

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_pt10

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

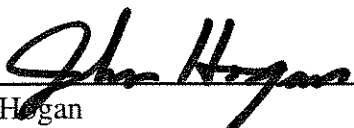
Senate Bill 304

Relating to: the requirement that an unemancipated minor obtain parental or other consent or a judicial waiver of that consent requirement before she may have an abortion.

By Senators Leibham, Reynolds, Kedzie, Lazich, Stepp, Roessler and Schultz; cosponsored by Representatives Vukmir, Nass, D. Meyer, Suder, Ladwig, Hahn, Gundrum, Nischke, Hines, Owens, Albers, Stone, Freese, Bies, Ott, Townsend, LeMahieu, Vrakas, Petrowski, Gunderson, Weber, Kreibich and Grothman.

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

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



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Senate Bill 312

Relating to: threats to social service workers, juvenile intake workers, or school employees and providing a penalty.

By Senators Brown, A. Lasee, Lassa, Roessler and Stepp; cosponsored by Representatives Ziegelbauer, Bies, Freese, Gunderson, Hahn, Kestell, Kreibich, Molepske, Musser, Olsen, Stone, Van Roy and Vrakas.

November 11, 2003 Referred to Committee on Judiciary, Corrections and Privacy.

January 23, 2004 **PUBLIC HEARING HELD**

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

Absent: (0) None.

Appearances For

- State Senator Ron Brown, 33rd State Senate 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.

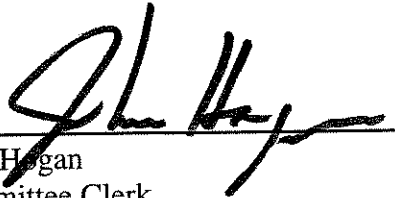
Absent: (0) None.

Moved by Senator Stepp, seconded by Senator Zien that **Senate Bill 312** be recommended for passage.

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

Noes: (0) None.

PASSAGE RECOMMENDED, Ayes 5, Noes 0



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Senate Bill 335

Relating to: defunct incorporated Roman Catholic congregations.
By Senator Wirch, by request of Jerome Malsack.

December 03, 2003 Referred to Committee on Judiciary, Corrections and Privacy.

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



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Senate Bill 364

Relating to: appellate procedure.

By Senator Zien, by request of Wisconsin Judicial Council.

December 30, 2003 Referred to Committee on Judiciary, Corrections and Privacy.

February 17, 2004 **PUBLIC HEARING HELD**

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

Absent: (0) None.

Appearances For

- Jerome Buting, State Bar Criminal Law Section, Brookfield
- Marla Stephens, Judicial Council, Milwaukee
- Michael Yovovich, State Bar of WI - Children & Law Section

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Joseph Ehmann, Madison
- Beth Hanan, Wisconsin Judicial Council, Wauwatosa
- Ted Weedermeier, Judicial Council
- Margaret Carlson, Court of Appeals, Madison
- Deb Sybell, State Bar of WI - Criminal Law Section, Madison
- James Alexander, Madison

Registrations Against

- None.

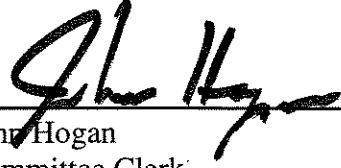
February 23, 2004 **EXECUTIVE SESSION HELD – POLLING**

Moved by Senator Zien that **Senate Bill 364** be recommended for passage.

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

Noes: (0) None.

PASSAGE 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

Senate Bill 400

Relating to: the elimination of jury trials in termination of parental rights proceedings.

By Senators Hansen, Risser and Schultz; cosponsored by Representatives Gard, Rhoades, Petrowski, Jeskewitz, F. Lasee and Ott, by request of Kevin Brennan.

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

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



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Senate Bill 403

Relating to: seizure of a computer used to commit a crime and providing a penalty.

By Senators Leibham and Schultz; cosponsored by Representatives Pettis, Ladwig, Jeskewitz, Musser, Seratti, Olsen, Petrowski, Hines, McCormick, Ott, Vrakas, Albers, Van Roy and Taylor.

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

- Senator Joe Leibham, 9th State Senate 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.

