

Testimony for the Senate Privacy, Electronic Commerce & Financial Institutions Committee

A Status Report on the Department of Natural Resources' Implementation of 1999 Wisconsin ACT 88
By Jay Hochmuth
December 6, 2000

1999 Wisconsin Act 88, took effect on 11/1/00. This report provides a summary of DNR's implementation of the law and an update on current issues relevant to the agency. Act 88 allows people to request that their personal identifiers be excluded from any list of 10 or more individuals, that the Department is requested to provide to another person under the Open Records Law. Personal identifiers include name, telephone number, street address, post office box number and 9-digit zip code. While Act 88 also lists the social security number as a personal identifier, social security numbers are not considered public records available for inspection, and they are not included on any lists of information the Department provides to requesters under Open Records laws.

Steps Already Taken

- Revised many DNR application forms to include a box that can be checked so an individual can "opt-out" for the purposes of Act 88.
- Developed a one-page form # 9600-067, "Request to Withhold Personal Identifiers." This form is for people who wish to opt-out, even though they are not applying for a specific license, permit, etc.
- Developed a database for people who have opted-out to help assure their request is honored.
- Appointed Beth Goodman as the Act 88 Project Manager and Jay Hochmuth as Sponsor.

Progress Underway

Each DNR Bureau has designated an Act 88 Coordinator for their program, who is available to help address the following immediate and long range Department needs:

- Determine program areas that require more attention to meet Act 88.
- Work with Legal Services and the Forms Team to revise forms as soon as possible.
- Recommend new methods for handling, processing and responding to information requests.
- Develop guidance and training on Act 88.
- Provide input and updates needed for maintaining the Act 88 Intranet site.

November Statistics

- 47 lists requested that contain personal identifiers for 10 or more people.
- ~ **91,365 opt-out requests submitted** since mid-November.
- 1 list screened and provided before mid-November.

Other Statistics

- *Not including regulatory environmental databases*, this law applies to approximately 3.6 million customer transactions per year:

Automated License Issuance System (ALIS) recreational approvals	3,500,000
Non-ALIS occupational approvals	13,000
Campsite reservations	87,000

- Regulatory environmental databases are also covered by the law. (see policy concerns below) However, there is a conflict between the stated purpose for certain environmental databases and the opt out provisions of ACT 88.
- Based on the opt-out requests in November, plus projections for the license season starting in March '01, the Department predicts quickly reaching an opt-out list greater than 1 million.
- A backlog in customer service of at least 1 month has already occurred due to the processing time needed to assure lists are produced in compliance with Act 88.
- On average, Customer Services and Licensing receives 32 list requests per month.
- No data on other department-wide list requests per month is available at this time.

Fiscal Effects

The Department fiscal estimate prepared in December 1999 appears to be accurate: \$342,500 to \$750,000 start-up costs plus ongoing costs of \$417,500 to \$435,000 per year.

Conflicts with Other Laws

Some examples where the requirements of Act 88 conflict with other statutory directives:

1) Forest Crop Law and Managed Forest Lands Law

These laws provide tax incentives to landowners to maintain forestry production on their lands. As a condition of participating, the landowner is required to keep most of their lands open to the public for hunting, fishing, hiking, sightseeing and cross country skiing. These laws also require DNR to publish and offer for sale annually information describing the location of managed forest land designated as open to the public. In order for the public to gain access to this land, they must be able to know the location of the land, and also usually need the name of the owner so they can contact them regarding the "open" areas of their land. If a landowner "opts out" from having their personal identifiers provided to others, pursuant to Act 88, we would have a clear conflict between the Managed Forest Law, which requires disclosure, and Act 88 which requires that personal identifiers of those who "opt out" not be disclosed.

Since these laws provide tax breaks, we must work closely with county and town tax officials. If an owner "opts out," then lists that the Department supplies annually to these local tax officials would be incomplete and potentially misleading.

2) Wildlife Damage Laws

Persons receiving funds for animal damage claims are required to make their lands available for hunting, although hunters are still required to contact landowners to request permission to hunt on their land. DNR is required to provide the landowners' names and other personal information to hunters so they may contact these landowners for permission to hunt. This is another situation where Act 88 appears to directly conflict with another requirement of law.

3) Reports to the Legislature and Natural Resources Board regarding Administrative Rules

When DNR promulgates an administrative rule, we are required to report on public comments on the rule both to the Natural Resources Board and to the Legislature. The statutory requirements for the Report to the Legislature specifically mandate that DNR provide a list of persons who appeared or registered for or against a proposed rule at a public hearing. We usually provide the same type of information to the Natural Resources Board when requesting final approval of a

rule. Again, this is a situation where the requirement of Act 88 to remove the personal identifiers of those who “opt out” directly conflicts with another statutory directive. Our experience is that legislators are very interested in whether or not their constituents have concerns about a rule brought before them.

Public Policy Concerns

Compliance with Act 88 in certain instances appears to frustrate the purpose of providing useful information to the public. Two examples recently identified follow.

1) Cooperating Foresters Program

People enrolled in the Forest Crop Law or Managed Forest Law programs are required to have a management plan for their forests. Since DNR is unable to provide consultation services to all landowners, we encourage cooperating foresters to contact these landowners to assist them with their management plans. We have, in the past, provided lists of landowners to the cooperating foresters to assist them in contacting these landowners. Act 88 requires us to remove the personal identifiers of landowners who have “opted out,” making it difficult for the cooperating foresters to contact these people.

2) Hazardous Substance Spill Sites

The Bureau of Remediation and Redevelopment maintains a list of over 40,000 sites that are contaminated with some sort of hazardous substance. Most of these sites are identified as businesses, but many sites just have a name and address, making it difficult to determine if it is a business location, a farm or a person’s home. This information is provided both in booklets and on the Internet. This information is useful not only to environmental consultants but also to potential purchasers of the property, insurance companies, attorneys, municipalities and others.

However, if an individual “opts out” under Act 88, their name and address may have to be removed from our list. Again, this is a situation where DNR is trying to provide useful information for an important public purpose, but may have to provide incomplete information due to Act 88.

Suggested Modifications

Because of the conflicts discussed earlier, the Department suggests that a change be made to Act 88 to limit the application of this law to the licensees that are contained on the ALIS system, namely hunting and fishing licenses and recreational vehicle licenses. It is our understanding that privacy concerns with this group of licenses was the primary reason that DNR was added to this legislation. We suggest that Assembly Amendment 1 to Senate Amendment 1 to Assembly Bill 315 be re-introduced and passed as a modification to ACT 88. We appreciate that Senator Erpenbach was willing to sponsor this amendment last session, even though it was not taken up by the Assembly.

Notice: This form is authorized under section 23.45(4), Wisconsin Statutes. Completion of this form is voluntary. The personally identifiable information collected on this form will be used only for the purpose of keeping your personal identifiers from being provided to others on lists of 10 or more individuals. Personal identifiers include: name, telephone number, street address, post office box number or 9-digit extended zip code.

Note: DNR collects your social security number (SSN) **only** if SSN collection is required by law. When the SSN is collected, DNR will inform you of the legal requirement for collecting it and whether or not DNR is required to disclose it to other agencies. Social security numbers are **not** considered public records available for inspection, and they will **not** be included on any lists of information DNR provides to requesters under the open records law.

Instructions: If you want the DNR to withhold your personal identifiers from being provided to others on lists of 10 or more individuals, complete this form. DNR will not be able to withhold your personal identifiers until you fill in, sign and return this form to the Department.

Exceptions: DNR will withhold your personal identifiers from disclosure **only** if the requester asks for information relating to 10 or more individuals. DNR must disclose your personal identifiers as required by Wisconsin's Open Records laws whenever the requester asks for information about 9 or fewer individuals. In addition, the law authorizes DNR to provide your personal identifiers to other state agencies, law enforcement agencies and federal governmental agencies.

Please provide all of the following information. Print clearly or type. DNR will not be able to withhold your personal identifiers unless you provide all of the requested information.

