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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

Committee on Judiciary, Corrections and Privacy...

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: Stefanie Rose (LRB) (July 2012)

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Senate Bill 186

Relating to: providing immunity from civil liability for users, owners, and providers of automatic defibrillators for acts or omissions in rendering emergency care in good faith.

By Senators Leibham, Lassa, Roessler, Olsen, Cowles, A. Lasee, Stepp, Grothman, Erpenbach, Robson, Darling, Brown, Harsdorf and Kedzie; cosponsored by Representatives Wasserman, Montgomery, Gronemus, Ainsworth, Musser, Vos, Gielow, Ott, Townsend, Nass, Kestell, Hahn, Davis, Petrowski, Albers, Vrakas, Van Akkeren, Hines, Lothian, Van Roy, Loeffelholz, F. Lasee, Freese, Berceau, Lehman, Pocan, Pope-Roberts, Pridemore, Sheridan, Staskunas and Turner.

April 27, 2005 Referred to Committee on Judiciary, Corrections and Privacy.

June 9, 2005 **PUBLIC HEARING HELD**

Present: (4) Senators Zien, Roessler, Grothman and Risser.
Absent: (1) Senator Taylor.

Appearances For

- Joe Leibham, Madison — Senator

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Andy Franken, Madison — American Red Cross

Registrations Against

- None.

November 1, 2005 EXECUTIVE SESSION - POLLING

Moved by Senator Zien that **Senate Bill 186** be recommended for passage.

Ayes: (5) Senators Zien, Roessler, Grothman, Taylor and
Risser.

Noes: (0) None.

PASSAGE RECOMMENDED, Ayes 5, Noes 0

Brian Deschane
Committee Clerk



STATE SENATOR DAVE ZIEN

CHAIRPERSON

COMMITTEE ON JUDICIARY, CORRECTIONS AND PRIVACY

VICE CHAIRPERSON

COMMITTEE ON VETERANS, HOMELAND SECURITY, MILITARY AFFAIRS, SMALL BUSINESS AND GOVERNMENT REFORM

MEMBER

COMMITTEE ON JOB CREATION, ECONOMIC DEVELOPMENT AND CONSUMER AFFAIRS

SENTENCING COMMISSION

COUNCIL ON TOURISM

JUDICIAL COUNCIL

JOINT LEGISLATIVE COUNCIL

BUILDING COMMISSION

PRESIDENT PRO TEMPORE

MEMORANDUM

TO: Senator Glenn Grothman, Member, Senate Committee on Judiciary, Corrections & Privacy

FR: Senator Dave Zien, Chair, Senate Committee on Judiciary, Corrections & Privacy

DT: November 1, 2005 (hand delivered 2:00pm)

RE: Executive Action Paper Ballot

SHORT NOTICE

Please consider the following bills and appointments and vote on the motions below. Return this ballot to Senator Dave Zien, Room 15 South, no later than 9:00am (Wednesday), November 2, 2005. Committee members' ballots not received by the deadline will be marked as not voting.

~~Senate Bill 106~~

Relating to: providing immunity from civil liability for users, owners, and providers of automatic defibrillators for acts or omissions in rendering emergency care in good faith.

By Senators Leibham, Lassa, Roessler, Olsen, Cowles, A. Lasee, Stepp, Grothman, Erpenbach, Robson, Darling, Brown, Harsdorf and Kedzie; cosponsored by Representatives Wasserman, Montgomery, Gronemus, Ainsworth, Musser, Vos, Gielow, Ott, Townsend, Nass, Kestell, Hahn, Davis, Petrowski, Albers, Vrakas, Van Akkeren, Hines, Lothian, Van Roy, Loeffelholz, F. Lasee, Freese, Berceau, Lehman, Pocan, Pope-Roberts, Pridemore, Sheridan, Staskunas and Turner.

- Moved by Senator Zien that this Senate Bill be recommended for PASSAGE:

Aye No



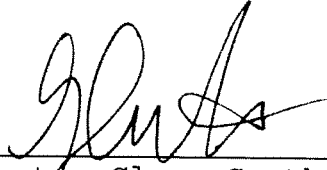
Senate Bill 386

Relating to: immunity from civil liability for providing safety services related to the inspection and installation of child safety restraint systems in motor vehicles.

