

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_ab0000

03hr_sb0000

Misc.

03hr_SC–JCP_Misc_pt00

Record of Committee Proceedings
03hr_SC–JCP_RCP_pt05

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 402

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.

By Joint Legislative Council.

February 06, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

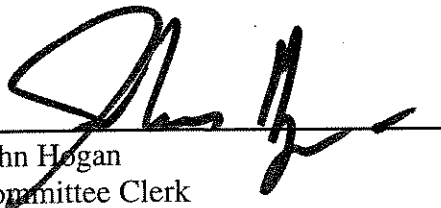
March 5, 2004 **EXECUTIVE SESSION HELD – POLLING**

Moved by Senator Zien that **Assembly Bill 402** be recommended for concurrence.

Ayes: (5) Senators Zien, S. Fitzgerald, Stepp, Carpenter and Coggs.

Noes: (0) None.

CONCURRENCE RECOMMENDED, Ayes 5, Noes 0



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 421

Relating to: assessments, costs, fees, and surcharges.

By Representatives McCormick, Musser, Townsend, Hahn, Kreibich, Seratti, Hines, Huber, Bies, Krawczyk and Van Roy; cosponsored by Senators Welch and Roessler.

November 05, 2003 Referred to Committee on Judiciary, Corrections and Privacy.

January 8, 2004 **PUBLIC HEARING HELD**

Present: (4) Senators Zien, S. Fitzgerald, Carpenter and Coggs.

Absent: (1) Senator Stepp.

Appearances For

- Representative Terri McCormick, 56th Assembly District
- State Senator Bob Welch, 14th State Senate District
- John Voelker, Director of State Courts, Madison

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Nancy Rottier, Director of State Courts, Madison
- Judith Coleman, WI Clerks of Circuit Court Assn., Madison
- Deb Sybell, State Bar of WI - Criminal Law Section, Madison
- State Senator Carol Roessler, 18th State Senate District

Registrations Against

- None.

January 8, 2004

EXECUTIVE SESSION HELD

Present: (3) Senators Zien, S. Fitzgerald and Carpenter.

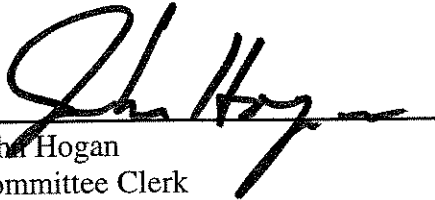
Absent: (2) Senators Stepp and Coggs.

Moved by Senator Carpenter, seconded by Senator S. Fitzgerald
that **Assembly Bill 421** be recommended for concurrence.

Ayes: (5) Senators Zien, S. Fitzgerald, Stepp (polling),
Carpenter and Coggs (polling).

Noes: (0) None.

CONCURRENCE RECOMMENDED, Ayes 5, Noes 0



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 423

Relating to: liability for damages caused by dogs, court orders to kill a dog, and providing a penalty.

By Representatives Pettis, Hines, A. Williams, Ott and Owens.

October 28, 2003 Referred to Committee on Judiciary, Corrections and Privacy.

January 8, 2004 **EXECUTIVE SESSION HELD**

Present: (3) Senators Zien, S. Fitzgerald and Carpenter.
Absent: (2) Senators Stepp and Coggs.

Moved by Senator S. Fitzgerald, seconded by Senator Zien that **Assembly Bill 423** be recommended for concurrence.

Ayes: (3) Senators Zien, S. Fitzgerald and Stepp
(polling).

Noes: (2) Senators Carpenter and Coggs (polling).

CONCURRENCE RECOMMENDED, Ayes 3, Noes 2



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 458

Relating to: operating a vehicle or operating or going armed with a firearm after using certain controlled substances and providing penalties.

By Representatives Gundrum, Suder, Ziegelbauer, Staskunas, Kerkman, Krusick, Vukmir, Gronemus, LeMahieu, Turner, Ward, Towns, Petrowski, Olsen, Ainsworth, Weber, Nass, Ladwig, Hines, Ott, Gunderson, J. Fitzgerald, Van Roy, M. Lehman, Freese, Friske, Gielow, Rhoades, Vrakas, Pettis, Albers and Krawczyk; cosponsored by Senators Harsdorf, Lazich, Lassa, Roessler, Kanavas, Darling, S. Fitzgerald, Stepp, Leibham, Kedzie, Reynolds and A. Lasee, by request of Bill and Michelle Logemann, parents of Baby Luke.

