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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 577

Relating to: the Volunteer Fire Fighter and Emergency Medical Technician Service Award Program and the exclusion of wages earned for services performed as a volunteer fire fighter, emergency medical technician, or first responder from partial unemployment benefit determinations.

By Senators Zien, Brown, S. Fitzgerald, Grothman, Lazich, Miller and Wirch; cosponsored by Representatives Gunderson, M. Williams, Ainsworth, Albers, Kerkman, Petrowski, Rhoades, Sherman, Suder, Vos, Wood and Lehman.

February 06, 2006 Referred to Committee on Judiciary, Corrections and Privacy.

February 8, 2006 **PUBLIC HEARING HELD**

Present: (5) Senators Zien, Roessler, Grothman, Taylor and Risser.
Absent: (0) None.

Appearances For

- Dave Zien — Senator, 23rd Senate District
- Scott Gunderson — Representative
- Larry Plumer, Durand — Wisconsin State Firefighters Association
- Forbes McIntosh, Madison — WI EMS Association
- Bob Seitz, Monticello — LOSA Board
- Jeff Wiswell, Madison — Wisconsin Sheriff's & Deputy Sheriff's Association
- Pete Christianson, Madison

Appearances Against

- None.

Appearances for Information Only

- Hal Bergan, Madison — Department of Workforce Development
- Lutfi Shahrani, Belleville — DWD
- James Buchen, Madison — WMC

Registrations For

- Bob Moy, Marshall — Marshall EMS

Registrations Against

- None.

February 14, 2006

EXECUTIVE SESSION HELD

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

Absent: (0) None.

Moved by Senator Zien, seconded by Senator Roessler that **Senate Bill 577** 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

Vote Record

Committee on Judiciary, Corrections and Privacy

Date: 2/14

Moved by: Zien

Seconded by: Roessler

AB _____ SB S77 Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

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:
- | | | | | |
|---------------------------------------|------------------------------------|---------------------------------------|---|--|
| <input type="checkbox"/> Passage | <input type="checkbox"/> Adoption | <input type="checkbox"/> Confirmation | <input type="checkbox"/> Concurrence | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Rejection | <input type="checkbox"/> Tabling | <input type="checkbox"/> Nonconcurrency | |

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator David Zien, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Carol Roessler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Glenn Grothman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Lena Taylor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Fred Risser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: _____

Motion Carried

Motion Failed



MEMORANDUM

TO: Senator Zien, Chair, Senate Committee on Judiciary, Corrections & Privacy
FR: Brian Deschane, Committee Clerk
RE: Agenda for a Public Hearing on Wednesday, February 8, 2006

Joint Senate and Assembly

PUBLIC HEARING

Assembly Committee on Criminal Justice and Homeland Security Senate Committee on Judiciary, Corrections, and Privacy

Wednesday, February 8, 2006
11:30 AM
417 North

The following is an agenda for today's committee hearing:

- I. Will the Senate Committee on Judiciary, Corrections and Privacy please come to order.

Clerk, please call the roll

- II. Purpose of holding hearing:

- SB 536/AB 974**
- SB 537/AB 975**
- SB 580/AB 942**
- SB 575/AB 969**
- SB 573/AB 970**
- SB 574/AB 971**
- SB 577/AB 992**

- III. Committee Rules:

- Limit testimony to 5 minutes per speaker.
- Ensure testimony is germane to the topic
- Summarize / limit redundant testimony

- IV. Public testimony

Senate Bill 536

Relating to: eliminate transitional halfway house building authority.

By Representatives Stone, Gundrum, Nass, Strachota, Suder and Honadel; cosponsored by Senators Lazich, Darling and Plale.

Senate Bill 537

Relating to: placement of persons on supervised release.

By Representatives Stone, Albers, Strachota, Suder and Honadel; cosponsored by Senators Lazich and Darling.

Senate Bill 580

Relating to: child pornography, sexual exploitation of a child, using a computer to facilitate a child sex crime, child sex offenders working with children, making appropriations, and providing penalties.

By Representatives Jeskewitz, Suder, Gronemus, Strachota, Ballweg, Ainsworth, Vos, Townsend, Kreibich, Sheridan, Musser, Lamb, M. Williams, Stone, Kleefisch, Kaufert, Petrowski, Albers, Owens and Krawczyk; cosponsored by Senators Darling, Roessler and Plale.

Senate Bill 575

Relating to: applying cash deposited for bail to restitution payments or to recompense ordered in criminal cases.

By Representatives Suder, Wood, Gronemus, Musser, Townsend, Hines, Owens, LeMahieu, Albers, Petrowski and Van Roy; cosponsored by Senators Zien and Roessler.

Senate Bill 573

Relating to: admitting evidence of other crimes in certain criminal proceedings.

