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(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...  
PUBLIC HEARING - COMMITTEE RECORDS**

**2003-04**

(session year)

**Assembly**

(Assembly, Senate or Joint)

**Committee on ... Children and Families (AC-CF)**

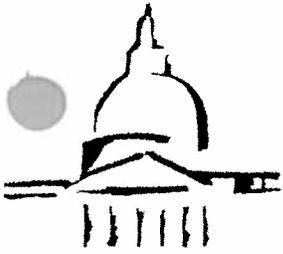
**COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

**INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

\* Contents organized for archiving by: Stefanie Rose (LRB) (May 2012)



# Rick Skindrud

SERGEANT-AT-ARMS  
WISCONSIN STATE ASSEMBLY

Anne Tonnon Byers  
DEPUTY SERGEANT-AT-ARMS

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Madison, Wisconsin 53708-8952  
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rick.skindrud@legis.state.wi.us

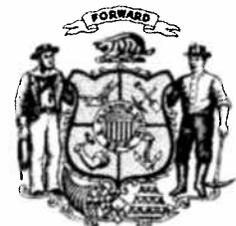
# Memo

**To:** ALL ASSEMBLY LEGISLATORS  
**From:** Rick Skindrud  
**Date:** 01/14/2003  
**Re:** Committee Room Number Assignments 2003-2004 Session

Tuesday Even		Wednesday Even		Thursday Even	
Electronic Democracy & Government Reform (6) <i>Townsend</i>	225NW	Labor (9) <i>Sinicki</i> Nass	225NW	Aging & Long Term Care (12) <i>Hundertmark</i>	225NW <i>Knowl</i>
Forestry (6) <i>Friske</i>	300NE	Natural Resources (11) <i>Miller</i> Johnsrud	300NE	Campaigns & Elections (6) <i>Freese</i>	300NE
State Affairs (9) <i>Fitzgerald</i>	328NW	Rural Development (8) <i>Kestell</i> Loeffelholz	328NW	<del>Children &amp; Families (6)</del> <i>Kestell</i>	<del>328NW</del> <i>*</i>
Economic Development (8) <i>McCormick</i> <i>vukmir</i>	400NE	Highway Safety (6) <i>Petrowski</i>	400NE	Family Law (6) <i>Owens</i>	400NE <i>Kestell</i>
Health (17) <i>Underheim</i> <i>vukmir</i> <i>Krug</i>	GAR	Veterans & Military Affairs (14) <i>Musser</i> <i>Sandstrom</i>	GAR	Agriculture (15) <i>Ott</i>	GAR <i>Kestell</i>
Energy & Utilities (12) <i>Jensen</i> <i>Krug</i>	415NW	Ways & Means (14) <i>M. Lehman</i> <i>Jensen</i>	415NW	Financial Institutions (16) <i>Montgomery</i>	415NW
Tuesday Odd		Wednesday Odd		Thursday Odd	
Colleges & Universities (12) <i>Kreibich</i> <i>Jeschke</i>	225NW	Government Operations & Spending Limitations (6) <i>Lasee</i>	225NW	Judiciary (8) <i>Albers</i> Gundrum	225NW
Tourism (12) <i>Pettis</i> <i>Knowl</i> <i>Sinicki</i>	300NE	Property Rights & Land Management (8) <i>Albers</i> <i>Albers</i>	300NE	Rural Affairs (10) <i>Hahn</i>	300NE
Budget Review (8) <i>Kerkman</i> <i>Miller</i>	328NW	Education Reform (13) <i>vukmir</i> <i>Sinicki</i> Jensen	328NW	Insurance (14) <i>Ladwig</i> <i>Knowl</i>	328NW
Urban & Local Affairs (8) <i>Gunderson</i>	400NE	Corrections & the Courts (10) <i>Bies</i>	400NE	Housing (6) <i>Wieckert</i>	400NE
<i>*</i> Education (16) <i>Olsen</i> <i>Kestell</i>	GAR	Criminal Justice (14) <i>vukmir</i> <i>Suder</i> <i>Jeschke</i>	GAR	Transportation (16) <i>Ainsworth</i>	GAR
Small Business (10) <i>Seratti</i>	415NW	Public Health (8) <i>Hines</i>	415NW		
		Workforce Development (12) <i>Krawczyk</i>	NHR		



# WISCONSIN STATE LEGISLATURE



~~WDA~~ RHONDA

# W D A A

David J. Wambach, President  
Jefferson County District Attorney  
320 S. Main Street  
Jefferson, WI 53549

DAVIDS # 920-  
674-7371

## Wisconsin District Attorneys Association

*Scott Horne, President Elect*  
*Robert Jambois, Secretary-Treasurer*  
*Todd Martens, 1<sup>st</sup> Vice President*  
*Paul Bucher, 2<sup>nd</sup> Vice President*  
*Vincent Biskupic, 3<sup>rd</sup> Vice President*  
*Sandy Williams, Past President*  
*Jerilyn Dietz, Executive Director*

*Alma Anderson, ADA Rep.*  
*Patrick Kenney, ADA Rep.*  
*Steven Tinker, DOJ Rep.*  
*Susan Crawford, Alt. DOJ Rep.*  
*Stuart Morse, SPO Rep.*  
*Aleta Niebuhr, SPET Director*

January 15, 2003

Governor James E. Doyle

Rep. John Gard, Speaker of Assembly	Sen. Allen J. Lasee, Senate President
Rep. Steven M. Foti, Majority Leader	Sen. Mary E. Panzer, Majority Leader
Rep. James E. Kreuser, Minority Leader	Sen. Jon Erpenbach, Minority Leader
Rep. Jean Hundertmark, Assistant Majority Leader	Sen. David A. Zien, Assistant Majority Leader
Rep. John Richards, Assistant Minority Leader	Sen David Hansen, Assistant Minority Leader

Dear Governor Doyle, Senators, and Representatives:

With the hope of a bipartisan, open debate on criminal justice issues in the next session, we are writing to ask that you consider the following legislative proposals supported by the Wisconsin District Attorneys Association.

Many of these proposals are not controversial but have a substantial impact on the quality of the criminal justice system. As an association, we stand ready to work with both parties to ensure that the Wisconsin criminal justice system continues to be a model of fairness – seeking justice for victims and society as a whole – seeking fair punishment and rehabilitation for the offender.

### **IDENTITY THEFT LEGISLATION.**

Representative Mark Gundrum is presently heading up a Special Task Force on Identity Theft. The Task Force has drafted legislation what will update Wisconsin laws on identity theft, so law enforcement can more effectively pursue these crimes in the future.

Wisconsin District Attorneys Association

P.O. Box 1702

Madison, WI 53701

(608) 218-1939

Jerilyn Dietz → 608-332-6955  
608-367-7817

Many prosecutors throughout the state feel this is the fastest growing crime in Wisconsin. The consequences to victims can be devastating sometimes resulting in financial bankruptcy, false arrests, and everlasting damage to reputations.

