

**Michigan Information Privacy Protection Council**

Tuesday, July 21, 2010

Meeting Minutes

The meeting was called to order at 1:15 p.m. by the Vice Chair.

Roll Call:

X	Louis Burgess, Education		Mark Hoffman, DNRE	X	Richard Stapleton, MDOC
X	Trent Carpenter, DTMB	X	Luttrell Levingston, DHS	X	Steve Stier, State
X	Brad Deacon, Agriculture		Steve Liedel, Executive	X	Ken Swisher, OSE
X	Ruth Duquette, Budget		Michael Pelot, Civil Rights	X	Karen Towne, DELEG
X	John Gnodtke, Civil Service	X	Matthew Rick, DCH	X	Greg Zarotney, State Police
X	Leon Hank, Transportation	X	Smruti Shah, Treasury		
	Hugh Hess, DMVA	X	Dodi Smith, DTMB		

Guests in attendance –

Andy Esch	MDOT
Stefan Fletcher	Executive
Dennis Fox	DNRE (for Mr. Hoffman)
Matthew Keck	Attorney General

The meeting was called to order at 1:15 p.m. by Mr. Carpenter. Following roll call, agenda items were addressed as follows –

Approval of Previous Meeting Minutes: The meeting minutes of May 18, 2010 were reviewed. Following a motion by Mr. Deacon to approve as submitted, with support by Mr. Swisher, the minutes were approved as presented.

Old Business:

1. Council Operating Principles – The most recent version of the Council Operating Principles were reviewed, including modifications made by Mr. Keck. Following a brief discussion, Ms. Towne made a motion to adopt the Council Operating Principles as presented. The motion was seconded by Mr. Hank. The Council Operating Principles are adopted as submitted.
2. Privacy Principles – The most recent version of the ten “Generally Accepted Privacy Principles,” containing a modification to the last paragraph by Mr. Keck, were reviewed and discussed.

Following discussion, the Council requested that Mr. Rick remove the final paragraph and submit a recommendation to the Governor for statewide adoption and agency application of these ten privacy principles. The language from the deleted paragraph will be included in the transmittal memorandum to the Governor. Mr. Rick will draft the memorandum for review and submission by Mr. Liedel.

Based on the above action, Ms. Smith motioned that the Council adopt the ten “Generally Accepted Privacy Principles” as amended. The motion was seconded by Mr. Hank. The principles are adopted as amended.

3. Regulations Workgroup Report – Mr. Rick provided a summary spreadsheet containing data collected thus far of privacy laws, regulations, etc. which impact the various departments. The Council is being requested to review the content to:
  - a. Identify the lead agency for any law that is categorized as applying to “All” or “Various” agencies (i.e. who would the public look to for additional information regarding its application?)
  - b. Review each line for:
    - i. Accuracy (provide links where missing, if available)
    - ii. Comments section (expand where needed)
    - iii. Identify laws that apply to their agency if agency is not listed
  - c. Review the disclaimer statement for any suggested modifications.

Changes and comments should be submitted to Mr. Carpenter’s office for collection and distribution to the workgroup members, and are being requested for our next Council meeting. Reminders will be sent out periodically. Some departments have yet to report, and will also be sent reminders.

Mr. Rick thanked the Council and workgroup members for their work on this project, as well as Mr. Fletcher for his assistance.

#### New Business:

4. OAG Performance Audit of Data Privacy (DTMB) – The OAG’s final audit report was published in June 2010, and has been forwarded to the Council electronically. Mr. Carpenter provided summary pages of the two reportable conditions and of the general observations. Relative to this audit report, the Executive Order “Charge to the Council” was reviewed. Identified tasks include:
  - a. Identifying state and federal privacy laws and reviewing, recommending, developing policies and procedures to assist agency compliance efforts.
  - b. Developing and recommending strategies to enhance awareness.
  - c. Identifying risks and recommending mitigation strategies.
  - d. Monitoring and reporting of agency compliance.

The Council will utilize information contained in the audit report, as well as data being collected by the regulations workgroup, to move forward with the development of recommendations as identified in the above tasks. Implementation and compliance will be the responsibility of each agency.

5. Public Website – The Council’s public website is now live at [www.michigan.gov/privacycouncil](http://www.michigan.gov/privacycouncil). Questions or suggestions regarding the content of the site should be directed to Mr. Carpenter’s office.

