

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2/22/00
BILL NO. AB 72
OR
SUBJECT _____

Rep Bonnie Ladwig
(NAME)

(Street Address or Route Number)

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
Room 109-LL One East Main
P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2.22.00
BILL NO. AB 72
OR
SUBJECT _____

Cory Mason
(NAME)

(Street Address or Route Number)

(City and Zip Code)

State Bar of WI-Children's Law
(Representing) Section

Speaking in Favor:

Speaking Against:

Registering in Favor: no amendment
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2.22.00
BILL NO. AB 72
OR
SUBJECT _____

Att. Tim Witkowiak
(NAME)

(Street Address or Route Number)

(City and Zip Code)

State Bar WI-Children's Law
(Representing) Section

Speaking in Favor:

Speaking Against:

Registering in Favor: no amendment
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2/21/00

BILL NO. AB 72

OR

SUBJECT _____

Albena Darling

(NAME)

1325 West Dean

(Street Address or Route Number)

W. Iwa & Kofe WI 53217

(City and Zip Code)

(Representing) _____

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms

State Capitol - B35 South

P.O. Box 7882

Madison, WI 53707-7882

Senate Committee on Judiciary and Consumer Affairs
Request for Paper Ballot Executive Action on 1999 Assembly Bill 72

Due to the difficulty of getting all of the members together in one place, the Senate Committee on Judiciary and Consumer Affairs is unable to hold an Executive Session on Assembly Bill 72 as planned. We would like to conduct a paper ballot on the bill. **Please return your ballot to Sen. George's office (Room 118 South) by noon Friday March 10, 2000.**

Introduction and Adoption of Amendment (LRB a1443/1):

_____ Moved (Optional -- Please check if you wish to Move Introduction and Adoption of the Amendment)

_____ Seconded (Optional -- Please check if you wish to Second Introduction and Adoption of the Amendment)

Aye (In Favor of Adoption of the Amendment)

_____ No (Oppose Adoption of the Amendment)

Concurrence in Assembly Bill 72 As Amended:

_____ Moved (Optional -- Please check if you wish to Move Concurrence in the Bill as Amended)

_____ Seconded (Optional -- Please check if you wish to Second Concurrence in the Bill as Amended)

Aye (In Favor of Concurrence in the Bill as Amended)

_____ No (Oppose Concurrence in the Bill as Amended)

Signed: Albie Clausing March 10, 2000

Please return to Sen. George's Office by noon Friday, March 10, 2000.

Senate Committee on Judiciary and Consumer Affairs
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_____ Moved (Optional -- Please check if you wish to Move Introduction and Adoption of the Amendment)

_____ Seconded (Optional -- Please check if you wish to Second Introduction and Adoption of the Amendment)

 X Aye (In Favor of Adoption of the Amendment)

_____ No (Oppose Adoption of the Amendment)

Concurrence in Assembly Bill 72 As Amended:

_____ Moved (Optional -- Please check if you wish to Move Concurrence in the Bill as Amended)

_____ Seconded (Optional -- Please check if you wish to Second Concurrence in the Bill as Amended)

 X Aye (In Favor of Concurrence in the Bill as Amended)

_____ No (Oppose Concurrence in the Bill as Amended)

Signed: *Janice B. Huelman*

March 10, 2000

Please return to Sen. George's Office by noon Friday, March 10, 2000.

Senate Committee on Judiciary and Consumer Affairs
Request for Paper Ballot Executive Action on 1999 Assembly Bill 72

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Introduction and Adoption of Amendment (LRB a1443/1):

_____ Moved (Optional -- Please check if you wish to Move Introduction and Adoption of the Amendment)

_____ Seconded (Optional -- Please check if you wish to Second Introduction and Adoption of the Amendment)

_____ **Aye** (In Favor of Adoption of the Amendment)

_____ **No** (Oppose Adoption of the Amendment)

Concurrence in Assembly Bill 72 As Amended:

_____ Moved (Optional -- Please check if you wish to Move Concurrence in the Bill as Amended)

_____ Seconded (Optional -- Please check if you wish to Second Concurrence in the Bill as Amended)

_____ **Aye** (In Favor of Concurrence in the Bill as Amended)

_____ **No** (Oppose Concurrence in the Bill as Amended)

Signed: Alberta Donliney March 10, 2000

Please return to Sen. George's Office by noon Friday, March 10, 2000.

