Assembly

Record of Committee Proceedings

Committee on Judiciary and Ethics

Assembly Bill 78

Relating to: judicial discretion in certain John Doe proceedings and the provision of attorney representation of state employees at John Doe proceedings.

By Representatives Hintz, Spanbauer, Townsend, Ballweg, Shilling, Van Roy, Kaufert, Berceau, Ziegelbauer, Garthwaite, Jorgensen, Sinicki, Friske, Bies and Nerison; cosponsored by Senators Kreitlow, Erpenbach, Taylor, Vinehout, Schultz, Hansen, Lehman, Holperin, Kapanke and Hopper.

February 24, 2009 Referred to Committee on Judiciary and Ethics.

March 10, 2009 **PUBLIC HEARING HELD**

Present: (9) Representatives Hebl, Colon, Kessler, Cullen, Richards, Turner, Gundrum, Kerkman and

Kramer.

Absent: (1) Representative Zipperer.

Appearances For

- Marty Beil, Madison WSEU-AFSCME #24
- Bill Foust Judge, Dane County Courts
- William Grosshaus, Madison Dept of Corrections
- Gordon Hintz Representataive, 54th Assembly District
- Pat Kreitlow Senator, 23rd Senate District
- Dan Meehan AFSCME Local 18
- William Pollard Department of Corrections
- Dick Spanbauer Representative, 53rd Assembly District
- Gabe Umentum AFSCME
- Steve Watters Department of Health Services-Sand Ridge Secure Treatment Center
- Todd Wetzel AFSCME, Local 178

Appearances Against

• None.

Appearances for Information Only

• Kevin St John — WI DOJ

Registrations For

- Luther Olsen Senator, Senate District 14
- Scott Spector, Madison AFT Wisconsin

- Susan McMurray AFSCME
- John Kies, Waupun WSEULocal 178
- Lena Taylor Senator, 4th Senate District
- Justin Grivens, Chippewa Falls AFSCME Local 122
- DuWayne Dallman, Grand Marsh AFSCME Local 134
- Dave Kopplin, Elkhorn AFSCME
- Randy Hopper Senator, 18th Senate District
- Phillip Briski, Randolph Dodge Correctional
- Jon Erpenbach Senator, 27th Senate District
- Phil Neuenfeldt, Milwaukee WI Sttate AFL-CIO
- Jeff Fitzgerald Senator, 39th Assembly District
- Bethany Ordaz, Milwaukee 633 S. Hawley Rd, Suite 113

Registrations Against

• None.

Registrations for Information Only

• JB Van Hollen — Attorney General, WI DOJ

April 21, 2009 **EXECUTIVE SESSION HELD**

Present: (10) Representatives Hebl, Colon, Kessler, Cullen, Richards, Turner, Gundrum, Kerkman, Kramer,

Zipperer.

Absent: (0) None.

Moved by Representative Gundrum, seconded by Representative Kramer that **Assembly Amendment 2** be recommended for adoption.

Ayes: (8) Representatives Hebl, Kessler, Cullen, Richards, Gundrum, Kerkman, Kramer and Zipperer.

Noes: (2) Representatives Colon and Turner.

ASSEMBLY AMENDMENT 2 ADOPTION RECOMMENDED, Ayes 8, Noes 2

Moved by Representative Gundrum, seconded by Representative Kerkman that **Assembly Amendment 3** be recommended for adoption.

Ayes: (4) Representatives Gundrum, Kerkman, Kramer and Zipperer.

Noes: (6) Representatives Hebl, Colon, Kessler, Cullen, Richards and Turner.

ASSEMBLY AMENDMENT 3 ADOPTION NOT RECOMMENDED, Ayes 4, Noes 6

Moved by Representative Hebl that **Assembly Bill 78** be recommended for passage as amended.

Ayes: (9) Representatives Hebl, Colon, Cullen, Richards, Turner, Gundrum, Kerkman, Kramer and Zipperer.

Noes: (1) Representative Kessler.

PASSAGE AS AMENDED RECOMMENDED, Ayes 9, Noes 1

Traci Bussan Committee Clerk