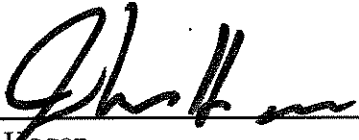
Absent: (0) None.

Moved by Senator S. Fitzgerald, seconded by Senator Stepp that **Senate Bill 403** be recommended for passage.

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

Noes: (0) None.

PASSAGE RECOMMENDED, Ayes 5, Noes 0



John Wogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Senate Bill 416

Relating to: failure to pay for tickets at recreational attractions and providing penalties.

By Senators Welch and Kanavas; cosponsored by Representatives Hines, Musser, Krawczyk, Ladwig, Townsend, Stone, Albers, Bies and Gunderson.

January 29, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

February 17, 2004 **PUBLIC HEARING HELD**

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

Absent: (0) None.

Appearances For

- Rob Walz, Cascade Mountain, Portage

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- State Senator Bob Welch, 14th Senate District
- State Senator Ted Kanavas, 33rd Senate District

Registrations Against

- None.

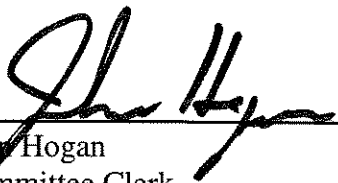
February 23, 2004 **EXECUTIVE SESSION HELD – POLLING**

Moved by Senator Zien that **Senate Bill 416** be recommended for passage.

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

Noes: (0) None.

PASSAGE RECOMMENDED, Ayes 5, Noes 0



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Senate Bill 433

Relating to: the time period for service of a responsive pleading.

By Senators Kanavas and Reynolds; cosponsored by Representatives Gielow, Hines, J. Fitzgerald and Vrakas.

February 04, 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

- State Senator Ted Kanavas, 33rd State Senate District
- David Chartier, Mukwonago

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Robert Collison, Independent Business Assn. of WI, Madison

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 Stepp, seconded by Senator S. Fitzgerald that **Senate Bill 433** be recommended for passage.

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

Noes: (2) Senators Carpenter and Coggs.

PASSAGE RECOMMENDED, Ayes 3, Noes 2



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Senate Bill 441

Relating to: the definition of sexually violent person and criteria for supervised release.

By Senators Darling, Brown, Lazich, Kanavas, Roessler, Stepp, Reynolds and Schultz; cosponsored by Representatives Stone, Suder, Musser, Freese, Nischke, Kreibich, M. Lehman, Jeskewitz, Nass, Albers, Hines, Ladwig, Gielow, McCormick, Kestell, Owens, J. Fitzgerald, Seratti, Vukmir, Hundertmark and Townsend.

February 09, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

March 1, 2004 **PUBLIC HEARING HELD**

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

Absent: (0) None.

Appearances For

- State Senator Alberta Darling, 8th Senate District
- State Senator Mary Lazich, 28th Senate District
- Kenneth Munson, Department of Health and Family Services, Madison
- Rick Raemisch, WI Dept. of Corrections, Madison, WI

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- State Senator Ted Kanavas, 33rd Senate District
- State Senator Tom Reynolds, 5th Senate District

Registrations Against

- None.

March 2, 2004

EXECUTIVE SESSION HELD – POLLING

Moved by Senator Zien that **Senate Amendment LRBa2393/1** be recommended for introduction and adoption.

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

Noes: (0) None.

INTRODUCTION AND ADOPTION OF SENATE
AMENDMENT LRBA2393/1 RECOMMENDED, Ayes 5, Noes 0

Moved by Senator Zien that **Senate Bill 441** be recommended for
passage as amended.

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

Noes: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 5, Noes 0


John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

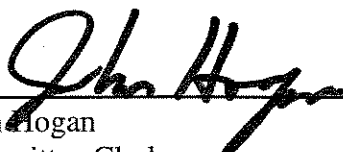
Senate Bill 457

Relating to: deferred prosecution agreements for persons charged with issuing a worthless check or other order for payment and allowing a district attorney to collect money owed to others.