Information				
Last Name	First	MI	Gender	Home Telephone Number (include area code)
Street Address	City		State	ZIP Code
DNR Customer Number (if known). This number appears on hunting and other types of licenses issued by DNR's Automated License Information System (ALIS)				Birthdate (MM/DD/YYYY)

I hereby request that my personal identifiers obtained by the Department of Natural Resources not be disclosed on any list of 10 or more individuals that the DNR is requested to provide to another person. [s. 23.45, Wis. Stats]

Signature _____

Date _____

Return the form to the DNR at this address:

**Department of Natural Resources
 Act 88 Manager
 P.O. Box 7921
 Madison, WI 53791-9088**



ASSEMBLY AMENDMENT,
TO SENATE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 315

*Senator
Eperbach*

- 1 At the locations indicated, amend the amendment as follows:
- 2 1. Page 3, line 7: after "name," insert "customer identification number,".
- 3 2. Page 3, line 13: delete the material beginning with "obtained" and ending
- 4 with "person." on line 15 and substitute "may not be disclosed on any list generated
- 5 by the department from information contained on that form.".
- 6 3. Page 3, line 21: delete the material beginning with "obtained" and ending
- 7 with "person." on line 22 and substitute "may not be disclosed on any list generated
- 8 by the department from information obtained from that communication.".
- 9 4. Page 4, line 3: delete the material beginning with "it" and ending with
- 10 "person a" on line 4 and substitute "it generates from information obtained from a
- 11 form or by telephone or other electronic means the".

1 **5.** Page 7, line 8: delete lines 8 to 10 and substitute "may not be disclosed on
2 any list generated by the department or the credentialing board from information
3 contained on that form."

4 **6.** Page 7, line 17: delete the material beginning with "obtained" and ending
5 with "person." on line 19 and substitute "may not be disclosed on any list generated
6 by the department or the credentialing board from information obtained from that
7 communication."

8 **7.** Page 8, line 2: delete the material beginning with "it" and ending with
9 "person a" and substitute "it generates from information obtained from a form or by
10 telephone or other electronic means the".

11

(END)



State of Wisconsin
Department of Financial Institutions

Tommy G. Thompson, Governor

John F. Kundert, Secretary

Remarks by
Secretary John F. Kundert
Department of Financial Institutions

Senate Committee on Privacy, Electronic Commerce and Financial Institutions
December 6, 2000

Thank you Chairman Erpenbach and members of the Senate Committee on Privacy, Electronic Commerce and Financial Institutions, for the opportunity to appear before you this morning regarding my appointment as Secretary of the Wisconsin Department of Financial Institutions.

As you know, Governor Thompson appointed me to this position earlier this year. In the ten months that have intervened since my appointment, I have learned a great deal about the department and the financial services we regulate. I've also come to appreciate the vital role DFI plays in our business community as the repository of Wisconsin's Uniform Commercial Code lien filing system and corporate filings.

Despite being such a diverse department that works with so many different, and often competing industries, we have focused these last ten months on the issues and concerns that Wisconsin's financial services have in common, not on the issues that divide them.

This was certainly the case when we assisted in bringing together representatives of the Wisconsin Credit Union League, the Wisconsin Bankers Association and the Community Bankers of Wisconsin to talk about competing legislative proposals. What resulted was a comprehensive legislative package, benefiting both banks and credit unions, with which all three industry groups could agree and support.

It was this model that guided us as we created the Task Force on Financial Competitiveness 2005. I appointed this 41-member task force in June and its work was completed on schedule just this last month. The task force was made up of representatives from virtually all of Wisconsin's financial services as well as consumers, regulators and legislators.

The outcome of this involved and intense process was a report with 34 priority recommendations. We are just finalizing the report for publication and as soon as we complete our review, we will be providing Governor Thompson and members of the State Legislature with a copy as well as our formal response.

One of the suggestions made by the Task Force is for DFI to hold regular "town hall" type meetings in different parts of the state to talk about important financial service issues. I think this idea is a great one. With the success of the public listening sessions we had on the draft report, this is definitely one recommendation that I will be very happy to implement.

Office of the Secretary

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Voice: (608) 264-7800

Fax: (608) 261-4DFI

Courier: 345 W. Washington Ave. 5th Floor Madison, WI 53703

TTY: (608) 266-8818

Internet: www.wdfi.org

The work accomplished by this group will have a significant impact on the public policy discussion regarding a number of important financial service and consumer issues. More importantly, though, the report of the task force will give DFI an excellent frame of reference internally for the variety of administrative challenges we will continue to face.

Speaking of administrative challenges, let me touch briefly on one significant financial service trend that has had a tremendous impact on our internal operations.

As you may be aware, we have experienced mergers and conversions this last year involving three of our largest savings institutions. As a result, 49% of assets of savings institutions previously under our supervision are now under the supervision of federal regulators. To help deal with a commensurate loss of assessment and examination fee revenue, we are now coordinating examination activities between our Division of Savings Institutions and our Division of Banking, taking greater advantage of our internal economies of scale.

We've discussed this new approach in meetings I've had in the offices of each and every chief executive officer of the remaining twenty-five savings institutions under our supervision. They have supported the steps we have taken and have given us ideas that will help insure the future viability of our state charter.

Finally, let me also take advantage of this opportunity to update you on key projects in four areas with which we've been involved.

First, I'm pleased to report to the committee that we have implemented electronic access to our Uniform Commercial Code filing system. As you may be aware we have worked closely with Wisconsin's Registers of Deeds to insure the system will meet our mutual needs. This new system represents the keeping of a promise that was made by this administration when DFI inherited the lien and corporate filing functions from the Secretary of State's Office. We will be working, of course, to enhance this system as time goes by.

Second, I'm pleased that our new web-based Corporate Registration Information System -- or CRIS -- is up and running. Again, this is an area that will only be enhanced and improved. We are committed to making sure this vital public database is even more accessible and usable by the citizens and businesses of Wisconsin.

We're also excited to be working with other Wisconsin agencies as part of Governor Thompson's electronic government initiative. A web portal, which will permit on-line business formation through a single web location, is currently being developed. We're also working on putting together a consumer web portal that will simplify the process for consumers to access state government with complaints.

Third, I'm proud of the work we've done this last year to enhance our financial education program, which we call Your Money Matters. We've increased the number of presentations to community and school groups. We were especially pleased, Senator Erpenbach, that you were able to join us in a presentation we made at a High School this past Spring.

DFI is also playing a leadership role in the Jump Start Coalition, with representatives of a wide range of Wisconsin organizations involved or interested in financial education. Our goal through Jump Start

is to better coordinate and maximize the variety of quality financial education resources already available.

Fourth, we initiated this last fall a quarterly newsletter as a means for the department to communicate more regularly and directly with the industries we regulate. Our next edition will be coming out right after the first of the year. I have taken the liberty of adding members of the committee to our distribution list so we can also keep you better apprised of developments at DFI as well.

In conclusion, let me thank you again for the opportunity to appear before you this morning.

Serving as Secretary at the Department of Financial Institutions has been my first foray into state government. I've been impressed with the quality of the staff at DFI. I've also been impressed with our staff's commitment to providing quality customer service, whether that's to the industries we regulate or the consumers of financial service.

We've done a lot already this last year. And with so many exciting projects and opportunities ahead of us, I am here today to ask for your support in my confirmation as Secretary of the Wisconsin Department of Financial Institutions. The Wisconsin State Legislature continues to be a tremendous partner of DFI and I look forward to working with you during the upcoming session.

I would be more than happy to respond to any questions.



DN

Senate Privacy, Electronic Commerce and Financial
Institutions Committee Hearing 12/6/00

1. Call to Order – the Clerk will call the roll
2. We will have a new member today, at least temporarily, Senator Carol Roessler. Welcome.
3. We will leave to roll open for those who are not here yet
4. The purpose of this meeting today is to hold a public hearing on the confirmation of Jack Kundert as the Secretary of the Department of Financial Institutions. In addition, there will be an informational meeting on the implementation of 1999 Wisconsin Act 88, the State Records Privacy Act, with invited speakers only.
5. If you would like to speak or register wither in support of, or to oppose the confirmation of Acting Secretary Kundert please fill out a hearing slip. They are located at the end of the table.
6. It was my original intention to hold an executive session on the confirmation today, but because the membership of the committee will likely change and we have to take a vote next session either way, we will not hold that executive session today.
7. The first item of business is the confirmation, Jack?



Tommy G. Thompson
Governor

Marlene A. Cummings
Secretary

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**SENATE COMMITTEE ON PRIVACY,
ELECTRONIC COMMERCE AND FINANCIAL INSTITUTIONS
IMPLEMENTATION OF 1999 WISCONSIN ACT 88
THE DEPARTMENT OF REGULATION AND LICENSING**

Statement of William Dusso

December 6, 2000

Room 201 SE, State Capitol

Mr. Chairman and members of the committee, I am William Dusso, general counsel for the Department of Regulation and Licensing. Department Secretary Marlene Cummings requested that that I appear today in response your invitation.