By Representatives Suder, Pettis, Gundrum, Gronemus, Townsend, Ainsworth, Mursau, Owens, Krawczyk, Kleefisch, LeMahieu, Albers, Bies, Van Roy, M. Williams, Musser, Kreibich, Jeskewitz and Petrowski; cosponsored by Senators Zien, Leibham, A. Lasee, Lazich, Darling, Kedzie and Grothman.

Senate Bill 574

Relating to: deadline for distributing a physician's or psychologist's report on a criminal defendant or a person committed upon a finding of not guilty by reason of mental disease or defect.

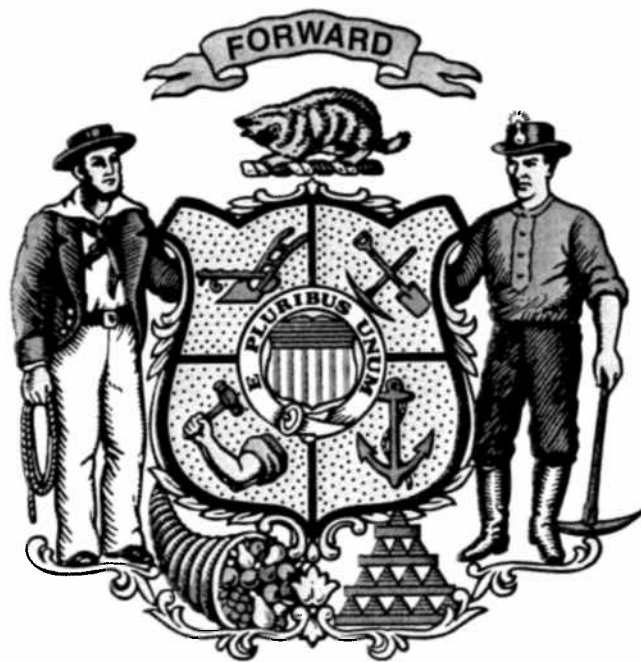
By Representatives Suder, Musser, Townsend, Hines, Gunderson, Albers and Jeskewitz; cosponsored by Senators Zien and Grothman.

Senate Bill 577

Relating to: the Volunteer Fire Fighter and Emergency Medical Technician Service Award Program and the exclusion of wages earned for services performed as a volunteer fire fighter, emergency medical technician, or first responder from partial unemployment benefit determinations.

By Representatives Gunderson, M. Williams, Ainsworth, Albers, Kerkman, Petrowski, Rhoades, Sherman, Suder, Vos, Wood and Lehman; cosponsored by Senators Zien, Brown, S. Fitzgerald, Grothman, Lazich, Miller, Wirch and Erpenbach.

V. Adjourn Public Hearing.





**Wisconsin
EMS
Association**

Testimony

To: Senator David Zien, Chair
Representative Scott Suder, Chair
Members of the Senate Committee on Judiciary, Corrections and Privacy
Members of the Assembly Committee Criminal Justice and Homeland Security

From: Don Hunjadi, Executive Director

Date: Wednesday, February 8, 2006

Re: **Urge Support for Assembly Bill 992 and Senate Bill 577
LOSA and Unemployment Compensation Issues Impacting
Volunteer EMS, Firefighters & First Responders**

Good day. First, on behalf of the Wisconsin EMS Association I would like to thank the two authors of AB-992 and SB-577: Rep. Scott Gunderson and Senator David Zien. In addition, we would like to thank the senate and assembly committee chairs today for scheduling this public hearing on these issues.

My name is Don Hunjadi. I am the Executive Director of the Wisconsin EMS Association, which has a current membership of approximately 8,000 Wisconsin volunteer, part-time and full-time paid emergency Medical Technicians (EMTs), representing the entire State of Wisconsin.

Length of Service Award (LOSA)

The LOSA program has worked very well for the years that it has been in existence. The program has never run out of funding. The very minor expansion that this bill provides will have very little financial impact. The bill expands the program to county run services. While there are only about 6 to 8 of these services in Wisconsin, their volunteers do the exact same job under the same circumstances as the current LOSA eligible services do. The only difference is these are run and financially supported by counties rather than towns, villages or cities. Other than that, they are the same. The only reason they are not eligible now is due to an oversight when the bill was put together. It makes no sense to exclude county run services. The expansion to First Responders again corrects another oversight. While the majority of First Responders are part of a fire department and currently eligible for the LOSA program, there are some organizations that are separate from fire department first responders. Once again, these groups do the exact same thing in the exact same way. It again only makes sense to put them in the program. Summing it up, all we are doing with these changes is modifying the program to allow ALL volunteer EMTs and First Responders to take part in a program that has proven itself to help to retain and attract volunteers.

Unemployment Compensation

The unemployment compensation reporting requirements were changed back in 1993. The reason was a very good one in that some of the most likely people to be able to go on calls are individuals who have been recently laid off and are in a transitional period of finding new employment. It was a good idea in 1993 and remains a good idea today. The volunteer community believes for 2006 and beyond it is extremely important. Volunteer and paid-on-call services are increasingly having difficulty with being able to staff their ambulance and fire department during the weekday.

