



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2007 Senate Bill 462

Senate Amendments 1, 2, and 3

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Under current law, the Law Enforcement Standards Board (board) establishes minimum qualification standards for law enforcement officers. That board may establish, in addition to education and training standards, qualification standards relating to the competence and reliability of a person to assume and discharge the responsibilities of a law enforcement officer.

Senate Bill 462 provides that a candidate for a full-time law enforcement or tribal law enforcement position must submit to a psychological evaluation by a licensed psychologist before being appointed as a full-time law enforcement or tribal law enforcement officer. Under the bill, this evaluation requirement applies to law enforcement or tribal law enforcement officers appointed on or after January 1, 2009. Senate Bill 462 requires local law enforcement agencies, and state agencies that employ law enforcement officers, to review the psychological evaluation of a candidate for a law enforcement officer position before appointing the individual as a full-time law enforcement officer. The bill specifies that all of the psychological evaluations provided for under the bill are confidential and are not subject to public inspection or copied under the Open Records Law.

Senate Amendment 1

Senate Amendment 1 amends the bill to provide that an evaluation that is obtained for an appointment to a law enforcement or tribal law enforcement position by one appointing authority may not be used to satisfy the requirement for an evaluation of an appointment to a law enforcement or tribal law enforcement officer position by another appointing authority.

Senate Amendment 2

Senate Amendment 2 changes the initial application of the bill from January 1, 2009 to July 1, 2009. The amendment also requires the Law Enforcement Standards Board to submit its required report to the Legislature by July 1, 2011, rather than by April 1, 2010.

Senate Amendment 3

Senate Amendment 3 makes a number of changes to the bill relating to the Department of Natural Resources (DNR). The amendment provides that the DNR may not appoint any individual to serve as a full-time ranger who will be authorized to carry a firearm or is a full-time warden unless the department reviews an evaluation by a psychologist that is required under the legislation. The amendment also provides that the department shall keep confidential any record of an evaluation received or maintained and provides that any such record is not open to public inspection or copying.

In addition, Senate Amendment 3 provides that the requirement for an evaluation does not apply to rangers employed by the DNR who are not authorized to carry a firearm. The amendment also makes several cross-reference changes to the statutes to accommodate the provisions of the amendment.

Legislative History

Senate Bill 462 was introduced on February 7, 2008 by Senator Hansen and others; and cosponsored by Representative Hraychuck and others. The bill was referred to the Senate Committee on Labor, Elections and Urban Affairs. Senate Amendments 1, 2, and 3 were offered by Senator Hanson. The Senate Committee recommended adoption of Senate Amendment 1 on a vote of Ayes, 3; Noes, 1 and adoption of both Senate Amendments 2 and 3 on votes of Ayes, 4; Noes, 0.

The committee recommended passage of the bill, as amended, on a vote of Ayes, 3; Noes, 1.

RW:jal