The department is responsible for credentialing and regulating 106 professions and business types. Licenses are renewed for approximately 286,000 individuals every two years. Examinations are administered to about 15,000 applicants annually. The department issues new or initial credentials to at least 20,000 applicants per year. Complaints are filed by the public and processed by the department on the average of about 2,000 per year.

The department is obligated by statute to compile and keep current a register of the names and addresses of all persons who are credentialed and make this register available for public inspection. Sec. 440.035 (4), Stats.¹ Data relating to individuals licensed by the department is generally available to the public for inspection and copying as a public record. Printed and computerized lists of professionals are available to the public at cost under sec. 440.035 (4), Stats. and the public records law. Sec. 19.35 *et seq.*, Stats. The department responds to public inquiries asking whether certain individuals hold professional credentials.

Regulatory Boards

Accounting; Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors; Professional Geologists, Hydrologists and Soil Scientists; Auctioneer; Barbering and Cosmetology; Athletic Trainers; Chiropractic; Controlled Substances; Dentistry; Dietitians; Funeral Directors; Hearing and Speech; Medical; Nursing; Nursing Home Administrator; Optometry; Pharmacy; Physical Therapists; Podiatry; Psychology; Real Estate; Real Estate Appraisers; Social Workers, Marriage and Family Therapists and Professional Counselors; and Veterinary.

Act 88 Provisions

Under sec. 440.14, Stats., as created by 1999 *Wisconsin Act 88*, the Department of Regulation and Licensing may not disclose on any list that it furnishes to another person a personal identifier of any individual who has made a declaration against disclosure. A "list" is defined as information compiled or maintained by the department or a credentialing board that contains the personal identifiers of 10 or more individuals.

The department is required by sec. 440.14, Stats. to include a place to make a declaration against disclosure on application forms and other forms that must be completed to obtain a product or service. If a person is required to provide personal information by telephone or electronically in order to apply for a credential or obtain a service, the department must ask if the individual wants to make a declaration against disclosure at the time the person provides the personal information.²

Implementation Procedures

The department has done the following to implement Act 88: The department modified its computer data base and its computer program for generating lists. The agency created forms to be used in connection with the computer program. The department is now distributing forms to credential holders along with information about how to make a declaration against disclosure of personal information. These forms and procedures have been in use since the latter part of October 2000. Distribution of the forms is ongoing.

Recently the department implemented an Online Credential Renewal System. The on-screen information relating to renewal includes an explanation of the procedure permitting a declaration against disclosure and an area that the applicant can check to make a declaration. The department intends to publish an article explaining Act 88 in the digests sent to all credential holders.

Forms

Copies of the forms used and a printout of the Internet page with the privacy information and declaration options are attached to this statement. They are as listed:

Exhibit A: Renewal Information

Exhibit B: Renewal Application

Exhibit C: Addendum to Application

Exhibit D: Print of Computer Screen for Online Credential Renewal Application

Exhibit E: Instructions for Ordering Computer Reports

Declarations and List Processing

If a credential holder or an applicant makes a declaration on one of the department forms and submits the form to the department, a notation is made on the person's computer record. The department's computers are programmed so that a computer-generated list of 10 or more credential holders does not include information about credential holders who have submitted a declaration. Information that the department distributes for ordering lists includes a statement reflecting the privacy restrictions in Act 88 so that people who order lists are aware that the list they receive excludes individuals who have made a declaration.

Needed Legislative Revisions

The restrictions in Act 88 do not apply to a list that the department furnishes to another state agency, a law enforcement agency or a federal governmental agency. Sec. 440.14 (5) (b), Stats. Requests are routinely received from the news media and others for lists of professionals who have been disciplined. For example, the American Medical Association maintains a data base of professionals who have been disciplined and has a standing request for information about physicians who have been disciplined. The statute now restricts the department from providing the press or the American Medical Association with a complete list of physicians who have been disciplined by the Medical

Examining Board if one or more of the physicians on the list has filed a declaration. The Committee might review sec. 440.14 (5) (b), Stats. to determine whether it should be amended to permit the department to disclose information about credential holders who have been suspended, limited, revoked or reprimanded on all lists, regardless of whether these credential holders have made a declaration against disclosure.

Thank you for the opportunity to provide information on department procedures for implementing 1999 Wisconsin Act 88

¹ 440.035 (4) Compile and keep current a register of the names and addresses of all persons who are credentialed to be retained by the department and which shall be available for public inspection during the times specified in s. 230.35 (4) (a). The department may also make the register available to the public by electronic transmission.

² 440.14 Nondisclosure of certain personal information.

(1) In this section:

(a) "List" means information compiled or maintained by the department or a credentialing board that contains the personal identifiers of 10 or more individuals.

(b) "Personal identifier" means a name, social security number, telephone number, street address, post-office box number or 9-digit extended zip code.

(2) If a form that the department or a credentialing board requires an individual to complete in order to apply for a credential or credential renewal or to obtain a product or service from the department or the credentialing board requires the individual to provide any of the individual's personal identifiers, the form shall include a place for the individual to declare that the individual's personal identifiers obtained by the department or the credentialing board from the information on the form may not be disclosed on any list that the department or the credentialing board furnishes to another person.

(3) If the department or a credentialing board requires an individual to provide, by telephone or other electronic means, any of the individual's personal identifiers in order to apply for a credential or credential renewal or to obtain a product or service from the department or a credentialing board, the department or the credentialing board shall ask the individual at the time that the individual provides the information if the individual wants to declare that the individual's personal identifiers obtained by telephone or other electronic means may not be disclosed on any list that the department or the credentialing board furnishes to another person.

(4) The department or a credentialing board shall provide to an individual upon request a form that includes a place for the individual to declare that the individual's personal identifiers obtained by the department or credentialing board may not be disclosed on any list that the department or credentialing board furnishes to another person.

(5) (a) The department or a credentialing board may not disclose on any list that it furnishes to another person a personal identifier of any individual who has made a declaration under sub. (2), (3) or (4).

(b) Paragraph (a) does not apply to a list that the department or a credentialing board furnishes to another state agency, a law enforcement agency or a federal governmental agency. A state agency that receives a list from the department or a credentialing board containing a personal identifier of any individual who has made a declaration under sub. (2), (3) or (4) may not disclose the personal identifier to any person other than a state agency, a law enforcement agency or a federal governmental agency.

Department of Regulation & Licensing

State of Wisconsin

(608) 266-0627

TTY# (608) 267-2416 hearing or speech

TRS# 1-800-947-3529 impaired only

P.O. Box 8935, Madison, WI 53708-8935

E-Mail: dorl@drl.state.wi.us

Website: <http://www.drl.state.wi.us/>

FAX #: (608) 267-1803

MASSAGE THERAPIST OR BODYWORKER

RENEWAL INFORMATION

2001-2003

FEES AND DEADLINE

The biennial renewal fees under sec. 440.08, Stats., are as follows:

If received before March 1, 2001	\$44
If received on or after March 1, 2001	\$69

Greetings! It is time for the first renewal of all massage therapist or bodyworker credentials. If you would like to have your certificate in hand prior to the expiration date, all renewal requirements must be received in the Department by February 14th.

A late penalty fee will be assessed for renewal applications received by the Department on or after March 1, 2001. The date of mailing, as indicated by a postmark, is NOT evidence of receipt. For hand delivery at 1400 East Washington Avenue, Room 141-A, Madison, WI 53703, please note that office hours are 7:45 a.m. to 4:30 p.m., Monday through Friday. *Processing time for renewal applications is approximately 10 working days from the date on which all renewal requirements are received.*

RENEWAL REQUIREMENTS

1. Your signature and some detailed information about your malpractice liability insurance coverage are required on the back of the renewal application.
2. If you have changed your name or wish your name to read other than as it appears on the renewal application, enter the change in the space provided on the face of the application form.
3. If your address has changed, enter the change in the space provided on the face of the application form.
4. **NAME AND ADDRESS CHANGES WILL BE TAKEN ONLY FROM THE APPLICATION FORM.**

NOTICE REQUIREMENTS - NAME AND ADDRESS CHANGES

Wisconsin law requires all credential holders to notify the department in writing of a change of name or address within 30 days of the change. Failure to notify the department may result in a penalty of \$50. If you change your name or address subsequent to renewal, please notify the department at P.O. Box 8935, Madison, WI 53708-8935. *Name and address information provided to the Department is available for public inspection under Wisconsin law. If you would prefer, you may use a business address instead of a home address as your address of record on file with the department. You may, also, check the box on the face of the renewal application to declare that your name and address not be disclosed on any list of ten or more individuals that the department furnishes to another person per s. 440.14, Wis. Stats.*

NON-RENEWAL

If you do not renew before March 1, 2001, you may not practice until you renew. If you fail to renew within five years after March 1, 2001, you may be required to complete additional requirements to restore your credential.

