

Committee Name:

**Assembly Committee – Rural Affairs and Forestry
(AC–RAF)**

Appointments

99hr_AC–RAF_Appt_pt00

Committee Hearings

99hr_AC–RAF_CH_pt00

Committee Reports

99hr_AC–RAF_CR_pt00

Clearinghouse Rules

99hr_AC–RAF_CRule_99–

Executive Sessions

99hr_AC–RAF_ES_pt00

Hearing Records

99hr_ab0092_pt03

99hr_sb0000

Misc.

99hr_AC–RAF_Misc_pt00

Record of Committee Proceedings

99hr_AC–RAF_RCP_pt00

4-22-99 PH AB127,
AB150, AB198, Exec
AB92, AB104, AB150

Vote Record

Assembly Committee on Rural Affairs and Forestry

Date: 4/22/99
Moved by: Ainsworth Seconded by: _____
AB: _____ Clearinghouse Rule: _____
AB: _____ SB: _____ Appointment: _____
AJR: _____ SJR: _____ Other: _____
A: _____ SR: _____

A/S Amdt: _____
A/S Amdt: _____ to A/S Amdt: _____
A/S Sub Amdt: _____
A/S Amdt: _____ to A/S Sub Amdt: _____
A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- Passage
- Introduction
- Adoption
- Rejection

unanimous consent

- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

Committee Member

Rep. John Ainsworth, Chair
Rep. Terry Musser
Rep. Kitty Rhoades
Rep. Stephen Freese
Rep. Judith Klusman
Rep. Mary Hubler
Rep. Barbara Gronemus
Rep. Donald Hasenohrl
Rep. Gary Sherman

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. John Ainsworth, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Terry Musser	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Kitty Rhoades	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Stephen Freese	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Judith Klusman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mary Hubler	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Barbara Gronemus	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Hasenohrl	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gary Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: _____

Motion Carried

Motion Failed

Vote Record

Assembly Committee on Rural Affairs and Forestry

Date: 4/22/09 Freese
 Moved by: gnk Seconded by: Hubler
 AB: _____ Clearinghouse Rule: _____
 AB: _____ SB: _____ Appointment: _____
 AJR: _____ SJR: _____ Other: _____
 A: _____ SR: _____

A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: LRBS 0021/1
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- | | |
|--|--|
| <input type="checkbox"/> Passage | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Tabling |
| <input checked="" type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence |
| <input type="checkbox"/> Rejection | <input type="checkbox"/> Nonconcurrence |
| | <input type="checkbox"/> Confirmation |

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. John Ainsworth, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Terry Musser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Kitty Rhoades	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Stephen Freese	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Judith Klusman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Mary Hubler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Barbara Gronemus	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Hasenohrl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gary Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>7</u>	<u>0</u>	<u>2</u>	<u> </u>

Motion Carried Motion Failed

Vote Record

Assembly Committee on Rural Affairs and Forestry

Date: 4/22/99 Freese
 Moved by: Hubler Seconded by: Hubler
 AB: _____ Clearinghouse Rule: _____
 AB: _____ SB: _____ Appointment: _____
 AJR: _____ SJR: _____ Other: _____
 A: _____ SR: _____

A/S Amdt: 2 _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

By recommended for:
 Passage - as amended
 Introduction
 Adoption
 Rejection

Indefinite Postponement
 Tabling
 Concurrence
 Nonconcurrence
 Confirmation

Committee Member

- Rep. John Ainsworth, Chair
- Rep. Terry Musser
- Rep. Kitty Rhoades
- Rep. Stephen Freese
- Rep. Judith Klusman
- Rep. Mary Hubler
- Rep. Barbara Gronemus
- Rep. Donald Hasenohrl
- Rep. Gary Sherman

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. John Ainsworth, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Terry Musser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Kitty Rhoades	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Stephen Freese	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Judith Klusman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Mary Hubler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Barbara Gronemus	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Hasenohrl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gary Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>7</u>	<u>0</u>	<u>2</u>	_____

Motion Carried Motion Failed

Committee Meeting Attendance Sheet

Assembly Committee on Rural Affairs and Forestry

Date: April 22, 1999 Meeting Type: Public Hearing
Location: 328 Northwest - State Capitol

<u>Committee Member</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Rep. John Ainsworth, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Terry Musser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Kitty Rhoades	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Stephen Freese	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Judith Klusman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rep. Mary Hubler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Barbara Gronemus	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rep. Donald Hasenohrl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gary Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>7</u>	<u>0</u>	<u>2</u>



Kristina Boardman, Committee Clerk

Committee Meeting Attendance Sheet

Assembly Committee on Rural Affairs and Forestry

Date: April 22, 1999 Meeting Type: Executive Session
Location: 328 Northwest - State Capitol

