

**Committee Name:**  
**Senate Committee –**  
**Judiciary, Corrections and Privacy**  
**(SC–JCP)**

**Appointments**

03hr\_SC–JCP\_Appt\_pt00

**Committee Hearings**

03hr\_SC–JCP\_CH\_pt00

**Committee Reports**

03hr\_SC–JCP\_CR\_pt00

**Clearinghouse Rules**

03hr\_SC–JCP\_CRule\_03–

**Executive Sessions**

03hr\_SC–JCP\_ES\_pt00

# Hearing Records

## 03hr\_ab0402

03hr\_sb0000

**Misc.**

03hr\_SC–JCP\_Misc\_pt00

**Record of Committee Proceedings**

03hr\_SC–JCP\_RCP\_pt00



# STATE SENATOR DAVE ZIEN

ASSISTANT MAJORITY LEADER

CHAIRPERSON  
 COMMITTEE ON JUDICIARY, CORRECTIONS AND PRIVACY  
 VICE CHAIRPERSON  
 COMMITTEE ON HOMELAND SECURITY, VETERANS AND MILITARY AFFAIRS AND GOVERNMENT REFORM  
 MEMBER  
 COMMITTEE ON SENATE ORGANIZATION  
 COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES  
 COMMITTEE ON LABOR, SMALL BUSINESS DEVELOPMENT AND CONSUMER AFFAIRS  
 SENTENCING COMMISSION  
 COUNCIL ON TOURISM  
 JUDICIAL COUNCIL

AB 402

## MEMORANDUM

TO: Senator Cathy Stepp, Member, Senate Committee on Judiciary, Corrections & Privacy

FR: Senator Dave Zien, Chair, Senate Committee on Judiciary, Corrections & Privacy

DT: March 5, 2004 (hand delivered 2:00pm)

RE: Paper Ballot (3 pages)

Please consider the following items and vote on the motions below. Return this ballot to Senator Dave Zien, Room 15 South, no later than 3:00pm today, March 5, 2004. Committee members' ballots not received by the deadline will be marked as not voting.

### Senate Bill 496

Relating to: use of settlement moneys received by the state for environmental violations for youth education programs regarding natural resources and granting rule-making authority.

By Senators Stepp, Welch, Erpenbach, Plale, Zien, S. Fitzgerald, Schultz and M. Meyer; cosponsored by Representatives Suder and Kreuser.

- Moved by Senator Zien that SENATE BILL 496 be recommended for PASSAGE:

Aye  No

### Senate Bill 518

Relating to: grants to counties for providing alternatives to prosecution and incarceration for persons who abuse alcohol or other drugs and making an appropriation.

By Senators Roessler, Zien, Darling, S. Fitzgerald, Moore and Lassa; cosponsored by Representatives Bies, Friske, Gunderson, Jeskewitz, Taylor, Pocan, Miller, Staskunas, Black and Nischke.

- Moved by Senator Zien that SUBSTITUTE AMENDMENT LRBs0424/1 be recommended for INTRODUCTION AND ADOPTION:



Aye  No

- Moved by Senator Zien that SENATE BILL 518 be recommended for PASSAGE AS AMENDED:

Aye  No

**Assembly Bill 402**

An Act to amend 938.185 (1) (intro.) and 938.255 (2); and to create 938.02 (12m), 938.02 (15c), 938.02 (18g), 938.185 (4), 938.24 (2r), 938.25 (2g), 938.255 (1) (cr), 938.299 (9) and 938.315 (1) (i) of the statutes; relating to: proceedings involving an American Indian juvenile who is alleged to have committed a delinquent act while physically outside the boundaries of a reservation and off-reservation trust land because of certain tribal court orders. (FE)

Introduced by Joint Legislative Council.

*This committee voted on the companion bill, SB 193, on January 8, 2004. (The vote was 5-0.)*

Please consider the following motion:

- Moved by Senator Zien that ASSEMBLY BILL 402 be recommended for CONCURRENCE:

Aye  No

**Assembly Bill 526**

Relating to: waiver of filing fee if parties stipulate to certain revisions of judgment or order.

**By Representatives Albers, Musser, Bies, Hahn, McCormick, F. Lasee, J. Lehman, Seratti and Staskunas; cosponsored by Senators Roessler, A. Lasee and Lassa.**

Please consider the following motion:

- Moved by Senator Zien that ASSEMBLY BILL 526 be recommended for CONCURRENCE:

Aye  No

**Assembly Bill 709**

Relating to: the confidentiality of pupil records and the exchange of information between a pupil's school, the juvenile justice system, and law enforcement agencies.