Senate Committee on Judiciary and Consumer Affairs
Request for Paper Ballot Executive Action on 1999 Assembly Bill 72

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Introduction and Adoption of Amendment (LRB a1443/1):

_____ Moved (Optional -- Please check if you wish to Move Introduction and Adoption of the Amendment)

_____ Seconded (Optional -- Please check if you wish to Second Introduction and Adoption of the Amendment)

_____ Aye (In Favor of Adoption of the Amendment)

_____ No (Oppose Adoption of the Amendment)

Concurrence in Assembly Bill 72 As Amended:

_____ Moved (Optional -- Please check if you wish to Move Concurrence in the Bill as Amended)

_____ Seconded (Optional -- Please check if you wish to Second Concurrence in the Bill as Amended)

_____ Aye (In Favor of Concurrence in the Bill as Amended)

_____ No (Oppose Concurrence in the Bill as Amended)

Signed: _____

March 10, 2000

Please return to Sen. George's Office by noon Friday, March 10, 2000.



Assistant Majority Leader

**TESTIMONY ON ASSEMBLY BILL 72
DISCLOSURE OF JUVENILE RECORDS BY A JUVENILE COURT
OR A MUNICIPAL COURT**

**SENATE COMMITTEE ON JUDICIARY AND CONSUMER AFFAIRS
STATE REPRESENTATIVE BONNIE LADWIG
FEBRUARY 22, 2000**

Dear Chairman George and members of the Senate Committee on Judiciary and Consumer Affairs:

Assembly Bill 72 addresses a concern that was brought to my attention from Judge Harold Shortenhaus, a municipal court judge for the city of Delevan. His concern centered around informing school districts of municipal court truancy dispositions which require a truant to attend school.

Current law requires a circuit court clerk to notify a school district if attendance is a condition of a dispositional order entered by the circuit court. In contrast, if a municipal court judge gives the same dispositional order that information cannot be disclosed to anyone. Because of this discrepancy, the only way a school district can obtain such information from the municipal court is to petition the circuit court for an order requiring the municipal court to release such information.

It is important for schools to notify the appropriate law enforcement agency or municipal court if a violation of a truancy disposition has occurred. Since schools have to engage in such a difficult process to obtain municipal court orders, it is hard for truancy dispositions to be enforced to their fullest extent.

Assembly Bill 72 clarifies an inconsistency in current law. It will allow our court system to work even better giving some accountability to truancy dispositional orders.

This bill has had strong support through the legislative process. It passed out of the Assembly Children and Families Committee 10-0 and passed the full Assembly 97-0.

Thank you for your time and attention. I would be happy to answer any questions.

AB 72

February 22, 2000 Judiciary Committee Hearing

Special Testimony Requests

Elected Officials

- Sen. Baumgart and his DA (Robert Wells/Sheboygan Co.) want to testify first about his bill SB 213.
- Rep. Ladwig wants to testify next about her bill AB 72.
- Rep. Goetsch wants to testify next about his bills AB 562 and AB 84.

Others

- Sen. Clausung's office contacted us to let us know that Johnnie Smith from the DEA will be testifying on AB 318. He has some time constraints and has to leave by 10:00 am. They wanted to know if you could make arrangements so that he can get his testimony in before he has to leave?

Bills On the Hearing Agenda

Here is the order of bills, the likely witnesses and a brief comment about amendments I know of :

AB 614 (Your bill on piracy and bootlegging of recorded material)

Don Valdez V.P. Anti-piracy Legislation RIAA will probably testify with a multimedia show-and-tell presentation.

I am not aware of any amendments although Sen. Risser is apparently concerned about how the new penalties under the bill will mesh with Truth-In-Sentencing given the fact that we haven't adopted the code reclassification yet.

