, street address, post-office box number or telephone number."

The disclosure prohibition does not apply to a list furnished by the DNR to another state agency. However, the recipient state agency may, in turn, furnish the list only to another state agency if the list contains a personal identifier of an individual who has requested nondisclosure.

B. OPPORTUNITY TO DECLARE (AND REVERSE) NONDISCLOSURE OF PERSONAL IDENTIFIERS

The bill provides opportunity under three general circumstances for an individual to declare that his or her personal identifiers may not be disclosed on any list. The general circumstances are:

1. When an individual fills out an application form for a fish or game license, permit or other approval under ch. 29, Stats., for a campsite reservation in a state campground or for a subscription for a DNR publication;

2. When a person, by telephone or other electronic means, provides the DNR with a personal identifier in order to obtain a fish or game license, permit or other approval, a state campsite reservation or a DNR publication subscription; and

3. When an individual who has applied for a fish or game license, permit or other approval, a state campsite reservation or a DNR publication subscription, requests a form (apparently, a separate form) to make a nondisclosure designation declaration.

On pertinent application forms, the DNR is required to include on the form:

1. A place for the applicant to declare that his or her personal identifiers obtained by the department from a fish or game license, permit or other approval application, from a state campground campsite reservation application or from a DNR publication subscription request may not be disclosed on any list;

2. A statement indicating the effect of such a declaration; and

3. A place for the individual to reverse a declaration.

If the DNR requires an individual to provide, by telephone or other electronic means, any of the individual's personal identifiers in order to obtain a fish or game license, permit or other approval, a state campground campsite reservation or a DNR publication subscription, the department must, at the time the individual provides a personal identifier to the department:

1. Ask the individual if the individual wants to declare that his or her personal identifiers obtained by the department in connection with the approval, reservation or subscription may not be disclosed on any list;

2. Advise the individual of the effect of so declaring; and

3. Ask the individual if the individual wants to reverse a nondisclosure declaration.

Finally, the bill requires the DNR, upon the request of an individual who has applied for an approval, reservation or subscription, to provide a form to the individual which includes all the information cited above that must be included in an application form.

The bill provides that if the DNR has received conflicting nondisclosure declarations and reversals of nondisclosure declarations, the DNR is to give effect to the most recent declaration.

C. INITIAL APPLICABILITY; EFFECTIVE DATE

If enacted, the proposal would first take effect on the first day of the sixth month beginning after publication. The prohibition on disclosure of personal identifiers first applies to lists furnished by the DNR on the effective date of the proposal.

If you have any questions or need additional information, please contact me directly at the Legislative Council Staff offices.

DD:wu:rv;tlu





JERRY PETROWSKI

State Representative • 86th Assembly District

Committee Testimony, Assembly Bill 596

JANUARY 18, 2000

FIRST OF ALL, I'D LIKE TO THANK CHARIMAN HUEBSCH AND MEMBERS OF THE COMMITTEE FOR HOLDING THIS PUBLIC HEARING ON ASSEMBLY BILL 596.

UNDER THIS PROPOSAL, WISCONSIN RESIDENTS WOULD HAVE THE RIGHT TO STOP THE STATE DEPARTMENT OF NATURAL RESOURCES FROM SELLING THEIR PERSONAL INFORMATION TO COMMERCIAL VENDERS LIKE TELEMARKETERS.

ALL OF US HAVE BEEN BOTHERED BY TELEMARKETERS AND OTHER UNWELCOME SOLICITORS WITH JUNK MAIL, PHONE CALLS, CREDIT CARDS AND OTHER ITEMS. HOWEVER, THESE INTRUSIONS ARE MORE THAN JUST A NUISANCE. EVERY TIME OUR PERSONAL INFORMATION IS RELEASED, THE RISK OF IDENTITY THEFT AND FRAUD INCREASES.

SURPRISINGLY, STATE GOVERNMENT IS A MAJOR SELLER OF OUR PERSONAL INFORMATION. THE DNR GENERATES THOUSANDS OF DOLLARS ANNUALLY FROM THE SALE OF PERSONAL INFORMATION THAT THE AGENCY REQUIRES FOR VARIOUS LICENSES AND PERMITS.

THIS IS AT BEST INAPPROPRIATE, AND AT WORST A VIOLATION OF AN INDIVIDUAL'S PRIVACY. GOVERNMENT SHOULD NOT BE USING TAXPAYER FUNDS TO COLLECT PERSONAL INFORMATION AND THEN TURN AROUND AND SELL THAT INFORMATION.

ASSEMBLY BILL 596 GIVES CONSUMERS THE CHOICE TO OPT OUT OF LISTS GENERATED AND SOLD BY DNR. WE NEED TO GIVE THE DEPARTMENT CERTAIN INFORMATION FOR THINGS LIKE HUNTING AND FISHING LICENSES. BUT THAT DOES NOT GIVE THE DNR THE RIGHT TO SELL OUR PERSONAL INFORMATION WITHOUT OUR CONSENT.

AGAIN, THANK YOU FOR CONSIDERING THIS MEASURE, AND I'D BE HAPPY TO TAKE ANY QUESTIONS YOU MAY HAVE.