September 24, 2003 Referred to Committee on Judiciary, Corrections and Privacy.


October 13, 2003 **EXECUTIVE SESSION HELD**

Present: (3) Senators Zien, S. Fitzgerald and Stepp.
Absent: (2) Senators George and Carpenter.

Moved by Senator S. Fitzgerald, seconded by Senator Stepp that **Assembly Bill 458** be recommended for concurrence.

Ayes: (5) Senators Zien, S. Fitzgerald, Stepp, George (polling) and Carpenter (polling).
Noes: (0) None.

CONCURRENCE RECOMMENDED, Ayes 5, Noes 0


John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 468

Relating to: exclusion of witnesses from legal proceedings.

By Representatives Friske, Huber, Ladwig, Staskunas, Hines, Gronemus, Ott, Ziegelbauer, Seratti, J. Lehman, Musser, Petrowski, Owens, Loeffelholz, Ainsworth, Hahn, Gunderson, Albers and Bies; cosponsored by Senators Kanavas, S. Fitzgerald, Schultz and Roessler.

January 21, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

February 10, 2004 **PUBLIC HEARING HELD**

Present: (5) Senators Zien, S. Fitzgerald, Stepp, Carpenter and Coggs.

Absent: (0) None.

Appearances For

- Representative Donald Friske, 35th Assembly District

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

February 10, 2004 **EXECUTIVE SESSION HELD**

Present: (5) Senators Zien, S. Fitzgerald, Stepp, Carpenter and Coggs.

Absent: (0) None.

Moved by Senator S. Fitzgerald, seconded by Senator Stepp that **Assembly Bill 468** be recommended for concurrence.

Ayes: (5) Senators Zien, S. Fitzgerald, Stepp, Carpenter
and Coggs.

Noes: (0) None.

CONCURRENCE RECOMMENDED, Ayes 5, Noes 0



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 475

Relating to: marriage between one man and one woman.

By Representatives Gundrum, W. Wood, Hundertmark, Nischke, J. Fitzgerald, Weber, Albers, Nass, Grothman, M. Lehman, Montgomery, LeMahieu, Ott, Gottlieb, F. Lasee, Kreibich, Kestell, Pettis, Seratti, Suder, Ladwig, Freese, Hines, Gunderson, Krawczyk, Lothian, Huebsch, Friske, Petrowski, Towns, Van Roy, Honadel, Bies, Hahn, Olsen, D. Meyer, Owens, M. Williams and Vrakas; cosponsored by Senators S. Fitzgerald, Leibham, Zien, Stepp, Reynolds, Lazich, Schultz, Kanavas and Roessler.

October 28, 2003 Referred to Committee on Judiciary, Corrections and Privacy.

November 3, 2003 **EXECUTIVE SESSION HELD – POLLING**

Moved by Senator Zien that **Assembly Bill 475** be recommended for concurrence.

Ayes: (3) Senators Zien, S. Fitzgerald and Stepp.

Noes: (1) Senator Carpenter.

Absent: (1) Senator George.

CONCURRENCE RECOMMENDED, Ayes 3, Noes 1



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

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.

February 26, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

March 5, 2004 **PUBLIC HEARING HELD**

Present: (4) Senators Zien, Stepp, Carpenter and Coggs.
Absent: (1) Senator S. Fitzgerald.

Appearances For

- State Representative Sheryl Albers, 50th Assembly District

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- State Senator Carol Roessler, 18th State Senate District
- Dan Rossmiller, State Bar of WI - Family Law Section, Madison

Registrations Against

- None.

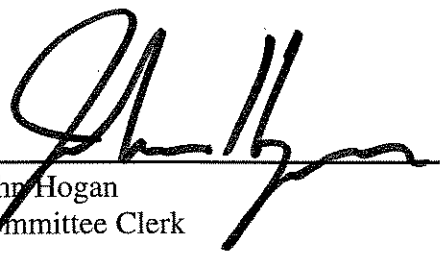
March 5, 2004 **EXECUTIVE SESSION HELD – POLLING**

Moved by Senator Zien that **Assembly Bill 526** be recommended for concurrence.

