

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: 06/23/99

Received By: malaigm

Wanted: Soon

Identical to LRB:

For: Senate Democratic Caucus 6-2257

By/Representing: Walter

This file may be shown to any legislator: NO

Drafter: malaigm

May Contact:

Alt. Drafters:

Subject: Children - TPR and adoption

Extra Copies:

**Pre Topic:**

SDC:.....Walter - Caucus #2111,

**Topic:**

TPR for solicitation to commit homicide of parent

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	malaigm 06/23/99	ygeller 06/23/99		_____			
/1			martykr 06/25/99	_____	lrb_docadmin 06/26/99		

FE Sent For:

<END>

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1/?	malaigm	1 6/23 jlg	Am 6/25	DS 6/25	Am 6/25		

FE Sent For:

<END>

yes

**Agency: Miscellaneous Motions**

SDC

caucus number 2111

duplicate flag:  
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Adds conviction for solicitation to commit first degree intentional homicide as grounds for involuntary termination of parental rights. No fiscal effect. s. 48.415.

**other notes**

drafting instructions: See above and attached

more instructions:

caucus number 2789

duplicate flag:  
duplicate with:

Other reference numbers:	LFB Sum #:
FM 1348	
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Delete FM 1348 which defines unnecessary hardship for the purposes of granting variance to local zoning ordinances where strict letter of the zoning restrictions would unreasonably prevent an owner from using property for the permitted purpose.

**other notes**

drafting instructions: Delete FM 1348

more instructions:

caucus number 2794

duplicate flag:  
duplicate with:

Other reference numbers:	LFB Sum #:
FM 1187	
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Delete FM 1187 which provides \$100,000 SEG annually from the agricultural mgmt fund for grants to the WI Farm Bureau to use in the USDA Agriculture in the Classroom program and requires DATOP to release \$3 for every \$5 the Farm Bureau provides in matching

**other notes**

drafting instructions: Delete FM 1187

more instructions:

caucus number 3711

duplicate flag:  
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Municipal Courts. Change state law to allow a prosecuting attorney to sign a summons. Circuit courts have this authority. Provide authority to conduct certain municipal hearings by telephone or audiovideo if defendant consents. No fiscal impact.

**other notes**

drafting instructions: See above and attached

more instructions:

Agency: **Miscellaneous Motions**

Number of Amendments: 4

+

CN 2111



**MISCELLANEOUS**

**Grounds for involuntary termination of parental rights**

No fiscal effect—statutory changes

Motion:

Include in *Wisconsin State Statutes* 48.415, titled “Grounds for involuntary termination of parental rights”, conviction for the solicitation to commit the first-degree intentional homicide of a parent of a child.

At the fact-finding hearing the court or jury may make a finding that grounds exist for the termination of parental rights. Grounds for termination of parental rights include a number of circumstances, this motion add the circumstance of conviction for the solicitation to commit the first-degree intentional homicide of a parent of a child.

The statute must also be retroactive.

Attachment: s. 48.415

1999

Date (time) needed soon

LRB b 1018 11

**CAUCUS BUDGET AMENDMENT  
[ONLY FOR CAUCUS]**

GMM : jlq+  
JJcmh

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1  
TO 1999 ASSEMBLY BILL 133**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:



- ~~#. Page . . . . , line . . . . :~~
- ~~#. Page . . . . , line . . . . :~~
- ~~#. Page . . . . , line . . . . :~~
- ~~#. Page . . . . , line . . . . :~~
- ~~#. Page . . . . , line . . . . :~~
- ~~#. Page . . . . , line . . . . :~~

61018/1

**SENATE AMENDMENT ,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 1999 ASSEMBLY BILL 133**

1 ~~At the locations indicated, amend the substitute amendment as follows:~~

2 **1.** Page 647, line 9: after that line insert:

3 **"SECTION 1131p.** 48.415 (8) of the statutes is amended to read:

4 48.415 (8) ~~INTENTIONAL OR RECKLESS HOMICIDE~~ HOMICIDE OR SOLICITATION TO

5 COMMIT HOMICIDE OF PARENT. ~~Intentional or reckless~~ Homicide or solicitation to

6 commit homicide of a parent, which shall be established by proving that a parent of

7 the child has been a victim of first-degree intentional homicide in violation of s.

8 940.01, first-degree reckless homicide in violation of s. 940.02 or 2nd-degree

9 intentional homicide in violation of s. 940.05 or a crime under federal law or the law

10 of any other state that is comparable to ~~a crime specified in this subsection~~ any of

11 those crimes, or has been the intended victim of a solicitation to commit first-degree

12 intentional homicide in violation of s. 939.30 or a crime under federal law or the law

1 of any other state that is comparable to that crime, and that the person whose  
2 parental rights are sought to be terminated has been convicted of that intentional  
3 or reckless homicide, solicitation or crime under federal law or the law of any other  
4 state as evidenced by a final judgment of conviction.”.

5 **2.** Page 1501, line 24: after that line insert:

does not preclude ✓

6 “(2g) SOLICITATION OF HOMICIDE OF PARENT AS TERMINATION OF PARENTAL RIGHTS  
7 GROUND. The treatment of section 48.415 (8) of the statutes first applies to petitions  
8 for termination of parental rights under section 48.42 (1) of the statutes filed on the  
9 effective date of this subsection, but ~~precludes~~ consideration of a conviction under  
10 section 939.30 of the statutes obtained before the effective date of this subsection in  
11 determining whether to terminate, or to find grounds to terminate, the parental  
12 rights of a person under section 48.415 (8) of the statutes, as affected by this act.”.

13 (END)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1018/1  
GMM:jlg&cmh:km

SDC:.....Walter - Caucus #2111, TPR for solicitation to commit homicide of parent

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 647, line 9: after that line insert:

3 "SECTION 1131p. 48.415 (8) of the statutes is amended to read:

4 48.415 (8) ~~INTENTIONAL OR RECKLESS HOMICIDE~~ HOMICIDE OR SOLICITATION TO  
5 COMMIT HOMICIDE OF PARENT. ~~Intentional or reckless~~ Homicide or solicitation to  
6 commit homicide of a parent, which shall be established by proving that a parent of  
7 the child has been a victim of first-degree intentional homicide in violation of s.  
8 940.01, first-degree reckless homicide in violation of s. 940.02 or 2nd-degree  
9 intentional homicide in violation of s. 940.05 or a crime under federal law or the law  
10 of any other state that is comparable to ~~a crime specified in this subsection~~ any of



1 those crimes, or has been the intended victim of a solicitation to commit first-degree  
2 intentional homicide in violation of s. 939.30 or a crime under federal law or the law  
3 of any other state that is comparable to that crime, and that the person whose  
4 parental rights are sought to be terminated has been convicted of that intentional  
5 or reckless homicide, solicitation or crime under federal law or the law of any other  
6 state as evidenced by a final judgment of conviction.”.

7 **2.** Page 1501, line 24: after that line insert:

8 “(2g) SOLICITATION OF HOMICIDE OF PARENT AS TERMINATION OF PARENTAL RIGHTS  
9 GROUND. The treatment of section 48.415 (8) of the statutes first applies to petitions  
10 for termination of parental rights under section 48.42 (1) of the statutes filed on the  
11 effective date of this subsection, but does not preclude consideration of a conviction  
12 under section 939.30 of the statutes obtained before the effective date of this  
13 subsection in determining whether to terminate, or to find grounds to terminate, the  
14 parental rights of a person under section 48.415 (8) of the statutes, as affected by this  
15 act.”.

16 (END)