Who better to be able to go on calls during the day but someone who has been laid off?

If a person has been laid-off from their full-time employment, shouldn't that person be allowed to volunteer more hours of their time to their community as an EMT, firefighter or first responder during that transition of period of finding a new job?

Unfortunately, the modification (deletion) contained in 2005 Act 86 is creating barriers for individuals who have been laid off from continuing their local community volunteer duties. In addition, where a volunteer department may see an opportunity to have a recently laid-off individual cover additional hours and save lives and property – the state has created a barrier

Being laid-off is a hardship to the individual and their family. However, these same individuals become extremely valuable to their local emergency response services, because instead of being at work during the day when staffing is so difficult, they are now at home or looking for a new job. They are the perfect person to be able to fill a daytime schedule.

Since the change, we have heard from dozens of services and individuals who will no longer volunteer due to the reporting changes. It is simple economics and family. Their family has to come first and if volunteering costs them and their family money, they will not do it. So, while we are trying to do everything we can to retain volunteer firefighters, EMTs and First Responders, this change actually works against us. To our knowledge, there has been little complaints from employers regarding this issue. In fact, many employers are very willing to help volunteer fire and EMS and some even allow their employees to leave to respond to a call while at work. The small amount of state income and change is nothing compared to the hardship that is being put on the local community due to this reporting change. It is extremely important that the reporting requirements be returned to their previous status. To not do so is to actually hinder volunteer EMS in Wisconsin - while other bills (LOSA, tax credit, etc.) are trying to support volunteers.

Again, on behalf of the members of the Wisconsin EMS Association, we urge the members of the legislature to pass AB-992 and SB-577 into law this session.

If you should have any questions or require additional information, please do not hesitate to contact me at (800) 793-6820 or call our lobbying consultant, Forbes McIntosh at (608) 255-0566.

Thank you for your time and consideration in this matter.





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

STATE-TRIBAL RELATIONS COMMITTEE

Senator Dave Zien's Testimony on Assembly Bill 992 & Senate Bill 577

February 8th, 2006

Senate Committee on Judiciary, Corrections and Privacy & Assembly Committee on Criminal Justice & Homeland Security

Thank you Mr. Chairman and Committee Members for giving me the opportunity to come before you today and testify on these two very important bills.

Throughout the course of recent legislative sessions, issues with the Length of Service Awards (LOSA) has been brought to my attention by members of the volunteer firefighter, emergency medical technician (EMT) and first responder community.

As the original author of the LOSA program I would like say that it is a splendid program that has worked well for many years. Under the LOSA program any municipality that operates a volunteer fire department or any municipality that authorizes volunteer firefighters and first responders to handle emergency services in the municipality may participate in the LOSA program.

The LOSA program requires annual contributions be paid by municipalities for each volunteer fire fighter and EMT in an amount to be determined by the municipalities and that the state match the municipal contributions of up to \$250 per year.

Under the legislation that Rep. Gunderson and I have authored the LOSA program will possess the following changes:

- Any municipality that authorizes first responders to provide services may participate in the program
- Counties are covered under this program
- The Board will be renamed the Service Award Board
- Eliminates a requirement that firefighters, EMTs and first responders have five years of service for a municipality before the municipality can purchase additional years for them under the program



Another issue that Rep. Gunderson and I have addressed in the bills before you today are the recent changes to Unemployment Insurance that were made in 2005 Act 86.

Wisconsin is highly dependent upon its volunteer firefighters and first responders. 90% of all firefighters and 80% of all EMTs in Wisconsin are comprised of volunteers. Prior to Act 86 the compensation our volunteer firefighters, EMTs and first responders received in the line of duty was exempted from unemployment compensation calculations.

Act 86 changed this formula. As it stands now if a volunteer earns wages in a given week in employment covered by unemployment insurance law, the first \$30 of wages are exempted and the claimants weekly benefit rate is reduced by 67% for the remaining amount of wages earned.

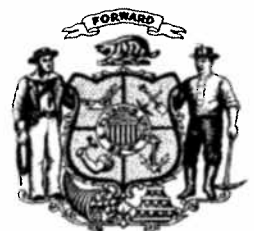
Our bills will provide that any amount a volunteer earns for services performed in their volunteer duties in any week does not reduce their weekly benefit rate for that week. This change will simply return the unemployment compensation policy to what it was prior to Act 86.

It is important to note, that what our volunteer firefighters, EMTs and first responders earn is minimal. The pay these brave men and women receive is to help them incur costs for mileage, clothing, equipment and meals. It pales in comparison to the dangers they face in the line of duty and we should not be penalizing them for serving their community under the current unemployment insurance policy.

Mr. Chairman and members I thank you for hearing my testimony today. I would like to refer any questions on these matters to the representatives of the various volunteer firefighter, EMT and first responder organizations with us today.



WISCONSIN STATE LEGISLATURE



no date

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