

☞ **05hr_SC-JCP_sb0626_pt01**



☞ (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)

Absent: (0) None.

Moved by Senator Grothman, seconded by Senator Roessler that **LRB 3110/1** be recommended for introduction and adoption.

Ayes: (4) Senators Zien, Roessler, Grothman and
Risser.

Noes: (1) Senator Taylor.

INTRODUCTION AND ADOPTION OF LRB 3110/1
RECOMMENDED, Ayes 4, Noes 1

Moved by Senator Zien, seconded by Senator Roessler that **Senate Bill 626** be recommended for passage as amended.

Ayes: (4) Senators Zien, Roessler, Grothman and
Risser.

Noes: (1) Senator Taylor.

PASSAGE AS AMENDED RECOMMENDED, Ayes 4, Noes 1

Kimber Liedl
Committee Clerk

Set aside

Vote Record Committee on Judiciary, Corrections and Privacy

Date: 3/8/06

Any Amds ???

Moved by: _____ Seconded by: _____

AB _____ SB 626 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:
 Passage Adoption Confirmation Concurrence Indefinite Postponement
 Introduction Rejection Tabling Nonconcurrence

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

Motion Carried Motion Failed



Liedl, Kimberly

From: Robert Dams [robdams@yahoo.com]
Sent: Saturday, March 04, 2006 1:58 PM
To: Sen.Grothman; Sen.Taylor; Sen.Risser; Sen.Roessler; Sen.Zien
Subject: Senate Bill 626
Attachments: 2846457472-Nick News Cast.wmv

Dear Senators:

My name is Robert J. Dams, Chief of the Greendale Police Department. I will be appearing Monday at the Senate Public Hearing to speak on Senate Bill 626. I have written this bill in conjunction with Senator Lazich and State Rep. Krusick. The reason is that my 20 year old son was killed by a person driving while suspended. So many people came to me that have had to deal with the same pain and suffering I'm dealing with daily and will for the rest of my life. They asked me what can be done., Since I am familiar with the law I felt it was my duty on behalf of the citizen of this State as well as my son to propose this to you. I have attached a news release that was done on September 20, 2005, when my son was killed, also a new segment done by channel 4 that will show you how people today are defying the laws you all have created. Lastly, I also have put the web site in memory of my son, to give some idea of whom my son was as a wonderful brilliant young man. Please take the time to click on these sites to better prepare you in making your decision on passing this proposed legislation. I could not possibly tell you all this on Monday.

Thank you all

Click on this link to Nick's memory site.
<http://nick-dams.memory-of.com/about.aspx>

Click on this link to see the Channel 4 new report on Rvoked & suspended drivers.
www.ikvideos.net/I-Team/suspended.wmv

Please download attachment for news broadcast on the death of Nick

Sincerely, Robert J. Dams

Yahoo! Mail
Bring photos to life! [New PhotoMail](#) makes sharing a breeze.





Mary Lazich

Wisconsin State Senator

Senate District 28

**Senate Committee on Judiciary, Corrections, and Privacy
Testimony Senate Bill 626
March 6, 2006**

Good Morning Committee Chair Zien and committee members. Thank you for the opportunity to provide testimony to the Senate Committee on Judiciary, Corrections and Privacy on Senate Bill 626.

I authored Senate Bill 626 on behalf of Greendale Police Chief Robert Dams. Nicholas Dams, age 20, the son of Greendale Police Chief Robert Dams, was killed in an accident that involved a driver operating without a license and with his privileges to obtain a license revoked. Nicholas Dams, an A student, was returning home from classes at the downtown campus of the Milwaukee Area Technical College. He so admired his police chief-father that he was planning to be a police officer.

The driver operating without a driver's license and the privilege to obtain a license revoked was only issued a citation for driving after revocation and another for failure to yield the right of way. The driver, at most, was issued a fine and will probably get a driver's license soon.

This is not an isolated case. The same scenario happens to people all over Wisconsin victimized by people driving illegally after their licenses are revoked, suspended, or canceled.

Senate Bill 626 provides that a person operating a motor vehicle without a license or knowing his or her operating privilege is revoked, suspended, or cancelled and causes death of another person is guilty of a Class G felony and shall be fined not more than \$25,000, imprisoned not more than 10 years, or both.



Testimony for Senate Bill 626

March 6, 2006

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A person operating a motor vehicle without a license or while knowing his or her operating privilege is revoked, suspended or cancelled and causes great bodily harm to another person is guilty of a Class H felony and shall be fined not more than \$10,000, imprisoned for not more than 6 years, or both. There are also increased penalties for persons operating without a license or after revocation, suspension, or cancellation for injury to another person or another person's property.

Driving without a license or after revocation, suspension, or cancellation of a driving privilege is not only irresponsible, it can be very dangerous. Please support Senate Bill 626 to ensure that those causing injury or death while driving during the time their driving privileges are taken away are punished appropriately.



