

## 2011 DRAFTING REQUEST

### Bill

Received: **01/31/2012**

Received By: **agary**

Wanted: **As time permits**

Companion to LRB:

For: **Peggy Krusick (608) 266-1733**

By/Representing: **self**

May Contact:

Drafter: **agary**

Subject: **Beverages**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Krusick@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

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### Pre Topic:

No specific pre topic given

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### Topic:

Prohibiting sale of intoxicating liquor of 160 proof or higher

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### Instructions:

Prohibit sale of intoxicating liquor of 160 proof or higher

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### 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>
/?				_____			State Crime
/P1	agary 02/02/2012	mduchek 02/08/2012	rschluet 02/08/2012	_____	lparisi 02/08/2012		State Crime
/1	agary 02/09/2012	jdyer 02/09/2012	phenry 02/09/2012	_____	mbarman 02/09/2012	mbarman 02/09/2012	

FE Sent For:

*atinty  
3/1/12*

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FE Sent For:

*MD*  
*11*  
*2/9/12*  
*ag*  
*ph*  
**X-END**

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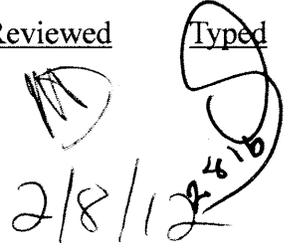
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/?	agary			_____	_____	_____	_____

FE Sent For:

<END>

**Gary, Aaron**

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**From:** Hurley, Peggy  
**Sent:** Tuesday, January 31, 2012 12:14 PM  
**To:** Gary, Aaron  
**Subject:** Everclear/high proof alcohol

Aaron,

I just received a call from Rep. Peggy Krusick. Do you recall discussing with her, some time ago, a ban on Everclear? She thought she'd asked for a draft, but I can't find one entered. In any event, she'd like a draft that bans certain high proof alcohol (but I am not sure what the threshold "proof" should be for the ban). She can be reached at 414-543-0017.

Peggy

Peggy Hurley  
Legislative Reference Bureau  
608 266 8906

**Gary, Aaron**

---

**From:** Krusick, Peggy  
**Sent:** Thursday, February 02, 2012 4:27 AM  
**To:** Gary, Aaron  
**Subject:** LRB 3986/High Proof Alcohol

Dear Aaron,

Would you kindly draft the bill prohibiting the sale of alcohol grain of 160 proof and higher.

Thank you so much!

Peggy

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**From:** Gary, Aaron  
**Sent:** Wednesday, February 01, 2012 3:08 PM  
**To:** Krusick, Peggy  
**Subject:** LRB-3986: high proof alcohol

Representative Krusick,

I just wanted to confirm that I received your voice mail and entered your request relating to high proof alcohol. This will be LRB-3986. We did discuss this some time ago; you had called to "brainstorm" before a meeting of yours and it was my understanding that you would decide after the meeting (and perhaps after additional discussions with other groups/individuals) how you wanted to approach the problem and then possibly contact me with drafting instructions. Accordingly, I did not enter the drafting request until I received your voice mail yesterday. I'll be getting to this as soon as I can, there is a flood of drafting at the moment. Please let me know if you have any further questions.

Aaron

Aaron R. Gary  
*Attorney, Legislative Reference Bureau*  
608.261.6926 (voice)  
608.264.6948 (fax)  
aaron.gary@legis.state.wi.us



in  
2/2



med

wanted  
by 2/9

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

D-Note

1

AN ACT <sup>Gen</sup>...; relating to: the sale, consumption, or possession of

2

high-concentration alcohol beverages and providing penalties

***Analysis by the Legislative Reference Bureau***

This bill prohibits the sale, consumption, or possession of intoxicating liquor containing 80 percent or more of alcohol by volume (160 proof or higher). A person who sells intoxicating liquor in violation of this prohibition is guilty of a Class I felony, punishable by a fine not exceeding \$10,000 or imprisonment not exceeding three years and six months or both. A person who consumes or possesses intoxicating liquor in violation of this prohibition must forfeit not less than \$200 nor more than \$500 for the first offense and not less than \$500 nor more than \$5,000 for the second or any subsequent offense within five years.

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* 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:***

3

**SECTION 1.** 125.68 (14) of the statutes is created to read:



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3986/P1dn

ARG:f:....

*med*

*Date*

ATTN: Representative Krusick

Please review the attached draft carefully to ensure that it is consistent with your intent. In particular, I was uncertain what level of penalty you wish to provide for these violations.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3986/P1dn  
ARG:med:rs

February 8, 2012

ATTN: Representative Krusick

Please review the attached draft carefully to ensure that it is consistent with your intent. In particular, I was uncertain what level of penalty you wish to provide for these violations.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: [aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

**Gary, Aaron**

---

**From:** Rep.Krusick  
**Sent:** Thursday, February 09, 2012 12:22 PM  
**To:** Gary, Aaron  
**Subject:** LRB 3986/High Concentration Alcohol Beverages

Dear Aaron,

Please draft LRB 3986/P1 relating to high concentration alcohol as a bill.

Thank you so much!

Peggy



State of Wisconsin  
2011 - 2012 LEGISLATURE

TODAY



LRB-3986/12

ARG:med:rs

in  
2/9

Step  
CMM

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

No changes

1 AN ACT *to create* 125.68 (14) of the statutes; **relating to:** the sale, consumption,  
2 or possession of high-concentration alcohol beverages and providing penalties.

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This bill prohibits the sale, consumption, or possession of intoxicating liquor containing 80 percent or more of alcohol by volume (160 proof or higher). A person who sells intoxicating liquor in violation of this prohibition is guilty of a Class I felony, punishable by a fine not exceeding \$10,000 or imprisonment not exceeding three years and six months or both. A person who consumes or possesses intoxicating liquor in violation of this prohibition must forfeit not less than \$200 nor more than \$500 for the first offense and not less than \$500 nor more than \$5,000 for the second or any subsequent offense within five years.

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

3 SECTION 1. 125.68 (14) of the statutes is created to read:



**Godwin, Gigi**

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**From:** Rep.Krusick  
**Sent:** Thursday, February 09, 2012 1:32 PM  
**To:** LRB.Legal  
**Subject:** LRB 11-3986/1 Topic: Prohibiting sale of intoxicating liquor of 160 proof or higher

Dear Legislative Reference Bureau,

Please Jacket LRB 11-3986/1 for the ASSEMBLY.

Fantastic Job!

Peggy