

2011 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB93)

Received: **06/02/2011**

Received By: **chanaman**

Wanted: **As time permits**

Companion to LRB:

For: **Pam Galloway (608) 266-2502**

By/Representing: **Anne Sappenfield**

May Contact:

Drafter: **chanaman**

Subject: **Criminal Law - guns and weapons**

Addl. Drafters: **rkite**

Extra Copies: **RNK**

Submit via email: **YES**

Requester's email: **Sen.Galloway@legis.wisconsin.gov**

Carbon copy (CC:) to: **larry.konopacki@legis.wisconsin.gov**
Anne.Sappenfield@legis.wisconsin.gov
bob.lang@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Permit to carry concealed weapon; training; add secured facilities and two amendments

Instructions:

See attached--

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>
/?	chanaman 06/02/2011	kfollett 06/02/2011		_____			
/P1	chanaman 06/02/2011	nnatzke 06/02/2011	mduchek 06/02/2011	_____	mbarman 06/02/2011		
/P2	chanaman	csicilia	phenry	_____	lparisi		

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	06/03/2011	06/03/2011	06/03/2011	_____	06/03/2011		
/1	chanaman 06/08/2011	kfollett 06/08/2011	mduchek 06/03/2011	_____ _____	ggodwin 06/03/2011		
/2	chanaman 06/08/2011	nmatzke 06/08/2011	mduchek 06/08/2011	_____ _____	lparisi 06/08/2011	lparisi 06/08/2011	
/3			jfrantze 06/08/2011	_____ _____	ggodwin 06/08/2011	ggodwin 06/08/2011	

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6/8
Called Galloway's office
for jacket ~ they are
sending 2 page over.
5:20pm

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Handwritten notes: 1 g's 6/3/11, [Signature]

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/?	chanaman	1P/5f 6/2	M 6/2	_____	_____	_____	_____

FE Sent For:

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Hanaman, Cathlene

From: Sappenfield, Anne
Sent: Wednesday, June 01, 2011 9:49 AM
To: Hanaman, Cathlene
Cc: Konopacki, Larry
Subject: SB 93 amendment

Hi Cathlene,

Sen. Galloway is requesting a new sub to SB 93 and would like to have it by the end of the day tomorrow. For this sub, we are working off of SB 90 with several changes. First, please incorporate the changes in SSA 1 to SB 93 and SAs 3 and 4 to SSA 1 into the new sub, where appropriate. Obviously, no optional license is needed. Also, I think, at this point, we should leave the judge and DA carrying in a courthouse language the same re: licensing. For school zones, please incorporate the two levels of offenses for the area surrounding the grounds versus the grounds.

There will be a training requirement in order to be licensed, and specific courses that meet the requirement will be listed, but we don't have final instructions for that yet. For out-of-state licensees, do not add a training requirement.

For school zones, please delete the reference to "(iii)" on p. 56, line 17 of SB 90. (This is the federal exception in school zones for carrying firearms that are unloaded and locked in a container.) Then, do not repeal the current state exception under which a firearm may be unloaded and encased or on a locked rack. The definition of "encased" in s. 948.605 also needs to be included. It is deleted in the bill.

For the definition of "nonresidential building" in the trespass statute, please specify that it includes nursing homes and other similar facilities (maybe Tammy Dodge could help us with a list). College and university buildings should be treated the same as state and local government building provision. For nonresidential buildings, permit the owner or occupant to post the grounds of a building. Finally, create a definition of "special event" that is an event of limited duration with designated entrances at which event tickets are accepted or that can be locked or otherwise secured when the event is closed. (This definition is a work in progress, so if you have any suggestions, let me know. The idea is to get Summerfest but not a block party or zoo.) Another issue we are grappling with is how to allow businesses to say no weapons on their grounds but not include parks. I am inclined to think that if we stick with terms like "grounds" instead of terms like "parcel of land" we may get closer.

✓ [Another change—please required the clerk of courts to notify DOJ if a person is ordered not to possess a dangerous weapon as a condition of bail. ✓

969,01

Finally (for now!!) prohibit carrying in secure DHS facilities including the WI Resource Center and Sandridge. I'm not sure if there is a general term or cross reference.

Let me know if you have questions. I have a hearing at 10, but I hope to be back at my office by noon or so. There are a couple more items, but I don't have clear enough instructions yet.

Thank you so much!!
Anne

Anne Sappenfield
Senior Staff Attorney
WI Legislative Council
(608) 267-9485

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Hanaman, Cathlene

From: Konopacki, Larry
Sent: Wednesday, June 01, 2011 3:35 PM
To: Hanaman, Cathlene; Sappenfield, Anne
Subject: SB 93 amendment

Hi Cathlene, Anne and I have two more drafting requests to share with you for Senator Galloway's new amendment to SB 93:

1. Please expressly authorize DOJ to access the federal NICs (??) system for background checks performed under the bill (I am told that such authority should mirror the specific authority given to DOJ to access this system for certain firearm purchases under current law).
2. Allow uncased, loaded firearms in vehicles regardless of whether the person is a licensee (we suggest accomplishing this by doing the following, working off of SB 90):
 - (my apologies; this instruction replaces one I sent you earlier today about ATVs) on page 8 line 5: replace "This paragraph does not apply to any of the following:" with "This paragraph does not apply to handguns, as defined in s. 175.60 (1) (bm)." and delete lines 6-18.
 - on page 16 lines 5-7, replace "The restrictions that apply to firearms under sub. (2) (a), (b), and (c), and, if the aircraft is not a commercial aircraft, sub. (3) (a) and (b), do not apply to any of the following if the firearm is a handgun, as defined in s. 175.60 (1) (bm):" with "The restrictions that apply to firearms under sub. (2) (a), (b), and (c), and, if the aircraft is not a commercial aircraft, sub. (3) (a) and (b), do not apply if the firearm is a handgun, as defined in s. 175.60 (1) (bm):" and delete page 16 lines 8-15.

Also, can you please prepare this amendment as a "p" draft for review?

Thanks!

Larry

Larry A. Konopacki
Wisconsin Legislative Council
(608) 267-0683
larry.konopacki@legis.wisconsin.gov