#2509 (Rev. 11/00)
Ch. 440.05 & 446, Stats.

Exhibit A



State of Wisconsin

DEPARTMENT OF REGULATION AND LICENSING
COMMITTED TO EQUAL OPPORTUNITY IN EMPLOYMENT AND LICENSING

REAL ESTATE
RENEWAL
APPLICATION

DUE DATE 12/31/2000 AMOUNT DUE 109.00

IF PAYMENT IS RECEIVED AFTER 12/31/2000 ADD 25.00 PENALTY FOR LATE RENEWAL

LICENSE NO. 0035219 090	TYPE REAL ESTATE BROKER	SS# ON FILE
STATUS: A	SOCIAL SECURITY NUMBER AND SIGNATURE REQUIRED ON REVERSE SIDE	

Payment by Credit Card: VISA MASTERCARD AMEX DISCOVER · Exp. Date _____ Amt Pd. _____

Signature _____

090 PIN# [REDACTED]

ROBERT J [REDACTED]

PO BOX 273 [REDACTED]

PLEASE MAKE CHECK PAYABLE AND MAIL WITH NOTICE IN ENCLOSED ENVELOPE TO: STATE OF WISCONSIN, DEPARTMENT OF REGULATION AND LICENSING, DRAWER 610, MILWAUKEE, WISCONSIN 53283.

← PLEASE PRINT NAME/ADDRESS CHANGES IN OPEN SPACE ON LEFT

DO NOT WRITE OVER SCANNING LINE BELOW

- PLEASE DO NOT DISCLOSE MY NAME/ADDRESS ON LISTS SEE INSTRUCTION SHEET
- CHECK HERE IF NOT RENEWING

09000352190001090000134001

Exhibit B

Department of Regulation & Licensing

State of Wisconsin
(608) 266-2112

TTY# (608) 267-2416, hearing or speech
TRS# 1-800-947-3529, impaired only

P.O. Box 8935, Madison, WI 53708-8935
E-Mail: dorl@dr1.state.wi.us
Website: <http://www.dr1.state.wi.us/>
FAX #: (608) 267-1803

ADDENDUM TO APPLICATION

Information requested is required for processing.

SOCIAL SECURITY NUMBER. Your social security number (or employer identification number if you are applying as a business entity) must be submitted with your application on this form. If you do not have a social security number you must submit a statement under oath or affirmation. If your social security number or a statement is not provided, your application will be denied.¹ A form for submitting a statement that you do not have a social security number is available from the department.

(Please Print)

			-			-				
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Social Security Number or FEIN

Date of Birth

Type of Credential

The Department may not disclose the social security number collected above except to the Department of Workforce Development for purposes of administering the child and spousal support program,² to the Department of Revenue for the purpose of determining whether you are liable for delinquent taxes,³ and to the federal Healthcare Integrity and Protection Data Bank for the purpose of reporting adverse actions against health care practitioners.⁴

INFORMATION AVAILABLE TO THE PUBLIC - NONDISCLOSURE OF CERTAIN PERSONAL INFORMATION

Your name, credential number, address, status and other credentialing information are available to the public. However, you may check this box to declare that your name and address not be disclosed on any list of ten or more individuals that the department furnishes to another person.⁵

DELINQUENT STATE TAXES; DELINQUENT SUPPORT

All applications for professional credentials are checked to determine whether the applicant is liable for delinquent state taxes. Under state law, the department must deny your application if you are liable for delinquent Wisconsin taxes.⁶ If you are liable for delinquent state taxes, pay the delinquent amount before the application process is completed. Retain proof that you have satisfied the tax delinquency. If you have any questions about payment of delinquent taxes, please contact your nearest Department of Revenue office or call (608) 261-6249. An application may be denied or a credential suspended if an applicant or credential holder is delinquent in paying support or fails to comply with a subpoena or warrant issued by the department of workforce development or a county child support agency related to support or paternity proceedings.²

#2380 (Rev. 10/00)

¹ Section 440.03 (11m), Wis. Stats.

² Sections 49.22, and 440.13, Wis. Stats.

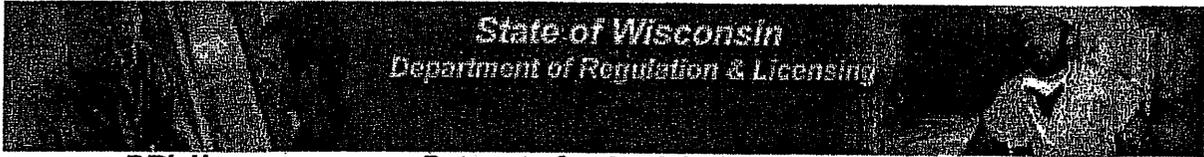
³ Section 440.12, Wis. Stats.

⁴ Health Insurance Portability and Accountability Act (HIPAA) of 1996

⁵ Section 440.14, Wis. Stats.

⁶ Section 440.12, Wis. Stats.

This form is authorized by secs. 440.12 and 440.14, Wis. Stats. Making a false statement in connection with this application may result in revocation or denial.



[DRL Home](#)

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Online Credential Renewal Now

Name

WENDY C DITTAMO

Credential

50467-094

Contact Information:

Phone:	(<input type="text"/>) <input type="text"/> - <input type="text"/>
E-Mail:	<input type="text"/>

Instructions

- 1) Please verify your optional E-mail address and phone number.
- 2) Click on appropriate circles to confirm continuing education certification and list disclosure (if applicable).
- 3) You may pay for your renewal with VISA, MasterCard, Discover, or American Express.
- 4) Enter in credit card information. Do not enter any spaces in the credit card number.
- 5) Click on Renew button to renew credential. Click on Cancel if you do not wish to renew your credential at this time.

Required Questions to be answered:

No required questions for this Credential type at this time.

Disclosure:

Per s. 440.14, Wis. Stats., effective November 1, 2000, you may declare that your name and address not be disclosed on any list of ten or more individuals that the department furnishes to another person. Please check the box below to make this declaration.

Please do not disclose my name/address on lists.

Two-Year Renewal Fee:

Renewal Fee:	79.00
Late Fee:	0.00
Total Fee:	79.00

 	
Name as it appears on card	<input type="text"/>
Card Number	<input type="text"/>
Expiration	Month <input type="text"/> <input type="checkbox"/> Year <input type="text"/> <input type="checkbox"/>
<input type="button" value="Renew"/> <input type="button" value="Cancel"/>	

Last Updated: October 14, 2000

Department of Regulation & Licensing

State of Wisconsin
(608) 267-1812

TTY# (608) 267-2416, hearing or speech
TRS# 1-800-947-3529, impaired only

P.O. Box 8935, Madison, WI 53708-8935

E-Mail: dorl@drl.state.wi.us

Website: <http://www.drl.state.wi.us/>

FAX #: (608) 267-1803

OFFICE OF CENTRAL SERVICES

INSTRUCTIONS FOR ORDERING COMPUTER REPORTS

IMPORTANT NOTICE

Effective November 1, 2000, Wis. Stats. 19.21(4) Wis. Stats. credential holders may declare their names and addresses not be disclosed or list of them or more individuals that the department handles to another person.

The Department will be informing all credential holders of this option during each profession's renewal period and it may be appropriate by phone or correspondence in the meantime. All new applicants are currently being given the opportunity to make this declaration at the time of applying for an initial credential.

Because of this new legislation, lists provided by the department will no longer contain the names and addresses of all credential holders.

INFORMATION AVAILABLE:

LISTS:

A computer printout containing names, addresses, license numbers, specialty codes, gender, ethnic, status, dates granted and latest renewal dates for all credential types the department handles. Lists may be ordered in zip code or alphabetical order. An order may include credential holders with Wisconsin addresses and/or credential holders residing out of state.

MAILING LABELS:

Pressure sensitive (self-stick) mailing labels are available **TO WISCONSIN STATE AGENCIES and WISCONSIN STATE UNIVERSITIES ONLY**. Labels are available in **pressure sensitive, 3-UP FORMAT** only.

