

AB 613

Grobschmidt

PAPER BALLOT
Committee on Insurance, Tourism, Transportation and Corrections

SENATE BILL 485

Relating to: revocation of the privilege to operate snowmobiles for violations of the intoxicated snowmobiling law; speed restrictions on the operation of snowmobiles; confiscation of snowmobiles after conviction under the intoxicated snowmobiling law or for failure to stop a snowmobile in response to a law enforcement officer; increasing the public-use snowmobile registration fee; snowmobile trail aids to counties; making appropriations; and providing penalties.

MOTION: *By Senator Roger Breske for introduction and adoption of Senate Amendment 1 to Senate Bill 485 (LRBa1949/1).*

NOTE: This amendment would reduce the registration fee from \$50 for two years to \$40. It has been approved by both Association of Wisconsin Snowmobile Clubs and the Governors Council on Snowmobiling. This legislation is identical, despite the fee issue above, to the LRB which the Committee previously conducted a public hearing on.

Aye
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MOTION: *By Senator Roger Breske for passage as amended.*

Aye
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ASSEMBLY BILL 748

Relating to: repealing, consolidating, renumbering, amending and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, and eliminating defects, anachronisms, conflicts, ambiguities and obsolete provisions (Revision Bill).

MOTION: *By Senator Roger Breske for concurrence.*

NOTE: This legislation passed the Assembly on a vote of 99-0.

Yes
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ASSEMBLY BILL 392

Relating to: prohibiting certain insurance practices on the basis of domestic abuse and prohibiting collective bargaining by the state with respect to the prohibitions. (FE)

MOTION: *By Senator Roger Breske for concurrence.*

NOTE: This legislation is identical to Senate Bill 369 which was unanimously endorsed by the Committee earlier this week.

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Relating to: sex offender registration, release of information from the sex offender registry, honesty testing of sex offenders, notice concerning access to the sex offender registry before sales or rentals of real property, making an appropriation and providing a penalty. (FE)

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NOTE: This legislation was initiated by the Department of Corrections. Without it, the state stands to lose substantial funding – approximately \$1 million – in federal funding for our state crime lab and other corrections issues.

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LRB-4731/1 (ATTACHED)

Relating to: vehicle color and motor vehicle registration, making an appropriation and providing a penalty.

MOTION: *By Senator Roger Breske for introduction.*

Yes
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NOTE: This legislation would require the DOT to collect information about the color of a vehicle when registering it. Earlier this week the Committee heard testimony on legislation that would require date of birth for registrants of vehicles. That bill has previously been circulated by paper ballot.

Signature:



Date:

3-23-2000

SB 516

STATE SENATOR DAVID ZIEN
Senate Committee on Insurance, Tourism,
Transportation & Corrections
The State Capitol
Room No. 3 South
Via Inter-Departmental Mail

PAPER BALLOT
**Committee on Insurance, Tourism, Transportation and
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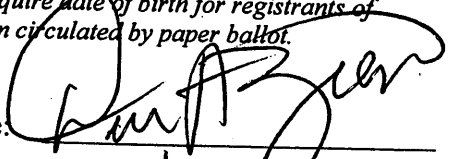
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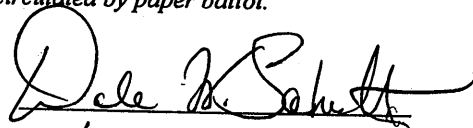
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3/24/2000

PAPER BALLOT
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Signature: Alan Lasee

Date: 3/27/00

AB 14

STATE SENATOR KEVIN SHIBILSKI
Senate Committee on Insurance, Tourism,
Transportation & Corrections
The State Capitol
Room No. 10 South
Via Inter-Departmental Mail

PAPER BALLOT
**Committee on Insurance, Tourism, Transportation and
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Signature: _____

Date: _____

[Handwritten Signature]
[Handwritten Date: 3/23/00]

STATE SENATOR JAMES BAUMGART
Senate Committee on Insurance, Tourism,
Transportation & Corrections
The State Capitol
Room No. 306 South
Via Inter-Departmental Mail

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James A. Bannister

Date:

3-23-2000

TO: All Legislators

FROM: Michael Theo
Vice President for Public Affairs

DATE: March 21, 2000

RE: AB 613 – Sex Offender Registry

The Wisconsin REALTORS Association (WRA) strongly supports amending AB 613 to allow real estate licensees, landlords and sellers to provide prospective buyers and renters information regarding the sex offender registry and sex offenders in their new neighborhoods. An amendment to accomplish this has been offered by Rep. Scott Walker.

