

2009 DRAFTING REQUEST

Bill

Received: **05/20/2009**

Received By: **rryan**

Wanted: **As time permits**

Identical to LRB:

For: **Robert Turner (608) 266-0731**

By/Representing: **Lorna George**

This file may be shown to any legislator: **NO**

Drafter: **rryan**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Turner@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Restitution for theft of objects related to veterans from cemetery

Instructions:

Redraft 07 AB 578

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rryan 05/20/2009	bkraft 05/21/2009		_____			
/1	rryan 07/09/2009	bkraft 07/10/2009	mduchek 05/21/2009	_____	lparisi 05/21/2009		
/2			mduchek 07/10/2009	_____	mbarman 07/10/2009	mbarman 07/17/2009	

FE Sent For: **NONE**

<END>

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/1		1/2 bjk 7/10	mduchek 05/21/2009	_____	lparisi 05/21/2009		

FE Sent For:

MD
7/10

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/?	rryan	1 bjk 5/21					
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5/21

FE Sent For:

<END>

Ryan, Robin

From: George, Lorna
Sent: Monday, May 18, 2009 3:42 PM
To: Ryan, Robin
Subject: Re-Introduction of 2007 AB 578

Attachments: AB-578.pdf

May 18, 2009

Dear Robin,

Representative Turner was asked to re-introduce a veteran's bill from last session. AB 578 was introduced by Rep. Musser in November of 2007. It was passed by the full Assembly (with one Substitute Amendment). It also passed the Senate committee on Judiciary, Corrections and Housing but did not make it to the full Senate before the session ended.

Michael Furgal, the Past President of the VFW-Wisconsin, has told me that nothing needs to be changed in the language of the bill. So unless there are other reasons to change the bill, it could be re-introduced as it was.

I believe you were the original bill drafter. If you still handle military issues, please let me know if you will redraft this bill.

Thank you,



AB-578.pdf (13 KB)

Lorna J. George

Office of State Representative Robert L. Turner
Room 223 North, State Capitol
P.O. Box 8953
Madison, WI 53708
Tel: 608-266-0731 Toll Free: 888-529-0061
Fax: 608-282-3661
lorna.george@legis.wi.gov

2007-2008 LEGISLATURE

FROM
2007
3178/3

2930/1
LRB-6178/3
RLR: [initials]
bjk

In 5/20/09

2007 ASSEMBLY BILL 578
2009 BILL

RMMR

SA
X-ref

November 13, 2007 – Introduced by Representatives MUSSER, HINES, HUBLER, M. WILLIAMS, SHERIDAN, ZIEGELBAUER, SOLETSKI, BERCEAU, JESKEWITZ, SCHNEIDER, BIES, TURNER, KERKMAN, JORGENSEN, A. OTT, VOS, HAHN, BENEDICT, ALBERS, OWENS, NERISON, A. WILLIAMS, NASS and MOLEPSKE, cosponsored by Senators SULLIVAN, SCHULTZ, LEHMAN, ROESSLER, OLSEN and GROTHMAN. Referred to Committee on Corrections and Courts.

gen.
1 AN ACT to create 973.20 (2) (c) of the statutes; relating to: restitution for
2 misappropriation from a cemetery of certain objects that relate to a veteran.

Analysis by the Legislative Reference Bureau

Under current law, a court may order a person who is convicted of a crime to pay restitution to the victim of the crime. This bill specifies that a court may require a person who is convicted of misappropriating, from a cemetery, an object that indicates that a deceased was a veteran, to reimburse the cost of replacing the object.

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

3 SECTION 1. 973.20 (2) (c) of the statutes is created to read:
4 973.20 (2) (c) If the crime is misappropriation, from a cemetery, of an object that
5 indicates that a deceased was a veteran, as described in s. 45.001, reimburse an
6 individual, organization, or governmental entity for the cost of replacing the object.

7 (END)

Ryan, Robin

From: George, Lorna
Sent: Friday, May 22, 2009 8:04 AM
To: Ryan, Robin
Subject: REVISION of LRB 2930/1: Re-Introduction of 2007 AB 578

May 22, 2009

Good Morning Robin,

I received the bill draft (LRB 2930/1) yesterday and appreciate your quick response.

Following a review of the draft and checking with Mr. Furgal, who requested the re-introduction, I realize that a slight revision is needed.