Ayes: (5) Senators Zien, S. Fitzgerald, Stepp, Carpenter and Coggs.

Noes: (0) None.

CONCURRENCE RECOMMENDED, Ayes 5, Noes 0

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

John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 533

Relating to: contracts with persons who take depositions.

By Representatives Gard, Ainsworth, LeMahieu, Towns, Albers, Rhoades, Freese, Hahn, Nischke, Petrowski, Kestell, Bies, Friske, F. Lasee, J. Wood, Huebsch, Hundertmark, Gunderson, Ott, Lothian, Montgomery, McCormick, Hebl, Ladwig, Cullen, Powers and Staskunas; cosponsored by Senators Leibham, Cowles, Lazich, George and Risser.

February 04, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

March 5, 2004 **PUBLIC HEARING HELD**

Present: (4) Senators Zien, Stepp, Carpenter and Coggs.
Absent: (1) Senator S. Fitzgerald.

Appearances For

- Speaker John Gard, 89th Assembly District
- Ed Johnson, WI Court Reporters Assn., Port Washington

Appearances Against

- Lee Fanshaw, American Family Insurance, Madison
- Eric Englund, WI Insurance Alliance, Madison

Appearances for Information Only

- None.

Registrations For

- Deb Sybell, State Bar of WI - Individual Rights & Responsibilities Section
- Senator Joe Leibham, 9th State Senate District

Registrations Against

- Misha Lee, Sentry Insurance, Madison

March 9, 2004

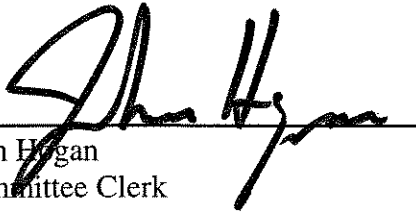
EXECUTIVE SESSION HELD – POLLING

Moved by Senator Zien that **Assembly Bill 533** be recommended for concurrence.

Ayes: (5) Senators Zien, S. Fitzgerald, Stepp, Carpenter
and Coggs.

Noes: (0) None.

CONCURRENCE RECOMMENDED, Ayes 5, Noes 0



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 548

Relating to: limiting the amount of bond set by a court in a civil action.

By Representatives Suder, Kreuser, Gard, Pettis, J. Wood, Friske, Shilling, Musser, Ladwig, McCormick, Jeskewitz, Montgomery, Kaufert, Travis, Hundertmark, Balow, Hubler, Petrowski, Hines, Plouff, J. Fitzgerald, Gunderson, Grothman, Richards, Schneider, F. Lasee, Sherman, Colon, Sinicki, Huebsch, Kreibich and Gielow; cosponsored by Senators Kanavas, Erpenbach, S. Fitzgerald, Schultz, M. Meyer, Plale, Breske, Welch, Decker, Hansen, Reynolds, Leibham, Darling, Wirch, Lassa, Stepp and Zien.

October 28, 2003 Referred to Committee on Judiciary, Corrections and Privacy.

October 30, 2003 **EXECUTIVE SESSION HELD - POLLING**

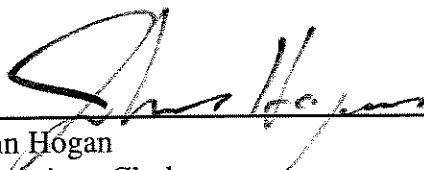
Moved by Senator Zien that **Assembly Bill 548** be recommended for concurrence.

Ayes: (4) Senators Zien, S. Fitzgerald, Stepp and Carpenter.

Noes: (0) None.

Absent: (1) Senator George.

CONCURRENCE RECOMMENDED, Ayes 4, Noes 0



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

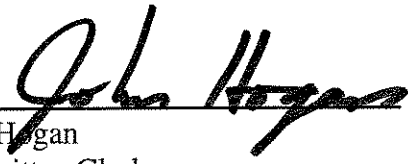
Assembly Bill 568

Relating to: service of a summons by certain nonresidents.

