



2001 ASSEMBLY BILL 76

February 1, 2001 - Introduced by Representatives SCHNEIDER, ZIEGELBAUER, KREUSER, FREESE, HAHN, POCAN, GRONEMUS, GUNDERSON, HUBLER, PLOUFF, BOYLE and WILLIAMS, cosponsored by Senators BRESKE, HANSEN and SCHULTZ. Referred to Committee on Personal Privacy.

1 **AN ACT to repeal** 29.024 (2g) (a) (intro.), 29.024 (2g) (am), 29.024 (2g) (d) 2.,
2 29.024 (2g) (e), 29.024 (2r) (am), 29.024 (2r) (d) 2. and 29.229 (5m) (c); **to**
3 **renumber** 29.024 (2g) (a) 1., 29.024 (2g) (a) 2., 29.024 (2g) (a) 3. and 29.024 (2g)
4 (d) (title); **to renumber and amend** 29.024 (2g) (d) 1., 29.024 (2r) (d) 1. and
5 29.229 (5m) (b); **to amend** 29.024 (2g) (b), 29.024 (2g) (c), 29.024 (2r) (a) (intro.)
6 and 29.024 (2r) (c); and **to create** 29.024 (2g) (ac) (intro.), 29.229 (5m) (d),
7 49.857 (2m) and 73.0301 (2m) of the statutes; **relating to:** prohibiting the
8 denial, revocation, suspension, withholding, or restriction of approvals issued
9 under chapter 29 of the statutes based on the failure of the approval applicants
10 or approval holders to provide social security numbers.

Analysis by the Legislative Reference Bureau

Under current law, the department of natural resources (DNR) must require an individual who is applying for any type of fish or game approval to provide DNR with his or her social security number. These approvals include recreational hunting and fishing licenses as well as commercial licenses such as fish dealer and taxidermist permits that are held by individuals and not business entities. DNR must deny the

ASSEMBLY BILL 76

application if the individual refuses to provide his or her social security number. DNR then discloses the number to the department of workforce development (DWD) so that DWD may determine whether the individual is delinquent in child support or other court-ordered family or birth expenses or has failed to comply with a subpoena or warrant that relates to paternity or child support court proceedings. If the individual is delinquent or has failed to comply, DNR must deny the application and suspend any current approvals held by the individual.

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

The bill prohibits DNR from requesting social security numbers and repeals the provision which provides that DNR must deny an application or revoke or suspend an approval if an individual fails to provide his or her number.

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

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

1 **SECTION 1.** 29.024 (2g) (a) (intro.) of the statutes is repealed.

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

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

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

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

6 29.024 (**2g**) (ac) *Approvals affected.* (intro.) All of the following approvals are

7 subject to denial, suspension, withholding, or restriction under par. (ab):

8 **SECTION 6.** 29.024 (2g) (am) of the statutes is repealed.

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

10 29.024 (**2g**) (b) *Duplicates.* For purposes of this subsection, an application for
11 a duplicate of an approval specified in par. (a) (ac) shall be considered an application
12 for the issuance of the approval.

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

ASSEMBLY BILL 76

1 29.024 (2g) (c) *Disclosure of social security numbers.* The department of
2 natural resources may not disclose any social security numbers number received
3 under ~~par. (a)~~ s. 29.024 (2g) (a), 1999 stats., to any person except to the department
4 of workforce development for the sole purpose of administering s. 49.22.

5 **SECTION 9.** 29.024 (2g) (d) (title) of the statutes is renumbered 29.024 (2g) (ab)
6 (title).

7 **SECTION 10.** 29.024 (2g) (d) 1. of the statutes is renumbered 29.024 (2g) (ab) and
8 amended to read:

9 29.024 (2g) (ab) As provided in the memorandum of understanding required
10 under s. 49.857 (2), the department shall deny an application to issue or renew,
11 suspend if already issued, or otherwise withhold or restrict an approval specified in
12 par. ~~(a)~~ (ac) 1. to 3. if the applicant for or the holder of the approval is delinquent in
13 making court-ordered payments of child or family support, maintenance, birth
14 expenses, medical expenses, or other expenses related to the support of a child or
15 former spouse or if the applicant or holder fails to comply with a subpoena or warrant
16 issued by the department of workforce development or a county child support agency
17 under s. 59.53 (5) and relating to paternity or child support proceedings.