COMPUTER DISKETTES:

Listings can be provided on diskettes. Diskettes will be 3½" floppy disks, ASCII format, comma delimited. Information provided on the disk is the same information as on a "list" but without print formatting. The data may be in flat file form (xxxnnn), comma delimited (xxx,nnn), or comma delimited with quotes ("xxx", "nnn"). A README.TXT file is included on the disk with a record layout. One diskette has room for about (1,400 kb).

PARTIAL ZIP CODE LIST:

There are no restrictions when ordering partial zip code lists, but standard charges apply when ordering:

- 1) A maximum of three individual zip codes, **OR**
- 2) Three ranges of zip codes, **OR**
- 3) One individual zip code plus one range

EXAMPLES: (Using Madison Zip Codes)

Three individual zip codes: 53701, 53703, 53705 (only three specified zip codes are included on the order).

Three ranges of zip codes: 53701 to 53702; 53708 to 53710; 53714 to 53725; (Zip codes 53701, 53702, 53708, 53709, 53710, 53714, 53715, 53716, 53717, 53718, 53719, 53720, 53721, 53722, 53723, 53724, and 53725 are included on the order).

One zip code plus one range: 53701; 53714 to 53718 (Zip codes 53701, 53714, 53715, 53716, 53717, and 53718 are included on the order).

There is an additional \$1.00 charge for each extra zip code or zip code range over three.

State of Wisconsin Department of Regulation & Licensing

CHECK LIST FOR ORDERING:

To avoid delays and errors in your order, please include the following information on the order form:

- Your "Ship to" Address: Many of the orders are sent via UPS - please provide a street address for delivery rather than a P.O. Box
- 1) Credential Type: List exact credential type description and code # (*see attached table*)
Specialty Codes: List specialty codes
 - 2) Select Format of Output: Printout, Disk, E-mail or 3-Up labels (*labels for Wisconsin state agencies and Wisconsin state universities only*)
 - 3) Sort Order of Output: Alphabetical or Zip Code
 - 4) Status of Credential Holders:
 - 1) Active credential holders
 - 2) Active and Expired credential holders
 - 5) Residence
 - 1) Credential holders with Wisconsin addresses only
 - 2) Wisconsin and out of state addresses
 - 3) Partial listing of zip codes - include zip codes or ranges
 - 6) List of Partial Zip Codes:
 - 1) For partial listing of zip codes - include separate zip codes and/or zip code ranges

* * * * *

CURRENT CHARGES:

USING THE FORMULA BELOW, WE HAVE COMPUTED THE APPROXIMATE PRICE OF EACH LIST.

\$13.40 Initial fee for each credential type and each format.
+\$3.90 For each 1,000 names (rounded up to the next thousand).

ADDITIONAL CHARGES:

\$5.00 Disk charge due to additional processing time. *Please do not send your own disk, we will not be able to use it.*

\$5.00 FAX charge if ordering information was FAXed from us to you.

NOTE: Since we license new credential holders continuously, charges are subject to change without notice. A copy of your completed order form will be sent along with your order. You can send payment when you receive your order or a billing invoice will follow in approximately one month.

If you have questions, please contact us at the above address or telephone number at the top of these instructions.

December 5, 2000

The Honorable, The Senate:

Pursuant to Senate Rule 20 (2)(a), I have appointed Sen. Carol Roessler to the Senate Committee on
PRIVACY, ELECTRONIC COMMERCE AND FINANCIAL INSTITUTIONS.

With regard to members of the minority party, the appointment reflects the nomination of
that caucus.

Sincerely,

CHUCK CHVALA
Chair, Committee on Senate Organization

Senate

COMMITTEE HEARINGS

Committee on Privacy, Electronic Commerce and Financial Institutions

The committee will hold a public hearing and **possible executive session** on the following items at the time specified below:

Wednesday, December 6, 2000

10:00 am

State Capitol

Room 201 SE

KUNDERT, JOHN F. "JACK", of Monroe, as Secretary of the Department of Financial Institutions, to serve for the term ending at the pleasure of the Governor.

Report on implementation of 1999 Act 88, the State Records Privacy Law, from the Department of Natural Resources, Department of Transportation, and Department of Regulation and Licensing. ** Invited speakers only.

Senator Jon Erpenbach
Chair

REQUEST TO WITHHOLD NAME AND ADDRESS

s.341.08(1m), 342.06(1)(j), 343.14(2m) Wis. Stats.
 Wisconsin Department of Transportation
 MV3592 299

Statement of purpose/effect

Under Wisconsin law, the Department of Transportation, Division of Motor Vehicles is required to provide information from its records to requesters. This information may be used for marketing purposes. If you do not want your name and address included in requests for 10 or more records, you may ask the department to withhold your name and address from those requesters by completing and returning this form. This should eliminate mailings which contain information on products or services and which originate from motor vehicle records. It will not eliminate mailings that originate from other sources of information used by marketers.

Certain requesters are authorized by law to receive your name and address upon request provided such information is used for the purpose of:

- * writing and renewing insurance policies and related underwriting
- * billing and paying of insurance claims
- * vehicle safety recall notification programs and
- * law enforcement activities.

A request to withhold name and address is limited to individuals. If a vehicle is jointly owned, one vehicle owner requesting information be withheld will affect all owners of that vehicle. Once a request is made, the designation will remain in effect until a record is no longer current or the person asks the department to remove it.

Mail completed form to: Wisconsin Dept. of Transportation
 P. O. Box 7995
 Madison, WI 53707-7995

If you have additional questions, please write to the above address or call (608) 266-1466 for vehicle registration information or (608) 266-2353 for driver license information.

Instructions:

To request withholding of your name and address from driver license, vehicle registration, or identification cards for the physically disabled records, please provide the following information. The social security number will be used to verify the identification of the applicant and will not be used for any other purpose. Use of this form is limited to 1 person, 3 vehicles.

Name - As Shown on Operator License or Vehicle Record		Birth Date	Area Code - Telephone Number
Street Address		Social Security Number	
Post Office	Zip Code	Operator License Number	
LICENSE PLATE NUMBER	VEHICLE YEAR	VEHICLE MAKE	VEHICLE IDENTIFICATION NUMBER

I do not want my name and address provided from the following records:

- Vehicle registration; show license plate number and vehicle description above.
- Identification card for the physically disabled; card number _____
- Driver license; show operator license number above.

I previously requested withholding of my name and address, but want to reverse that designation from the following records:

- Vehicle registration; show license plate number and vehicle description above.
- Identification card for the physically disabled; card number _____
- Driver license; show operator license number above.

Julie

**Senate Privacy, Electronic Commerce and Financial
Institutions Committee Hearing 12/6/00**

1. Call to Order – the Clerk will call the roll
2. We will have a new member today, at least temporarily, Senator Carol Roessler. Welcome.
3. We will leave to roll open for those who are not here yet
4. The purpose of this meeting today is to hold a public hearing on the confirmation of Jack Kundert as the Secretary of the Department of Financial Institutions. In addition, there will be an informational meeting on the implementation of 1999 Wisconsin Act 88, the State Records Privacy Act, with invited speakers only.
5. If you would like to speak or register wither in support of, or to oppose the confirmation of Acting Secretary Kundert please fill out a hearing slip. They are located at the end of the table.
6. It was my original intention to hold an executive session on the confirmation today, but because the membership of the committee will likely change and we have to take a vote next session either way, we will not hold that executive session today.
7. The first item of business is the confirmation, Jack?

1999 Assembly Bill 315

Date of enactment: April 24, 2000

Date of publication*: May 8, 2000

1999 WISCONSIN ACT 88

AN ACT to repeal 341.17 (9) (d), 343.235 (4) and 343.24 (4) (d); to renumber and amend 23.16 (3), 23.165 (4) and 85.105; to amend 341.08 (1m), 341.17 (9) (a) 3., 341.17 (9) (b), 341.17 (9) (c) 3., 341.17 (9) (c) 4., 341.17 (9) (e), 341.17 (9) (f) 1. and 2., 343.14 (2m), 343.235 (1) (c), 343.235 (2), 343.235 (3) (b), 343.235 (5), 343.235 (6) (a) and (b), 343.24 (4) (a) 3., 343.24 (4) (b), 343.24 (4) (c) 2., 343.24 (4) (e), 343.24 (4) (f) 1. and 2., 343.50 (4) and 343.51 (1m); to repeal and recreate 342.06 (1) (i); and to create 23.16 (3) (b), 23.165 (4) (b), 23.45, 85.103, 85.105 (2) and 440.14 of the statutes; relating to: the disclosure of personal identifiers by the department of transportation, the department of natural resources and the department of regulation and licensing, granting rule-making authority and providing a penalty.

