

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1894/P1dn
JEO:jlg:hmh

March 10, 1999

Andy:

I did this as a preliminary draft because I have a few questions:

1. The drafting instructions referred only to the penalties under s. 961.41 (1m) (e), stats. (possession with intent to manufacture or deliver). However, it seemed to make sense for the draft to cover s. 961.41 (1) (e), stats., as well, which provides virtually identical penalties for manufacture or delivery of methamphetamine. Is that your intent?

2. In accordance with the drafting instructions, this draft only affects methamphetamine, not amphetamine. Should it also cover amphetamine?

3. The drafting instructions specified penalties for two categories: 1) offenses involving three or fewer grams of methamphetamine; and 2) offenses involving more than three grams but not more than ten grams of methamphetamine. The instructions did not say what the penalty should be for offenses involving more than ten grams of methamphetamine, but I provided a penalty for such offenses in this draft by adapting the penalty under s. 961.41 (1) (e) 6. and (1m) (e) 6., stats., that will take effect on December 31, 1999. Does this penalty effect your intent?

Please let me know if you have any questions or changes.

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