Introduced by Senator Stepp; cosponsored by Representative Lamb.

- Moved by Senator Zien that Senate Bill 386 be recommended for PASSAGE:

Aye X No _____

Signature 
Senator Glenn Grothman



STATE SENATOR DAVE ZIEN

CHAIRPERSON

COMMITTEE ON JUDICIARY, CORRECTIONS AND PRIVACY

VICE CHAIRPERSON

COMMITTEE ON VETERANS, HOMELAND SECURITY, MILITARY AFFAIRS, SMALL BUSINESS AND GOVERNMENT REFORM

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SENTENCING COMMISSION

COUNCIL ON TOURISM

JUDICIAL COUNCIL

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BUILDING COMMISSION

PRESIDENT PRO TEMPORE

MEMORANDUM

TO: Senator Fred Risser, Member, Senate Committee on Judiciary, Corrections & Privacy

FR: Senator Dave Zien, Chair, Senate Committee on Judiciary, Corrections & Privacy

DT: November 1, 2005 (hand delivered 2:00pm)

RE: Executive Action Paper Ballot

SHORT NOTICE

Please consider the following bills and appointments and vote on the motions below. Return this ballot to Senator Dave Zien, Room 15 South, no later than 9:00am (Wednesday), November 2, 2005. Committee members' ballots not received by the deadline will be marked as not voting.

~~Senate Bill 100~~

Relating to: providing immunity from civil liability for users, owners, and providers of automatic defibrillators for acts or omissions in rendering emergency care in good faith.

By Senators Leibham, Lassa, Roessler, Olsen, Cowles, A. Lasee, Stepp, Grothman, Erpenbach, Robson, Darling, Brown, Harsdorf and Kedzie; cosponsored by Representatives Wasserman, Montgomery, Gronemus, Ainsworth, Musser, Vos, Gielow, Ott, Townsend, Nass, Kestell, Hahn, Davis, Petrowski, Albers, Vrakas, Van Akkeren, Hines, Lothian, Van Roy, Loeffelholz, F. Lasee, Freese, Berceau, Lehman, Pocan, Pope-Roberts, Pridemore, Sheridan, Staskunas and Turner.

- Moved by Senator Zien that this Senate Bill be recommended for PASSAGE:

Aye X No



Senate Bill 386


Relating to: immunity from civil liability for providing safety services related to the inspection and installation of child safety restraint systems in motor vehicles.

Introduced by Senator Stepp; cosponsored by Representative Lamb.

- Moved by Senator Zien that Senate Bill 386 be recommended for PASSAGE:

Aye X No

Signature



Senator Fred Risser

Senate Bill 386

Relating to: immunity from civil liability for providing safety services related to the inspection and installation of child safety restraint systems in motor vehicles.

Introduced by Senator Stepp; cosponsored by Representative Lamb.

- Moved by Senator Zien that Senate Bill 386 be recommended for PASSAGE:

Aye X No

Signature Carol Roessler
Senator Carol Roessler



STATE SENATOR DAVE ZIEN

CHAIRPERSON

COMMITTEE ON JUDICIARY, CORRECTIONS AND PRIVACY

VICE CHAIRPERSON

COMMITTEE ON VETERANS, HOMELAND SECURITY, MILITARY AFFAIRS, SMALL BUSINESS AND GOVERNMENT REFORM

MEMBER

COMMITTEE ON JOB CREATION, ECONOMIC DEVELOPMENT AND CONSUMER AFFAIRS

SENTENCING COMMISSION

COUNCIL ON TOURISM

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BUILDING COMMISSION

PRESIDENT PRO TEMPORE

MEMORANDUM

TO: Senator Lena Taylor, Member, Senate Committee on Judiciary, Corrections & Privacy

FR: Senator Dave Zien, Chair, Senate Committee on Judiciary, Corrections & Privacy

DT: November 1, 2005 (hand delivered 2:00pm)

RE: Executive Action Paper Ballot

SHORT NOTICE

Please consider the following bills and appointments and vote on the motions below. Return this ballot to Senator Dave Zien, Room 15 South, no later than 9:00am (Wednesday), November 2, 2005. Committee members' ballots not received by the deadline will be marked as not voting.

