

2001 DRAFTING REQUEST

Bill

Received: 02/04/2002

Received By: agary

Wanted: Soon

Identical to LRB:

For: Brian Burke (608) 266-8535

By/Representing: Tanya Bjork (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - miscellaneous
Transportation - traffic laws

Extra Copies: TNF, PJH

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

State traffic patrol officer and inspector investigations.

Instructions:

See Attached

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>
/?	agary 02/04/2002	jdye 02/04/2002					State
/1			pgreensl 02/04/2002		lrb_docadmin 02/04/2002	lrb_docadmin 02/05/2002 lrb_docadmin 02/05/2002	

FE Sent For:

<END>

→ At Intro.

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1?	agary	1 2/4 jld	2/4 P8	2/4 Sery			

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<END>

Emery, Lynn

Needs a companion bill.

From: Bjork, Tanya
Sent: Monday, February 04, 2002 10:32 AM
To: LRB.Legal
Subject: AB 737 (LRB-2957/3)

Please jacket for Senate introduction and deliver to Tanya Bjork in Senator Burke's office (317 East). THANKS

4875/1
LRB-205714
ARG(jld:kjf)
soon
turned in
2/4

2001 ASSEMBLY BILL 737

~~January 16, 2002 - Introduced by Representatives FREESE, AINSWORTH, BIES, FRISKE, HAHN, HINES, HUBER, JESKEWITZ, KAUFERT, LA FAVE, LASSA, J. LEHMAN, LOEFFELHOLZ, MCCORMICK, MILLER, MUSSER, NASS, OLSEN, OWENS, PETROWSKI, RYBA, STONE, SYKORA, TOWNSEND, URBAN and VRAKAS, cosponsored by Senators BURKE, BAUMGART, DARLING, HANSEN, HARSDFORF, MOEN, PLACHE, ROBSON and WIRCH. Referred to Committee on Transportation.~~

Regen

1 AN ACT to amend 110.07 (2m) and 110.07 (4) of the statutes; relating to:
2 investigations by state traffic patrol officers and inspectors.

Analysis by the Legislative Reference Bureau

Current law grants state traffic patrol officers and inspectors specific powers and duties. The primary duty of a state traffic patrol officer is to enforce motor vehicle and traffic laws. The primary duty of an inspector is to enforce motor vehicle laws. State traffic patrol officers and inspectors may not conduct investigations for crimes under the Criminal Code.

This bill specifies that a state traffic patrol officer or inspector may conduct investigations relating to the violation of any law for which the state traffic patrol officer or inspector is granted enforcement powers, including crimes relating to the use or operation of vehicles. State traffic patrol officers and inspectors may not conduct investigations for crimes under the Criminal Code that are unrelated to the use or operation of vehicles.

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. 110.07 (2m) of the statutes is amended to read:

ASSEMBLY BILL 737

1 110.07 (2m) In addition to the primary powers granted by subs. (1) and (2), any
2 officer of the state traffic patrol shall have the powers of a peace officer under s. 59.28,
3 except that the officer shall have the arrest powers of a law enforcement officer under
4 s. 968.07, regardless of whether the violation is punishable by forfeiture or criminal
5 penalty. A state traffic officer shall at all times be available as a witness for the state
6 but ~~shall~~ may not conduct investigations for crimes under chs. 939 to 948 other than
7 crimes relating to the use or operation of vehicles. The primary duty of a state traffic
8 officer shall be the enforcement of chs. 340 to 351 or of any other law relating to the
9 use or operation of vehicles upon the highway. No state traffic officer shall be used
10 in or take part in any dispute or controversy between employer or employee
11 concerning wages, hours, labor or working conditions; nor shall any such officer be
12 required to serve civil process. The department may assign state traffic officers to
13 safeguard state officers or other persons.

14 SECTION 2. 110.07 (4) [✓] of the statutes is amended to read:

15 110.07 (4) In addition to the primary powers granted by sub. (3), any inspector
16 shall have the powers of a peace officer under s. 59.28, except that the inspector shall
17 have the arrest powers of a law enforcement officer under s. 968.07, regardless of
18 whether the violation is punishable by forfeiture or criminal penalty. An inspector
19 shall at all times be available as a witness for the state but ~~shall~~ may not conduct
20 investigations for crimes under chs. 939 to 948 other than crimes relating to the use
21 or operation of vehicles. The primary duty of an inspector shall be the enforcement
22 of the provisions specified in sub. (3). No inspector may be used in or take part in any
23 dispute or controversy between employer or employee concerning wages, hours,

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1 labor or working conditions; nor may an inspector be required to serve civil process.

2 The department may assign inspectors to safeguard state officers or other persons.

3 (END)



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

February 4, 2002

MEMORANDUM

To: Senator Burke

From: Aaron R. Gary, Attorney

Re: LRB-4875/1 State traffic patrol officer and inspector investigations.

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

___ JACKET FOR ASSEMBLY S JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 261-6926 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.