

WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS

2007-08

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on
Corrections and
Courts
(AC-CC)

(Form Updated: 07/24/2009)

COMMITTEE NOTICES ...

➤ [Committee Reports ... CR](#)
**

➤ [Executive Sessions ... ES](#)
**

➤ [Public Hearings ... PH](#)
**

➤ [Record of Comm. Proceedings ... RCP](#)
**

INFORMATION COLLECTED BY COMMITTEE
FOR AND AGAINST PROPOSAL ...

➤ [Appointments ... Appt](#)
**

Name:

➤ [Clearinghouse Rules ... CRule](#)
**

➤ [Hearing Records ... HR](#) (bills and resolutions)
** **07hr_ab0145_AC-CC_pt01**

➤ [Miscellaneous ... Misc](#)
**

()



ANTHONY J. STASKUNAS
STATE REPRESENTATIVE • 15TH ASSEMBLY DISTRICT

May 17, 2007

Rep. Garey Bies, Chairman
Assembly Committee on Corrections
& the Courts
Room 125 West
STATE CAPITOL

Dear Chairman Bies:

I am writing today to request that you schedule a public hearing on a proposal that is currently in your committee; Assembly Bill 145, relating to a surcharge for convictions related to operating a vehicle while intoxicated.

This proposal was referred to your committee for review in March. As you look at the various proposals before the Committee on Corrections and the Courts, I would appreciate it if you would consider including AB 145 in one of your upcoming public hearing agendas.

Thank you for your time and consideration of this request.

Sincerely,

A handwritten signature in cursive script that reads "Tony".

ANTHONY J. STASKUNAS
State Representative
15th Assembly District

AJS/agr





MADD

Activism | Victim Services | Education™

Wisconsin State Office
1845 N. Farwell Ave./Suite 310
P.O. Box 511519
Milwaukee, WI 53203
Phone: (414)727-7505
Fax: (414) 727-7506
Toll Free: 800-799-6233
maddwi@tds.net
www.maddwisconsin.org

July 24, 2007

Representative Garey Bies
Chairman, Committee on
Corrections and Courts
Room 125 West
State Capitol
P.O. Box 8952
Madison, WI 53708

Dear Mr. Chairman and Committee Members,

I am writing to you in support of AB 145. Thank you for holding this hearing. I regret that I am unable to attend in person, but appreciate the opportunity to express MADD's support of this piece of legislation.

Alcohol-related fatalities and injuries are once again on the rise. Wisconsin ranks among the worst states for alcohol-related fatalities and the highest in underage drinking. I will respect your time by omitting the mountain of statistics that highlight the severity and magnitude of tragedy associated with drunk driving. I believe we all recognize this issue continues to greatly plague our society.

The Law Enforcement men and women who dedicate their lives to our safety witness the extent of this problem first hand. Law Enforcement are the first people on the scene of a drunk driving crash. They are on the roads endangering their own lives in an effort to remove the impaired driver and save a family from experiencing the tragedy of losing a loved one to a drunk driving crash.

Wisconsin averages roughly 44,000 OWI arrests each year. Based on conservative estimates – a person is likely to have driven drunk anywhere from 1 to 200 times without getting caught. This translates to 8.8 million (44,000 X 200) drunk drivers that aren't caught which equal an additional 24,109 drunk drivers on the road with us every day. (Source: Confronting Drunk Driving, by H. Laurence Ross)

Law Enforcement personnel should be commended for their efforts in fighting drunk driving. However, as you see, we need them to do even more. This poses a problem given the budget and manpower constraints facing nearly every Law Enforcement agency in our state. AB 145 would help provide the necessary funds to support enforcement. MADD believes the arresting agency needs and deserves the money from a surcharge for their efforts in keeping us safe.

The mission of Mothers Against Drunk Driving is to stop drunk driving, support the victims of this violent crime and prevent underage drinking

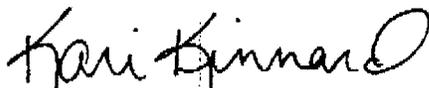
MADD also believes this surcharge should most certainly be paid by the offender. Tax payers spend millions of dollars through taxes and other societal costs because of drunk driving. The choice of drinking and driving belongs to no one other than the offender. Therefore, the consequence should belong to no one other than the offender.

The National Highway Transportation Safety Administration (NHTSA) considers the model program similar to AB 145 to be a best practice. It has been successful for many years in states such as New York.

Driving is a privilege; however, safety of those on the road is a right and it is the responsibility of lawmakers to ensure that safety.

Please support AB 145. Thank you for your time. I am available for questions at your convenience.

