

**2017 DRAFTING REQUEST****Assembly Amendment (AA-AB906)**For: **John Nygren (608) 266-2343**Drafter: **mjohns**By: **Chris**Secondary Drafters: **ewheeler**Date: **2/20/2018**

May Contact:

Same as LRB:

Submit via email: **YES**Requester's email: **Rep.Nygren@legis.wisconsin.gov**Carbon copy (CC) to: **Elizabeth.Wheeler@legis.wisconsin.gov****Melinda.Johns@legis.wisconsin.gov****Pre Topic:**

No specific pre topic given

**Topic:**

Extend grant eligibility to tribes and allow judges to issue search warrants via remote communication

**Instructions:**

Make American Indian tribes or bands eligible to apply for grant funds and add contents of LRB 5315, allowing judges to issue warrants without face to face contact

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mjohns 2/20/2018	anienaja 2/20/2018			
/1			lparisi 2/20/2018	lparisi 2/20/2018	

FE Sent For:

&lt;END&gt;

**Johns, Melinda**

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**From:** Bemis, Zach  
**Sent:** Tuesday, February 20, 2018 8:55 AM  
**To:** Johns, Melinda  
**Cc:** Borgerding, Chris  
**Subject:** amendment for today

Hi Melinda,

Can we have LRB 5315 drafted as an amendment to AB 906? Please combine it with the existing amendment relating to tribes.

Thanks,

Zach

Zach Bemis  
Chief of Staff  
Office of Representative John Nygren  
Co-Chair, Joint Committee on Finance  
89<sup>th</sup> Assembly District



State of Wisconsin  
2017 - 2018 LEGISLATURE

DUE 2/20/18

INSERT

**ASSEMBLY AMENDMENT ,  
TO ASSEMBLY BILL 906**

a2254/1  
LRBa2216/1  
MLJ:kjftgmn

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 14: delete “counties that meet” and substitute “a county or  
3 federally recognized American Indian tribe or band that meets”.

4 **2.** Page 3, line 16: delete “county has a county” and substitute “county or tribe  
5 has a county or tribal”.

6 **3.** Page 3, line 17: after “county” insert “or tribe”.

7 **4.** Page 3, line 18: after “The county” insert “or tribe”.

8 **5.** Page 3, line 18: after “exiting county” insert “or tribal”.

9 **6.** Page 3, line 19: after “county” insert “or tribe”.

10 **7.** Page 3, line 21: after “county” insert “or tribal”.

11 **8.** Page 3, line 24: after “county” insert “or tribal”.

12 **9.** Page 3, line 25: delete “county”.

1           **10.** Page 4, line 2: after “counties” insert “or tribes”.

2           **11.** Page 4, line 12: after “more” insert “or a federally recognized American  
3 Indian tribe or band”.

4           **12.** Page 4, line 13: delete “in a county” and substitute “to a county or a tribe  
5 that offered”.

6           **13.** Page 4, line 14: delete “where”.

7           **14.** Page 4, line 14: delete “were offered”.

8           **15.** Page 5, line 10: delete “section,” and substitute “section:  
9 (a)”.

10          **16.** Page 5, line 15: after that line insert:

11           “(b) “Tribal law enforcement agency” has the meaning given in s. 165.83 (1)  
12 (e).”.

13          **17.** Page 5, line 18: after “agencies” insert “and tribal law enforcement  
14 agencies”.

15          **18.** Page 5, line 21: after “agency” insert “or tribal law enforcement agency”.

16          **19.** Page 5, line 23: delete “must” and substitute “shall”.

17          **20.** Page 6, line 4: after “agency” insert “or tribal law enforcement agency”.

18          **21.** Page 6, line 8: after “agency” insert “or tribal law enforcement agency”.

*INSERT  
2-19*

(END)

SA  
Xref  
Rwfr

2017-2018 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBa2254/lins  
MLJ:... amw

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INSERT 2-10

1. Page 6, line 20: after that line insert:

SECTION 11m. 968.12 (2) of the statutes is amended to read:

~~X~~968.12 (2) WARRANT UPON AFFIDAVIT. A search warrant may be based upon sworn complaint or affidavit, or testimony recorded by a phonographic reporter or under sub. (3) (d), showing probable cause therefor. The complaint, affidavit or testimony may be upon information and belief. The person requesting the warrant may swear to the complaint or affidavit before a notarial officer authorized under s. 706.07 to take acknowledgments or before a judge, or a judge may place a person under oath via telephone, radio, or other means of electronic communication, without the requirement of face-to-face contact, to swear to the complaint or affidavit. The judge shall indicate on the search warrant that the person so swore to the complaint or affidavit. <sup>1</sup> (i)