

**ASSEMBLY BILL 248 (LRB -0107)**

An Act to amend 757.69 (1) (b) of the statutes; relating to: powers and duties of part-time court commissioners. (FE)

**2007**

- 04-10. A. Introduced by Representatives **Molepske, Ballweg, Hahn, Berceau, Cullen and Mursau**; cosponsored by Senators **Lassa and Grothman**.
- 04-10. A. Read first time and referred to committee on Corrections and Courts ..... 114
- 05-03. A. Public hearing held.
- 05-11. A. Fiscal estimate received.
- 10-04. A. Executive action taken.
- 10-11. A. Report passage recommended by committee on Corrections and Courts, Ayes 8, Noes 0 ..... 297
- 10-11. A. Referred to committee on Rules ..... 297
- 11-01. A. Placed on calendar 11-6-2007 by committee on Rules.
- 11-06. A. Read a second time ..... 350
- 11-06. A. Ordered to a third reading ..... 350
- 11-06. A. Rules suspended ..... 350
- 11-06. A. Read a third time and **passed**, Ayes 96, Noes 0 ..... 350
- 11-06. A. Ordered immediately messaged ..... 350
- 11-07. S. Received from Assembly ..... 416
- 11-09. S. Read first time and referred to committee on Judiciary, Corrections, and Housing ..... 428

**2008**

- 03-12. S. Withdrawn from committee on Judiciary, Corrections, and Housing and taken up.
- 03-12. S. Read a second time.
- 03-12. S. Ordered to a third reading.
- 03-12. S. Rules suspended.
- 03-12. S. Read a third time and **concurred in**, Ayes 32, Noes 0.
- 03-12. S. Ordered immediately messaged.
- 03-12. A. Received from Senate concurred in.

**2007  
ENROLLED BILL**

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**ADOPTED DOCUMENTS:**

Orig     Engr         SubAmdt     

07 0107 / 1

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

3-14-08  
Date

J. Mills  
Enrolling Drafter

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## 2007 ASSEMBLY BILL 248

April 10, 2007 - Introduced by Representatives MOLEPSKE, BALLWEG, HAHN, BERCEAU, CULLEN and MURSAU, cosponsored by Senators LASSA and GROTHMAN. Referred to Committee on Corrections and Courts.

1 **AN ACT to amend** 757.69 (1) (b) of the statutes; **relating to:** powers and duties  
2 of part-time court commissioners.

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### *Analysis by the Legislative Reference Bureau*

Current law confers upon a part-time or full-time court commissioner many of the same powers and duties of a judge in a criminal case, such as the power to issue a summons or conduct an initial appearance, but only a full-time court commissioner may conduct the preliminary examination and arraignment and, with the consent of both the state and the defendant, accept a guilty plea. This bill allows a part-time court commissioner to conduct the preliminary examination and arraignment and accept a guilty plea.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3 **SECTION 1.** 757.69 (1) (b) of the statutes is amended to read:  
4 757.69 (1) (b) In criminal matters issue summonses, arrest warrants or search  
5 warrants, determine probable cause to support a warrantless arrest, conduct initial  
6 appearances of persons arrested, set bail, inform the defendant in accordance with

**ASSEMBLY BILL 248****SECTION 1**

1 s. 970.02 (1), and refer the person to the authority for indigency determinations  
2 specified under s. 977.07 (1). ~~A circuit court commissioner employed on a full-time~~  
3 ~~basis may,~~ conduct the preliminary examination and arraignment, and, with the  
4 consent of both the state and the defendant, accept a guilty plea. If a court refers a  
5 disputed restitution issue under s. 973.20 (13) (c) 4., the circuit court commissioner  
6 shall conduct the hearing on the matter in accordance with s. 973.20 (13) (c) 4.

7

(END)