By Representatives Gard, Krawczyk, Owens, LeMahieu, F. Lasee and Van Roy;
cosponsored by Senator Roessler.

February 25, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

March 11, 2004 Failed to concur pursuant to Senate Joint Resolution 1.



John Hogan
Committee Clerk

Ayes: (5) Senators Zien, S. Fitzgerald, Stepp, Carpenter
and Coggs.

Noes: (0) None.

CONCURRENCE RECOMMENDED, Ayes 5, Noes 0



John Hogan
Committee Clerk

- State Senator Bob Welch, 14th Senate District
- Kathi Kilgore, WI Innkeepers Assn., Madison
- Paul Merline, WI Restaurant Assn., Madison
- Chet Gerlach, Association of Wisconsin Tourism Attraction
- State Senator Ted Kanavas, 33rd Senate District

Registrations Against

- None.

February 23, 2004

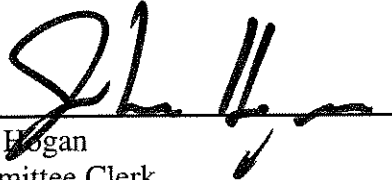
EXECUTIVE SESSION HELD – POLLING

Moved by Senator Zien that **Assembly Bill 651** be recommended for concurrence.

Ayes: (3) Senators Zien, S. Fitzgerald and Stepp.

Noes: (2) Senators Carpenter and Coggs.

CONCURRENCE RECOMMENDED, Ayes 3, Noes 2



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 661

Relating to: allowing a circuit court to reduce the amount of an unpaid forfeiture by time served in jail for failure to pay the forfeiture.

By Representatives Grothman, LeMahieu, Albers, Friske, Gunderson, Hahn, Krawczyk, Ladwig, Musser, Nass, Ott, Seratti, Van Roy and Vrakas; cosponsored by Senator Roessler.

March 11, 2004 . Referred to Committee on Judiciary, Corrections and Privacy.

March 11, 2004 Failed to concur pursuant to Senate Joint Resolution 1.



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 687

Relating to: possession of ecstasy and providing penalties.

By Representatives Underheim, Hahn, Olsen, Krawczyk, Petrowski, Hines, Van Roy, Townsend, Lothian, Gunderson and Ott.

February 25, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

March 11, 2004 Failed to concur pursuant to Senate Joint Resolution 1.



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 688

Relating to: distributing controlled substances in a place in which a child is present and providing a penalty.

By Representatives Underheim, Ainsworth, Krawczyk, Musser, Petrowski, Hines, Townsend, Lothian, Gunderson and Ott; cosponsored by Senators Darling, A. Lasee and Roessler.

February 26, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

March 11, 2004 Failed to concur pursuant to Senate Joint Resolution 1.



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

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.

February 26, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

March 5, 2004 **PUBLIC HEARING HELD**

Present: (4) Senators Zien, Stepp, Carpenter and Coggs.
Absent: (1) Senator S. Fitzgerald.

Appearances For

- Representative Jean Hundertmark, 40th Assembly District

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- State Senator Carol Roessler, 18th State Senate District
- Mike TeRonde, WI Dept. of Public Instruction, Madison

Registrations Against

- None.

March 5, 2004

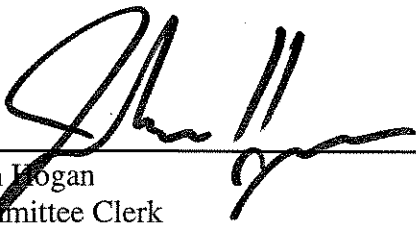
EXECUTIVE SESSION HELD – POLLING

Moved by Senator Zien that **Assembly Bill 709** be recommended for concurrence.

Ayes: (5) Senators Zien, S. Fitzgerald, Stepp, Carpenter and Coggs.

Noes: (0) None.

CONCURRENCE RECOMMENDED, Ayes 5, Noes 0



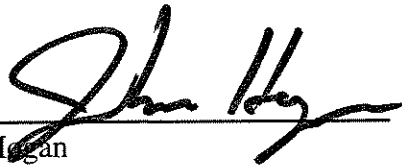
John Hogan
Committee Clerk

Moved by Senator S. Fitzgerald, seconded by Senator Coggs that
Assembly Bill 715 be recommended for concurrence.