By Senators Robson, Risser, M. Meyer and Harsdorf; cosponsored by Representatives Schooff, Kaufert, Boyle, Miller, Musser, Lothian, Berceau, Plouff, J. Lehman, Gundrum, Ziegelbauer and Molepske.

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

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



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy


Senate Bill 467

Relating to: claims for loss of society and companionship in medical malpractice cases.

By Senators Plale and Robson; cosponsored by Representatives Hebl, Boyle, Young, Cullen and Johnsrud.

February 13, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

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



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Senate Bill 469

Relating to: submittal of an annual account by a guardian of the estate of a married ward.

By Senator Risser; cosponsored by Representatives Hebl, Albers, Bies, Staskunas, Sinicki, Shilling and Berceau.

February 17, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

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



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Senate Bill 479

Relating to: lie detector tests of sexual assault victims.

By Senators Lassa, Brown and Kedzie; cosponsored by Representatives Suder, McCormick, Sinicki, Musser, Nischke, Kreibich, Owens, Miller and LeMahieu.

February 20, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

March 1, 2004 **PUBLIC HEARING HELD**

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

Absent: (0) None.

Appearances For

- State Senator Julie Lassa, 24th Senate District
- Lisa Macaulay, WI Coalition Against Sexual Assault, Madison

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Representative Scott Suder, 69th Assembly District
- Chris Ahmuty, ACLU of WI, Milwaukee

Registrations Against

- None.

March 2, 2004

EXECUTIVE SESSION HELD – POLLING

Moved by Senator Zien that **Senate Bill 479** be recommended for passage.

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

Noes: (0) None.

PASSAGE RECOMMENDED, Ayes 5, Noes 0



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

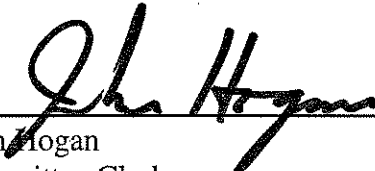
Senate Bill 481

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

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

February 24, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

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



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Senate Bill 483

Relating to: the sale of lighters and cigarette papers to persons under the age of 18 and providing a penalty.

By Senators Chvala and Hansen; cosponsored by Representatives Berceau and Ainsworth, by request of Angela Shields and the Stoughton High School Student Council.

February 24, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

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



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Senate Bill 490

Relating to: sexual assault of a child and providing a penalty.

By Senators Lazich, Darling, A. Lasee, Kanavas, Kedzie and Carpenter; cosponsored by Representatives Stone, Honadel, McCormick, Hines, Nass, J. Wood, Gronemus, Pettis, Ladwig, Musser and Jeskewitz.

February 24, 2004 Referred to Committee on Judiciary, Corrections and Privacy.

March 1, 2004 **PUBLIC HEARING HELD**

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

Absent: (0) None.

Appearances For

- None.

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

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



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

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.

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 Senator Cathy Stepp, 21st State Senate District

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- State Senator Bob Welch, 14th State Senate District
- Representative Scott Suder, 69th Assembly District

Registrations Against

- None.

March 5, 2004

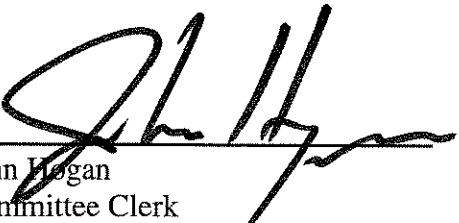
EXECUTIVE SESSION HELD – POLLING

Moved by Senator Zien that **Senate Bill 496** be recommended for passage.

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

Noes: (0) None.

PASSAGE RECOMMENDED, Ayes 5, Noes 0



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

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, Lassa and Harsdorf; cosponsored by Representatives Bies, Friske, Gunderson, Jeskewitz, Taylor, Pocan, Miller, Staskunas, Black and Nischke.

