

 **99hr_AC-JPP_ajr0093_pt01**



(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

1999-00

(session year)

Assembly

(Assembly, Senate or Joint)

**Committee on ... Judiciary and Personal Privacy
(AC-JPP)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (May/2012)

Assembly

Record of Committee Proceedings

Committee on Judiciary and Personal Privacy

Assembly Joint Resolution 93

Relating to: senate confirmation of justices and judges appointed by the governor (first consideration).

By Representatives Hubler, Huebsch, Staskunas, Sinicki, La Fave, Urban, Jeskewitz, Meyerhofer, Ryba, Bock, J. Lehman, Goetsch, M. Lehman, Hasenohrl and Williams; cosponsored by Senators Plache, Rude, Baumgart and Darling.

December 1, 1999 Referred to committee on Judiciary and Personal Privacy.

March 1, 2000 **PUBLIC HEARING HELD**

Present: (8) Representatives Huebsch, Gundrum, Suder,
Grothman, Sherman, Colon, Hebl and
Staskunas.

Excused: (1) Representative Walker.

Appearances for

- Representative Mary Hubler, 75th Assembly District

Appearances against

- None.

Appearances for Information Only

- None.

Registrations for

- None.

Registrations against

- None.

March 1, 2000 **EXECUTIVE SESSION**

Present: (9) Representatives Huebsch, Gundrum, Walker,
Suder, Grothman, Sherman, Colon, Hebl and
Staskunas.

Excused: (0) None.

Moved by Representative Staskunas, seconded by Representative Sherman, that **Assembly Amendment 1 to Assembly Joint Resolution 93** be recommended for introduction and adoption.

Ayes: (9) Representatives Huebsch, Gundrum, Walker, Suder, Grothman, Sherman, Colon, Hebl and Staskunas.

Noes: (0) None.

Excused:(0) None.

INTRODUCTION AND ADOPTION RECOMMENDED, Ayes 9,
Noes 0, Excused 0

Moved by Representative Hebl, seconded by Representative Staskunas, that **Assembly Joint Resolution 93** be recommended for adoption as amended.

Ayes: (6) Representatives Huebsch, Suder, Sherman, Colon, Hebl and Staskunas.

Noes: (3) Representatives Gundrum, Walker and Grothman.

Excused:(0) None.

ADOPTION AS AMENDED RECOMMENDED, Ayes 6, Noes 3,
Excused 0



Robert Delaporte
Committee Clerk

Vote Record

Assembly Committee on Judiciary and Personal Privacy

Date: 3-1-00
Moved by: Hell Seconded by: Stask
AB: 1 Clearinghouse Rule: _____
AB: _____ SB: _____ Appointment: _____
AJR: 93 SJR: _____ 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

Committee Member

Rep. Michael Huebsch, Chair
Rep. Mark Gundrum
Rep. Scott Walker
Rep. Scott Suder
Rep. Glenn Grothman
Rep. Gary Sherman
Rep. Pedro Colon
Rep. Tom Hebl
Rep. Tony Staskunas

<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 6 3 _____

Motion Carried

Motion Failed

Vote Record

Assembly Committee on Judiciary and Personal Privacy

Date: 3-1-00
 Moved by: Stask Seconded by: Shannon
 AB: _____ Clearinghouse Rule: _____
 AB: _____ Appointment: _____
 AJR: 913 SR: _____ Other: _____
 A: _____ SR: _____

A/S Amdt: 1
 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:
- | | |
|--|--|
| <input type="checkbox"/> Passage | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Tabling |
| <input checked="" type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence |
| <input type="checkbox"/> Rejection | <input type="checkbox"/> Nonconcurrency |
| | <input type="checkbox"/> Confirmation |

Committee Member	Aye	No	Absent	Not Voting
Rep. Michael Huebsch, Chair	<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. Scott Walker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Glenn Grothman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gary Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pedro Colon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tom Hebl	<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"/>
Totals:	<u>9</u>	<u>1</u>	_____	_____

Motion Carried Motion Failed





Mary Hubler

State Representative

December 1, 1999

Representative Michael Huebsch, Chair
Assembly Committee on Judiciary and Personal Privacy
20 North, State Capitol
Madison, WI 53708

Dear Mike:

Tomorrow, you will receive referral of Assembly Joint Resolution 93 to your Committee on Judiciary and Personal Privacy. The resolution would amend the state's Constitution to provide for State Senate confirmation of gubernatorial appointments to the Wisconsin Supreme Court and courts of record. You are a co-sponsor of the resolution.

I am writing to ask that you give AJR 93 a public hearing as soon as possible. The current constitutional provision allows for gubernatorial appointment of Supreme Court Justices with less oversight than is accorded appointment of members to the Snowmobile Recreation Council or the Podiatrists Affiliated Credentialing Board or the Great Lakes Protection Fund. Senate confirmation of Supreme Court Justices and court judges is vital to maintain our state's strong democratic tradition of checks and balances.

Thank you for your consideration of my request.

Sincerely,

MARY HUBLER
State Representative
75th Assembly District

MH:lra





Supreme Court of Wisconsin

DIRECTOR OF STATE COURTS
P.O. BOX 1688
MADISON, WISCONSIN 53701-1688

Shirley S. Abrahamson
Chief Justice

119 Martin Luther King Jr. Blvd. Suite LL2
Telephone 608-266-6828
Fax 608-267-0980

J. Denis Moran
Director of State Courts

February 29, 2000

Rep. Michael Huebsch, Chairman
Judiciary and Personal Privacy Committee
20 North, State Capitol
Madison, WI 53702

Dear Representative Huebsch:

I write to you on behalf of the Legislative Committee of the Wisconsin Judicial Conference to express our concerns with AJR 93 which is before your committee for public hearing on March 1.

This bill provides for Senate confirmation of gubernatorial appointments to vacancies in the offices of justice of the Supreme Court and judge of a court of record.

The committee is concerned that the proposed change, if enacted, will result in judgeships in busy courts and single judge counties going unfilled for substantial periods. This is the case in the federal system which requires confirmation and where judicial vacancies often remain unfilled for years.

If, for example, a vacancy were to occur in June of this year after the Legislature has adjourned, it would be at least seven months before that seat could be filled. Given the enormous volume of work in the state court there is no jurisdiction in Wisconsin that could sustain a vacancy of that duration; and that is, potentially, a common scenario under the proposal.

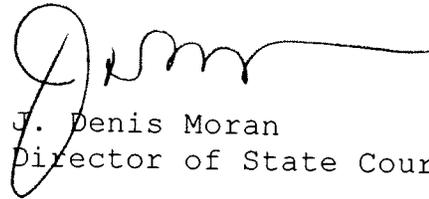
The committee notes that the appointive system has worked well in Wisconsin where governors of both parties have been responsive to the people's need to have courts fully staffed and almost always make appointments expeditiously.

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We do not see the need for, and oppose, the proposed constitutional change.

I thank you for your considering our concerns. If you have any questions feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Moran", with a long horizontal flourish extending to the right.

J. Denis Moran
Director of State Courts

JDM:jah

cc: Members, Assembly Judiciary and Personal Privacy Committee
Representative Mary Hubler