

Assembly Hearing Slip

(Please print plainly)

Date: August 17, 1999

Bill No. AB-328

Or Subject: EXEMPT I.D. TECHS

DEXTRA HADNOT

(Name)

200 E. WELLS, Room 606
(Street Address or Route Number)

MILWAUKEE, WI 53202
(City & Zip Code)

City of Milwaukee
(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: August 17, 1999

Bill No. MILWAUKEE

Or Subject: FINGER PRINT

TEFF WISWELL

(Name)

700 W. KENNA ST Suite 616
(Street Address or Route Number)

MADISON, WISCA, 53703
(City & Zip Code)

WISC. SHERRIFFS' PARTY
(Representing) SHERRIFFS ASSOC.

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:
Neither for nor against:

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State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 8-17-99

Bill No. AB328

Or Subject: DAN LORENZE

DAN LORENZE

(Name)

(Street Address or Route Number)

(City & Zip Code)

RED. RILEY
(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:
Neither for nor against:

Please return this slip to a messenger promptly.

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State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 8-17-99

Bill No. AB 328

Or Subject EXAMOST TESTS

(Name) DONALD WALKER

(Street Address or Route Number) 949 W. STATE ST

(City & Zip Code) MILLWAUKEE, WI 53233

(Representing) CITY OF MILLWAUKEE

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:
Neither for nor against:

Please return this slip to a messenger promptly.

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State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 8/17/99

Bill No. AB 328

Or Subject

(Name) SMITH BRIAN BURKE

(Street Address or Route Number)

(City & Zip Code)

(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:
Neither for nor against:

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Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 8-17-99

Bill No. AB-328

Or Subject

(Name) POP. LA FAYE

(Street Address or Route Number)

(City & Zip Code)

(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

FISCAL ESTIMATE
DOA-2048 N(R10/94)

- ORIGINAL UPDATED
- CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
AB 328/LRB-1897/1

Amendment No. if Applicable

Subject

Admitting certain police identification reports at preliminary examinations

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation
or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb
Within Agency's Budget Yes No

- Increase Existing Appropriation Increase Existing Revenues
- Decrease Existing Appropriation Decrease Existing Revenues
- Create New Appropriation

Decrease Costs

Local: No local government costs

- 1. Increase Costs
 Permissive Mandatory
- 2. Decrease Costs
 Permissive Mandatory

- 3. Increase Revenues
 Permissive Mandatory
- 4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:

- Towns Villages Cities
- Counties Others _____
- School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

s.20.475(1)(d)

Assumptions Used in Arriving at Fiscal Estimate

This bill only affects the Milwaukee DA office, would affect only a very small number of its cases and would have a small efficiency increasing impact on those cases.

Long-Range Fiscal Implications

None

Agency/Prepared by: (Name & Phone No.)

DA/ Stuart Morse (608) 267-2700

Authorized Signature/Telephone No.



(608) 267-2700

Date

May 10, 1999

LRB or Bill No./Adm. Rule No.
AB 328 (LRB-1897/1)

Amendment No. if Applicable

FISCAL ESTIMATE
DOA-2048 N(R10/98)

- ORIGINAL
- CORRECTED
- UPDATED
- SUPPLEMENTAL

Subject
Admitting certain police identification reports at preliminary examinations.

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Costs - May be possible to Absorb Within Agency's Budget Yes No
- Decrease Costs

- Increase Existing Appropriation
- Decrease Existing Appropriation
- Create New Appropriation
- Increase Existing Revenues
- Decrease Existing Revenues

Local: No local government costs

- 1. Increase Costs
 - Permissive
 - Mandatory
- 2. Decrease Costs
 - Permissive
 - Mandatory

- 3. Increase Revenues
 - Permissive
 - Mandatory
- 4. Decrease Revenues
 - Permissive
 - Mandatory

5. Types of Local Governmental Units Affected:
- Towns
 - Villages
 - Cities
 - Counties
 - Others _____
 - School Districts
 - WTCS Districts

Fund Sources Affected
 GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

Enactment of this bill would have no fiscal impact on the Office of the State Public Defender.

Long-Range Fiscal Implications

Agency/Prepared by: (Name & Phone No.)
SPD/Tracey J. Lencioni/1-8857

Authorized Signature/Telephone No.