By Representatives Hundertmark, Kreibich, Suder, Olsen, Hahn, Jeskewitz, M. Lehman, Musser, Townsend, Ladwig, Ainsworth, Bies, Lothian, LeMahieu, Hines, Seratti, Van Roy, Owens, Krawczyk, Ott and Albers; cosponsored by Senator Roessler.

Please consider the following motion:

- Moved by Senator Zien that ASSEMBLY BILL 709 be recommended for CONCURRENCE:

Aye   ✓   No           

**Moore, James E.**

Of Kaukauna, as a member of the Prison Industries Board, to serve for the term ending May 1, 2004.

- Moved by Senator Zien that JAMES E. MOORE be recommended for CONFIRMATION:

Aye   ✓   No           

**Odom, Corey F.**

Of Milwaukee, as a member of the Prison Industries Board, to serve for the term ending May 1, 2006.

- Moved by Senator Zien that COREY F. ODOM be recommended for CONFIRMATION:

Aye   ✓   No           

**Smith, Bill G.**

Of Madison, as a member of the Prison Industries Board, to serve for the term ending May 1, 2007.

- Moved by Senator Zien that BILL G. SMITH be recommended for CONFIRMATION:

Aye   ✓   No           

Signature \_\_\_\_\_

  
Senator Cathy Stepp



# STATE SENATOR DAVE ZIEN

ASSISTANT MAJORITY LEADER

**CHAIRPERSON**  
COMMITTEE ON JUDICIARY, CORRECTIONS AND PRIVACY  
**VICE CHAIRPERSON**  
COMMITTEE ON HOMELAND SECURITY, VETERANS AND MILITARY AFFAIRS AND GOVERNMENT REFORM  
**MEMBER**  
COMMITTEE ON SENATE ORGANIZATION  
COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES  
COMMITTEE ON LABOR, SMALL BUSINESS DEVELOPMENT AND CONSUMER AFFAIRS  
SENTENCING COMMISSION  
COUNCIL ON TOURISM  
JUDICIAL COUNCIL

## MEMORANDUM

**TO:** Senator Scott Fitzgerald, Member, Senate Committee on Judiciary, Corrections & Privacy

**FR:** Senator Dave Zien, Chair, Senate Committee on Judiciary, Corrections & Privacy

**DT:** March 5, 2004 (hand delivered 2:00pm)

**RE:** Paper Ballot (3 pages)

Please consider the following items and vote on the motions below. Return this ballot to Senator Dave Zien, Room 15 South, no later than 3:00pm today, March 5, 2004. Committee members' ballots not received by the deadline will be marked as not voting.

### Senate Bill 496

Relating to: use of settlement moneys received by the state for environmental violations for youth education programs regarding natural resources and granting rule-making authority.

By Senators Stepp, Welch, Erpenbach, Plale, Zien, S. Fitzgerald, Schultz and M. Meyer; cosponsored by Representatives Suder and Kreuser.

- Moved by Senator Zien that SENATE BILL 496 be recommended for PASSAGE:

Aye   X   No           

### Senate Bill 518

Relating to: grants to counties for providing alternatives to prosecution and incarceration for persons who abuse alcohol or other drugs and making an appropriation.

By Senators Roessler, Zien, Darling, S. Fitzgerald, Moore and Lassa; cosponsored by Representatives Bies, Friske, Gunderson, Jeskewitz, Taylor, Pocan, Miller, Staskunas, Black and Nischke.

- Moved by Senator Zien that SUBSTITUTE AMENDMENT LRBs0424/1 be recommended for INTRODUCTION AND ADOPTION:



Aye   X   No \_\_\_\_\_

- Moved by Senator Zien that SENATE BILL 518 be recommended for PASSAGE AS AMENDED:

Aye   X   No \_\_\_\_\_

**Assembly Bill 402**

An Act to amend 938.185 (1) (intro.) and 938.255 (2); and to create 938.02 (12m), 938.02 (15c), 938.02 (18g), 938.185 (4), 938.24 (2r), 938.25 (2g), 938.255 (1) (cr), 938.299 (9) and 938.315 (1) (i) of the statutes; relating to: proceedings involving an American Indian juvenile who is alleged to have committed a delinquent act while physically outside the boundaries of a reservation and off-reservation trust land because of certain tribal court orders. (FE)

Introduced by Joint Legislative Council.

*This committee voted on the companion bill, SB 193, on January 8, 2004. (The vote was 5-0.)*

Please consider the following motion:

- Moved by Senator Zien that ASSEMBLY BILL 402 be recommended for CONCURRENCE:

Aye   X   No \_\_\_\_\_

**Assembly Bill 526**

Relating to: waiver of filing fee if parties stipulate to certain revisions of judgment or order.

