

2011 DRAFTING REQUEST

Bill

Received: 02/09/2011
Wanted: As time permits
For: Jeff Stone (608) 266-8590
May Contact:
Subject: Criminal Law - drugs

Received By: phurley
Companion to LRB:
By/Representing: Michael
Drafter: phurley
Addl. Drafters:
Extra Copies:

Submit via email: YES

Requester's email: Rep.Stone@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Ban the sale of mephedrone and MDPV

Instructions:

Ban sale of these chemicals; at this point, don't put it in the schedule.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L Crime
/1	phurley 02/28/2011	jdyer 03/04/2011	rschluet 03/04/2011	_____	cduerst 03/04/2011	lparisi 03/29/2011	

FE Sent For: *At Introduction*

<END>

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/?	phurley	1 3/4 jld		_____	_____	_____	_____

FE Sent For:

<END>

Hurley, Peggy

From: Pyritz, Michael
Sent: Wednesday, February 09, 2011 1:09 PM
To: Hurley, Peggy
Subject: Information for bill draft

Here you go,

Item it looks like we need to ban is mephedrone MDPV.

Methylenedioxypravalorone

LA,FL,KY and MS have either banned it already or have passed legislation that would ban it.

Contacts;

Joe McGraw
Concorida University
262-243-2758
Joseph.mcgraw@cuw.edu

Dr. Mark Ryan
LA Poison Control
318-813-3314
mryan@lsuhsc.edu

Thanks,

mike

Hurley, Peggy

From: Hurley, Peggy
Sent: Thursday, February 10, 2011 2:44 PM
To: Dake, Marsha
Subject: RE: Draft Legislation "Bath Salt Drug"

Sounds great; thanks! Have a nice weekend.

From: Dake, Marsha
Sent: Thursday, February 10, 2011 2:43 PM
To: Hurley, Peggy
Subject: RE: Draft Legislation "Bath Salt Drug"

Mike is off today and tomorrow, but I will bring this up with Rep. Stone, or have Mike call you next week.

Marsha Dake
Office of Rep. Jeff Stone
6-8590

From: Hurley, Peggy
Sent: Thursday, February 10, 2011 2:38 PM
To: Dake, Marsha
Subject: RE: Draft Legislation "Bath Salt Drug"

Thanks, Marsha!

This is very helpful. I do have one question, though, after reading this: yesterday Mike and I discussed outlawing the sale (and, I assumed, the manufacture), but not merely possession, of these chemicals. Do you know if you want possession criminalized as well?

Actually, I have a couple more questions, now that I think about it. We discussed following the model of s. 941.318 which prohibits the manufacture, distribution, or delivery of salvia divinorum (unless it is used as a homeopathic remedy) but does not place that drug on the schedule of controlled substances and does not prohibit mere possession.

The penalty for manufacturing, distributing, or delivering salvia divinorum is a \$10,000 fine. Do you want a similar penalty for manufacturing, distributing, or delivering MDPV or mephedrone? If you do want to outlaw possession, what kind of penalty would you want?

Let me know your thoughts. Thanks!

Peggy

From: Dake, Marsha
Sent: Thursday, February 10, 2011 2:27 PM
To: Hurley, Peggy
Subject: FW: Draft Legislation "Bath Salt Drug"

From: Pyritz, Michael
Sent: Wednesday, February 09, 2011 5:24 PM
To: *Legislative Assembly Republicans
Subject: Draft Legislation "Bath Salt Drug"

February 9, 2011

To: Assembly Republicans

focus on people making & selling - not mere possession

same penalty

Fr: Rep. Stone and Rep. Severson

Re: Legislation being drafted. "Bath Salt Drug"

Good afternoon everyone,

This note is to alert the members of the caucus that Rep. Stone and Rep. Severson have requested a bill draft that will result in the outlawing of either the sale or possession of MDPV 'methylenedioxypravalone'. Also know as the bath salt drug. A story ran on Channel 4 TV in Milwaukee on Tuesday night that highlighted the use and rather shocking results of using this drug.

If there is interest in joining in as this bill being worked on please let the Stone office know. (6-8590) It is possible that some offices will begin to receive some calls on this issue. Here are a few links to what other states have done to ban the sale of this drug.

<http://health.usnews.com/health-news/family-health/brain-and-behavior/articles/2011/02/04/hallucinogens-legally-sold-as-bath-salts-a-new-threat>

http://articles.sun-sentinel.com/2011-01-27/news/fl-bath-salts-florida-20110126_1_salts-fake-cocaine-bath

<http://www.myfoxmemphis.com/dpp/news/local/012811-mississippi-senate-oks-ban-on-bath-salt-drugs>

Michael Pyritz
Ofc. Of Rep. Jeff Stone
6-8590



Jld

2011 BILL

2-28-11

✓
①

Gen

AN ACT ...; relating to: mephedrone or methylenedioxypravalerone

and providing a penalty

Analysis by the Legislative Reference Bureau

This bill prohibits manufacturing, distributing, delivering, or possessing with the intent to distribute or deliver, mephedrone or methylenedioxypravalerone with the intent that the substance be consumed by a person.

The penalty for violating the prohibition is a fine not to exceed \$10,000.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

LPS-
② Fix component

SECTION 1. 941.319 of the statutes is amended to read:

created

941.319 Mephedrone; methylenedioxypravalerone. (1) In this section:

(a) "Deliver," with respect to mephedrone or methylenedioxypravalerone, has

the same meaning given in s. 961.01 (6) with respect to a controlled substance or

controlled substance analog.

BILL

SECTION 1

1 (b) "Distribute," with respect to mephedrone or methylenedioxypravalone,
2 has the same meaning given in s. 961.01 (9) with respect to a controlled substance
3 or controlled substance analog.

4 (c) "Manufacture," with respect to mephedrone or methylenedioxypravalone,
5 has the same meaning given in s. 961.01 (13) with respect to a controlled substance
6 or controlled substance analog.

7 (2) Whoever manufactures, distributes, delivers, or possesses with the intent
8 to distribute or deliver, mephedrone or methylenedioxypravalone with intent that
9 it be consumed by an individual may be fined not more than \$10,000.

10 (END)

Parisi, Lori

From: Pyritz, Michael
Sent: Monday, March 28, 2011 3:54 PM
To: LRB.Legal
Subject: Draft Review: LRB 11-1386/1 Topic: Ban the sale of mephedrone and MDPV

Please Jacket LRB 11-1386/1 for the ASSEMBLY.