Specifically, the Board endorses the modifications to sec. 943.201 and the creation of the subsequent section dealing with the misappropriation of corporate identifying information. Prosecutors need this legislation to protect the citizens of Wisconsin.

### **THE JUVENILE COURT RECORDS CONFIDENTIALITY RESTRICTIONS.**

Under the leadership of the Director of State Courts, Denis J. Moran, Wisconsin is modernizing court record keeping with the continued development of the Consolidated Court Automation Program (CCAP). However, the issue of electronic data sharing for juvenile court records has long been a cause of concern because the statutes are unclear about the sharing of this data.

It is very important that agencies that work with youth have reasonable access to information to serve children and families in the Juvenile Justice System. The law should be amended to clearly and unambiguously permit the sharing of court information to promote the effective and efficient operation of the Juvenile Justice System. This legislation would maintain restrictions placed upon agencies working with juveniles to maintain the confidentiality of sensitive juvenile records. A representative of the Attorney General's Office has proposed the following language:

Create sec. 938.396(10) to read:

Notwithstanding anything in this chapter or chapter 48, records of courts exercising jurisdiction under this chapter and chapter 48 and law enforcement records of juveniles may be shared with other courts exercising jurisdiction under this chapter and chapter 48, attorneys representing the interests of the public under secs. 938.09 and 48.09, law enforcement personnel assigned to investigations under this chapter and chapter 48 and court intake workers providing services under secs. 938.067 and 48.067. Anyone who obtains information under this subsection shall not disclose the information except as required by their official duties.

Create sec. 48.396(6) to read:

Notwithstanding anything in this chapter or chapter 938, records of courts exercising jurisdiction under this chapter and chapter 938 and law enforcement records of juveniles may be shared with other courts exercising jurisdiction under this chapter and chapter 938, attorneys representing the interests of the public under secs. 938.09 and 48.09, law enforcement personnel assigned to investigations under this chapter and chapter 938 and court intake workers providing services under secs. 938.067 and 48.067. Anyone who obtains information under this subsection shall not disclose the information except as required by their official duties.

### **YOUTHFUL OFFENDER/ANTI-RECIDIVISM ACT.**

This proposal restores civil rights to youthful offenders convicted of certain felonies who successfully complete their sentence by modifying the judgment of conviction from a felony to a misdemeanor. There has been an ongoing social and political movement reflected in the enactment of laws to become tougher on crime. Adult criminal jurisdiction has been lowered to

age seventeen and more crimes have become felonies. These are legitimate and reasonable responses to the crime problem. This approach has not limited itself to what might be categorized as violent crimes. This idea does not counter any of these policy choices.

After an individual is convicted of a crime, he or she faces two types of consequences. There are those that are commonly recognized by the general public – primary consequences, involving punishment and rehabilitation (i.e. probation, incarceration, extended supervision, fines, restitution, loss of driving privileges, etc.). However, there also exist secondary consequences for having a felony conviction (including the label itself, “a convicted felon”). These secondary consequences can attend a person for the remainder of his or her life. Many of these secondary consequences are statutorily delineated. Others are manifested in the loss of employment opportunities and civil rights. All of the secondary consequences (whether real or perceived) tend to diminish hope and motivation to rehabilitate. The results of this loss can mean reengagement in criminal activity. Based on the criminal justice experience, young people are particularly vulnerable to be impacted by these unintended collateral consequences. However, it is the malleability of “youth” and society’s ability to appreciate the immaturity of judgment attending youth, which makes them appropriate candidates to consider addressing the secondary consequences associated with certain types of criminal behaviors. This proposal is offered as a means not merely to blunt the unintended affects of secondary consequences for youth, but also to use the potential avoidance of secondary consequences as an incentive to rehabilitate. The process created in this proposal to achieve this end serves the interest of victims, interests associated with the administration of the criminal justice system, and the economic and social interests of our state.

Senator Gary George has been kind enough to submit our proposal to the Legislative Reference Bureau. A preliminary draft can be found at LRB-1316/pl.

### **EXTENDING THE TERMS OF OFFICE OF DISTRICT ATTORNEYS FROM TWO YEARS TO FOUR YEARS.**

During our recently held national elections, the citizens of Arkansas approved extending the terms of office of state prosecutors from two years to four years – following a substantial national trend in this direction. Wisconsin and New Hampshire are the only states left in the nation with two-year terms for elected prosecutors. Terms in other states range from four to six years. Certainly, the legislature appreciates the time and resources that must be devoted to elective public office. Two-year terms have a dramatic impact on a prosecutor’s ability to devote adequate time to his or her responsibilities. Prosecutors are always “in session.” More importantly, extending the terms of prosecutors diminishes the political atmosphere of the office in recognition of a district attorney’s quasi-judicial responsibilities to fairly and faithfully enforce the laws of the State of Wisconsin.

This proposal has received the overwhelming support of the assembly and is sponsored by a bipartisan majority of state senators. The WDAA requests that both houses of the Wisconsin State Legislature be given an opportunity to vote on this important issue and permit the citizens of Wisconsin to consider this constitutional amendment.

### **ALLOWING PROSECUTORS AT ANY TIME DURING THE PROCEEDINGS TO NOTIFY VICTIMS OF THEIR RIGHT TO MAKE A SENTENCING STATEMENT, SAVING VALUABLE TIME AND RESOURCES.**

This bill revises the prosecutor's obligation to provide a victim notice of his or her right to make a statement with respect to the time at which that obligation must be met. The bill eliminates the requirement that the notice be provided after conviction or after the court finds a juvenile delinquent. Under this bill, the prosecutor may provide the victim notice of his or her right at any time during the proceedings. Present law provides that the victim must be notified after conviction or after a delinquency finding even if the victim has already expressed an opinion regarding the disposition of the matter. This law has led to delays in hundreds of cases that could otherwise proceed to disposition immediately following adjudication. In a normal court hearing, this involves an additional appearance for a judge, a prosecutor, and more often than not, a public defender. Previously, this bill was introduced as SB 214 and received unanimous bipartisan endorsement from the Judiciary and Consumer Affairs Committee and the Corrections and Courts Committee. This bill will save valuable public resources and permit courts to proceed to sentencing when the prosecutor is already aware of the victim's wishes regarding disposition.

### **ELIMINATING THE USE OF CIVIL DISCOVERY PROCEDURES IN OWI REFUSAL HEARINGS.**

This proposal is a response to State v. Schoepp, 204 Wis.2d 266 (Ct. App., 1996). Under current law, if a person arrested for driving a motor vehicle while under the influence of an intoxicant (OWI) refuses to take a test to determine the amount of alcohol in his or her blood or breath, the law enforcement officer who requested the test takes possession of the person's license. The law enforcement officer then prepares a Notice of Intent to Revoke the person's operating privilege and gives a copy of the notice to the person, to the circuit court, and to the district attorney. The notice informs the person of a number of items, including the right to request a court hearing (an implied consent hearing) to contest the license revocation. In State v. Schoepp, supra, the Court of Appeals held that a person who receives a Notice of Intent to Revoke the person's operating privilege may utilize the full range of civil discovery procedures contained in Chapter 804, including the use of depositions and interrogatories prior to the implied consent hearing.