Virginia A. Pomeroy

4-8560

Date
6/11/99

FISCAL ESTIMATE FORM

1999 Session

ORIGINAL

UPDATED

LRB #-1897/1

CORRECTED

SUPPLEMENTAL

INTRODUCTION # AB 328

Admin. Rule #

Subject

Admitting certain police identification reports at preliminary examinations.

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb Within Agency's Budget Yes No

Increase Existing Appropriation

Increase Existing Revenues

Decrease Existing Appropriation

Decrease Existing Revenues

Decrease Costs

Create New Appropriation

Local: No local government costs

1. Increase Costs

Permissive Mandatory

3. Increase Revenues

Permissive Mandatory

5. Types of Local Governmental Units Affected:

Towns Villages Cities

2. Decrease Costs

Permissive Mandatory

4. Decrease Revenues

Permissive Mandatory

Counties Others _____

School Districts WTCS Districts

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate:

This bill has no impact on DOJ since it refers only to Milwaukee Police Department. It appears that this bill will make uniform the procedure for latent fingerprint identification regardless of the source. We do not expect any increased costs to the City of Milwaukee.

Long-Range Fiscal Implications:

Prepared By: / Phone # / Agency Name
Mike Roberts/266-7052/DOJ

Authorized Signature / Telephone No. 267-1932

Joanna M. Richard

Date
May 24, 1999

1999 Session		LRB Number -1897/1
FISCAL ESTIMATE DOA-2048 N(R06/99)		<input type="checkbox"/> ORIGINAL <input type="checkbox"/> UPDATED <input type="checkbox"/> CORRECTED <input type="checkbox"/> SUPPLEMENTAL
Subject Admission of Certain Police Reports at Preliminary Hearings		Bill Number AB 328
		Amendment No. if Applicable
		Administrative Rule Number
Fiscal Effect State: <input type="checkbox"/> No State Fiscal Effect Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.		
<input type="checkbox"/> Increase Existing Appropriation <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Appropriation <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Create New Appropriation		<input type="checkbox"/> Increase Costs - May be possible to Absorb Within Agency's Budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Decrease Costs
Local: <input checked="" type="checkbox"/> No local government costs		
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Governmental Units Affected: <input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others _____
2. <input checked="" type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S		Affected Chapter 20 Appropriations
Assumptions Used in Arriving at Fiscal Estimate <p>This bill makes the procedures for admitting latent fingerprint reports by the Milwaukee city police latent fingerprint identification unit the same as the procedures for admitting reports from crime, hospital and health laboratories.</p> <p>It is not known how often experts are called in to testify about such reports at preliminary hearings. Under this bill, experts could not be called, thereby reducing the length of the hearing. The reduction in court time needed would reduce state and county costs for the operation of the circuit courts but this is not expected to be a significant savings.</p>		
Long-Range Fiscal Implications		
Prepared by: Sheryl Gervasi	Telephone No. 266-6984	Agency Director of State Courts
Authorized Signature: 	Telephone No.	Date 8/16/99

Vote Record

Assembly Committee on Corrections and the Courts

Date: 9/14/199
 Moved by: Coggs Seconded by: Staskunas
 AB: 328 Clearinghouse Rule: _____
 AB: _____ Appointment: _____
 A-JR: _____ Other: _____
 A: _____ SR: _____

A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- Passage
 - Introduction
 - Adoption
 - Rejection
 - Indefinite Postponement
 - Tabling
 - Concurrence
 - Nonconcurrence
 - Confirmation

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. Scott Walker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Robert Goetsch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Carol Owens	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Tim Hoven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Eugene Hahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Gundrum	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Larry Balow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. G. Spencer Coggs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tony Staskunas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. David Travis	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>9</u>		<u>3</u>	