<u>Committee Member</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Rep. John Ainsworth, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Terry Musser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Kitty Rhoades	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Stephen Freese	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Judith Klusman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rep. Mary Hubler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Barbara Gronemus	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rep. Donald Hasenohrl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gary Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>7</u>	<u>0</u>	<u>2</u>



Kristina Boardman, Committee Clerk



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536

Telephone: (608) 266-1304

Fax: (608) 266-3830

Email: leg.council@legis.state.wi.us

DATE: March 30, 1999

TO: REPRESENTATIVE JOHN AINSWORTH, CHAIRPERSON; AND
MEMBERS OF THE ASSEMBLY COMMITTEE ON RURAL AFFAIRS
AND FORESTRY

FROM: Gordon A. Anderson, Senior Staff Attorney

SUBJECT: 1999 Assembly Bill 92 and Proposed Assembly Substitute Amendment ____
(LRBs0021/1)

This memorandum describes 1999 Assembly Bill 92 and the changes made in the bill by proposed Assembly Substitute Amendment ____ (LRBs0021/1).

A. 1992 ASSEMBLY BILL 92

Current law penalizes a person who intentionally releases an animal that is "lawfully confined" for scientific, farming, restocking, research, exhibition, commercial, educational, recreational, companionship or security purposes, if the owner or custodian of the animal has not consented to the release of the animal. Penalties vary depending on whether the person has previously violated the law. For a first violation (a "Class C misdemeanor"), the penalty is a fine of not more than \$500 or imprisonment for not more than 30 days or both; for a second violation (a "Class A misdemeanor"), a fine of not more than \$10,000 or imprisonment for not more than nine months or both; and for a third or subsequent violation (a "Class E felony"), a fine of not more than \$10,000 or imprisonment for not more than two years or both for offenses occurring before December 31, 1999, or a fine of not more than \$10,000 or imprisonment for not more than five years or both if the offense occurs on or after December 31, 1999.

Also under current s. 973.075, Stats., certain property connected to criminal activity is subject to forfeiture to the state. Among the categories of property that may be forfeited to the state under s. 973.075 (1) (b), Stats., are vehicles used to transport any property or weapon used or to be used or received in the commission of a felony, or a vehicle used in the commission of certain other specified crimes.

Under Assembly Bill 92, the maximum penalties for violating the prohibition against intentionally releasing an animal are increased, for certain categories of animals, to provide that

the violation is a "Class C felony" which is punishable by a fine of \$10,000 or imprisonment for not more than 10 years or both, if the offense occurs before December 31, 1999, or a fine of not more than \$10,000 or imprisonment for not more than 15 years or both if the offense occurs on or after that date. The changes are applicable to persons who intentionally release an animal that is lawfully confined for *scientific, farming, restocking, research* or *commercial* purposes.

The bill does not change the penalties for releasing animals confined for *exhibition, educational, recreational, companionship* or *security* purposes.

The bill also provides that any vehicle or any other property that is used or will be used to violate the prohibitions against intentionally releasing animals will be subject to forfeiture to the state.

Under current s. 895.57 (2), Stats., a person who intentionally releases an animal that is lawfully confined is liable to the owner or custodian for damages which include costs of restoring the animal to confinement. The bill adds *punitive damages, attorney fees* and *interest on the amount of the damages* from the date of release.

The bill also provides immunity from civil liability to the owner or custodian of a confined animal for damages suffered by a person if the person suffers the damages while violating or attempting to violate the law and if the damages are caused by any "security device," including a guard dog, that the owner or custodian of a confined animal installs or uses if he or she reasonably believes that the security device is necessary to protect a confined animal or the premises containing a confined animal. The bill provides that it is not reasonable to install or use a security device that is intended or is likely to cause death or great bodily harm for the purpose of protecting a confined animal or the premises containing a confined animal. If the owner or custodian of a confined animal uses a dog as a security device, the owner or custodian is entitled to immunity only if the dog is on the owner's or custodian's property at the time it causes the damages.

B. PROPOSED ASSEMBLY SUBSTITUTE AMENDMENT — (LRBs0021/1)

Proposed Assembly Substitute Amendment ____ (LRBs0021/1) is identical to the original bill in its provisions relating to the penalties for release of the animals. It changes only the provisions relating to immunity from liability for unauthorized release of animals.

The proposed substitute amendment provides that an owner or custodian of a confined animal is immune from civil liability for any damages to a person who suffers the damages while violating or attempting to violate the statutory prohibitions against release of animals. It further provides that an owner or custodian of an animal that is released in violation of the law is immune from liability for *any damages* caused by that released animal. It provides that the immunity does not apply if the injury was caused by a security device that is intended or likely to cause death or great bodily harm.

If you have any questions or I can be of further assistance, please let me know.