This court opinion has had a significant negative impact on prosecutors and law enforcement officers throughout the State of Wisconsin. In some instances, city attorneys have refused to represent officers at deposition hearings. As a result, the District Attorney's Office is forced to attend the depositions. In one particular case, three separate police officers were deposed.

This proposal would limit either party's right to discovery, except that at the hearing, before a witness testifies, a person who refused to take the test has a right to receive a copy of any written or recorded statement of the witness. Additionally, courts could order the production of any written statements of potential witnesses prior to the hearing. The proposal is patterned after Sec. 345.421, which restricts discovery in actions for violations of other statutory traffic regulations.

In the past, this legislation was introduced by Representative Jeff Stone as Assembly Bill 666. It easily passed the Highway Safety Committee and the Assembly with overwhelming bipartisan support. However, the Senate did not act on the legislation.

At the present time, attorneys use this expensive and time consuming discovery tool as a way to delay the revocation of their client's drivers license in implied consent cases. This legislation will help ensure that these matters are resolved in a timely and efficient manner, while also making certain that defendants have available to them any statements made by those who might testify against them.

## **AMEND SECTION 973.12, THE HABITUAL CRIMINALITY STATUTE.**

Under current law, a court may not impose an increased penalty against a habitual offender unless a district attorney alleges in the complaint or information that the defendant satisfies the legal criteria for sentencing as a persistent repeater or habitual criminal. The district attorney must allege this status prior to the defendant's arraignment. In the case of a misdemeanor, the arraignment occurs at the time of the initial appearance. In the case of a felony, the arraignment routinely occurs after a court binds a case over for trial following a preliminary examination. Once a defendant is arraigned, the present section precludes the prosecutor from alleging habitual criminal or persistent repeater status, if the prosecutor has not already done so. Representative Michael Huebsch submitted a proposal to correct this statute to the Legislative Reference Bureau, and it can be found under LRB-2471. This provision would amend Sec. 973.12 by allowing the district attorney to allege habitual criminal or persistent repeater status at any time prior to a jury trial or plea of guilty or not contest. Why is this needed? Our society has become increasingly mobile. Citizens move from state to state seeking out new opportunities. Like the population at large, the criminal element also seeks to explore new opportunities in distant geographical locations. Wisconsin law enforcement authorities frequently apprehend individuals from other jurisdictions committing crimes against the citizens of our state.

Several times a month, law enforcement officers in this state arrest offenders from other jurisdictions. Even when these criminals provide truthful information about their identity, it may take several weeks to determine whether the offender may be prosecuted as a persistent repeater or habitual criminal. First, the arresting agency will forward fingerprint information to the F.B.I. in Washington D.C. Second, relying upon its records, the F.B.I. then prepares a criminal history for the arresting agency. Third, if the F.B.I.'s criminal history suggests that a defendant qualifies for an increased penalty as an habitual criminal or persistent repeater, the district attorney must then request the court and correctional officials in the jurisdiction of the offender's last contacts to send certified judgments verifying the criminal convictions and sentences. This process takes much longer if the defendant provides an alias to arresting officers.

In short, by the time the district attorney obtains accurate criminal history information about the defendant, several weeks have passed. In all probability, the defendant will have been arraigned – thus precluding the possibility that he or she may be sentenced as a persistent repeater or habitual criminal.

In its current form, Sec. 973.12 also has the potential to result in unequal treatment for similarly situated defendants. When the defendant is a long time Wisconsin resident, the district attorney usually obtains the relevant Wisconsin criminal history information prior to the arraignment, thus providing sufficient time to allege habitual criminal or persistent offender status. However, when the defendant has a criminal history in another jurisdiction, the prosecutor is not likely to discover it until after the arraignment. The amendment to Sec. 973.12 reflected in LRB-2471 will eliminate this potential for disparate treatment.

## **AMEND SECTION 908.03(6m), THE MEDICAL RECORDS HEARSAY EXCEPTION.**

Sec. 908.03 (6m) sets out procedures for obtaining medical records and getting them admitted without the necessity of calling the custodian for authentication. Basically, the statute provides that an authentication witness is unnecessary if the certified copies are obtained and served upon

the defense attorney at least forty days prior to the trial or hearing. This section also prohibits subpoenas for record custodians in all but three situations: (1) when the health care provider is a party to the action; (2) when authorized by an ex-party order of a judge for cause upon terms; (3) when the provider refuses or fails to provide the records upon a proper request.

In short, if a prosecutor does not obtain the medical records and serve them on the opposing council at least forty days prior to the trial or hearing, it is very difficult to subpoena the custodian to authenticate them. This also means, unless you can obtain a stipulation to their authenticity, you will probably not be able to get these records into evidence.

At the present time, this statute is interfering with the timely resolution of criminal cases. Out of increasing concerns for the rights of victims and families of homicide victims, courts are attempting to handle crimes of violence in an expeditious fashion. As such, homicides, sexual assault cases and other matters are scheduled for trial very soon after the initial appearance. Although it is rare for medical issues to be contested in a criminal case, it is necessary to place this kind of evidence before the trier of fact. The existing statute, which provides for forty days notice, causes serious problems in some of our cases. Attorneys representing area hospitals resist our efforts to subpoena the custodian when we are unable to meet the forty-day deadline.

The predecessor statute and the Judicial Council note for the existing statute makes it clear that the Council did not give criminal cases consideration when the notice requirement was increased from ten to forty days in November, 1990. The amendment proposed by the District Attorneys Association changes the time frame for service or notification in criminal cases from forty days to twenty days before the trial or hearing. Amending this statute would not create a hardship for healthcare providers nor would it restrict a defendant's ability to adequately prepare for a criminal proceeding.

Senator Brian Burke submitted this proposal to the Legislative Reference Bureau at the request of the Wisconsin District Attorneys Association. This proposal can be found at LRB-2407. This legislation would assist prosecutors throughout the state in their efforts to obtain speedy resolutions of criminal cases in crimes of violence.

#### **AMENDING SECTION 946.49, BAIL JUMPING.**

We are requesting that the bail jumping statute be modified. At the present time, Sec. 946.49 provides that an individual may be charged with bail jumping only if he has been released from custody. Therefore, a defendant may contact his/her victim or urge friends or family to contact the victim and not be subjected to the penalties under Sec. 946.49, even if a judge has ordered a defendant, as a condition of his bond, not to have any contact with the victim in the case. Throughout the state, several prosecutors have confirmed that it is common for defendants to contact victims using telephones accessible within county jails. At the present time, prosecutors are unable to charge a defendant with bail jumping no matter how often he may call or attempt to call his victim by telephone if the defendant remains in custody.