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

SECTION 1. 23.16 (3) of the statutes is renumbered 23.16 (3) (intro.) and amended to read:

23.16 (3) SUBSCRIBER LISTS. (intro.) The department may refuse to reveal names and addresses of persons on any magazine or periodical subscriber list. The department may charge a fee to recover the actual costs for providing or for the use of any magazine or periodical subscriber list. The department may not reveal names and addresses of persons as prohibited under s. 23.45 (4). No person who obtains or uses any magazine or periodical subscriber list from the department may refer to the department, the magazine or the periodical as the source of names or addresses unless the person clearly indicates states that the provision of, or permission to use, the subscriber list in no way indicates the any of the following:

(a) The department's knowledge, involvement, approval, authorization or connection with the person or the person's activities.

SECTION 1c. 23.16 (3) (b) of the statutes is created to read:

23.16 (3) (b) The department's knowledge, approval or authorization of the person's activities.

SECTION 1g. 23.165 (4) of the statutes is renumbered 23.165 (4) (intro.) and amended to read:

23.165 (4) SUBSCRIBER LISTS. (intro.) Notwithstanding s. 19.35, the The department may refuse to reveal names and addresses of persons on any publication subscriber list. The department may not reveal names and addresses as prohibited under s. 23.45 (5). 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 states that the provision of, or permission to use, the subscriber list in no way indicates the any of the following:

(a) The department's knowledge, involvement, approval, authorization or connection with the person or the person's activities.

* Section 991.11, WISCONSIN STATUTES 1997-98: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

SECTION 1n. 23.165 (4) (b) of the statutes is created to read:

23.165 (4) (b) The department's knowledge, approval or authorization of the person's activities.

SECTION 1r. 23.45 of the statutes is created to read:

23.45 Nondisclosure of certain personal information. (1) In this section:

(a) "Approval" means any type of approval or authorization issued by the department including a license, permit, certificate, card stamp or tag.

(b) "List" means information compiled or maintained by the department that contains the personal identifiers of 10 or more individuals.

(c) "Personal identifier" means a name, social security number, telephone number, street address, post-office box number or 9-digit extended zip code.

(2) If a form that the department requires an individual to complete in order to obtain an approval or other privilege from the department or to obtain a product or service from the department requires the individual to provide any of the individual's personal identifiers, the form shall include a place for the individual to declare that the individual's personal identifiers obtained by the department from the information on the form may not be disclosed on any list that the department furnishes to another person.

(3) If the department requires an individual to provide, by telephone or other electronic means, any of the individual's personal identifiers in order to obtain an approval or other privilege from the department or to obtain a product or service from the department, the department shall ask the individual at the time that the individual provides the information if the individual wants to declare that the individual's personal identifiers obtained by telephone or other electronic means may not be disclosed on any list that the department furnishes to another person.

(4) The department shall provide to an individual upon request a form that includes a place for the individual to declare that the individual's personal identifiers obtained by the department may not be disclosed on any list that the department furnishes to another person.

(5) (a) The department may not disclose on any list that it furnishes to another person a personal identifier of any individual who has made a declaration under sub. (2), (3) or (4).

(b) Paragraph (a) does not apply to a list that the department furnishes to another state agency, a law enforcement agency or a federal governmental agency. A state agency that receives a list from the department containing a personal identifier of any individual who has made a declaration under sub. (2), (3) or (4) may not disclose the personal identifier to any person other than a state agency, a law enforcement agency or a federal governmental agency.

SECTION 1w. 85.103 of the statutes is created to read:

85.103 Disclosure of personal identifiers. (1) In this section, "personal identifier" means a name, social security number, telephone number, street address, post-office box number or 9-digit extended zip code.

(2) The department shall include on any form for application for original registration under s. 341.08, for application for renewal of registration under s. 341.08, for application for a certificate of title under s. 342.06, for application for a license or identification card or renewal of a license or identification card under s. 343.14 and for application for a special identification card under s. 343.51, a place for the individual to designate that the individual's personal identifiers may not be disclosed in information compiled or maintained by the department that contains the personal identifiers of 10 or more individuals, a statement indicating the effect of making such a designation and a place for an applicant or registrant who has made a designation under this subsection or sub. (3) to reverse the designation.

(3) The department shall provide to an individual upon request a form that includes a place for the individual to designate that the individual's personal identifiers may not be disclosed in information compiled or maintained by the department that contains the personal identifiers of 10 or more individuals, a statement indicating the effect of making such a designation and a place for an applicant or registrant who has made a designation under this subsection or sub. (2) to reverse the designation.

(4) The department shall treat a designation made under s. 341.08 (1m), 1997 stats., s. 342.06 (1) (i), 1997 stats., s. 343.14 (2m), 1997 stats., or s. 343.51 (1m), 1997 stats., as if the designation were made under sub. (2) or (3).

(5) In providing a person with any information that is collected or prepared by the department and that consists in whole or in part of the personal identifiers of 10 or more persons, the department may not disclose the personal identifier of any person who has made a designation under sub. (2) or (3), except as provided in sub. (6).

(6) The department may disclose the personal identifier of any person who has made a designation under sub. (2) or (3) if the department discloses the personal identifier under s. 341.17 (9), 343.235, 343.24 (3) and (4) or 343.245 (3m).

(7) (a) The department shall establish by rule a reasonable period for complying with designations made under subs. (2) and (3).

(b) If an unanticipated number of designations result in the department not being able to comply with a reasonable effort with designations made under subs. (2) and (3) within the period established by the department under par. (a), the department may establish the temporary extension by rule, using the procedure under s. 227.24.

SECTION 2. 85.105 of the statutes is renumbered 85.105 (1) and amended to read:

85.105 (1) Notwithstanding s. 343.24 (2m), the department may contract with a person to periodically furnish that person with any records on computer tape or other electronic media that contain information from files of motor vehicle accidents or uniform traffic citations and which ~~that~~ were produced for or developed by the department for purposes related to maintenance of the operating record file data base. The department and the person desiring to contract with the department shall make a good faith effort to negotiate the purchase price for the records to be provided under this section.

SECTION 3. 85.105 (2) of the statutes is created to read:

85.105 (2) Beginning with contracts entered into, extended, modified or renewed on the effective date of this subsection ... [revisor inserts date], in providing information under this section that contains the personal identifiers, as defined in s. 85.103 (1), of 10 or more individuals, the department may not include a personal identifier of any person who has made a designation under s. 85.103 (2) or (3).

SECTION 4. 341.08 (1m) of the statutes is amended to read:

341.08 (1m) The forms for application for original registration and for renewal of registration under sub. (1) ~~or another form provided by the department shall include a place for an applicant or registrant under this chapter who is a natural person to designate that the applicant's or registrant's name, street address, post-office box number and 9-digit extended zip code may not be disclosed as provided in s. 341.17 (9) a statement indicating the effect of making such a designation and a place for an applicant or registrant who has made a designation under this subsection to reverse the designation the information required under s. 85.103 (2).~~

SECTION 4r. 341.17 (9) (a) 3. of the statutes is amended to read:

341.17 (9) (a) 3. "Personal identifier" ~~means a name, street address, post-office box number or 9-digit extended zip code has the meaning given in s. 85.103 (1).~~

SECTION 5. 341.17 (9) (b) of the statutes is amended to read:

341.17 (9) (b) In providing copies under this section or s. 19.35 (1) (a) of any written information collected or prepared under this chapter or ch. 342 which consists in whole or in part of the personal identifiers of 10 or more persons, the department may not disclose a personal identifier of any person who has made a designation under s. 341.08 (1m) or 342.06 (1) (i) ~~that his or her personal identifiers may not be disclosed as provided in this subsection 85.103 (2) or (3).~~

SECTION 6. 341.17 (9) (c) 3. of the statutes is amended to read:

341.17 (9) (c) 3. An insurer authorized to write property and casualty or life, disability or long-term care insurance in this state or an agent of the insurer, if the

insurer or agent uses the personal identifiers designated for nondisclosure under s. 341.08 (1m) ~~or 342.06 (1) (i) 85.103 (2) or (3)~~ for purposes of issuing or renewing a policy and related underwriting, billing or processing or paying a claim. Notwithstanding par. (e), no insurer, or agent of an insurer, may disclose to another person for marketing purposes any personal identifier received under this subdivision.

