

2003 DRAFTING REQUEST

Bill

Received: **02/27/2004**

Received By: **mdsida**

Wanted: **As time permits**

Identical to LRB:

For: **Revisor of Statutes**

By/Representing: **Bruce Munson**

This file may be shown to any legislator: **NO**

Drafter: **mdsida**

May Contact:

Addl. Drafters:

Subject: **State Govt - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **bruce.munson@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Revisor's Correction Bill

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>
/?	mdsida 02/27/2004	csicilia 03/30/2004		_____			
/P1		csicilia 04/01/2004	pgreensl 03/30/2004	_____	lemery 03/30/2004		
/1			rschlue	_____	lemery	sbasford	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			04/02/2004 _____		04/02/2004	04/09/2004	
			_____			sbasford	
			_____			04/09/2004	

FE Sent For:

<END>

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/P1		csicilia 04/01/2004	pgreensl 03/30/2004	_____	lemery 03/30/2004		
/1			rschluet	_____	lemery		

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/?	mdsida 02/27/2004	csicilia 03/30/2004		==			

/P1		1 cjs 4/1/04	pgreensl 03/30/2004		lemery 03/30/2004		
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03/30/2004 04:27:16 PM

Page 2

LRB-4386

FE Sent For:

<END>

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1?	mdsida	pl cjs	3/30 04	3/30 pr	3/30 pr		

FE Sent For:

3/30
04
3/30
pr
pr
<END>

PA's:
Please send rough
copy + one
single-sided typed
copy to Bruce
Hoesly at RSB
Thanks. Chris

February 27, 2004

To: Micael Dsida, Rachel Letzing, Nicholas Davos

From: Bruce Munson

We would be willing to draft the following amendment of pars. (bm) and (cm) as a Revisor's Correction Bill. Subsection (2) is shown for illustrative purposes.

961.41 (2) Counterfeit substances. (Intro.) Except as authorized by this chapter, it is unlawful for any person to create, manufacture, distribute, deliver or possess with intent to distribute or deliver, a counterfeit substance. Any person who violates this subsection is subject to the following penalties:

(bm) Counterfeit of phencyclidine and certain other drugs. A If a person violates this subsection with respect to a counterfeit substance that is a counterfeit of phencyclidine, methamphetamine, lysergic acid diethylamide, gamma-hydroxybutyric acid, gamma-butyrolactone, 3,4-methylenedioxymethamphetamine 4-bromo-2,5-dimethoxy-beta-phenylethyl-amine, 4-methylthioamphetamine, or ketamine, the person is punishable by subject to the applicable fine and imprisonment for manufacture, distribution, delivery, or possession with intent to manufacture, distribute, or deliver, of the genuine controlled substance under sub. (1) or (1m).

(cm) Counterfeit flunitrazepam. A If a person violates this subsection with respect to a counterfeit substance which that is flunitrazepam, the person is punishable by subject to the applicable fine and imprisonment for manufacture, distribution, delivery, or possession with intent to manufacture, distribute, or deliver, of the genuine controlled substance under sub. (1) or (1m).

Siciliano, Chris

From: Hoesly, Bruce
Sent: Friday, February 27, 2004 2:52 PM
To: Siciliano, Chris
Cc: Munson, Bruce
Subject: RE: RE: Amendment of s. 961.41 (2) (bm) and (cm) as a Revisor's Correction Bill

Whenever these get done is fine. If not presented next week, we can get it in the end of April session.

Note for (bm):

Note: Adds title and conforms structure of provision to the remainder of s. 961.41 (2), as amended by 2001 Wis. Act 109. 2001 Wis. Act 16 created this provision, which was not taken into account by Act 109.

Note for (cm):

Note: Conforms structure of provision to the remainder of s. 961.41 (2), as amended by 2001 Wis. Act 109. 2001 Wis. Act 109 created a title, but did not otherwise treat this provision.

