

Committee Name:

**Senate Committee – Privacy, Electronic Commerce and Financial Institutions
(SC-PECFI)**

Appointments

01hr_SC-PECFI_Appoint_pt00

Clearinghouse Rules

01hr_SC-PECFI_CRule_01-

Committee Hearings

01hr_SC-PECFI_CH_pt00

Committee Reports

01hr_SC-PECFI_CR_pt00

Executive Sessions

01hr_SC-PECFI_ES_pt00

Hearing Records

01hr_ab0000

01hr_sb0000

Misc.

01hr_SC-PECFI__Misc__pt06

Record of Committee Proceedings

01hr_SC-PECFI_RCP_pt00

Senate Privacy, Electronic Commerce and Financial
Institutions Committee

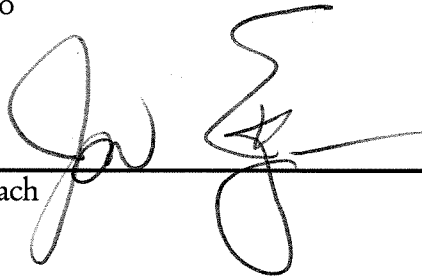
****Ballot Due 10:00am Friday April 6th

Recommendations to the Joint Committee on Finance on provisions of the
2001 Senate Bill 55

Yes

No

Senator Jon Erpenbach



04-05-2001

Senate Privacy, Electronic Commerce and Financial
Institutions Committee

****Ballot Due 10:00am Friday April 6th

Recommendations to the Joint Committee on Finance on provisions of the
2001 Senate Bill 55

Yes
 No

Kim Plache

Senator Kimberly Plache

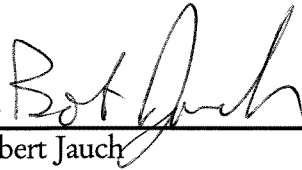
Senate Privacy, Electronic Commerce and Financial Institutions Committee

****Ballot Due 10:00am Friday April 6th

Recommendations to the Joint Committee on Finance on provisions of the 2001 Senate Bill 55

Yes

No



Senator Robert Jauch

Senate Privacy, Electronic Commerce and Financial
Institutions Committee

****Ballot Due 10:00am Friday April 6th

Recommendations to the Joint Committee on Finance on provisions of the
2001 Senate Bill 55

_____ Yes

 X _____ No

Sen. Scott Fitzgerald (CR)

Senator Scott Fitzgerald

Recommendations by the Senate Privacy, Electronic Commerce and Financial Institutions Committee on the 2001-2003 State Budget

Department of Electronic Government

Create a Privacy Officer and State Information Procedure

The Department of Electronic Government (DEG) should house a Privacy Officer, paid outside the agency, who shall monitor personal information housed within DEG. In addition, the Privacy Officer shall recommend and enforce a state information procedure for the handling of personal information maintained in state agencies. That policy should include procedures prohibiting the secondary use of data that is not specifically authorized within state or federal law, clarification that the DEG is not a custodian of state open records, privacy policies for employees who handle personal information, limitations for the use of personal information without consent, and penalties for state agencies who violate the state information procedure.

Exemption for the University of Wisconsin System

The University of Wisconsin System already has in place a comprehensive system wide information policy and procedure that works cohesively to purchase, share information and systems, and advise on the streamlining of services. This system would be compromised significantly if the UW is included in the DEG.

TEACH Board

The authority of the TEACH Board should not be weakened as recommended by the Governor in his creation of the DEG. All authority for purchasing is given to DEG, including purchasing authority for the TEACH program. The TEACH Board is working well now, there really is no need to take away their authority.

Contracts with Local Governments

It should be made clear that contracts and purchasing decisions between DEG and local governments are completely voluntary. Language for local governments should be similar to statutes regarding TEACH Board authority; a local unit of government cannot be forced into a contract by the DEG. This is needed to preserve local control over local decisions.

Changes to Information Technology Management Board

Currently the Information Technology Board is made up of gubernatorial appointments; the public members do not need Senate confirmation. All public members of the Board shall be confirmed by the Senate. In addition, two members appointed by the legislature, the privacy

officer, as well as a representative recommended by labor and possibly a member recommended by the University of Wisconsin to serve in an advisory capacity (non-voting) should be added to the board.

Telemarketing

Laws Should Not Weaken Current Rule

The recommendation made by the Governor weakens current Department of Agriculture, Trade, and Consumer Protection (DATCP) Rules. At the very least the bill should be modified to mirror the current stronger rules. Provisions that prohibit the blocking of caller ID by telemarketers should be modified to match Senate Bill 41, which was recommended by the committee and the Senate. The language is more specific and conforms to current law and rule better. In addition, the committee may consider Senate Bill 40(SB 40) as an alternative to the Governor's recommendations. SB 40 is currently before the Finance Committee and includes a much stronger system for managing telemarketing in Wisconsin, which is recommended by DATCP.

Department of Financial Institutions

Universal Banks and Credit Unions

Truly an issue that should be assigned to the standing committees on financial institutions, this major policy proposal should not be included in the state budget. If the item remains, the issue of consumer privacy should be reconciled. Gramm Leach Bliley, the federal bill that started the Universal Bank debate, created a set of financial privacy rules. Any recommended changes that expand the powers and sharing ability of personal information by financial institutions in the state of Wisconsin, like this proposal, should be accompanied by a state statute or rule similar to the federal Gramm Leach Bliley privacy rule. It would be a mistake to provide parity for our financial institutions, if it is not accompanied with parity for Wisconsin's financial consumers.

UETA

The Department of Administration should work with the Department of Agriculture, Trade and Consumer Protection (DATCP) to incorporate changes recommended by DATCP to increase consumer protection in the proposal. Those recommendations include requiring businesses to securely maintain signatures, prohibiting the selling or misusing of an individual's signature, as well as consumer act provisions like the three-day right to cancel.