After the public hearing for AB 578 last session, Rep. Musser offered Assembly Substitute Amendment 1. This amendment strengthened the language so that it specifies that "a court **must require** a person who is convicted of misappropriating, from a cemetery ..." The original bill says the court "**may require**..." so the court was *permitted* to order reimbursement. Obviously, this is a small but significant change, and seems to have been the intent when the bill made its way through both bodies last session. The bill passed the full Assembly, was messaged to the Senate and passed by the Senate Committee on Judiciary *with the Substitute Amendment*. So I believe we need to start at this point when we introduce the bill.

Please make this change in the language of LRB-2930. I apologize for the confusion.

Thank you

Lorna J. George

Office of State Representative Robert L. Turner
Room 223 North, State Capitol
P.O. Box 8953
Madison, WI 53708
Tel: 608-266-0731 Toll Free: 888-529-0061
Fax: 608-282-3661
lorna.george@legis.wi.gov

From: Ryan, Robin
Sent: Monday, May 18, 2009 4:27 PM
To: George, Lorna
Subject: RE: Re-Introduction of 2007 AB 578

Yes, I will redraft.

From: George, Lorna
Sent: Monday, May 18, 2009 3:42 PM
To: Ryan, Robin
Subject: Re-Introduction of 2007 AB 578

May 18, 2009

Dear Robin,

Representative Turner was asked to re-introduce a veteran's bill from last session. AB 578 was introduced by Rep. Musser in November of 2007. It was passed by the full Assembly (with one Substitute Amendment). It also passed the Senate committee on Judiciary, Corrections and Housing but did not make it to the full Senate before the session ended.

Michael Furgal, the Past President of the VFW-Wisconsin, has told me that nothing needs to be changed in the language of the bill. So unless there are other reasons to change the bill, it could be re-introduced as it was.

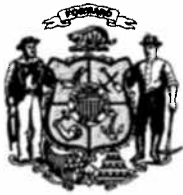
I believe you were the original bill drafter. If you still handle military issues, please let me know if you will redraft this bill.

Thank you,

<< File: AB-578.pdf >>

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State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-2930/0

RLR:bjk:md

2
stays

Soon
In 7/9/09

2009 BILL

SA
X-ref

Insert

RMNR

Revised Act

1 AN ACT to create 973.20 (2) (c) of the statutes; relating to: restitution for
2 misappropriation from a cemetery of certain objects that relate to a veteran.

Analysis by the Legislative Reference Bureau

Under current law, a court may order a person who is convicted of a crime to pay restitution to the victim of the crime. This bill specifies that a court may require a person who is convicted of misappropriating, from a cemetery, an object that indicates that a deceased was a veteran, to reimburse the cost of replacing the object.

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

3 SECTION 1. 973.20 (2) (c) of the statutes is created to read:
4 973.20 (2) (c) If the crime is misappropriation, from a cemetery, of an object that
5 indicates that a deceased was a veteran, as described in s. 45.001, reimburse an
6 individual, organization, or governmental entity for the cost of replacing the object.

7 (END)

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2007 ASSEMBLY BILL 578**

December 6, 2007 - Offered by Representative MUSSER.

1 ~~AN ACT to create 973.20 (15) of the statutes; relating to:~~ restitution for
2 ~~misappropriation from a cemetery of certain objects that relate to a veteran.~~

Analysis by the Legislative Reference Bureau

Under current law, a court generally must order a person who is convicted of a crime to pay restitution to any victim of the crime unless the court finds substantial reason not to order restitution. This substitute amendment specifies that a court must require a person who is convicted of misappropriating, from a cemetery, an object that indicates that a deceased was a veteran, to reimburse the cost of replacing the object.

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

3 SECTION 1. 973.20 (15) of the statutes is created to read:
4 973.20 (15) If misappropriation, from a cemetery, of an object that indicates
5 that a deceased was a veteran, as described in s. 45.001, is a crime considered at
6 sentencing, the restitution order shall require that the defendant reimburse an
7 individual, organization, or governmental entity for the cost of replacing the object.

bill

Barman, Mike

From: George, Lorna
Sent: Friday, July 17, 2009 9:19 AM
To: LRB.Legal
Subject: Draft Review: LRB 09-2930/2 Topic: Restitution for theft of objects related to veterans from cemetery

Please Jacket LRB 09-2930/2 for the ASSEMBLY.