Ayes: (5) Senators Zien, S. Fitzgerald, Stepp, Carpenter
and Coggs.

Noes: (0) None.

CONCURRENCE RECOMMENDED, Ayes 5, Noes 0



John Hogan
Committee Clerk

Present: (5) Senators Zien, S. Fitzgerald, Stepp, Carpenter
and Coggs.

Absent: (0) None.

Moved by Senator Stepp, seconded by Senator Coggs that
Assembly Bill 738 be recommended for concurrence.

Ayes: (5) Senators Zien, S. Fitzgerald, Stepp, Carpenter
and Coggs.

Noes: (0) None.

CONCURRENCE RECOMMENDED, Ayes 5, Noes 0



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 752

Relating to: remedies in certain actions concerning building code or zoning ordinance violations.

By Representatives Albers, Jensen, Ainsworth, Hines, Musser, Nass, Townsend and Van Roy.

March 11, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

March 11, 2004 Failed to concur pursuant to Senate Joint Resolution 1.



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 767

Relating to: termination of parental rights on the grounds of continuing denial of visitation under a delinquency dispositional order.

By Representatives Albers, Jeskewitz, Ainsworth, Gunderson, Kreibich, F. Lasee and Townsend.

March 11, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

March 11, 2004 Failed to concur pursuant to Senate Joint Resolution 1.



John Hogan
Committee Clerk

Senate

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Committee on Judiciary, Corrections and Privacy

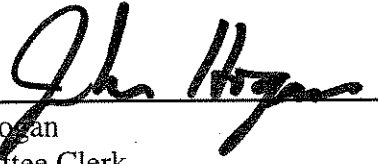
Assembly Bill 768

Relating to: voluntary intoxication as a defense to criminal liability.

By Representatives Lothian, Hines, Ainsworth, Berceau, Bies, Hahn, Honadel, Montgomery and Stone; cosponsored by Senator Kedzie.

March 11, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

March 11, 2004 Failed to concur pursuant to Senate Joint Resolution 1.



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 797

Relating to: the regulation of pawnbrokers and secondhand article and jewelry dealers.

By Representatives Krusick, Suder, Albers, Berceau, Colon, Friske, Gielow, Gronemus, Gundrum, Hahn, Jeskewitz, Kerkman, Kestell, Kreibich, M. Lehman, Plouff, Sinicki, Staskunas, Steinbrink, Stone, Vrakas, Zepnick and Hebl; cosponsored by Senators Schultz, Carpenter, Lassa and Plale, by request of City of Greenfield Police Department, Wisconsin Law Enforcement Coalition, Wisconsin Chiefs of Police Association and Milwaukee Police Association.

March 11, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

March 11, 2004 Failed to concur pursuant to Senate Joint Resolution 1.



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 818

Relating to: the use of household products and nonprescription drugs and providing penalties.

By Representatives Friske, Bies, D. Meyer, Gronemus, Van Roy, Petrowski, Hundertmark, Montgomery, Ainsworth, Stone, Musser, Hines, Hahn and Albers; cosponsored by Senators Welch and Roessler.

March 11, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

March 11, 2004 Failed to concur pursuant to Senate Joint Resolution 1.



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 850

Relating to: county and municipal ordinances regarding drug paraphernalia.

By Representatives Gundrum, Molepske, Hines, Townsend, Gronemus, Krawczyk, Taylor, Bies, Albers, Gunderson and Seratti; cosponsored by Senators Lazich, A. Lasee, Lassa and Kanavas.

March 11, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

March 11, 2004 Failed to concur pursuant to Senate Joint Resolution 1.



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Assembly Bill 861

Relating to: standard for commitment and supervised release of sexually violent persons.

By Representatives Stone, Cullen, Montgomery, Owens, Jeskewitz, Gottlieb, LeMahieu, Kreibich, Ott, Molepske and Staskunas; cosponsored by Senators Darling, Hansen and Lazich.

March 11, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

March 11, 2004 Failed to concur pursuant to Senate Joint Resolution 1.



John Hogan
Committee Clerk