SECTION 7. 341.17 (9) (c) 4. of the statutes is amended to read:

341.17 (9) (c) 4. A person obtaining registration or title information for use in the conduct of a vehicle recall by the manufacturer of the vehicle or an agent of the manufacturer, if the person uses the personal identifiers designated for nondisclosure under s. 341.08 (1m) ~~or 342.06 (1) (i) 85.103 (2) or (3)~~ for vehicle recalls. Notwithstanding par. (e), no person receiving a personal identifier under this subdivision may disclose the personal identifier to another person for marketing purposes.

SECTION 8. 341.17 (9) (d) of the statutes is repealed.

SECTION 9. 341.17 (9) (e) of the statutes is amended to read:

341.17 (9) (e) Any person who has received under par. (c) a personal identifier of any person who has made a designation under s. 341.08 (1m) ~~or 342.06 (1) (i) 85.103 (2) or (3)~~ shall keep the personal identifier confidential and may not disclose it except for a purpose applicable to that person under par. (c).

SECTION 9m. 341.17 (9) (f) 1. and 2. of the statutes are amended to read:

341.17 (9) (f) 1. Any person who wilfully discloses a personal identifier in violation of this subsection may be required to forfeit not more than \$500 for each violation.

2. Any person who wilfully requests or obtains a personal identifier from the department under this subsection under false pretenses may be required to forfeit not more than \$500 for each violation.

SECTION 10. 342.06 (1) (i) of the statutes is repealed and recreated to read:

342.06 (1) (i) The information required under s. 85.103 (2).

SECTION 11. 343.14 (2m) of the statutes is amended to read:

343.14 (2m) The forms for application for a license or identification card or for renewal thereof ~~or another form provided by the department shall include a place for an applicant, licensee or identification card holder to designate that his or her name, street address, post-office box number and 9-digit extended zip code may not be disclosed as provided in s. 343.235 or 343.24 (4), a statement indicating the effect of making such a designation and a place for an applicant, licensee or identification card holder who has made a designation under this subsection to reverse the designation the information required under s. 85.103 (2).~~

SECTION 11r. 343.235 (1) (c) of the statutes is amended to read:

343.235 (1) (c) "Personal identifier" means a name, street address, post office box number or 9 digit extended zip code has the meaning given in s. 85.103 (1).

SECTION 12. 343.235 (2) of the statutes is amended to read:

343.235 (2) In providing copies under s. 19.35 (1) (a) of any written information collected or prepared under this chapter which consists in whole or in part of the personal identifiers of 10 or more persons, the department may not disclose a personal identifier of any person who has made a designation under s. 343.14 (2m) or 343.51 (1m) that his or her personal identifiers may not be disclosed as provided in this section 85.103 (2) or (3).

SECTION 13. 343.235 (3) (b) of the statutes is amended to read:

343.235 (3) (b) An insurer authorized to write property and casualty or life, disability or long-term care insurance in this state or an agent of the insurer, if the insurer or agent uses the personal identifiers for purposes of issuing or renewing a policy and related underwriting, billing or processing or paying a claim. Notwithstanding sub. (5), no insurer, or agent of an insurer, may disclose to another person for marketing purposes any personal identifier received under this paragraph.

SECTION 14. 343.235 (4) of the statutes is repealed.

SECTION 15. 343.235 (5) of the statutes is amended to read:

343.235 (5) Any person who has received under sub. (3) a personal identifier of any person who has made a designation under s. 343.14 (2m) or 343.51 (1m) 85.103 (2) or (3) shall keep the personal identifier confidential and may not disclose it except for a purpose applicable to that person under sub. (3).

SECTION 15m. 343.235 (6) (a) and (b) of the statutes are amended to read:

343.235 (6) (a) Any person who wilfully discloses a personal identifier in violation of this section may be required to forfeit not more than \$500 for each violation.

(b) Any person who wilfully requests or obtains a personal identifier from the department under this section under false pretenses may be required to forfeit not more than \$500 for each violation.

SECTION 15r. 343.24 (4) (a) 3. of the statutes is amended to read:

343.24 (4) (a) 3. "Personal identifier" means a name, street address, post office box number or 9 digit extended zip code has the meaning given in s. 85.103 (1).

SECTION 16. 343.24 (4) (b) of the statutes is amended to read:

343.24 (4) (b) In furnishing 10 or more operating records to a person under sub. (1) or (2m), the department may not disclose a personal identifier of any person who has made a designation under s. 343.14 (2m) that his or

her personal identifiers may not be released as provided in this subsection 85.103 (2) or (3).

SECTION 17. 343.24 (4) (c) 2. of the statutes is amended to read:

343.24 (4) (c) 2. An insurer authorized to write property and casualty or life, disability or long-term care insurance in this state or an agent of the insurer, if the insurer or agent uses the names or addresses for purposes of issuing or renewing a policy and related underwriting, billing or processing or paying a claim. Notwithstanding par. (e), no insurer, or agent of an insurer, may disclose to another person for marketing purposes any personal identifier received under this subdivision.

SECTION 18. 343.24 (4) (d) of the statutes is repealed.

SECTION 19. 343.24 (4) (e) of the statutes is amended to read:

343.24 (4) (e) Any person who has received under par. (c) a personal identifier of any person who has made a designation under s. 343.14 (2m) 85.103 (2) or (3) shall keep the personal identifier confidential and may not disclose it except for a purpose applicable to that person under par. (c).

SECTION 19g. 343.24 (4) (f) 1. and 2. of the statutes are amended to read:

343.24 (4) (f) 1. Any person who wilfully discloses a personal identifier in violation of this subsection may be required to forfeit not more than \$500 for each violation.

2. Any person who wilfully requests or obtains a personal identifier from the department under this subsection under false pretenses may be required to forfeit not more than \$500 for each violation.

SECTION 20. 343.50 (4) of the statutes is amended to read:

343.50 (4) APPLICATION. The application for an identification card shall include the information required under s. ss. 85.103 (2) and 343.14 (2) (a) and (b) and (2m), such further information as the department may reasonably require to enable it to determine whether the applicant is entitled by law to an identification card and, for applicants who are aged 65 years or older, material, as provided by the department, explaining the voluntary program that is specified in s. 71.55 (10) (b). The department shall, as part of the application process, take a photograph of the applicant to comply with sub. (3). No application may be processed without the photograph being taken. Misrepresentations are punishable as provided in s. 343.14 (5).

SECTION 21. 343.51 (1m) of the statutes is amended to read:

343.51 (1m) The form for application for a special identification card under sub. (1) or another form provided by the department shall include a place for an applicant or special identification card holder who is a natural person to designate that his or her name, street address,

~~post-office box number and 9-digit extended zip code may not be disclosed as provided under s. 343.235, a statement indicating the effect of making such a designation and a place for an applicant or special identification card holder who has made a designation under this subsection to reverse the designation the information required under s. 85.103 (2).~~

SECTION 21m. 440.14 of the statutes is created to read:

440.14 Nondisclosure of certain personal information. (1) In this section:

(a) "List" means information compiled or maintained by the department or a credentialing board that contains the personal identifiers of 10 or more individuals.

(b) "Personal identifier" means a name, social security number, telephone number, street address, post-office box number or 9-digit extended zip code.

(2) If a form that the department or a credentialing board requires an individual to complete in order to apply for a credential or credential renewal or to obtain a product or service from the department or the credentialing board requires the individual to provide any of the individual's personal identifiers, the form shall include a place for the individual to declare that the individual's personal identifiers obtained by the department or the credentialing board from the information on the form may not be disclosed on any list that the department or the credentialing board furnishes to another person.

(3) If the department or a credentialing board requires an individual to provide, by telephone or other electronic means, any of the individual's personal identifiers in order to apply for a credential or credential renewal or to obtain a product or service from the department or a credentialing board, the department or the credentialing board shall ask the individual at the time that the individual provides the information if the individual wants to declare that the individual's personal identifiers obtained by telephone or other electronic means may not be disclosed on any list that the department or the credentialing board furnishes to another person.

(4) The department or a credentialing board shall provide to an individual upon request a form that includes

a place for the individual to declare that the individual's personal identifiers obtained by the department or credentialing board may not be disclosed on any list that the department or credentialing board furnishes to another person.

(5) (a) The department or a credentialing board may not disclose on any list that it furnishes to another person a personal identifier of any individual who has made a declaration under sub. (2), (3) or (4).

