

2003 DRAFTING REQUEST

Assembly Amendment (AA-SB214)

Received: **11/04/2003**

Received By: **mdsida**

Wanted: **As time permits**

Identical to LRB:

For: **Mark Miller (608) 266-5342**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **mdsida**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - guns and weapons**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Miller@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Proof of financial responsibility

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>
/?	mdsida	jdyer		_____			
	11/04/2003	11/05/2003		_____			
	chanaman	jdyer		_____			
	11/05/2003	11/05/2003		_____			
/1			pgreensl	_____	sbasford	sbasford	
			11/05/2003	_____	11/05/2003	11/05/2003	

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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1?	mdsida	1 11/5 JLD	11/5 ps	11/5 sets			

FE Sent For:

<END>

Hanaman, Cathlene

From: Dsida, Michael
Sent: Tuesday, November 04, 2003 5:47 PM
To: Hanaman, Cathlene
Subject: FW: Conceal Carry (SB214)

-----Original Message-----

From: Rep.Miller
Sent: Tuesday, November 04, 2003 5:02 PM
To: Dsida, Michael
Cc: Kuhn, Jamie
Subject: RE: Conceal Carry (SB214)

Mike,,
 Answers in bold below

-----Original Message-----

From: Dsida, Michael
Sent: Tuesday, November 04, 2003 4:20 PM
To: Rep.Miller
Subject: RE: Conceal Carry (SB214)

1. Do you want to require out-of-state licensees to submit proof of financial responsibility (with any sheriff?) in order to carry a concealed weapon in Wisconsin? **No**
2. Can you clarify what the sentence in bold means? **The applicant need only sign a statement (on the application) that he/she complies with the financial responsibility requirement. The permit shall contain a statement that the holder agrees to comply with the requirement.**
3. What does DOJ do when it receives the name of a person whose license is revoked based on his or her failure to maintain proof of financial responsibility? **Keep it on file and provide the information to the sheriff whenever the person re-applies for a new permit.**
4. Under the bill, if a person's license is revoked for any reason, the person may not be issued a new license unless there has been a change in circumstances that makes the reason for the revocation no longer applicable. In view of the last sentence in the second paragraph, I was not sure if you want to amend that provision. **No, just applies to revocation for failure to maintain financial responsibility.....this is different than what I said in my initial instructions.**

Thanks.

Mike Dsida

-----Original Message-----

From: Rep.Miller
Sent: Tuesday, November 04, 2003 2:47 PM
To: Dsida, Michael
Cc: Kuhn, Jamie; Zehren, David
Subject: Conceal Carry (SB214)

Mr. Dsida,

I delayed requesting amendments on the conceal carry legislation until getting a sense of amendments already introduced. Many of my concerns about this bill have been addressed in amendments already drafted. However, I am submitting a request for the following amendment which, as near as I can tell, has not been requested (amazing that any amendments might not have already been considered and drafted.) The amendment should be drafted to the version of the bill that will be considered in the was adopted by the Senate.

11/04/2003

I want to require applicants for a permit to provide proof of financial responsibility for damages resulting from use of the weapon for which the applicant might be liable. The applicant must agree to maintain the minimum level of financial responsibility for the duration of the license. Proof may be in the form of personal liability insurance or bond in an amount of not less than \$1m. **At the discretion of the issuer, an applicant may attest to financial responsibility at the time of application or renewal of a license.** Failure to maintain the required financial responsibility shall result in immediate loss of permit for a period of not less than three years and the name of the applicant shall be filed with DOJ. Revocation for cause for this or other violations of a permit may be justification to deny re-issuing a permit.

This amendment has some parallels with the financial responsibility provisions for drivers, except that drivers only need to demonstrate proof at the time of an accident or if obtaining an initial drivers license before reaching 18 years of age.

Thank you.

Mark Miller

48th Assembly District

P.O. Box 8953

Madison, WI 53708

Phone 608.266.5342, FAX 608.282.3648

rep.miller@legis.state.wi.us



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa1713/0
MGD&CMH.....

Handwritten initials and a circled number 1.