Background

Currently, Wisconsin's Megan's Law provides the public with very limited access to information regarding persons included in the Wisconsin sexual offender registry. AB 613 proposes to make this information available to the general public electronically through their website or by other direct contact with the Department of Corrections.

Under current law, the lack of publicly available information has placed real estate licensees in an untenable position – caught between their agency duties to sell their clients' home and the moral duties to protect the children of potential buyers. This is a nation-wide dilemma being discussed in state legislatures across the country.

Rep. Walker Amendment

AB 613 creates a publicly accessible website at the Department of Corrections for the general public to obtain information regarding sex offenders in their areas. Rep. Walker's amendment creates a new disclosure duty for real estate licensees, landlords and sellers who have any knowledge regarding sex offenders, if asked by buyers or renters. However, licensees, landlords and sellers would not be liable for failure to disclose such information if they had no actual knowledge of sex offenders in their area. In addition, Rep. Walker's amendment would specifically allow real estate licensees, landlords and sellers to direct prospective buyers and renters to the Department of Corrections' sex offender registry to obtain information regarding sex offenders in their area as an alternative to making disclosures.

Impact

The intent of Rep. Walker's amendment is to ensure that prospective buyers and tenants are able to obtain available information regarding sex offenders in their area before they are contractually bound to a real estate sales agreements or leases. The amendment provides alternative disclosure procedures which will encourage and facilitate these important sex offender disclosures.

Conclusion

At no time is the information contained in the state's sex offender registry more timely, useful and important, than during a real estate transaction to buy or rent a home. The Departments of Correction and Regulation and Licensing, as well as Attorney General Jim Doyle, agree that there recommended changes would facilitate the dissemination of important sexual predator information to the general public, as well as clarify what is now unclear disclosure duties for real estate licensees sellers and landlords.

We strongly urge you to support Rep. Walker's amendment and AB 613.

EXECUTIVE SUMMARY

PROPOSED SEX OFFENDER REGISTRATION and COMMUNITY NOTIFICATION LEGISLATION Assembly Bill 613

The following is an executive summary of the proposed legislative changes to ss. 301.45 and ss. 301.46, Sex Offender Registration and Community Notification. The majority of these proposed changes, denoted by *, are based on Federal law and Regulations related to the *Megan's Law*, *Jacob Wetterling* and *Pam Lychner Acts* (U.S.C. Section 14071 – Federal Register, January 5, 1999). States that are not found to be in compliance with these regulations are subject to a 10% reduction in Byrne Law Enforcement Grants.

Examples of some programs that are presently funded by Byrne law enforcement grants include:

- Anti-Drug Task Forces
- DOJ Victim-Witness
- Milwaukee and Dane County District Attorney's offices
- Governor's Law Enforcement and Crime Commission
- DOC AODA Treatment
- DOJ Crime Lab Equipment

SUMMARY OF ASSEMBLY BILL 613

- * **Require any sex offender convicted in a military, tribal or federal court, and those who work or reside within the Wisconsin borders, to register with the Wisconsin Sex Offender Registration Program (SORP):**
- * **Require any sex offender, who is required to register in another state, and who is not under any form of interstate compact supervision within Wisconsin – and who resides, is employed or attends school within the Wisconsin borders, to register with the Wisconsin SORP.**
- * **Require the SORP to notify the registrant of his/her requirements to register in another State whenever he/she reports a change in residence, employment or school attendance in another State.**
- * **Require SORP to make a determination as to a registrant's term and frequency registration with the WI SORP for registrants who reside, are employed or attend school in this State.**

* **Require registration for Juvenile Interstate compact cases.**

* **Expand the list of crimes requiring registration to include:**

948.12	Possession of child pornography
948.13	Child sex offender working with children
948.095	Sexual assault of a student by a school instructional staff person

* **Expand Lifetime Registration to include:**

- ✓ Persons placed on Lifetime Supervision/Monitoring
- ✓ Persons convicted of an “aggravated sex offense,” as defined in the Federal law, including 1st and 2nd Degree Sexual Assault, 1st and 2nd Degree Sexual Assault of a Child, and Repeated Acts of Sexual Assault of a Child.
- ✓ Court ordered for any person who is required to register, or who is ordered by the court to register.