This problem could be remedied if the bail jumping statute were amended to exclude the following underlined phrase and by adding the phrase in bold type: "Whoever, having been released from custody under Chapter 969, intentionally fails to comply with any provision of Chapter 969 or intentionally fails to comply with any condition set by a court . . ." The request for this change was primarily motivated by numerous circumstances found in domestic violence prosecutions. This legislation is contained in LRB-2469/p 1 dn and was submitted to the Legislative Reference Bureau at the request of Representative Michael Huebsch.

## **PROPOSED SECTION 946.78, MONEY LAUNDERING.**

A money laundering statute is a very useful tool to investigate and prosecute more sophisticated criminal enterprises. State statutory provisions for prohibiting money laundering have been increased since the President's Commission on Model State Drug Laws made its recommendations in December, 1993. The report urged state legislatures to adopt money laundering statutes to enable law enforcement agencies to penetrate criminal enterprises more effectively.

The proposed statute is based, in part, on a similar federal law. The original was drafted by Assistant Attorney General Donald Latorraca. The proposal crafted by Attorney Jefren Olsen of LRB can be found at LRB-2468/p1dn.

## **AMENDMENT TO SEC. 48.415(6), STATS.: FAILURE TO ASSUME PARENTAL RESPONSIBILITY.**

We are also requesting that the Legislature seek to amend the language of Sec. 48.415(6), stats., which provides that parental rights may be terminated based on the failure of a parent to assume parental responsibility for a child.

The current statutory language provides that failure to assume parental responsibility "shall be established by proving that the parent or the person or persons who may be the parent of the child have never had a substantial parental relationship with the child." A substantial parental relationship is defined as "the acceptance and exercise of significant responsibility for the daily supervision, education, protection and care of the child."

We are requesting that the statute be amended to read that failure to assume parental responsibility "shall be established by proving that the parent or the person or persons who may be the parent of the child does not have a substantial parental relationship with the child." This will enable our offices to proceed to termination of parental rights in cases where the child may have lived with the parent for a period of time before being removed as a result of a CHIPS petition being filed. This change puts the focus of the contest where it belongs – the present circumstances of the child and family.

## **NAME CHANGE**

Wis. Stat. §786.36 sets forth a procedure for a person to change their name. In general, this statute requires a petition to a circuit court. However, in 1998 the Wisconsin Supreme Court ruled that as the statute does not state that it is the exclusive method to change a name, a person may make such a change under the common law. State v. Hansford, 219 Wis.2d 226 (1998). That is, a person may merely adopt the use of a different name without any legal proceeding. As this may allow people to adopt a new identity with no oversight or record, it presents a potential way in which criminals may easily adopt a new identity.

The problem was addressed in 2001 SB 363 (Section 13) which would modify sec. 786.36 by setting forth the exclusive methods for a name change. However, the legislation did not pass.

An exception is made in the legislation for name changes as a result of marriage, divorce, and adoption.

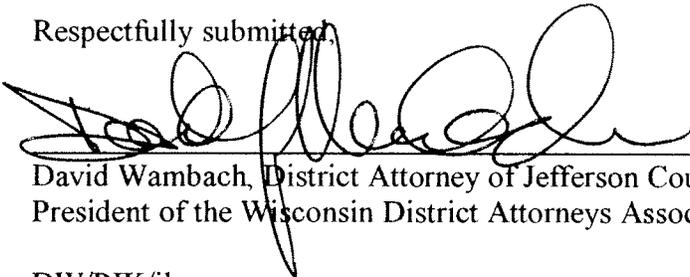
## CONCLUSION.

We want to have a good, strong partnership with the Legislature on criminal justice initiatives. Victims' Rights Legislation, "Truth-in-Sentencing," and the recommendations of Criminal Penalties Study Committee are significant and dramatic changes in our criminal justice system. However, law is not the only engine that drives change. Initiatives must include sufficient resources as well as good ideas. I am sure that the Legislature believes that the victims of crime deserve the best lawyers with the time to give due consideration to the task at hand. In considering any issue confronting the criminal justice system, we would do well to reflect upon the words of Professor Wechsler who assisted in the formation of a model penal code almost a half century ago:

*"Whatever view one holds about the penal law, no one will question its importance in society. This is the law on which men place their ultimate reliance for protection against all the deepest injuries that human conduct can inflict on individuals and institutions . . . If penal law is weak or ineffective, basic human interests are in jeopardy. If it is harsh or arbitrary in its impact, it works a gross injustice on those caught within its toils. The law that carries such responsibilities should surely be as rational and just as law can be. No where in the entire legal field is more at stake for the community or for the individual."*

Thank you for your consideration of these proposals. We look forward to hearing from you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David Wambach", written over a horizontal line.

David Wambach, District Attorney of Jefferson County  
President of the Wisconsin District Attorneys Association

DW/PJK/jlm

cc: Peggy Ann Lautenschlager,  
Attorney General

Rep. Dean R. Kaufert, Co-Chair  
Joint Committee on Finance

Rep. Scott Suder, Chair  
Criminal Justice Committee

Rep. Mark Gundrum, Chair  
Judiciary Committee

Marc J. Marotta, Secretary  
Department of Administration

Denis J. Moran, Director  
State Courts

Sen. Carol A. Roessler, Chair  
Committee on Health, Children, Families, Aging, and Long Term Care

Sen. Alberta Darling, Co-Chair  
Joint Committee on Finance

Rep. Steve Kestell, Chair  
Committee on Children and Families

Rep. Garey Bies, Chair  
Committee on Corrections and Courts

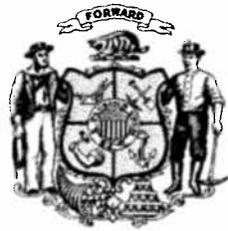
Rep. Carol Owens, Chair  
Committee on Family Law

David Riemer  
Budget Director

Stu Morse  
State Prosecutor's Office



# WISCONSIN STATE LEGISLATURE



Date: January 16, 2003  
To: Committee Clerks  
From: Adam Raschka for Representative Foti  
Re: Bill Summary Procedure

Scheduling bills is a very fluid process and I will try to give you as much advance notice as possible, but in some cases it may be less than a day. There may be some days where you may have five or six summaries to do so I strongly encourage you to work on your summaries throughout the committee process so you don't get completely blindsided.

The following is the schedule for submitting bill summaries:

Tuesday bills – in by Friday noon  
Wednesday bills – in by Monday noon  
Thursday bills – in by Tuesday noon

If you have more than one summary due on a given day, please e-mail them to me as you finish them rather than sending them all at once. This will allow me to get back to you sooner to discuss any edits.

It is important you are available to go over any edits or to answer any questions I may have. Your name and your bosses name are listed on the bill summaries so I run any suggested changes I have by you for your approval.

The template, instructions and completed bill summaries will be placed on the P: drive.