**By Representatives Albers, Musser, Bies, Hahn, McCormick, F. Lasee, J. Lehman, Seratti and Staskunas; cosponsored by Senators Roessler, A. Lasee and Lassa.**

Please consider the following motion:

- Moved by Senator Zien that ASSEMBLY BILL 526 be recommended for CONCURRENCE:

Aye   X   No \_\_\_\_\_

**Assembly Bill 709**

Relating to: the confidentiality of pupil records and the exchange of information between a pupil's school, the juvenile justice system, and law enforcement agencies.

By Representatives Hundertmark, Kreibich, Suder, Olsen, Hahn, Jeskewitz, M. Lehman, Musser, Townsend, Ladwig, Ainsworth, Bies, Lothian, LeMahieu, Hines, Seratti, Van Roy, Owens, Krawczyk, Ott and Albers; cosponsored by Senator Roessler.

Please consider the following motion:

- Moved by Senator Zien that ASSEMBLY BILL 709 be recommended for CONCURRENCE:

Aye   X   No           

**Moore, James E.**

Of Kaukauna, as a member of the Prison Industries Board, to serve for the term ending May 1, 2004.

- Moved by Senator Zien that JAMES E. MOORE be recommended for CONFIRMATION:

Aye   X   No           

**Odom, Corey F.**

Of Milwaukee, as a member of the Prison Industries Board, to serve for the term ending May 1, 2006.

- Moved by Senator Zien that COREY F. ODOM be recommended for CONFIRMATION:

Aye   X   No           

**Smith, Bill G.**

Of Madison, as a member of the Prison Industries Board, to serve for the term ending May 1, 2007.

- Moved by Senator Zien that BILL G. SMITH be recommended for CONFIRMATION:

Aye   X   No           

Signature

  
\_\_\_\_\_  
Senator Scott Fitzgerald



# STATE SENATOR DAVE ZIEN

ASSISTANT MAJORITY LEADER

- CHAIRPERSON  
COMMITTEE ON JUDICIARY, CORRECTIONS AND PRIVACY
- VICE CHAIRPERSON  
COMMITTEE ON HOMELAND SECURITY, VETERANS AND MILITARY AFFAIRS AND GOVERNMENT REFORM
- MEMBER  
COMMITTEE ON SENATE ORGANIZATION  
COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES  
COMMITTEE ON LABOR, SMALL BUSINESS DEVELOPMENT AND CONSUMER AFFAIRS  
SENTENCING COMMISSION  
COUNCIL ON TOURISM  
JUDICIAL COUNCIL

## MEMORANDUM

TO: Senator Tim Carpenter, Member, Senate Committee on Judiciary, Corrections & Privacy

FR: Senator Dave Zien, Chair, Senate Committee on Judiciary, Corrections & Privacy

DT: March 5, 2004 (hand delivered 2:00pm)

RE: Paper Ballot (3 pages)

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### Senate Bill 496

Relating to: use of settlement moneys received by the state for environmental violations for youth education programs regarding natural resources and granting rule-making authority.

By Senators Stepp, Welch, Erpenbach, Plale, Zien, S. Fitzgerald, Schultz and M. Meyer; cosponsored by Representatives Suder and Kreuser.

- Moved by Senator Zien that SENATE BILL 496 be recommended for PASSAGE:

Aye       ✓       No                     

### Senate Bill 518

Relating to: grants to counties for providing alternatives to prosecution and incarceration for persons who abuse alcohol or other drugs and making an appropriation.

By Senators Roessler, Zien, Darling, S. Fitzgerald, Moore and Lassa; cosponsored by Representatives Bies, Friske, Gunderson, Jeskewitz, Taylor, Pohan, Miller, Staskunas, Black and Nischke.

- Moved by Senator Zien that SUBSTITUTE AMENDMENT LRBS0424/1 be recommended for INTRODUCTION AND ADOPTION:





By Representatives Hundertmark, Kreibich, Suder, Olsen, Hahn, Jeskewitz, M. Lehman, Musser, Townsend, Ladwig, Ainsworth, Bies, Lothian, LeMahieu, Hines, Seratti, Van Roy, Owens, Krawczyk, Ott and Albers; cosponsored by Senator Roessler.

Please consider the following motion:

- Moved by Senator Zien that ASSEMBLY BILL 709 be recommended for CONCURRENCE:

Aye  No

**Moore, James E.**

Of Kaukauna, as a member of the Prison Industries Board, to serve for the term ending May 1, 2004.

- Moved by Senator Zien that JAMES E. MOORE be recommended for CONFIRMATION:

Aye  No

**Odom, Corey F.**

Of Milwaukee, as a member of the Prison Industries Board, to serve for the term ending May 1, 2006.