* **Require the SORP to notify other State registry programs whenever a registrant reports a change in residence, employment or school attendance in another State.**

* **Add definition of “employed, carries on a vocation” and “student” consistent with the Federal law.**

* **Expand authority for DOC to manage registrants off field supervision by allowing authority to have the registrant report to a designated DOC Specialist/Office or local law enforcement agency to obtain a picture, fingerprints or other information required.**

- **Eliminate registration requirements for children placed under protective services, unless the court orders registration.**
- **Expand authority for DOC to notify a parent/guardian of a juvenile registrant’s annual registration or periodic address verification notification.**
- **Provide DOC SORP authority to have access to Department of Revenue records for purposes of verifying residence information or locating registrants who are not in compliance with the law.**
- **Clarify venue as it relates to providing certification documentation to the County District Attorney’s office when the Department has reason to believe a registrant is not in compliance with the law.**

- **Clarify current law to make sure registrants must respond to all correspondences by the SORP when attempting to verify information reported by the registrant.**
- **Increase current penalty for non-compliance – 1st conviction for non-compliance remains up to 9 months in jail and/or a \$10,000 fine. Second conviction can result in up to 5 years imprisonment.**
- **Clarify current law to ensure Special Bulletin Notifications are not required for persons released from County jails.**
- **Require the Department to create and maintain a Sex Offender Registry Internet Site.**
- **Expand current sex offender polygraph language to allow the Department to require polygraph examinations of sex offenders in an institution setting as part of correctional programming.**
- **Bill includes an appropriation of \$134,800 for FY 2000/01 (January 1, 2001) and 4.0 GPR FTE – 1 Program Assistant, 2 Registration Specialists and 1 IT Specialist – Web Master. Full fiscal year appropriation will equal \$269,600.**

**Prepared by Department of Corrections
03/21/00**

Tommy G. Thompson
Governor

Jon E. Litscher
Secretary



State of Wisconsin
Department of Corrections

Mailing Address

149 East Wilson Street
Post Office Box 7925
Madison, WI 53707-7925
Telephone (608) 266-2471
Fax (608) 267-3661

February 14, 2000

Senator Brian Burke Co-Chair
Joint Committee on Finance
316 South, State Capitol
Madison, WI 53702

Representative John Gard Co-Chair
Joint Committee on Finance
315 North, State Capitol
Madison, WI 53702

Dear Senator Burke and Representative Gard:

I am writing to request that you consider placing AB 613, relating to sex offender registration, on the agenda for the next meeting of the Joint Committee on Finance on March 2nd. This important legislation would probably not have enough time for passage by the end of the legislative session if not scheduled on that date.

AB 613 is a bipartisan bill that will bring Wisconsin in full compliance with federal law and regulations relating to Megan's law and other subsequent acts of Congress. States that are not found to be in compliance are subject to a 10% reduction in Byrne Law Enforcement Grants. This could result in the loss of approximately \$1 million to state and local criminal justice programs throughout Wisconsin.

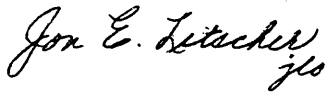
The following are examples of programs that are presently funded by Byrne Law Enforcement Grants and could potentially be placed in jeopardy:

- Anti-Drug Task Forces
- DOJ Victim-Witness
- Milwaukee and Dane County District Attorney's offices
- Governor's Law Enforcement and Crime Commission
- DOC AODA Treatment
- DOJ Crime Lab Equipment

The sex offender registration law became effective in 1993 and the Department of Corrections has administered it since 1997. In our efforts to make the law and the registry as useful to law enforcement and the public as possible, AB 613 also contains a number of provisions that enhance the administration of the law and expand the accessibility of certain information in the registry.

Thank you for consideration of this request and please contact me if I can provide you with any additional information at this time.

Sincerely,

A handwritten signature in cursive script that reads "Jon E. Litscher" followed by a small flourish or initials "jls".

Jon E. Litscher
Secretary