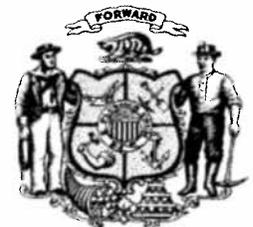
#### Editing Tips

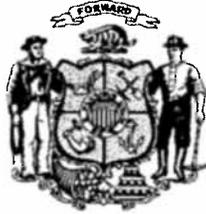
1. As Amended By Committee – If an amendment passes a committee please incorporate the amendment into the summary of the bill.
2. Pro's and Con's – Please use complete sentences rather than fragments. Think of them as talking points for and against the bill.
3. Objectivity – Chances are you will be doing bill summaries for your bosses' bills. It is important you take a critical eye to them. A safe vote for your boss may not be a safe vote for another member. If a bill has a large fiscal note, expands the bureaucracy or even has one no vote in committee it shouldn't be difficult to come up with a con.
4. Cosmetics – I trust your expertise on these issues so I do not spend a great amount of time checking the content of the summaries. The majority of my time is spent dealing with simple edits and cosmetic changes. Using the template as the starting point for your summary should prevent many of the cosmetic edits such as: justification, spacing between sections or indentation.

Please give me a call (4-8516) if you have any questions.



# WISCONSIN STATE LEGISLATURE





STATE REPRESENTATIVE  
**STEVE KESTELL**  
27TH ASSEMBLY DISTRICT

MEMO

**TO:** **Assembly Committee on Children and Families Members**  
Representative Ladwig                      Representative Miller  
Representative Albers                      Representative Sinicki  
Representative Jeskewitz                      Representative Krug  
Representative Vukmir

**FROM:** State Representative Steve Kestell

**DATE:** January 22, 2003

**RE:** Policy and Procedures for the Children and Families Committee

Welcome to the Children and Families Committee. As Chairperson, I would like to inform members of some general guidelines that I believe will assist the Committee's operation throughout the session. In recognizing that the Assembly already has procedural rules establishing committee operations, I would like to keep the Committee's operating guidelines at a minimum.

Out of respect for the public and committee members, I will make every effort to start hearings and/or executive sessions on time. Please notify the committee clerk if you are unable to attend or will be late.

**Meeting Days; Public Hearings:**

Room 328 NW is the regularly assigned committee meeting room. The Committee is assigned even Thursdays as the regular meeting date.

**Executive Sessions:**

Executive sessions may be held following a public hearing, but might also be scheduled on other days when necessary.

**Attendance and Voting:**

After the attendance roll call is recorded for a public hearing or executive session, it will remain open until the hearing is adjourned. Members who are late for the attendance roll call must indicate their presence to the committee clerk to be recorded as present. Do not rely on the committee clerk to automatically record your arrival. Committee members must be present in order to be recorded as voting in an executive session. The voting roll call on any proposal may be held open until the executive session is adjourned. If a member is unable to vote during an executive session, they may contact the committee clerk to indicate how they would have voted, but this will not be included in the reported committee vote.

**Amendments:**

All amendments to proposals shall be submitted to the committee clerk and Legislative Council staff in written form at least 24-hours in advance of an executive session. Please abide by the 24-hour deadline when possible.

It is an honor and a privilege to serve as the Chair of the Children and Families Committee. I look forward to working with members as we begin the 2003-04 legislative session. Please contact myself, or the committee clerk, Dave Matzen, at 266-8530 with any questions or concerns. In addition, Anne Sappenfield is the Legislative Council attorney assigned to the committee. Anne can be reached at 267-9485.



# WISCONSIN STATE LEGISLATURE



## Memorandum

To: All Assembly Committee Chairs and Ranking Minority Members  
Terry Anderson, Legislative Council

From: Representative Steve Freese

Date: February 6, 2003

Re: Interpretation of Assembly Rule 17d

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Some members and their staff have recently brought to my attention that they are unclear on the intent of Assembly Rule 17d, in particular, par. (2).

Assembly Rule 17d reads:

*Executive action. A committee may not vote on a proposal unless the proposal has been introduced, or offered, and made available to the public for at least 24 hours excluding:*

- (1) Saturdays, Sundays, and state holidays specified in section 230.35 (4) (a) of the statutes; and*
- (2) Hours after 5 p.m. or before 8 a.m.*

The intent of the rule is to give the general public a period of at least 24 hours to access and read a proposal after it has been formally introduced, or offered, before any executive action can be taken on the proposal. The general public does not have access to these documents until they are officially introduced.

As the presiding officer, I will interpret this rule to mean that a proposal introduced, or offered, any time between 8:00 a.m. and 5:00 p.m. will be available for executive action exactly 24 hours after it has been introduced or offered, excluding days under AR 17d (1). Any proposal introduced, or offered, after 5:00 p.m. and before 8:00 a.m. will be available for executive action 24 hours after 8:00 a.m. the following day, excluding days under AR 17d (1).

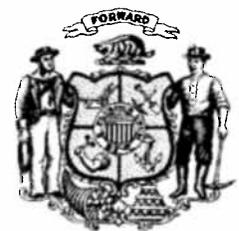
For example, if a proposal is introduced at 3:00 p.m. on a normal day, then the clock will start and not stop until the 24-hour period is over the next day at 3:00 p.m. If a proposal is introduced at 7:00 p.m., whether we are in session or not, then the clock will not start until 8:00 a.m. the following morning.

To maintain consistency in the proceedings for all Assembly committees, I encourage committee chairs to interpret and follow this rule in a similar fashion.

If you have any questions or concerns, please do not hesitate to contact me at 266-7502.



# WISCONSIN STATE LEGISLATURE



## Matzen, David

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**From:** Matzen, David  
**Sent:** Friday, February 07, 2003 2:14 PM  
**To:** Wambach, David  
**Subject:** Rep. Kestell, bill draft relating to Ch. 48 of State Statutes

Hello- Representative Kestell is working on a legislative draft related to amending section 48.416 (6) of the statutes. This relates to the failure to assume parental responsibility that was outlined in the Jan. 15th WDAA letter to legislators. Representative Kestell wanted the input of the WDAA on these issues:

The bill draft would change the termination of parental rights ground concerning substantial parental relationship so that the ground would consider whether the parent has a substantial parental relationship with the child instead of whether the parent has **ever** had a substantial parental relationship with the child.

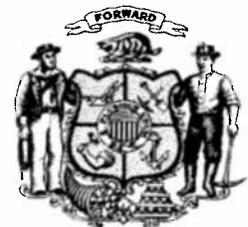
As background, the U.S. Supreme Court has held that a mere biological relationship with a child does not afford a parent constitutionally protected parental rights. However, if a parent establishes a relationship with a child, rights attach.

There are concerns with the language that has been proposed because, on its face, there is no consideration for the type of relationship a parent may have had in the past, how recently the parent had that relationship, etc... In addition, what types of cases are a problem? It appears that if a parent has had a relationship with a child but discontinues the relationship for six months, the parent's rights could be terminated on the basis of abandonment. It would be helpful to get more specific information because it is possible that there is language that would address a concern without making the ground so broad.