- Moved by Senator Zien that COREY F. ODOM be recommended for CONFIRMATION:

Aye  No


**Smith, Bill G.**

Of Madison, as a member of the Prison Industries Board, to serve for the term ending May 1, 2007.

- Moved by Senator Zien that BILL G. SMITH be recommended for CONFIRMATION:

Aye  No

Signature

  
\_\_\_\_\_  
Senator Tim Carpenter



# STATE SENATOR DAVE ZIEN

ASSISTANT MAJORITY LEADER

**CHAIRPERSON**

COMMITTEE ON JUDICIARY, CORRECTIONS AND PRIVACY

**VICE CHAIRPERSON**

COMMITTEE ON HOMELAND SECURITY, VETERANS AND MILITARY AFFAIRS AND GOVERNMENT REFORM

**MEMBER**

COMMITTEE ON SENATE ORGANIZATION

COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

COMMITTEE ON LABOR, SMALL BUSINESS DEVELOPMENT AND CONSUMER AFFAIRS

SENTENCING COMMISSION

COUNCIL ON TOURISM

JUDICIAL COUNCIL

## MEMORANDUM

TO: Senator G. Spencer Coggs, Member, Senate Committee on Judiciary, Corrections & Privacy

FR: Senator Dave Zien, Chair, Senate Committee on Judiciary, Corrections & Privacy

DT: March 5, 2004 (hand delivered 2:00pm)

RE: Paper Ballot (3 pages)

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### Senate Bill 496

Relating to: use of settlement moneys received by the state for environmental violations for youth education programs regarding natural resources and granting rule-making authority.

By Senators Stepp, Welch, Erpenbach, Plale, Zien, S. Fitzgerald, Schultz and M. Meyer; cosponsored by Representatives Suder and Kreuser.

- Moved by Senator Zien that SENATE BILL 496 be recommended for PASSAGE:

Aye \_\_\_\_\_ No \_\_\_\_\_

### Senate Bill 518

Relating to: grants to counties for providing alternatives to prosecution and incarceration for persons who abuse alcohol or other drugs and making an appropriation.

By Senators Roessler, Zien, Darling, S. Fitzgerald, Moore and Lassa; cosponsored by Representatives Bies, Friske, Gunderson, Jeskewitz, Taylor, Pocan, Miller, Staskunas, Black and Nischke.

- Moved by Senator Zien that SUBSTITUTE AMENDMENT LRBS0424/1 be recommended for INTRODUCTION AND ADOPTION:



Aye  No

- Moved by Senator Zien that SENATE BILL 518 be recommended for PASSAGE AS AMENDED:

Aye  No

**Assembly Bill 402**

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Introduced by Joint Legislative Council.

*This committee voted on the companion bill, SB 193, on January 8, 2004. (The vote was 5-0.)*

Please consider the following motion:

- Moved by Senator Zien that ASSEMBLY BILL 402 be recommended for CONCURRENCE:

Aye  No

**Assembly Bill 526**

Relating to: waiver of filing fee if parties stipulate to certain revisions of judgment or order.

**By Representatives Albers, Musser, Bies, Hahn, McCormick, F. Lasee, J. Lehman, Seratti and Staskunas; cosponsored by Senators Roessler, A. Lasee and Lassa.**

Please consider the following motion:

- Moved by Senator Zien that ASSEMBLY BILL 526 be recommended for CONCURRENCE:

Aye  No

**Assembly Bill 709**

Relating to: the confidentiality of pupil records and the exchange of information between a pupil's school, the juvenile justice system, and law enforcement agencies.

By Representatives Hundertmark, Kreibich, Suder, Olsen, Hahn, Jeskewitz, M. Lehman, Musser, Townsend, Ladwig, Ainsworth, Bies, Lothian, LeMahieu, Hines, Seratti, Van Roy, Owens, Krawczyk, Ott and Albers; cosponsored by Senator Roessler.

Please consider the following motion:

- Moved by Senator Zien that ASSEMBLY BILL 709 be recommended for CONCURRENCE:

Aye  No

**Moore, James E.**

Of Kaukauna, as a member of the Prison Industries Board, to serve for the term ending May 1, 2004.

- Moved by Senator Zien that JAMES E. MOORE be recommended for CONFIRMATION:

Aye  No

**Odom, Corey F.**

Of Milwaukee, as a member of the Prison Industries Board, to serve for the term ending May 1, 2006.

- Moved by Senator Zien that COREY F. ODOM be recommended for CONFIRMATION:

Aye  No

**Smith, Bill G.**

Of Madison, as a member of the Prison Industries Board, to serve for the term ending May 1, 2007.

- Moved by Senator Zien that BILL G. SMITH be recommended for CONFIRMATION:

Aye  No

Signature

  
\_\_\_\_\_  
Senator G. Spencer Oggs