(b) Paragraph (a) does not apply to a list that the department or a credentialing board furnishes to another state agency, a law enforcement agency or a federal governmental agency. A state agency that receives a list from the department or a credentialing board containing a personal identifier of any individual who has made a declaration under sub. (2), (3) or (4) may not disclose the personal identifier to any person other than a state agency, a law enforcement agency or a federal governmental agency.

SECTION 22. Initial applicability.

(1) The treatment of section 23.45 (5) of the statutes first applies to lists furnished by the department of natural resources on the effective date of this subsection.

(2) The treatment of sections 85.103 (5) and (6), 341.17 (9) (b), 343.235 (2) and 343.24 (4) (b) of the statutes first applies to requests for information received by the department of transportation on the effective date of this subsection.

(3) The treatment of sections 341.17 (9) (c) 3. and 4. and (f) 1. and 2., 343.235 (3) (b) and (6) (a) and (b) and 343.24 (4) (c) 2. and (f) 1. and 2. first applies to personal identifiers disclosed by the department of transportation on the effective date of this subsection.

(4) The treatment of section 440.14 of the statutes first applies to lists furnished by the department of regulation and licensing or a credentialing board, as defined in section 440.01 (2) (bm) of the statutes, on the effective date of this subsection.

SECTION 23. Effective date.

(1) This act takes effect on the first day of the 6th month beginning after publication.

12-6-00

Roll Call

	<u>Present</u>	<u>Absent</u>
Sen Erpenbach	X	
Sen Fitzgerald	X	
Sen Jauch		
Sen Plache	X	
Sen Rude Reister	X	

WISCONSIN LEGISLATURE
LEGISLATIVE COUNCIL COMMITTEE ATTENDANCE FORM

Committee: Senate Privacy Comm Date: 12/8/00

Legislator Name: Rep. Davis Cuccia

WISCONSIN LEGISLATURE - COMMITTEE ATTENDANCE FORM

Senate Privacy, Electronic
Commerce & Financial Inst. COMMITTEE 6 Dec. 00 DATE

LEGISLATOR NAME Steve Nass
Dist 31

SENATE WISCONSIN LEGISLATURE
LEGISLATIVE COUNCIL COMMITTEE ATTENDANCE FORM

Committee: Privacy Date: 12/6/2000

Legislator Name: Tim Conz

WISCONSIN LEGISLATURE
LEGISLATIVE COUNCIL COMMITTEE ATTENDANCE FORM

Committee: _____ Date: 12-6-2000

Legislator Name: Peter Bock

SENATE HEARING SLIP

(Please Print Plainly)

DATE: Wednesday, December 6, 2000

BILL NO. _____

or

SUBJECT: Gubernatorial Appointment

John F. "Jack" Kundert

(Name)

345 W. Washington Avenue, 5th Floor

(Street Address or Route Number)

Madison, WI 53702

(City and Zip Code)

Self

(Representing)

Speaking in Favor:

XXXXX

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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P. O. Box 7882
State Capitol
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12-6-00

BILL NO. _____

or

SUBJECT: Confirmation of

Jack Kundert as Secy

of OFI

RUTHANN NELSON

(NAME)

30 W. MIFELIN SUITE 401

(Street Address or Route Number)

MADISON WI 53703

(City and Zip Code)

WISCONSIN FEDERATION OF

(Representing) COOPERATIVES

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/6/00

BILL NO. _____

or

SUBJECT: SEC. KUNDERT

KURT BAUER

(NAME)

PO BOX 8880

(Street Address or Route Number)

MADISON 53718

(City and Zip Code)

WIS. BANKERS

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: Dec 6, 2000

BILL NO. _____
OR _____

SUBJECT CONFIRMATION - DEI

FRED KUNDEB

(NAME) _____

2207 COUNTRYSIDE LANE

(Street Address or Route Number) _____

FRESNO, IL 61032

(City and Zip Code) _____

SELF

(Representing) _____

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/6/00

BILL NO. _____
OR she confirmation

SUBJECT Jack Hundert

to DEI secretary

Tim Shukman

(NAME) _____

111 East Kilbourn St 200

(Street Address or Route Number) _____

Wilwaukee WI 53002

(City and Zip Code) _____

Bank One

(Representing) _____

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12-6-00

BILL NO. _____
OR _____

SUBJECT Confirmation of

Jack Hundert as

Secretary of DEI

(NAME) _____

Rep. Mike Pavers

(Street Address or Route Number) _____

80th Assembly District

(City and Zip Code) _____

(Representing) _____

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/06/00

BILL NO. _____
OR
SUBJECT DEF SEC CONF

SOR
S.F.K.

MARION K. KUNDELT
(NAME)

W 5502 MINGS RD
(Street Address or Route Number)

MONROE WI
(City and Zip Code)

SELF 53566
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

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Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12-6-2000

BILL NO. _____
OR
SUBJECT Construction - DEF

Edm Kundst
(NAME)

1621 25th Ave
(Street Address or Route Number)

Monroe WI 53566
(City and Zip Code)

Self
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

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SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/06/00

BILL NO. _____
OR
SUBJECT DEF Construction

OLLAND E. KARLEN
(NAME)

2105 19th Av
(Street Address or Route Number)

MONROE WI 53566
(City and Zip Code)

SELF
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

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only; Neither for nor against:

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SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12-2-00

BILL NO. _____
OR _____

SUBJECT Jack Runderb Confirmation

Ray Allen

(NAME)

26 Sinterct

(Street Address or Route Number)

Mad WI

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12-6-00

BILL NO. _____
OR _____

SUBJECT Jack Runderb Confirmation

Paul Egide

(NAME)

3043 Timber Lane

(Street Address or Route Number)

Verona WI 53593

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

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SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12-5-00

BILL NO. _____
OR _____

SUBJECT Confirmation

or DEI

Laura Helin Runderb

(NAME)

1621 2nd Ave

(Street Address or Route Number)

Monroe WI 53566

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

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SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12-6-00

BILL NO. Kurdert Jack

OR
SUBJECT DFT Secretary

Appointment

Paul C. Adamski

(NAME)
3112 Della St.

(Street Address or Route Number)

Stevens Point 54481

(City and Zip Code)

The P. Neries Bank

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/6/2000

BILL NO. _____

OR
SUBJECT Jack Kurdert

Secretary, DFT

Theodore A. Sulejowski

(NAME)
6043 Tecumseh Dr.

(Street Address or Route Number)

Sheldon, WI 53129

(City and Zip Code)

Mitchell Bank

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/6

BILL NO. _____

OR
SUBJECT Jack Kurdert appointment

Daryll Lund

(NAME)
7815 Big Sky Dr. Ste 11

(Street Address or Route Number)

Madison 53719

(City and Zip Code)

Community Bankers of WI

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: _____

BILL NO. _____

OR

SUBJECT _____

Robin Marchin

(NAME)

2502 KILLS DR

(Street Address or Route Number)

10446 Snows Dr

(City and Zip Code)

WREDIT UNIONS

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

Registering Against:

but not speaking:

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State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: Wednesday, December 6, 2000

BILL NO. _____

OR

SUBJECT: Gubernatorial Appointments

Nora K. Weber

(Name)

125 South - State Capitol

(Street Address or Route Number)

Madison, WI 53702

(City and Zip Code)

Governor's Office

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

Registering Against:

but not speaking:

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P. O. Box 7882
State Capitol
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12-10-00

BILL NO. _____

OR

SUBJECT KUNDBERT

CONFIRMATION

Patty Snuck

(NAME)

2103 Rowley Ave

(Street Address or Route Number)

Madison WI 537

(City and Zip Code)

myself

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12-6-00

BILL NO. _____
OR
SUBJECT Jack Kundert

Confirmation Hearings

Quinger Larson
(NAME) _____

245 W. Washington
(Street Address or Route Number)

Madison WI
(City and Zip Code)

herself
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor: _____

but not speaking:

Registering Against: _____

but not speaking:

Speaking for information only; Neither for nor against:

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Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/6/00

BILL NO. _____
OR
SUBJECT Confirmation

of Jack Kundert

Kim Staka
(NAME) _____

510 Stang St.
(Street Address or Route Number)

Madison, WI 53704
(City and Zip Code)

myself
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor: _____

but not speaking:

Registering Against: _____

but not speaking:

Speaking for information only; Neither for nor against:

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Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/6/00

BILL NO. _____
OR
SUBJECT Jack Kundert's confirmation

nomination

Christopher Green
(NAME) _____

5210 Find Avenue
(Street Address or Route Number)

Madison 53711
(City and Zip Code)

himself
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor: _____

but not speaking:

Registering Against: _____

but not speaking:

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