-----Original Message-----

From: Siciliano, Chris
Sent: Friday, February 27, 2004 2:47 PM
To: Hoesly, Bruce
Subject: RE: Amendment of s. 961.41 (2) (bm) and (cm) as a Revisor's Correction Bill

I have the materials for this draft back from Mike Dsida, who has been in contact with Bruce Munson about it. I will not have these ready for you today, though. Feel free to send me revisors notes for this material (if different from those supplied with rb13). Let me know if you need a copy of the attachment that Bruce Munson sent to Mike Dsida (containing a version of the changes that is different from what appears in rb13). Thanks. Chris

2003

Date (time) needed SOON

LRB - 4386, P1

Revisors Bill

DO NOT GEN CAT

DO NOT SORT

BEM: gjs

SAV

Use the appropriate components and routines developed for bills.

AN ACT... [generate catalog] *to repeal ... ; to renumber ... ; to consolidate and renumber ... ; to renumber and amend ... ; to consolidate, renumber and amend ... ; to amend ... ; to repeal and recreate ... ; and to create ...* of the statutes; relating to:

REL INS

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

- For the main heading, execute: create → anal: → title: → head
 - For the subheading, execute: create → anal: → title: → sub
 - For the sub-subheading, execute: create → anal: → title: → sub-sub
- For the analysis text, in the component bar:
- For the text paragraph, execute: create → anal: → text

ANAL INS

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

SECTION #.

BILL INS

(this is: 03-4386/Pl ins

REL INS

1 AN ACT relating to: amending and revising section^S 961.41 (2) (bm) and 961.41
2 (2) (cm) of the statutes for the purpose of reconciling conflicts and supplying
3 omissions. (Revisor's Correction Bill).

ANAL INS

Analysis by the Legislative Reference Bureau

This revisor's revision bill is explained in the NOTES provided by the revisor of statutes in the body of the bill. In accordance with a change in drafting style, commas after the last item in a series are added throughout this bill.

before

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

BILL INS

4 SECTION 1. 961.41 (2) (bm) of the statutes is amended to read:
5 961.41 (2) (bm) Counterfeit of phencyclidine and certain other drugs. A If a
6 person violates this subsection with respect to a counterfeit substance that is a
7 counterfeit of phencyclidine, methamphetamine, lysergic acid diethylamide,
8 gamma-hydroxybutyric acid, gamma-butyrolactone,
9 3,4-methylenedioxymethamphetamine
10 4-bromo-2,5-dimethoxy-beta-phenylethyl-amine, 4-methylthioamphetamine, or
11 ketamine, the person is punishable by the applicable fine and imprisonment
12 of a felony of the same class as the felony for manufacture, distribution, delivery, or
13 possession with intent to manufacture, distribute, or deliver, of the genuine
14 controlled substance under sub. (1) or (1m).

PLAIN

subject to

NOTE: Adds title and conforms structure of provision to the remainder of s. 961.41 (2), as amended by 2001 Wis. Act 109, and specifies that the offence is a classified felony. 2001 Wis. Act 16 created this provision, which was not taken into account by Act 109.

15 SECTION 2. 961.41 (2) (cm) of the statutes is amended to read:

as affected by 2001 Wisconsin Act 109

subject to

PLAIN

1 961.41 (2) (cm) Counterfeit flunitrazepam. A If a person violates this subsection
 2 with respect to a counterfeit substance which that is flunitrazepam, the person is
 3 punishable by the applicable fine and imprisonment/guilty of a felony of the same
 4 class as the felony for manufacture, distribution, delivery, or possession with intent
 5 to manufacture, distribute, or deliver, of the genuine controlled substance under sub.
 6 (1) or (1m).

NOTE: Conforms structure of provision to the remainder of s. 961.41 (2), as amended
 by 2001 Wis. Act 109, and specifies that the offence is a classified felony. 2001 Wis. Act
 109 created a title, but did not otherwise treat this provision.

<END BILL INS>

***** NOTE: See my changes in relating
 clause + analysis. Also, I think final
 sentence of analysis could be dropped
 because no serial commas are added
 by this bill. CJS



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-4386/PT

BEM:cjs:dg

3-31-04

stays

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Revisor's Bill
DO NOT CAT
DO NOT SORT

1 AN ACT relating to: amending and revising sections 961.41 (2) (bm) and 961.41
2 (2) (cm) of the statutes for the purpose of reconciling conflicts and supplying
3 omissions. (Revisor's Correction Bill).