Respectfully,



Kari Kinnard
State Executive Director
MADD Wisconsin





ANTHONY J. STASKUNAS

STATE REPRESENTATIVE • 15TH ASSEMBLY DISTRICT

**Testimony of Rep. Tony Staskunas, AB-145
Assembly Corrections & the Courts Committee
July 26, 2007**

Mr. Chairman and committee members, I am Representative Tony Staskunas of the 15th Assembly District, the author of Assembly Bill 145. Thank you for scheduling this public hearing today.

Assembly Bill 145 would impose a \$100 surcharge on all convictions related to operating a vehicle while intoxicated. Under this proposal the surcharge would be returned to the arresting law enforcement agency for the purchase and maintenance of equipment used to prevent alcohol and drug related activity.

I first introduced this proposal after being contacted by a constituent of mine, West Allis Police Officer Michael Farrell. Officer Farrell is a traffic investigator and a certified OWI detection/standardization field sobriety-testing instructor in the city of West Allis. He had learned about a similar proposal that had become law in Illinois, Act 91-0822. When Officer Farrell contacted me to suggest this legislation West Allis had one squad car equipped with an older video camera. The average squad car equipment lasts only 3 to 4 years. The cost of replacing each camera is approximately \$5,000.

In my hometown alone, about 450 OWI arrests are made every year. Enactment of AB 145 could bring in \$45,000 annually, enough to equip a several squad cars with cameras without having to go to the property taxpayers for additional revenue.

In the first two years after Illinois passed Act 91-8022 more than \$4 million in revenue was returned to police agencies throughout the state. Illinois decided to put most of their funds into squad car video cameras. Now, as a direct result of this legislation the entire patrol fleet of Illinois State Police vehicles are equipped with in-car video cameras (this was accomplished in only 18 months).

According to the Illinois State Police there have been several side benefits to ACT 91-0822 because of the additional squad-car cameras. The conviction rate has increased for OWI, speeding, and reckless driving. Additionally because of the squad - car videos, officers do not have to spend time in court explaining or defending their arrest. When judges and juries were able to see for themselves what the driver did to warrant the arrest, they had no doubt about the merit of the traffic ticket.

In addition, counties, cities, towns, and villages are financially strapped and each year they struggle to maintain services without property tax increases. This bill puts the burden for policing drunk drivers on the drunk driver, not the property taxpayer.

Finally, I'd like to make the committee aware that I am working on an amendment with the Wisconsin Tavern League, to allocate \$10 of the \$100 surcharge to be directed to the SafeRide Program. This program offers bar patrons safe rides home. It keeps impaired drivers off of our roads, last year providing over 37,000 rides.

AB 145 is something that we can do to help the men and women working to keep our roadways safe, by providing them the technologies that have been financially out of reach for many of our municipalities.

Mr. Chairman and members, thank you for your kind attention today. I would be happy to answer any questions you may have.





Memorandum

To: Members, Assembly Corrections and the Courts Committee
From: Rep. Garey Bies, Chair
Date: July 26, 2007
Re: AB 145

Attached to this memo, please find a copy of a memo from the Department of Transportation regarding Assembly Bill 145.

First for Wisconsin!

Capitol: P.O. 8952, Madison, WI 53708-8952 • (608) 266-5350 • Fax: (608) 282-3601
Toll-Free: (888) 482-0001 • Rep.Bies@legis.state.wi.us

Home: 2590 Settlement Road, Sister Bay, WI 54234 • (920) 854-2811



**State of Wisconsin
Wisconsin Department of Transportation**

MEMORANDUM

To: Legislative Reference Bureau

From: Division of State Patrol, Bureau of Transportation Safety

Date: July 25, 2007

Subject: Technical Memo on AB-145 relating to a surcharge for convictions related to operating a vehicle while intoxicated.

AB-145 strengthens Wisconsin's OWI law by increasing the surcharge for convictions from \$355 to \$455. In addition, it provides that the \$100 increase be transmitted to the arresting law enforcement agency to be used to purchase and maintain law enforcement equipment that will assist in the prevention of alcohol-related and other drug-related violations. Neither current law nor AB 145 directs these moneys to an appropriation from which they could be spent as directed.

In order for the Wisconsin State Patrol to comply with s. 346.655 (2) (am), Wis. Stat., the bill should appropriate these revenues for their intended purpose. The bill might create a new continuing program revenue appropriation under s. 20.395 (5), Wis. Stat., with language in AB-145 directing the funds generated by Wisconsin State Patrol arrests to that fund for use consistent with s. 346.655 (2) (am), Wis. Stat.

Prepared by
Laura C. Andréasson, Safety Policy Analyst
Wisconsin Department of Transportation
Phone: (608) 267-5136



AB 145

No
Date

Surcharge of \$100 on all OWI convictions. All proceeds returned to local agency for drug/alcohol enforcement.

Amendment to divert \$10 of surcharge to the "safe ride" program.

37% non-collection rate on drunk driving fines/charges.