Motion Carried Motion Failed



OFFICE OF DISTRICT ATTORNEY

Milwaukee County

E. MICHAEL McCANN • District Attorney

Robert D. Donohoo
Jon N. Reddin
Carol Lynn White
James J. Martin

Thomas A. Schutz
Alexander G. Skienarz
Frederic E. Matoske
William J. Molnar
Gerald R. Falk
Patrick J. Kenney
Donald S. Jackson
Gale G. Shelton
Tony Magowan
Gary D. Mahon
David Foltz
Deborah Daley
Peg Tarant
Douglas J. Simpson
Cynthia G. Brown
Norman A. Galin
George N. Friesz, III
Alice E. Read
Stephanie Gineris Rothstein
Carol E. Sauer
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Mark S. Williams
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Elisa Casimir
Carole Manchester
Kenneth R. Berg
Karlson P. Greenman, Jr.
Lovell Johnson, Jr.
Warren D. Zep
Timothy J. Connor
Carol Berry Crowley
Steven V. Lucata
Brad Verpelt
Jane Carroll
Paul Tiffin
Miriam S. Falk
Phyllis M. DeCavallio
Dennis P. Murphy
Christopher Ford
Christine M. Kraus
Phillip A. Arief
Thomas J. McAdams
Bruce J. Landgraf
Mary K. McCann
Doris J. Bings
David M. Lemman
Janet C. Madden
DuAnn L. Hanzl
Debra M. Sciano, SSND
Patricia A. McGowan
Irena Partum
Karen A. Lyscinski
Nancy L. Greenham
Alexandra DePeters
Ronald S. Dajon
John M. Hornak
Catherine A. Gaudreau
Laura G. Arpuckie
Lori S. Kornemann
Karin O'Byrne
Mara Dixon
James W. Prisci
Kurt B. Bendley
James C. Griffin
William R. Papp
Audrey Skwerawski
Joanne L. Haralick
Julia T. Christofin
Megan P. Carmody
Laura A. Cavalle
Derek C. Mealy
Shawn Pompe
Brian J. Hesler
Keren A. Lynch
Allison M. Ritter
Kevin R. Shomin
Kelly L. Hoage
Jannitor Rypel
Beth D. Zingel
Sharon Cursek Schmidt
Hebeccu F. Deiler
Susan Kwon Suh
Mark A. Sandok
Paul C. Dedinsky
David T. Malone
Catherine B. Scherer
Julius Kim
Jeffrey J. Altonburg
Raechel Coeanns
Deborah L. Mills
John Wambusch
Karl L. Luern
Paul H. Sander
Roy L. Williams
Nelson W. Phair, III
Aaren J. Weiss
Bromora J. Logsohn
Patricia J. Farley
Joy Bertrand
Margaret M. Zimmer
Elizabeth Blackwood
Bruce W. Becker
Michael T. Maloney
Mark D. Ronsom
Mary M. Szwandk
Kathryn K. Heller
Cynthia J. Sauer

August 16, 1999

**Wisconsin State Assembly
Corrections and the Courts Committee
State Capital
Madison, WI**

Dear Committee Members:

I am writing in support of 1999 Assembly Bill 328, which is before you for public hearing on Tuesday, August 16, 1999.

Under current law various relevant crime laboratory, laboratory of hygiene, FBI, hospital lab and local health department reports may be admitted into evidence against a criminal defendant at a preliminary hearing, if certified as correct by the agency head or designee. If this procedure is followed, the person preparing the report need not appear as a witness. This provision saves a tremendous amount of court time and, at a preliminary hearing, insures that relevant evidence is provided in written form to the court and defense attorney.

There is a separate statute which requires, as a prerequisite to admissibility, that City of Milwaukee Police fingerprint identification reports be provided to the defense 72 hours before the preliminary hearing. And, if the defense requests, the witness may nonetheless be required to testify. This cumbersome procedure consumes unnecessary court time.

1999 Assembly Bill 328 removes the 72 hour requirement, and allows these reports, properly certified, to be admitted into evidence and treated like any other laboratory reports. Enactment of this legislation would save valuable court time, would expedite the prosecution of accused criminals and would accord Milwaukee Police laboratory reports the same status as other laboratory reports.

I urge your favorable consideration of this bill.

Very truly yours,

**Jon N. Reddin
Deputy District Attorney**

ASSEMBLY COMMITTEE ON
CORRECTIONS AND THE COURTS

AGENDA

Tuesday, August 17, 1999

10:30 AM -- Assembly Parlor

I. Call to Order

II. Roll Call

III. Public Hearing

A. **AB 95** (*Suder/Darling*) prohibiting or restricting use of or access to the internet by persons who have committed certain crimes and who are on parole, probation or other type of supervised or conditional release.

B. **AB 328** (*Riley*) admitting certain police identification reports at preliminary examinations.

AB 519 - C. **LRB 2853/P2** (*Walker*) construction and operation of private prisons, requiring the exercise of rule-making authority and making an appropriation.

IV. Announcements

A. Next meeting

V. Adjournment