SB 395 (The DHFS bill on sexually violent persons commitment rules)

Dr. Thomalla (PhD.) is likely to testify for DHFS. I don't know whether Sec. LEEAN will testify or not. I don't know

There is a substitute amendment (LRB s0315/1) that has been prepared to reflect the agreement between the DHFS and the DOJ. It is ready to be introduced.

AB 174 (Rep. Kreuser's bill to allow of-duty peace officers to carry concealed weapons)

Rep. Kreuser will testify. He may have a local law enforcement official testify on behalf of his drug or gang task force folks.

I am not aware of any amendments.

AB 562 (Rep. Goetsch's committee bill to establish a Southeast Wisconsin crime abatement task force)

Rep. Goetsch will testify. (See note above)

There are two amendments.

- 1) Reps. Riley and Krug asked us to add the City of Milwaukee Chief of Police as a member of the Task Force. The first amendment (LRB 1379/1) does this.
- 2) The State Bar Criminal Law Section asked us to add to the task force a member of the State Bar of Wisconsin's Criminal Law Section who lives in the affected area, as well as a member of a local bar association for every county enumerated as part of the task force in the bill (i.e., Milwaukee, Kenosha, Racine, Rock and Waukesha). This second amendment has been requested but has not yet been received at the time of this writing.

SB 533 (The Leg. Council bill on Restorative Justice and faith-based approaches to crime reduction.)

I would expect there will be testimony from several sources. The Interfaith Conference has, for example, expressed support for the restorative justice provisions.

I am not aware of any proposed amendments.

SB 214 (Sen Burke's bill re: When a victim must be given notice of the right to make a statement at sentencing.)

Jon Reddin, Deputy DA for Milwaukee County and Mike Nieskes, Deputy DA for Racine County will be testifying on SB 214.

I am not aware of any proposed amendments.

AB 318 (Sen. Clausing's bill on Methamphetamine penalties.)

Johnnie Smith from the DEA will be testifying on AB 318. I am not sure whether DOJ will have anybody testify or not. I expect Sen. Clausing may testify.

I am not aware of any proposed amendments.

AB 391 (Garnishment technical correction)

Rep. Gunderson's staffer will probably testify.

I am not aware of any proposed amendments.

SB 213 (Sen. Baumgart's bill on inducing or causing self-mutilation by a child.)

Sen. Baumgart and his DA (Robert Wells/Sheboygan Co.) will testify. (See note above)

I am not aware of any proposed amendments.

AB 72 (Rep. Ladwig's bill on disclosure of juvenile records by a juvenile or municipal court).

Rep. Ladwig will testify. (See note above.)

The State Bar Children and the Law Section recommends an amendment to Sect. 5 of the bill to specify that a GAL and the attorney of record can view the juvenile's record in cases where a juvenile or municipal court asks another juvenile or municipal court for records for purposes of any other proceeding.

AB 84 (Rep. Goetsch's bill on factors to be considered when sentencing a person convicted of committing a crime.)

Rep. Goetsch will testify. (See note above.)

In response to a request from the Judicial Conference an amendment has been drafted to delete the material in Assembly Substitute Amendment 1 to AB 84 at page 2, line 14. This would delete the factor "(j) The length of pretrial detention of the person, if applicable." I don't know whether this is advisable or not. I always assumed that judges considered time served when sentencing.

Bills From Previous Hearings On Which We Can Take Executive Action

AB 45 (Rep. Kelso's bill to create a Dangerous Weapons in Schools Hotline)

In response to a request from the Atty. Gen./Department of Justice we have drafted an amendment (LRB a1436/1) that basically adds threats to harm persons or damage school property to the list of items that may be reported. Rep. Kelso is o.k. with the bill with the change and so is DOJ.

AB 111 (Rep. Suder's bill on Embezzlement from Vulnerable (elderly) Adults)

In response to a request from the Elder Advocate in the Department of Justice we have drafted a substitute amendment (LRB s0307/1) that expands the bill to cover all financial crimes (e.g., attempted theft, theft, misappropriation of personal identifying information or documents, forgery, fraudulent writings, fraudulent destruction of certain writings.) against all elderly people regardless of capacity, place of residence or

participation in programs. It also makes the definition of "vulnerable adult" identical to the definition of that term used elsewhere in the statutes (e.g., Chapters 55, 813 and 940) and includes all Powers of Attorney, whether durable or non-durable.

