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Bill

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Emery, Lynn

Needs a companion bill.

From:

Bjork, Tanya

Sent:

Monday, February 04, 2002 10:32 AM LRB.Legal

To:

Subject:

AB 737 (LRB-2957/3)

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

4875// LRB-2007/4/ ARGGIL: kjf

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, Harsdorf, Moen, Plache, Robson and Wirch. Referred to Committee on Transportation.

Regen

AN ACT to amend 110.07 (2m) and 110.07 (4) of the statutes; relating to:

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:

SECTION 1. 110.07 (2m) of the statutes is amended to read:

1

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ASSEMBLY BILL 737

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

SECTION 2. 110.07 (4) of the statutes is amended to read:

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

ASSEMBLY BILL 737

- 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 Misconsin

LEGISLATIVE REFERENCE BUREAU

STEPI IEN R. MILLER CHIEF 100 NORTH HAMILTON STREET 5TH FLOOR MADISON, WI 53701-203/

LEGAL SECTION: LEGAL FAX:

(608) 266-3561 (608) 264-6948

February 4, 2002

MEMORANDUM

To:

Senator Burke

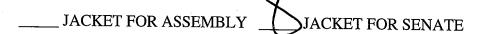
From:

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.



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.