Thank you for your assistance. -Dave Matzen (Rep. Kestell's office, 608-266-8530)



# WISCONSIN STATE LEGISLATURE



In AB 250  
folder

**Kestell, Steve**

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**From:** Kestell, Steve  
**Sent:** Monday, August 04, 2003 5:47 AM  
**To:** 'Margaret Feider'  
**Subject:** RE: Governor Doyle and the budget

Dear Bob and Peggy,

Thanks for your support!

You have hit on a point that has been largely ignored by everyone else during the discussion of the Governor's vetoes. On a wide range of significant issues he has overruled the legislators elected by the majority of citizens and thus overruled the voters.

The recall vote will be extremely close and it will primarily depend on whether or not voters let their representatives and senators know how they feel about the issues. In the end, the people should be heard and their concerns addressed but it will take a bit longer for Mr. Doyle to understand that.

Thanks again for writing.

Steve

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

From: Margaret Feider [mailto:mfeider@excel.net]  
Sent: Sunday, August 03, 2003 11:54 AM  
To: rep.kestell@legis.state.wi.us  
Subject: Governor Doyle and the budget

Hi Steve,

As a couple of your loyal constituents, we just want to let you know how disappointed we are with the Governor's recent cross-the-board vetoes of the budget that was crafted by you and your fellow legislators (who, incidentally, were elected by us citizens to represent our best interests). We feel that his actions were a blatant disregard of us folks who ultimately foot the bills. Being lifelong residents of our state, we recognize Wisconsin's need for business growth to sustain the quality of life to which we have become accustomed. It's plain to see that Governor Doyle doesn't share that view.

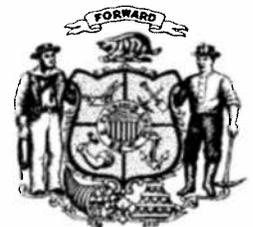
While we won't be a part of any hysterical recall effort (at least at this point), we do feel that a message needs to be heard by Governor Doyle, and we fully support an override of his vetoes, beginning with the property tax freeze.

Be assured that you have our full and complete support with any override efforts on your part. We have already informed the Governor of our feelings, and we invite you to share them with your fellow assemblymen.

Thanks much,  
Bob & Peggy Feider



# WISCONSIN STATE LEGISLATURE





# John Gard

Speaker of the Assembly

February 6, 2004

Mr. Patrick Fuller  
Chief Clerk  
Wisconsin State Assembly  
Room 208, Risser Justice Center  
17 West Main Street  
Madison, Wisconsin 53708

Dear Patrick:

Representative Jim Kreuser has nominated newly-elected Representative Barbara Toles to the following committees: Children and Families, Health, and Workforce Development.

Per Representative Kreuser's request, I will appoint Representative Toles to the Children and Families, Health and Workforce Development Committees. Representative Toles will fill the vacancy on the Workforce Development Committee that was created as a result of Spencer Coggs' election to the Senate. Also, per Representative Kreuser, Representative Toles will replace Representative Shirley Krug on the Health Committee and the Children and Families Committee.

Sincerely,

A handwritten signature in black ink that reads "John G. Gard". The signature is written in a cursive style with a large, prominent initial "J".

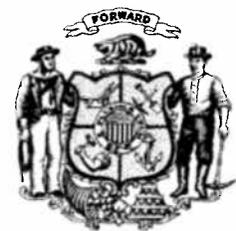
John G. Gard  
Speaker

JGG:een

cc: ~~Representative Kestell~~  
Representative Krawczyk  
Representative Kreuser  
Representative Krug  
Representative Toles  
Representative Underheim



# WISCONSIN STATE LEGISLATURE



### **Note to Committee Chairs: How the Even/Odd System Works**

The Assembly leadership has established a system of alternating even and odd weeks for the allocation of committee meeting dates and rooms. This has been done for several reasons. It helps to minimize situations in which members have multiple hearings to attend simultaneously. It also increases the ability of the Sergeant at Arms office to assure that committee chairs will have access to the hearing rooms they need when they want to hold committee meetings.

There are several ways for the committee chair to determine whether a date on which he or she proposes to meet falls within an "even" or "odd" week. The Chief Clerk has sent out a calendar of the biennium, indicating which weeks are even and which are odd. If you need a copy of the even/odd calendar feel free to contact my office and we will forward you a copy.

### **Presumptive Right of Access**

There are a number of good reasons for committee chairs to schedule their hearings on their assigned day. The best reason is that, with the exception of certain events sponsored by the Assembly leadership (like party caucuses), a committee chair has bumping rights over other events scheduled in the room assigned to his or her committee – including other committee hearings. So scheduling a hearing on the scheduled day and in the assigned room greatly reduces the chance that the chair will be asked to change rooms or to re-schedule his or her hearing. Our office will also require the permission of the Speaker, contact Ellen Nowak, to schedule hearings for committees outside of their regularly scheduled day.

### **Why This Room?**

Unfortunately, the amount of space available to the Assembly for hearings is quite limited. In developing these room assignments, we tried to keep committees (as much as possible) in the rooms they had previously met in. In addition, we have looked at the number of legislators and support staff on each committee, the number of times each committee is likely to meet, and the size of the crowds the committee is likely to draw. The assignments have been developed after a great deal of deliberation and in coordination with Speaker's office. Of course, we will review the assignments once the committees start meeting regularly, and make changes if they are warranted, based on practical experience. But, out of fairness to everyone, our inclination is to leave the assignments as unchanged as possible.

### **Reserving Your Room**

Committee chairs are respectfully asked to call or e-mail Anne at 266-2004/ [anne@assemblysergeant.com](mailto:anne@assemblysergeant.com) or Pete at 266-1503/ [pete@assemblysergeant.com](mailto:pete@assemblysergeant.com) to reserve a hearing room for their committees. It is imperative that the Sergeant's office be called to check on room availability before a hearing notice is published. Even though committee chairs have bumping rights in their assigned rooms, it is not safe to assume automatically that a given room is available. A committee's room may already be reserved for a superceding use, such as a partisan caucus, leadership press conference, or the like. Additionally, we need to make sure the meeting actually gets added to our schedule, so we can assign a messenger to work at the hearing and make sure the room is set up in advance.



**Important** - Please do not assume that your room is available. The Sergeant's office should **always** be contacted prior to scheduling a hearing. We would not want a committee clerk, chair, or other committee members to be embarrassed by not having the committee set up or worse yet not having a committee room available at all.

In addition, it is important to notify us if you expect to have an extraordinary large turn out at a committee meeting so that we can try to accommodate all who are in attendance.

### **Questions?**

Please feel free to call me at 267-9808. I can also be reached at [rick.skindrud@legis.state.wi.us](mailto:rick.skindrud@legis.state.wi.us).