Rep. Suder the author of the bill doesn't object to the substance of the substitute amendment but argues that adopting the amendment will kill the bill procedurally. He thinks the bill won't be able to go through both houses before the end of March.

SB 106 (Sen. Wirch's CASA bill)

Sen. Wirch's office has worked with Legal Aid of Milwaukee to craft a compromise that everybody seems to be happy with. A substitute amendment (LRB s270/3) reflects the compromise.)

SB 110 (Sen. Moen's bill on Prisoner's Throwing Bodily Substances)

There are two simple amendments.

The first one (LRB a1180/1) is at the request of the State Hygiene Lab and expands the list of bodily substances covered by the bill.

The second one (LRB a1298/1) reduces the maximum penalty under the bill from 5 years to 2 years, consecutive to the current sentence.

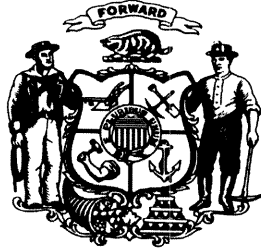
SB 284 (Your court reporter's bill)

No amendments as far as I know. We had voted on this at the last exec. session but haven't yet reported the bill out of committee.

In deference to you as chair, Sen. Huelsman will let the bill come out of committee and maybe try to amend it on the floor.

I hope this is helpful.

State of Wisconsin



GARY R. GEORGE
SENATOR

TO: Members, Senate Committee on Judiciary and Consumer Affairs

FROM: Dan Rossmiller, Clerk
Senate Committee on Judiciary and Consumer Affairs

RE: Paper Ballot on Bills That Have Previously Received a Public Hearing in the
Senate Committee on Judiciary and Consumer Affairs and on Which There
Appears to be a Consensus In Favor

DATE: March 9, 2000

Attached please find paper ballots as well as proposed amendments and proposed substitute amendments to bills that have previously received a public hearing. Included are: AB 62; AB 72; AB 111; AB 533; and SB 63. These are bills that I reviewed and discussed with your staff yesterday (March 8, 2000).

A substitute amendment is being drafted to address concerns raised about the way the offense is defined in SB 213 and the penalty structure set up in the original bill. After we have reviewed the substitute amendment with the author of the bill, we will forward a copy to your office along with a paper ballot on SB 213.

Note: Please return the paper ballots by noon tomorrow (Friday, March 10, 2000)

State Representative
Bonnie L. Ladwig
63rd Assembly District



Assistant Majority Leader

January 26, 2000

Senator Gary George, Chairman
Senate Committee on Judiciary and Consumer Affairs
118 South, State Capitol
Madison, Wisconsin 53707

Dear Senator George:

I have introduced the following bills which have been referred to your committee:

Assembly Bill 37	Relating to burglary and providing a penalty.	Passed Assembly Criminal Justice Committee 9-4. Passed the full Assembly on a voice vote.
Assembly Bill 109	Relating to release of persons arrested for certain crimes against children.	Passed Assembly Judiciary and Personal Privacy Committee 9-0. Passed the full Assembly 95-0.
Assembly Bill 72	Relating to the disclosure of juvenile records by a juvenile court or a municipal court.	Passed the Assembly Children and Families Committee 10-0. Passed the full Assembly 97-0.

I would greatly appreciate it if you would schedule these bills for a public hearing in your committee. They have been referred to the Senate for the last 10 months and had bi-partisan support in the Assembly. The legislation helps to strengthen the safety of our communities and schools. Please give them your consideration.

Sincerely,

Bonnie Ladwig
State Representative
63rd Assembly District

BLL:jlh

Rossmiller, Dan

From: Bablitch, Kelly
Sent: Monday, March 06, 2000 3:04 PM
To: Rossmiller, Dan
Subject: The bills, per our conversation

AB 37
AB 109
AB 72