

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB465)

Received: 09/13/1999

Received By: mdsida

Wanted: Today

Identical to LRB:

For: Robert Goetsch (608) 266-2540

By/Representing: Kent

This file may be shown to any legislator: NO

Drafter: olsenje

May Contact: Reps. Wood and Huber

Alt. Drafters: mdsida

Subject: Criminal Law - sentencing

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Joint review committee on criminal penalties

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	olsenje 09/16/1999		haugeca 09/16/1999	_____	lrb_docadmin 09/16/1999	lrb_docadmin 09/16/1999	
/2	olsenje 09/17/1999		haugeca 09/17/1999	_____	lrb_docadmin 09/17/1999	lrb_docadmin 09/17/1999	

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB465)

Received: 09/13/1999

Received By: mdsida

Wanted: Today

Identical to LRB:

For: Robert Goetsch (608) 266-2540

By/Representing: Kent

This file may be shown to any legislator: NO

Drafter: olsenje

May Contact: Reps. Wood and Huber

Alt. Drafters: mdsida

Subject: Criminal Law - sentencing

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Joint review committee on criminal penalties

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	olsenje 09/16/1999	1/2 9/17 jlg	haugeca 09/16/1999	ck q-12	lrb_docadmin 09/16/1999	lrb_docadmin 09/16/1999	

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB465)

Received: 09/13/1999

Received By: mdsida

Wanted: Today

Identical to LRB:

For: Robert Goetsch (608) 266-2540

By/Representing: Kent

This file may be shown to any legislator: NO

Drafter: olsenje

May Contact: Reps. Wood and Huber

Alt. Drafters: mdsida

Subject: Criminal Law - sentencing

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Joint review committee on criminal penalties

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	olsenje	11/10/99 JLg	CH 9-10	CH 9-10 MRC			

FE Sent For:

<END>

Conv. w/ Kent

(5) Rev. of leg. relating to crimes

583

3. Alternative language to conform the bill with

4. Whether the proposed crime can be charged under existing criminal statute.

Before rec. re passage report
or 30 days from referral

standing committee ~~request~~ request for report
recommendation for passage

Arthur Winkler



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB 2009/1
LRBa05922
MGD/jlg:ch
JED

Now
Sent to WSS

ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL 465

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 ^{review ←} ~~survey~~ **Joint committee on criminal penalties.** (1) CREATION.

5 There is created a joint ^{review} ~~survey~~ 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.

Insert
2/14

15 (5) REFERRALS TO THE COMMITTEE. No bill creating a new crime, revising a
16 penalty for a crime or establishing or revising a mandatory or presumptive minimum
17 period of imprisonment for a crime in chs. 346, 939 to 951 or 961 may be passed unless
18 it has been referred to the joint survey committee on criminal penalties and that
19 committee has submitted a written report on the bill regarding its desirability as a
20 matter of public policy. The chief clerk shall print a report of the joint survey
21 committee as an appendix to the bill and attach it thereto as are amendments. The
22 reproduction shall be in lieu of inclusion in the daily journal of the house in which
23 the proposal is introduced.

24 (6) COMMITTEE POWERS AND PROCEDURES. The committee may hold hearings as
25 needed to elicit information for making a report. The committee shall meet at the

1 call of its cochairpersons. All actions of the committee require the approval of a
2 majority of all of its members.”.

3 (END)



ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL 465

Insert 2/14

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

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

3 "SECTION 6m. 13.0985 of the statutes is created to read:

4 (5) ^{CS} ~~13.0985~~ ^{NO GOLD} Review of legislation relating to crimes. (a) If any bill that

5 is introduced in either house of the legislature proposes to create a new crime or
6 revise a penalty for an existing crime, the ^{committee} ~~sentencing commission~~ shall prepare a
7 report concerning all of the following:

8 ^{stat} ~~(1)~~ ^{or saved} The costs that are likely to be incurred by the department of corrections, the
9 department of justice, the state public defender, the courts and other state and local
10 government agencies if the bill is enacted.

11 ^{stat} ~~(2)~~ The consistency of ~~any~~ ^{ies} penalty proposed in the bill with existing criminal
12 penalties.

^{Alternative language needed to conform the bill to penalties in existing}
~~(3)~~ ^{criminal statutes.}

^{Whether the proposed} ~~(4)~~ ^{prohibited} acts ~~proposed~~ under the ~~proposed~~ bill
~~are~~ ^{are} prohibited under existing criminal statutes.

