

**ASSEMBLY AMENDMENT 3,
TO 1999 ASSEMBLY BILL 465**

September 21, 1999 – Offered by COMMITTEE ON CRIMINAL JUSTICE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 19, line 10: after that line insert:

3 “**SECTION 1.** 13.525 of the statutes is created to read:

4 **13.525 Joint review committee on criminal penalties. (1) CREATION.**

5 There is created a joint review committee on criminal penalties composed of the
6 following members:

7 (a) One majority party member and one minority party member from each
8 house of the legislature, appointed as are the members of standing committees in
9 their respective houses.

10 (b) The attorney general or his or her designee.

11 (c) The secretary of corrections or his or her designee.

12 (d) The state public defender or his or her designee.

1 (e) A reserve judge who resides in the 1st, 2nd, 3rd, 4th or 5th judicial
2 administrative district and a reserve judge who resides in the 6th, 7th, 8th, 9th or
3 10th judicial administrative district, appointed by the supreme court.

4 (f) Two members of the public appointed by the governor, one of whom shall
5 have law enforcement experience in this state and one of whom shall be an elected
6 county official.

7 **(2) OFFICERS.** The majority party senator and the majority party representative
8 to the assembly shall be cochairpersons of the committee. The committee shall elect
9 a secretary from among its nonlegislator members.

10 **(3) JUDICIAL AND GUBERNATORIAL APPOINTEES.** Members appointed under sub. (1)
11 (e) or (f) shall serve at the pleasure of the authority appointing them.

12 **(4) ELIGIBILITY.** A member shall cease to be a member upon losing the status
13 upon which the appointment is based. Membership on the committee shall not be
14 incompatible with any other public office.

15 **(5) REVIEW OF LEGISLATION RELATING TO CRIMES.** (a) If any bill that is introduced
16 in either house of the legislature proposes to create a new crime or revise a penalty
17 for an existing crime and the bill is referred to a standing committee of the house in
18 which it is introduced, the chairperson may request the joint review committee to
19 prepare a report on the bill under par. (b). If the bill is not referred to a standing
20 committee, the speaker of the assembly, if the bill is introduced in the assembly, or
21 the presiding officer of the senate, if the bill is introduced in the senate, may request
22 the joint review committee to prepare a report on the bill under par. (b).

23 (b) If the joint review committee receives a request under par. (a) for a report
24 on a bill that proposes to create a new crime or revise a penalty for an existing crime,
25 the committee shall prepare a report concerning all of the following:

1. The costs that are likely to be incurred or saved by the department of corrections, the department of justice, the state public defender, the courts, district attorneys and other state and local government agencies if the bill is enacted.

2. The consistency of penalties proposed in the bill with existing criminal penalties.

3. Alternative language needed, if any, to conform penalties proposed in the bill to penalties in existing criminal statutes.

4. Whether acts prohibited under the bill are prohibited under existing criminal statutes.

(c) The chief clerk shall print a report prepared by the committee under par. (b) as an appendix to the bill and attach it thereto as are amendments. The reproduction shall be in lieu of inclusion in the daily journal of the house in which the proposal is introduced.

(d) If a bill that is introduced in either house of the legislature proposes to create a new crime or revise a penalty for an existing crime, a standing committee to which the bill is referred may not vote on whether to recommend the bill for passage and the bill may not be passed by the house in which it is introduced before the joint review committee submits a report under par. (b) or before the 30th day after a report is requested under par. (a), whichever is earlier.

(6) COMMITTEE POWERS AND PROCEDURES. The committee may hold hearings as needed to elicit information for making a report. The committee shall meet at the call of its cochairpersons. All actions of the committee require the approval of a majority of all of its members.”.

(END)