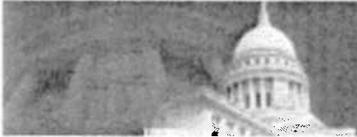
Meeting Date	COMMITTEE	CHAIR	VICE-CHAIR	MEMBER-3	MEMBER-4	MEMBER-5	MEMBER-6	MEMBER-7	MEMBER-8	MEMBER-9	MEMBER-10
	Joint Committee on Employment Relations	Gard	Kaufert	Foti	Hundertmark	Kreuser					
	Joint Committee on Legislative Organization	Gard	Foti	Hundertmark							
	Joint Committee on Finance	Kaufert	Huebsch	Ward	Rhoades	Stone	Meyer	Coggs	Schoof		
	Joint Comm for Review of Administrative Rules	Grothman	Seratti	Gunderson	McCormick						
	Joint Audit Committee	Jeskewitz	Kaufert	Kerkman							
	Joint Legislative Council	Wieckert	Foti	Freese	Kaufert	M. Lehman					
	Joint Committee on Retirement Systems	Vrakas	Jeskewitz								
	Joint Committee on Tax Exemptions	Powers	Hahn								
	Joint Comm. On Criminal Penalties	Albers									
7-5	Aging & Long-term Care *	Hundertmark	Weber	Ladwig	Pettis	Hines	LeMahieu	Nischke			
9-6	Agriculture *	Ott	Williams	Alnsworth	Kestell	Suder	Petrowski	Loeffelholtz	Hines	Towns	
5-3	Budget Review	Kerkman	Lehman	Grothman	Gunderson	Weber					
4-2	Campaigns & Elections	Freese	Gundrum	Grothman	Wood						
5-3	Children & Families *	Kestell	Ladwig	Albers	Jeskewitz	Vukmir	Miller	Krug	Siwicki		
7-5	Colleges & Universities	Kreibich	Gottlieb	Underheim	Nass	Jeskewitz	Krawczyk	Towns			
6-4	Corrections & Courts	Bles	Albers	Underhelm	Owens	Lasee	Suder				
8-6	Criminal Justice	Suder	Friske	Owens	Lasee	Jeskewitz	Gundrum	Petrowski	Vukmir		
5-3	Economic Development	McCormick	Nischke	Hahn	Vukmir	Lothian					
8-6	Education	Olsen	Nass	Hahn	Kestell	Hundertmark	Townsend	Loeffelholtz	Hines		
8-5	Education Reform	Jensen	Vukmir	Nass	Olsen	McCormick	Towns	Wood	Nischke		
4-2	Electronic Democracy & Government Reform	Townsend	Freese	Vrakas	Montgomery						
7-5	Energy & Utilities	Jensen	Powers	Montgomery	Friske	Fitzgerald	Gottlieb	Nischke			
4-2	Family Law *	Owens	Kestell	Jensen	Friske						
9-7	Financial Institutions	Montgomery	Fitzgerald	Freese	Kreibich	Wieckert	Townsend	Kerkman	Towns	Nischke	
4-2	Forestry	Friske	Alnsworth	Seratti	Williams						

D. CARY ~~Stubbels~~ S. Lindle macy ash george

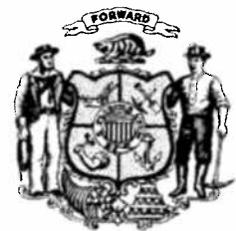
LADWIG - V.C. OF Children + Families

1 With statutory change

Meeting Date	COMMITTEE	CHAIR	VICE-CHAIR	MEMBER-3	MEMBER-4	MEMBER-5	MEMBER-6	MEMBER-7	MEMBER-8	MEMBER-9	MEMBER-10
4-2	Government Ops. & Spending Limitations	Lasee	Loeffelholz	Musser	Weber						
10-7	Health	Underheim	Gleiw	Seratti	Olsen	Wieckert	Montgomery	Hundermark	Townsend	Krawczyk	Yukmir
4-2	Highway Safety	Petrowski	Bles	Alnsworth	Van Roy						
4-2	Housing	Wieckert	Townsend	Krelbich	Olsen						
8-6	Insurance	Ladwig	Wieckert	Underheim	Lasee	McCormick	Weber	Gleiw	Van Roy		
5-3	Judiciary	Gundrum	McCormick	Albers	Grothman	Kerkman					
6-3	Labor	Nass	Vrakas	Grothman	Wieckert	Hundermark	Fitzgerald				
7-4	Natural Resources	Johnsrud	Gunderson	Ott	Pettis	Bles	Krawczyk	Williams			
5-3	Property Rights & Land Management	Albers	Seratti	Musser	Alnsworth	Wood					
5-3	Public Health	Hines	Johnsrud	Underheim	Freese	McCormick					
	Rules	Foti	Gard	Vrakas	Freese	Owens	Grothman	Hundermark			
6-4	Rural Affairs	Hahn	Williams	Johnsrud	Freese	Olsen	Weber				
5-3	Rural Development	Loeffelholz	Suder	Ott	Westell	LeMahieu					
6-4	Small Business	Seratti	Van Roy	Nischke	LeMahieu	Weber	Williams				
6-3	State Affairs	Fitzgerald	Krawczyk	Musser	M. Lehman	Gundrum	Petrowski				
7-5	Tourism	Pettis	Bles	Ladwig	Gunderson	Hines	Williams	Van Roy			
9-7	Transportation	Alnsworth	Petrowski	Ott	Hahn	Suder	Friske	McCormick	Gottlieb	Van Roy	
5-3	Urban & Local Affairs	Gunderson	LeMahieu	Lehman	Lothian	Gottlieb					
8-6	Veterans & Military Affairs	Musser	Townsend	Pettis	Hundermark	Petrowski	Bles	Loeffelholz	Gottlieb		
8-6	Ways & Means	Lehman	Wood	Nass	Hahn	Lasee	Jeskewitz	Kerkman	Lothian		
6-4	Workforce Development	Krawczyk	Lothian	Vrakas	Krelbich	Olsen	Wood				



# WISCONSIN STATE LEGISLATURE



TO: All Assembly Offices.

January 10, 2003

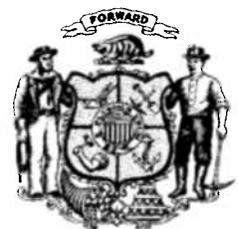
### Reminders When Submitting Proposals For Introduction