March 03, 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 Senator Carol Roessler, 18th State Senate District
- Katny King, Portage County, Stevens Point
- Mark Strosahl, Intervention/Treatment Committee of the State Council on AODA, Hazelhurst
- Mary Kay Baum, Madison Area Urban Ministry, Madison
- Elliot Levire, Public Defenders, LaCrosse
- Duncan Shrout, Impact Alcohol and Other Drug Abuse Services, Milwaukee
- Amy Reumann, WISDOM, Wauwatosa
- Conor Williams, MICAHA / WISDOM, Wauwatosa
- Edward Friedrichs, MD, WISDOM, Brown Deer
- Betty Last, WISDOM, Kenosha
- Trina Moses, Kenosha
- Father John Ceuchowski, WISDOM / MICAHA, Milwaukee
- Dr. Francine Feinberg, Whitefish Bay
- Sarah Diedrick Kasdorf, WI Counties Assn., Madison

Appearances Against

- None.

Appearances for Information Only

- Sinikka Santala, Dept. of Health and Family Services
- Secretary Matthew Frank, Dept. of Corrections

Registrations For

- State Senator G. Spencer Coggs, 6th Senate District

- Linda Pruzy, Dept. of Workforce Development, Madison
- Mickey Beil, Dane Co Exec., Madison
- Barbara Sella, WI Catholic Conference, Madison
- Sherry Johnson, Milwaukee
- Raquel Crackith, SCAODA, Wind Lake
- Terri Lorenzini, Stoughton
- Michael Serpe, Kenosha Co., Kenosha
- Mark Wadium, Outagamie Co. Board of Supervisors, Appleton
- Dave Krahn, Waukesha Co., Waukesha
- Dan Rossmiller, State Bar of WI - Family Law Section, Madison
- State Senator Scott Fitzgerald, 13th State Senate District
- Norman Lynch, MICAHA / WISDOM, Milwaukee
- Deb Sybell, State Bar of WI - Criminal Law Section, Madison
- Rev. Joseph Ellwanger, MICAHA, Project RETURN, Milwaukee

Registrations Against

- None.

March 5, 2004

EXECUTIVE SESSION HELD – POLLING

Moved by Senator Zien that **Senate Amendment LRBs0424/1** be recommended for introduction and adoption.

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

Noes: (0) None.

INTRODUCTION AND ADOPTION OF SENATE AMENDMENT LRBS0424/1 RECOMMENDED, Ayes 5, Noes 0

Moved by Senator Zien that **Senate Bill 518** be recommended for passage as amended.

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

Noes: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 5, Noes 0



 John Hogan
 Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Senate Bill 522

Relating to: funding of guardian ad litem costs and court interpreter fees and making appropriations.

By Senator Kanavas; cosponsored by Representative Gundrum.

March 03, 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

- Chief Judge Michael Nowakowski, 5th Judicial District, Madison
- Chief Judge Michael Sullivan, Milwaukee County, Milwaukee
- Roy De La Rosa, Milwaukee County, Milwaukee
- Mark O'Connell, WI Counties Assn., Madison

Appearances Against

- None.

Appearances for Information Only

- None.

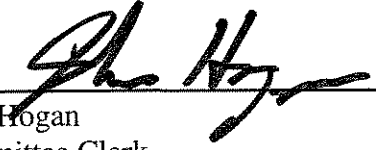
Registrations For

- Michael Serpe, Kenosha Co., Kenosha
- Judith Coleman, WI Clerks of Circuit Court Assn., Madison
- Dave Krahn, Waukesha Co., Waukesha
- Mickey Beil, Dane Co Exec., Madison
- Mary Kay Baum, Madison Area Urban Ministry, Madison
- Greg Reiman, Milwaukee Co. Exec Office, Whitefish Bay
- Allison Bussler, Waukesha County, Waukesha

Registrations Against

- None.

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



John Hogan
Committee Clerk

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

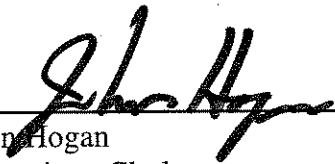
Senate Bill 550

Relating to: alternatives to prosecution and incarceration for persons who commit certain drug-related or alcohol-related offenses, violations of extended supervision, parole, or probation related to the use of alcohol or other drugs or to substance abuse treatment, providing an exemption from emergency rule procedures, requiring the exercise of rule-making authority, and making an appropriation.

By Senators Moore and Coggs; cosponsored by Representatives Turner, Taylor and Young.

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

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



John Hogan
Committee Clerk