Senate Bill 186

Relating to: providing immunity from civil liability for users, owners, and providers of automatic defibrillators for acts or omissions in rendering emergency care in good faith.

By Senators Leibham, Lassa, Roessler, Olsen, Cowles, A. Lasee, Stepp, Grothman, Erpenbach, Robson, Darling, Brown, Harsdorf and Kedzie; cosponsored by Representatives Wasserman, Montgomery, Gronemus, Ainsworth, Musser, Vos, Gielow, Ott, Townsend, Nass, Kestell, Hahn, Davis, Petrowski, Albers, Vrakas, Van Akkeren, Hines, Lothian, Van Roy, Loeffelholz, F. Lasee, Freese, Berceau, Lehman, Pocan, Pope-Roberts, Pridemore, Sheridan, Staskunas and Turner.

- Moved by Senator Zien that this Senate Bill be recommended for PASSAGE:

Aye No



Senate Bill 386

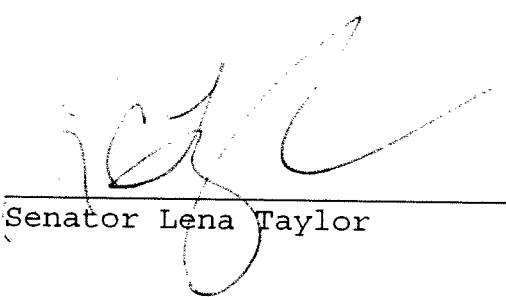
Relating to: immunity from civil liability for providing safety services related to the inspection and installation of child safety restraint systems in motor vehicles.

Introduced by Senator Stepp; cosponsored by Representative Lamb.

- Moved by Senator Zien that Senate Bill 386 be recommended for PASSAGE:

Aye ✓ No

Signature



Senator Lena Taylor





Joe Leibham

State Senator
9th State Senate District

**Testimony Submitted to the
Senate Committee on Judiciary, Corrections and Privacy
Senate Bill 186
June 9, 2005**

Thank you Chairman Zien, committee members and concerned citizens. I'm honored to be before you today and I thank you for your service to our state.

Recently, I was contacted by employees of a business in my district who wanted to know what policies the state has in place in regard to the immunity granted to businesses that provide fully automatic defibrillators for their employees' health and safety. These workers are members of a health care committee at the business and have proposed that the business purchase a fully automatic defibrillator due to the intensely physical nature of the work they do.

Currently, there are two types of defibrillators – semi-automatic and fully automatic. The semi-automatic model requires the user to initiate some or all of the defibrillator functions by pressing buttons on the equipment following the AED visual and/or audio prompts.

The fully automatic model, however, functions independently of the user once the defibrillator's electrodes are applied and the system is turned on. It is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, determining whether defibrillation should be performed, charging, and delivering an electrical impulse to an individual's heart.

While the state statutes grant immunity from civil liability for individuals or organizations that install or use semi-automatic defibrillators, they say nothing about granting immunity to those who use a fully automatic model.

As a result of this discovery, I was pleased to join Representative Sheldon Wasserman and drafted Senate Bill (SB) 186, which would grant to users and providers of fully automatic defibrillators the same immunity given to users and providers of the semi-automatic models. SB 186 would grant immunity from civil liability for users, owners and providers of fully automatic defibrillators for acts or omissions in rendering emergency care in good faith.

As technology has advanced, more and more businesses, organizations and individuals are choosing to purchase fully automatic defibrillators. Yet our laws have not kept pace with the technological advances in this field. SB 186 would get us caught up and send a message that we are committed to workplace safety and public health.

According to the Occupational Safety and Health Administration, in 1999 and 2000, 13 percent of all workplace fatalities were due to sudden cardiac arrest. Overall survival rates for out-of-hospital cardiac arrest are only 1 to 5 percent. A victim's chances of survival go down about 10 percent for every minute they are not treated and, after ten minutes, the victim has less than a two percent chance of surviving.

That is why I urge you to support SB 186. Having a defibrillator in a workplace greatly increases an individual's odds of surviving a sudden cardiac arrest. This bill will encourage more widespread provision and use of these devices, therefore increasing the chances of survival for those stricken with sudden cardiac arrest.

Thank you again for the opportunity to speak to you all today, and thank you again for your service to our great state.

It is an honor representing the residents of the 9th District in the State Senate!