Insert
1/12

committee

Stat

g (c)

1 ~~(c)~~ The chief clerk shall print a report prepared by the sentencing commission
2 under ~~part (a)~~ as an appendix to the bill and attach it thereto as are amendments.

3 The reproduction shall be in lieu of inclusion in the daily journal of the house in which
4 the proposal is introduced.

*Insert
2/4*

5 ~~(c)~~ A bill that requires a report by the sentencing commission under sub (1)
6 shall have that requirement noted on its jacket when the jacket is prepared.
7 When legislation that requires a report under this section receives a jacket to be
8 introduced or offered, the legislative reference bureau shall submit a copy of the
9 legislation to the sentencing commission.

*Insert
2/9*

10 2. ~~(3)~~ A bill that requires a report by the sentencing commission under sub (1)
11 may not be passed by the house in which the bill is ~~first~~ introduced before the
12 sentencing commission submits the report or before the ³⁰th day after the bill is
13 introduced, whichever is earlier.”

par. (a) 1.

14 2. Page 191, line 2: delete that line and substitute “existing statutes affecting
15 criminal sentencing and prepare and submit all reports required under s. 13.0985.”

16

(END)

committee

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0609/1ins
MGD&JEO:.....

1 INSERT 1/12 (goes into insert 2/14)

2 (b) If a bill that requires a report by the joint review committee[✓] under par. (a)
3 is referred to a standing committee of the house in which it is introduced, the
4 chairperson shall request the report from the joint review committee. If the bill is
5 not referred to a standing committee, the speaker of the assembly, if the bill is
6 introduced in the assembly, or the presiding officer of the senate, if the bill is
7 introduced in the senate, shall request ^{the} report from the joint ^{review} committee.
(end ins 1/12)

8 INSERT 2/4 (goes into insert 2/14)

9 (d) ~~The~~ ^{to which the bill is referred} standing committee may not vote on whether to recommend the bill for
10 passage and the bill may not be passed by the house in which it is introduced before
11 the joint review committee submits the report or before the 30th day after the bill is
12 introduced, whichever is earlier. ~~the~~

If a bill requires a report by the joint review committee under par. (a), a

9/17 Per Reels

1) P2/20 20/21 → DAs (add)

42) Chair ^(etc.) & may request

3) 30 days from request for report
or receipt of report, whichever
is earlier

4) 3/13 : redescribe bill criterion

PRINT DOC REQUESTED: MAY 21, 1999
1 DOCUMENT PRINTED
6 PRINTED PAGES

100E83

SEND TO: OLSEN, JEFREN
WI LEGISLATIVE REFERENCE BUREAU
PO BOX 2037
MADISON WISCONSIN 53701-2037

*****05599*****

Scout do
CFOs

3:30 pm
Today

2
N.M.R.

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

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, the committee shall prepare a report concerning all of the
18 following:

INS
2-17

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

district attorneys

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

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

1 4. Whether acts prohibited under the bill are prohibited under existing
2 criminal statutes. 9

3 ~~(b) If a bill that requires a report by the joint review committee under par. (a)
4 is referred to a standing committee of the house in which it is introduced, the
5 chairperson shall request the report from the joint review committee. If the bill is
6 not referred to a standing committee, the speaker of the assembly, if the bill is
7 introduced in the assembly, or the presiding officer of the senate, if the bill is
8 introduced in the senate, shall request the report from the joint review committee.~~

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

13 (d) If a bill ~~requires a report by the joint review committee under par. (a)~~, a
14 standing committee to which the bill is referred may not vote on whether to
15 recommend the bill for passage and the bill may not be passed by the house in which
16 it is introduced before the joint review committee submits ^(a) ^{under par. (b)} the report ^{or before the}
17 30th day after ^{a report is requested under par. (a)} ~~the bill is introduced~~, whichever is earlier. ✓

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

22 (END)

*NO
that is introduced in either house of the
legislature proposes to create a new crime
or revise a penalty for an existing crime*

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0609/2ins
JEO:.....

1 **INSERT 2-17:**

2 ~~NO~~ and the bill is referred to a standing committee of the house in which it is introduced,
3 the chairperson may request the joint review committee to prepare a report on the
4 bill under par. (b).[✓] If the bill is not referred to a standing committee, the speaker of
5 the assembly, if the bill is introduced in the assembly, or the presiding officer of the
6 senate, if the bill is introduced in the senate, may request the joint review committee
7 to prepare a report on the bill under par. (b).[✓]

8 (b) If the joint review committee receives a request under par. (a).[✓] for a report
9 on a bill that proposes to create a new crime or revise a penalty for an existing crime ~~NO~~