Fix request sheet

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,

TO 2003 ASSEMBLY BILL 214

SENATE

Now
Wed

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

2 1. Page 28, line 21: after that line insert:

3 "(qm) The individual is not subject to a suspension of his or her license under
4 sub. (14) (ab)."

5 2. Page 30, line 4: after that line insert:

6 "(em) A statement that one of the following applies to the applicant, with a
7 place for the applicant to sign his or her name to indicate that he or she understands
8 the financial responsibility requirements of this paragraph and sub. (14) (ab):

9 1. He or she has in place a prepaid noncancelable insurance policy or a
10 corporate surety bond that will cover at least \$1,000,000 of any liability that may
11 result from his or her negligent operation or handling of his or her weapon or from
12 his or her negligent failure to maintain control over his or her weapon.

1 2. He or she owns cash or negotiable securities with a value of not less than
2 \$1,000,000.”✓

3 **3.** Page 32, line 2: on lines 2, 21 and 24, after “(o),” insert “(qm),” ✓

4 **4.** Page 32, line 16: delete that line and substitute “of enforcement system, the
5 national crime information center system, and the computerized record of
6 suspensions maintained under sub. (11) (am) 2.” ✓

7 **5.** Page 33, line 3: after “(o),” insert “(qm),” ✓

8 **6.** Page 34, line 9: on lines 9 and 14, after “(o),” insert “(qm),” ✓

9 **7.** Page 35, line 13: after “(o),” insert “(qm),” ✓

10 **8.** Page 37, line 4: after “(a)” insert “1.” ✓

11 **9.** Page 37, line 8: after that line insert:

12 “2. ✓ A sheriff who suspends a license under sub. (14) (ab) ✓ shall notify the
13 department that he or she done so and provide the department with the period of
14 suspension and the information specified in sub. (2m) (b) ✓ concerning the individual
15 whose license was suspended.”

16 **10.** Page 37, line 9: after “(am)” insert “1.” ✓

17 **11.** Page 37, line 12: delete that line and substitute “sheriff under par. (a) 1.
18 After entering the information that it receives under par. (a) 1.,” ✓

19 **12.** Page 37, line 15: after that line insert:

20 “2. The department shall maintain a computerized record listing the names of
21 all individuals who are subject to a license suspension under sub. (14) (ab) ✓ along with
22 the information concerning each individual that is provided to the department by a
23 sheriff under par. (a) 2.” ✓

1

13. Page 39, line 20: after "(am)" insert "1^g". ✓

2

14. Page 40, line 6: after "(am)" insert "1^g". ✓

3

15. Page 40, line 15: after that line insert:

4

"(ab) A sheriff shall suspend a license issued under this section ✓ for a period of

5

not less than 3 ✓ years if the licensee is unable to respond in damages to liability that

6

resulted from the licensee's negligent operation or handling of his or her weapon or

7

from his or her negligent failure to maintain control over his or her weapon. For the

8

purposes of this paragraph, a licensee is able to respond in damages to such liability

9

if any of the following ^{applies} ~~apply~~ at the time the judgment is entered:

10

1. He or she has in place a prepaid noncancelable ✓ insurance policy or a

11

corporate surety bond that covers at least \$1,000,000 of the liability.

12

2. He or she owns cash or negotiable securities with a value of not less than

13

\$1,000,000." ✓

14

(END)

corrected copy

11-06-2003

**ASSEMBLY AMENDMENT 59,
TO 2003 SENATE BILL 214**

November 5, 2003 – Offered by Representatives MILLER, SHILLING, YOUNG and SINICKI.

engrossed

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

2 **1.** Page 28, line 21: after that line insert:

3 “(qm) The individual is not subject to a suspension of his or her license under
4 sub. (14) (ab).”.

5 **2.** Page 30, line 4: after that line insert:

6 “(em) A statement that one of the following applies to the applicant, with a
7 place for the applicant to sign his or her name to indicate that he or she understands
8 the financial responsibility requirements of this paragraph and sub. (14) (ab):

9 1. He or she has in place a prepaid noncancelable insurance policy or a
10 corporate surety bond that will cover at least \$1,000,000 of any liability that may
11 result from his or her negligent operation or handling of his or her weapon or from
12 his or her negligent failure to maintain control over his or her weapon.