18 **SECTION 11.** 29.024 (2g) (d) 2. of the statutes is repealed.

19 **SECTION 12.** 29.024 (2g) (e) of the statutes is repealed.

20 **SECTION 13.** 29.024 (2r) (a) (intro.) of the statutes is amended to read:

21 29.024 (2r) (a) ~~*Social security and Federal employer identification numbers*~~
22 ~~*required.*~~ (intro.) ~~Except as provided in par. (am), the~~ The department shall require
23 ~~an applicant who is an individual to provide his or her social security number and~~
24 ~~an applicant who is not an individual to provide the applicant's federal employer~~

ASSEMBLY BILL 76**SECTION 13**

1 identification number as a condition of applying for, or applying to renew, any of the
2 following approvals:

3 **SECTION 14.** 29.024 (2r) (am) of the statutes is repealed.

4 **SECTION 15.** 29.024 (2r) (c) of the statutes is amended to read:

5 29.024 (2r) (c) *Disclosure of numbers.* The department of natural resources
6 may not disclose any ~~information~~ federal employer identification number received
7 under par. (a), or any social security number received under s. 29.024 (2r) (a), 1999
8 stats., to any person except to the department of revenue for the sole purpose of
9 making certifications required under s. 73.0301.

10 **SECTION 16.** 29.024 (2r) (d) 1. of the statutes is renumbered 29.024 (2r) (d)
11 (intro.) and amended to read:

12 29.024 (2r) (d) *Denial of approvals.* (intro.) ~~Except as provided in subd. 2., the~~
13 The department shall deny an application to issue or renew, or revoke if already
14 issued, an approval specified in par. (a) if the applicant for or the holder of the
15 approval is not an individual and if any of the following applies:

16 1. The applicant for or the holder of the approval fails to provide the
17 ~~information~~ federal employer identification number required under par. (a) ~~or if the,~~

18 2m. The department of revenue certifies that the applicant or approval holder
19 is liable for delinquent taxes under s. 73.0301.

20 **SECTION 17.** 29.024 (2r) (d) 2. of the statutes is repealed.

21 **SECTION 18.** 29.229 (5m) (b) of the statutes is renumbered 29.229 (5m) (b)
22 (intro.) and amended to read:

23 29.229 (5m) (b) (intro.) The band is requested to enact repeal any tribal laws
24 or ordinances in effect that require each any of the following:

ASSEMBLY BILL 76

1 1. That each person who has a social security number, as a condition of being
2 issued an approval under this section, ~~to provide to the band his or her social security~~
3 ~~number, tribal laws or ordinances that require each.~~

4 2. That each person who does not have a social security number, as a condition
5 of being issued an approval under this section, ~~to provide to the band a statement~~
6 ~~made or subscribed under oath or affirmation on a form prescribed by the~~
7 ~~department of workforce development that the person does not have a social security~~
8 ~~number, and tribal laws or ordinances that prohibit the disclosure of that number by~~
9 ~~the band to any other person except to the department of workforce development for~~
10 ~~the purpose of administering s. 49.22.~~

11 **SECTION 19.** 29.229 (5m) (c) of the statutes is repealed.

12 **SECTION 20.** 29.229 (5m) (d) of the statutes is created to read:

13 29.229 **(5m)** (d) The band is requested to maintain in effect any tribal law or
14 ordinance that prohibits the disclosure to any other person, except to the department
15 of workforce development for the purpose of administering s. 49.22, a social security
16 number provided under s. 29.229 (5m) (b), 1999 stats.

17 **SECTION 21.** 49.857 (2m) of the statutes is created to read:

18 49.857 **(2m)** Notwithstanding sub. (2) (b) 4., the memorandum of
19 understanding with the department of natural resources or with the Lac du
20 Flambeau band of the Lake Superior Chippewa under sub. (2) (b) may not require
21 a license applicant or a license holder to provide or display his or her social security
22 number under the system established by the department of workforce development.

23 **SECTION 22.** 73.0301 (2m) of the statutes is created to read:

