

☞ **09hr_SC-Ed_sb0421_pt01**



Details:

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Education (SC-Ed)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Gigi Godwin (LRB) (August/2011)

Senate

Record of Committee Proceedings

Committee on Education

Senate Bill 421

Relating to: underage persons under the influence of alcohol beverages on school premises.

By Senators Kedzie, Lehman and Taylor; cosponsored by Representatives A. Ott, Lothian, Townsend and LeMahieu.

December 10, 2009 Referred to Committee on Education.

January 27, 2010 **PUBLIC HEARING HELD**

Present: (7) Senators Lehman, Jauch, Erpenbach, Hansen, Olsen, Grothman and Hopper.

Absent: (0) None.

Appearances For

- Neal Kedzie, Elkhorn — Sen., 11th Senate District
- Dan Foster, Wales — Waterford Union High School
- Lisa Maroney, Madison — UW-Health and AWARE
- Joe Quick, Madison — Madison Metropolitan School District

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

April 22, 2010 Failed to pass pursuant to Senate Joint Resolution 1.



Sara Dauscher
Committee Clerk



State Senator
Neal J. Kedzie

11th Senate District

January 21, 2010

Senator John Lehman
Chair, Senate Committee on Education
Room 310 South, State Capitol
P.O. Box 7882
Madison, WI 53707

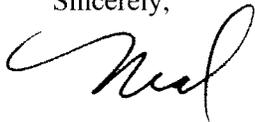

Dear Senator Lehman:

Please accept this letter as my formal request that Senate Bill 421 be scheduled for a public hearing.

Senate Bill 421 would prohibit an underage person from being on school premises with any detectable alcohol concentration in his or her blood or breath. I introduced this proposal at the request of a school official who resides in my district, who believes it will give school districts an additional tool to address problems created by intoxicated students who attend school events.

I appreciate you supporting the bill as a co-sponsor, and would be grateful if the bill could be scheduled for a public hearing at your convenience. Thank you for your consideration of this request.

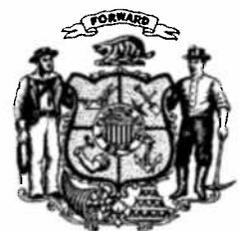
Sincerely,



Neal Kedzie
State Senator
11th Senate District



WISCONSIN STATE LEGISLATURE





State Senator

Neal J. Kedzie

11th Senate District

Senate Bill 421
Testimony of Senator Neal Kedzie
Senate Committee on Education
January 27, 2010

Chairman Lehman, members of the Committee, thank you for holding a hearing today on Senate Bill 421.

Senate Bill 421 would require absolute sobriety for underage persons while on school premises. A person who violates this provision would be subject to a forfeiture of no more than \$200.

I introduced Senate Bill 421 on behalf of a constituent and Waterford Union High School Associate Principal, who identified a potential problem with current law as it relates to persons under the legal drinking age that attend a school function. The problem was identified when an inebriated student attended such a function, was dealt with by school officials, and cited for underage drinking by law enforcement. However, that citation was later dismissed, as the parents of the student provided the alcohol, which is legal under the law. SB 421 seeks to remedy that situation.

As you know, it is illegal for anyone under the age of 21 to possess or consume alcohol, unless accompanied by his or her parents. In addition, it is illegal for anyone to consume alcohol on school grounds. Generally, those laws are adequate for school officials to deter underage drinking on school property. However, since the intoxicated student was provided alcohol by her parents, technically no violation of either law had occurred, and thus, the student could not be issued a citation by local law enforcement.

Unfortunately, these types of incidents seem to be on the rise, where a parent provides their son or daughter alcohol prior to a school function, sporting event, or dance. The student attends the school sponsored function intoxicated, which is technically allowable under the law. While the school may be able to take action on its own, such as removing the student from the school, no other legal measures may be taken to punish the student. To paraphrase the school official who brought this to my attention, irresponsible parents could essentially unleash their intoxicated child on the schools, who would then be in a position to supervise and deal with any problems that might arise from that action. And in this case, law enforcement is unable to issue any type of citation.

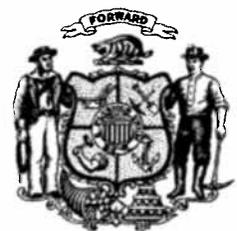
I believe SB 421 would serve as an additional and enforceable deterrent for both school officials and law enforcement to keep intoxicated students off school grounds, and hopefully send a message to parents and students that if they choose to consume alcohol at home, it would be in their own and the public's best interest to remain at home.

I would like to say for the record this bill should in no way be construed as a criticism of school district officials and the manner in which they currently deal with intoxicated students. School officials are asked to deal with an increasing amount of student behavioral issues each year, and by all accounts, are handling those issues exceptionally well. With that in mind, I believe it is our responsibility to provide schools and law enforcement with the tools needed to address this issue, close the loophole in current law, and continue our mutual efforts to appropriately deal with underage drinking.

Thank you for your consideration of Senate Bill 421. I would be happy to answer any questions you may have.

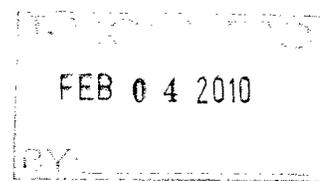


WISCONSIN STATE LEGISLATURE





State Senator
Neal J. Kedzie
11th Senate District



February 3, 2010

Senator John Lehman, Chair
Senate Committee on Education
Room 310 South State Capitol
Madison, WI 53707

Dear Senator *John* Lehman,

Thank you for holding a public hearing on Senate Bill 421, relating to absolute sobriety on school grounds. I appreciate your willingness to consider this legislation before your Committee, and your show of support as a co-sponsor.

As you know, Senate Bill 421 will close a loophole in the current underage drinking law and penalize students who attend school functions inebriated, regardless of how the alcohol was obtained. School officials already must deal with an increasing amount of student behavioral issues each year; as such, I believe we have responsibility to assist them and provide the appropriate tools to do so.

If I can provide you with any additional information on the bill, or answer any questions you may have, please feel free to contact me. Again, thank you for your support and consideration of Senate Bill 421.

Sincerely,

Neal Kedzie
State Senator
11th Senate District