- \* You will receive your proposal's draft from the Legislative Reference Bureau in a blue envelope. After reviewing the draft and signing the cover sheet indicating your approval, return it to the Legislative Reference Bureau. It is the Legislative Reference Bureau that will *jacket* the proposal and return it to your office in the bill jacket.
- \* Please write the coauthors (Assembly members) and cosponsors (Senate members) legibly on the bill jacket, with Assembly names in the two left columns and Senate names in the two right columns using single-spacing. Try to fit all the names on the front of the jacket. There is room for a total of 53 Representatives' names. When necessary, additional names can be put on a sheet of paper and placed inside of the jacket, but make sure you make a note of that on the last line of the jacket. If possible, enter the names of the coauthors and cosponsors in alphabetical order after the first two main authors. The first two names that appear on the jacket are always considered the *main* authors.
- \* Please remember to include first names or initials for Representatives John Lehman and Michael Lehman; Annette Williams and Mary Williams; and Jeffrey Wood and Wayne Wood. Also, please remember that we have both Senators and Representatives with the last name of Lasee, Meyer and Fitzgerald.
- \* There must be at least **Three Copies** of the *original* proposal inside the jacket when submitted to the Chief Clerk's Office. LRB provides at least 4 copies to you. You may keep one of the copies and the others stay in the jacket (Joint Rule 54(2)).
- \* If there is inclement weather, please remember to put the jacket in the large envelope provided by the LRB, or some other protective container, so that the ink does not smudge and become unreadable.
- \* It is best to have all the coauthors and cosponsors already written on the bill jacket. However, if it is necessary, a name may be added up until the bill is referred. If you know the bill jacket is in the Speaker's Office waiting to be referred, please do not call their office with additional names. Instead, e-mail or call Kay Inabnet in the Chief Clerk's Office.
- \* Under Assembly Rule 39(4)(c), once a jacketed proposal is submitted to the Chief Clerk's Office for introduction, the Speaker has 14 working days (excluding Saturdays, Sundays and holidays) to refer it to a committee. After referral by the Speaker, the Assembly Chief Clerk's Office delivers it to the Chairperson of that committee. Please remember that it is not considered *officially* introduced and given a number until the Speaker's office refers the bill to a committee. The 14 working days begin once the jacket is submitted to the Clerk's Office.
- \* The referral, bill history and bill text will first appear in **Folio** the day after publication in the Assembly Journal. All future actions entered in the bill history also appear the next day in Folio.
- \* Jacketed proposals are **submitted to Kay Inabnet** in the Assembly Chief Clerk's Office, 17 West Main Street, Room 208, (266-5550). If you have any questions, please feel free to call.

**Your cooperation is appreciated. Thank you.**



# WISCONSIN STATE LEGISLATURE



# Assembly Republican Majority

## Bill Summary

### AB 100: Brief Description of Bill

Relating to:

By (Representative, Senator, or by Committee)

**Date:** Date of Scheduled Floor Action

### BACKGROUND

Under current law, . . .

### SUMMARY OF AB 100

Assembly Bill 100 . . .

**NOTE:** If the proposal was amended by committee, the following should appear after the above heading: **(AS AMENDED BY COMMITTEE)**. Also, the amendments should be incorporated into the new summary of the bill.

### AMENDMENTS

**Assembly Amendment 1** to Assembly Bill 100 ..... [adopted 10-1-1 (Rep. Smith voted no, Rep. Johnson was absent)].

### FISCAL EFFECT

A fiscal estimate prepared by the (enter the appropriate Department) indicates . . .

### PROS

- 1.
- 2.
- 3.

### CONS

- 1.
- 2.
- 3.

### SUPPORTERS

Rep. Joe Schmoe, author; Sen. Jane Schmoe, lead co-sponsor; Jane Doe, National Lobbying Organization; . . .

## OPPOSITION

John Smith, Local Organization; Bob Jones, Corporation for a Better Life; . . .

## HISTORY

Assembly Bill 100 was introduced on (insert date here), and referred to the Assembly Committee on (list committee). A public hearing was held on (insert date here). On (insert date here), the Committee voted (insert committee vote) [(insert names of no votes and absent legislators)] to recommend passage of AB 100 as amended.

### **If the bill is a Senate Bill, the history should look like this:**

Senate Bill 100 was introduced on (insert date here), and referred to the Senate Committee on (list committee). On (insert date here), the Committee voted (insert committee vote) to recommend SB 100 for passage. On (insert date here), the Senate passed SB 100 on a (insert Senate vote here) vote. Senate action on SB 100 was messaged to the Assembly, and SB 100 was referred to the Assembly Committee on (list committee). A public hearing was held on (insert date here). On (insert date here), the Committee voted (insert committee vote) [(insert names of no votes and absent legislators)] to recommend concurrence of SB 100 as amended.

**CONTACT:** Jane Doe, Office of Rep. Joe Schmoe

# Assembly Republican Majority

## Bill Summary

### AB 100: Brief Description of Bill

Relating to:

By (This should be filled in with the list of all the co-sponsors)

*on "P" Drive, plus email*

**Date:** January 1, 1999

*(Date of Scheduled Floor Action)*

### BACKGROUND

*LRB "analysis"*

The background portion of the bill summary provides an in depth description of what current law is regarding the issue at hand. In addition, it can contain historical information (such as the outcome of the proposal in a previous legislative session or what other states or the federal government has done), as well as any important statistically information that is relevant.

### SUMMARY OF AB 100

*"what bill does"*

This section of the bill summary provides a detailed summary of the bill, as it has passed committee. The summary should include all amendments to the bill that were recommended for adoption by the committee. For most legislation, even the most minor details of the proposal should be discussed. If the proposal was amended by committee, the following should appear after the above heading: **(AS AMENDED BY COMMITTEE)**.

### AMENDMENTS

*"leg. Council memo"*

This section provides a summary of each amendment introduced to a bill (regardless if the amendment was adopted by the committee), including a description of how it changed (or attempted to change) the original bill. In parenthesis at the end of the description of the amendment, the disposition of the amendment should be listed, along with the committee vote, and a listing of both the legislators that voted against the proposal and the legislators that were absent. If you are aware that an amendment plans to be introduced subsequent to committee action, a summary of this amendment should be included as well, providing as much information that is known.

### FISCAL EFFECT

This section summarizes official fiscal estimates that have been prepared by the various agencies affected by the proposal, as well as any information that has been created by the Legislative Fiscal Bureau. In most cases, fiscal information from non-official sources (i.e. prepared by a Lobbyist, trade organization, someone testifying at the committee hearing) should not be included in this section.

### PROS

This section should provide positive reasons why this proposal should be enacted into law. This includes: why supporters contend it is a good idea, why it is essential that the proposal be enacted into law, and, any statistical information that illustrates why it is a good idea.

**Date:** January 1, 1999  
*(Date of Scheduled Floor Action)*

**CONS**

This section should provide criticisms of the proposal, including: why passage of the bill may be a bad idea, arguments made against the bill in committee (regardless of whether or not you agree with the arguments), and, why passage of the proposal may be politically damaging to some or all legislators. **If there are no cons please write "None apparent"**.

**SUPPORTERS**

The supporter portion of the summary contains a list of the individuals and organizations that either testified or registered in support of the proposal at the committee hearing. If a large number of individuals that are not associated with an organization testify or register on the proposal, it is not necessary to list them all, but simply indicate that this occurred. **Please include the name of the Assembly/Senate author and the name of the Senate/Assembly lead co-sponsor at the beginning of this section (see template).**

**OPPOSITION**

The opponent portion of the summary contains a list of the individuals and organizations that either testified or registered in opposition to the proposal at the committee hearing. If a large number of individuals that are not associated with an organization testify or register on the proposal, it is not necessary to list them all, but simply indicate that this occurred.

**HISTORY**

The history section of the bill summary should provide a complete legislative history of the proposal, closely following the template provided.

**CONTACT:** Jane Doe, Office of Rep. Joe Schmoe