

State of Misconsin 2003 - 2004 LEGISLATURE

LRBa0011/2 JTK:kmg:cph

ASSEMBLY AMENDMENT 1, TO 2003 ASSEMBLY BILL 1

January 28, 2003 – Offered by Representatives Gundrum, Staskunas, McCormick, Albers, Kerkman, Grothman, Hebl and Cullen.

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

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1. Page 6, line 8: delete lines 8 to 17 and substitute:

"19.535 Enforcement. If the board receives a verified complaint alleging a 3 violation of s. 19.45 (13), the board shall, within 30 days after receipt of the 4 $\mathbf{5}$ complaint, either authorize an investigation of the allegations contained in the 6 complaint under s. 19.49 (3) or dismiss the complaint. If the board dismisses the 7 complaint, with or without investigation, the board shall promptly notify the complainant in writing. Upon receiving notification of the dismissal, the 8 9 complainant may then file the complaint with the attorney general, the district 10 attorney for the county where a violation is alleged to occur or the district attorney 11 for a county that is adjacent to that county. The attorney general or district attorney 12may then investigate the allegations contained in the complaint and commence a 13prosecution.

1 **SECTION 8m.** 19.579 of the statutes is created to read:

2 19.579 Civil penalty. Any person who violates s. 19.45 (13) may be required
3 to forfeit not more than \$5,000.".

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 $\mathbf{2.}$ Page 8, line 10: delete lines 10 to 18 and substitute:

5 "(cn) If the district attorney for the county in which a violation of sub. (1) (br) 6 is alleged to occur receives a verified complaint alleging a violation of sub. (1) (br), $\mathbf{7}$ the district attorney shall, within 30 days after receipt of the complaint, either 8 commence an investigation of the allegations contained in the complaint or dismiss 9 the complaint. If the district attorney dismisses the complaint, with or without 10 investigation, the district attorney shall notify the complainant in writing. Upon 11 receiving notification of the dismissal, the complainant may then file the complaint 12with the attorney general or the district attorney for a county that is adjacent to the 13county in which the violation is alleged to occur. The attorney general or district attorney may then investigate the allegations contained in the complaint and 1415commence a prosecution.".

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(END)