Senate Bill 626... relating to: causing property damage, injury, or death while operating a vehicle without a valid driver's license or after suspension or revocation of an operating privilege and providing penalties. (FE)

<p>BILL SPONSORS</p>	<p>Authored by Senators Lazich, Lassa and Roessler.</p> <p>Coauthored by Representatives Stone, Ainsworth, Hahn, Nass, Jeskewitz, Krusick, Lehman and Gunderson.</p>
<p>BILL HISTORY</p>	<p>Senate Bill 626 was introduced February 24, 2006 and referred to the Senate Committee on Judiciary, Corrections and Privacy.</p> <p>A public hearing was held on March 6, and an executive session was held on May 1, 2006 where the committee adopted Senate Amendment One 4-1 (No: Taylor) and passed the bill as amended 4-1 (No: Taylor)</p>
<p>COMPANION BILL HISTORY</p>	<p>None.</p>
<p>LRB ANALYSIS</p>	<p><u>Current Law:</u></p> <p>Under current law, a person who operates his or her motor vehicle without a valid driver's license issued by the Department of Transportation (DOT) may be required to forfeit not more than \$200 for the first offense, may be fined not more than \$300 and imprisoned for not more than 30 days for the second offense occurring within three years, and may be fined not more than \$500 and imprisoned for not more than six months for the third or subsequent offense occurring within three years. A person who operates his or her motor vehicle while the person's operating privilege is revoked may be required to forfeit not less than \$2,500, except that a person with a prior conviction within the preceding five years or a person whose operating privilege was revoked for a violation related to operating while intoxicated may be fined not more than \$2,500 or imprisoned for not more than one year in the county jail or both. A person who operates a motor vehicle while his or her operating privilege is suspended is required to forfeit not less than \$50 nor more than \$200.</p> <p><u>Proposed Change:</u></p> <p>Under this bill, a person who knowingly operates a motor vehicle without a valid driver's license issued by DOT or while his or her operating privilege is cancelled, suspended, or revoked and who causes damage to another person's property is guilty of a Class A misdemeanor, and may be fined not more than \$10,000 or imprisoned for not more than nine months or both.</p> <p>A person who knowingly operates a motor vehicle without a valid driver's license issued by DOT or while his or her operating privilege is cancelled, suspended, or revoked and who causes injury to another person is guilty of a Class I felony, and may be fined not more than \$10,000 or imprisoned for not more than three years and six months or both.</p> <p>A person who knowingly operates a motor vehicle without a valid driver's license issued by DOT or while his or her operating privilege is cancelled, suspended, or revoked and who causes great bodily harm to another person is guilty of a Class</p>

H felony and may be fined not more than \$10,000 or imprisoned for not more than 6 years or both.

A person who knowingly operates a motor vehicle without a valid driver's license issued by DOT or while his or her operating privilege is cancelled, suspended, or revoked and who causes the death of another person is guilty of a Class G felony and may be fined not more than \$25,000 or imprisoned for not more than ten years or both.

Senate Amendment One:

Senate Amendment One changes the penalties provided in SB 626.

A person who knowingly operates a motor vehicle without a valid driver's license issued by DOT or while his or her operating privilege is cancelled, suspended, or revoked and who causes damage to another person's property shall be required to forfeit \$1,000.

A person who knowingly operates a motor vehicle without a valid driver's license issued by DOT or while his or her operating privilege is cancelled, suspended, or revoked and who causes injury to another person shall be required to forfeit \$5,000.

A person who knowingly operates a motor vehicle without a valid driver's license issued by DOT or while his or her operating privilege is cancelled, suspended, or revoked and who causes great bodily harm to another person is guilty of a Class A misdemeanor.

A person who knowingly operates a motor vehicle without a valid driver's license issued by DOT or while his or her operating privilege is cancelled, suspended, or revoked and who causes the death of another person is guilty of a Class A misdemeanor.

Major Impact:

This bill increases the penalty for knowingly Operating Without a License (OWL), Operating While Suspended (OWS), or Operating After Revocation (OAR) and causing property damage, injury, great bodily harm, or death.

FISCAL EFFECT

A fiscal estimate from the Department of Transportation states that the bill will have a one time cost of \$43,300 for programming changes and may cause an increased burden on law enforcement and courts.

SUPPORT

The following persons appeared in favor of this bill:

1. Senator Mary Lazich
2. Robert Dams, Greendale Chief of Police

The following persons registered in favor of this bill:

1. Mike Vaughn, WI Chiefs of Police Association
2. Representative Jeff Stone
3. John Balcerzak, Milwaukee Police Association
4. Bill Ward, Milwaukee Police Association

	<p>5. Representative Peggy Krusick</p> <p>The following organizations registered their support for the bill with the State Ethics Board, but did not testify or register at the public hearing:</p> <p>1. none</p>
OPPOSITION	<p>The following people testified in opposition to this bill:</p> <p>1. None</p> <p>The following people registered in opposition to this bill:</p> <p>1. none</p> <p>The following organizations registered their opposition to the bill with the State Ethics Board, but did not testify or register at the public hearing:</p> <p>1. none</p>
NEUTRAL	<p>The following organization(s) appeared or registered for information only:</p> <p>1. none</p> <p>The following organization registered their intention to lobby with the State Ethics Board but did not take a position on the bill:</p> <p>1. none</p>
CONTACT	Kimber Liedl, Committee Clerk, Senate Committee on Judiciary, Corrections & Privacy
DATE	May 3, 2006