Analysis by the Legislative Reference Bureau

This revisor's correction bill is explained in the NOTES provided by the revisor of statutes in the body of the bill. In accordance with a change in drafting style, commas before the last item in a series are added throughout this bill.

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

4 SECTION 1. 961.41 (2) (bm) of the statutes is amended to read:
5 961.41 (2) (bm) Counterfeit of phencyclidine and certain other drugs. A If a
6 person violates this subsection with respect to a counterfeit substance that is a
7 counterfeit of phencyclidine, methamphetamine, lysergic acid diethylamide,
8 gamma-hydroxybutyric acid, gamma-butyrolactone,
3,4-methylenedioxymethamphetamine

1 4-bromo-2,5-dimethoxy-beta-phenylethyl-amine, 4-methylthioamphetamine, or
2 ketamine, the person is ~~punishable by~~ subject to the applicable fine and
3 imprisonment for manufacture, distribution, delivery, or possession with intent to
4 manufacture, distribute, or deliver, of the genuine controlled substance under sub.
5 (1) or (1m).

NOTE: Adds title and conforms structure of provision to the remainder of s. 961.41
(2), as amended by 2001 Wis. Act 109. 2001 Wis. Act 16 created this provision, which was
not taken into account by Act 109.

6 SECTION 2. 961.41 (2) (cm) of the statutes, as affected by 2001 Wisconsin Act
7 109, is amended to read:

8 961.41 (2) (cm) *Counterfeit flunitrazepam. A If a person violates this subsection*
9 *with respect to a counterfeit substance which that is flunitrazepam, the person is*
10 *punishable by subject to* the applicable fine and imprisonment for manufacture,
11 distribution, delivery, or possession with intent to manufacture, distribute, or
12 deliver, of the genuine controlled substance under sub. (1) or (1m).

NOTE: Conforms structure of provision to the remainder of s. 961.41 (2), as amended
by 2001 Wis. Act 109. 2001 Wis. Act 109 created a title, but did not otherwise treat this
provision.

13 ~~****NOTE: See my changes in relating clause to analysis. Also, I think final sentence
of analysis could be dropped because no serial commas are added by this bill. CJS~~

(END)

ARRR

Emery, Lynn

From: Letzing, Rachel
Sent: Wednesday, April 07, 2004 12:29 PM
To: Emery, Lynn
Cc: Zavos, Nicholas
Subject: RE: LRB-4386 (Revisor's Bill)

Lynn, Let's hold off for a bit until the committee decides which drafts to introduce on the 13th. I'll let you know asap on the 13th about jacketing. Thanks.

Rachel Letzing
Legislative Council Staff
266-3370
rachel.letzing@legis.state.wi.us

-----Original Message-----

From: Emery, Lynn
Sent: Wednesday, April 07, 2004 12:09 PM
To: Letzing, Rachel; Zavos, Nicholas
Subject: LRB-4386 (Revisor's Bill)

Good afternoon!

Cathlene Hanaman had asked me to jacket this for you a couple days ago. We need to know which house you would like this jacketed for. Thank you very much!

Lynn Emery
Program Assistant
Legislative Reference Bureau
608-266-3561
lynn.emery@legis.state.wi.us

waiting for which house to jacket it
for

Emery, Lynn

From: Hanaman, Cathlene
Sent: Friday, April 02, 2004 10:59 AM
To: Lori Northrop; Lynn Emery; Mike Barman; Sarah Basford
Subject: FW: April 13

Could you jacket -4386/1 for the revisor? I think you have instruction for sending the jacket, right? I cannot remember who gets it--Rachel or Nick at Leg Council maybe. If you don't have instructions, please let me know.

-----Original Message-----

From: Munson, Bruce
Sent: Friday, April 02, 2004 9:31 AM
To: Letzing, Rachel; Hanaman, Cathlene
Cc: Zavos, Nicholas; Hoesly, Bruce
Subject: RE: April 13

LRB-4386/1 is ready for jacketing.

-----Original Message-----

From: Letzing, Rachel
Sent: Tuesday, March 30, 2004 1:20 PM
To: Munson, Bruce; Hanaman, Cathlene
Cc: Zavos, Nicholas; Hoesly, Bruce
Subject: RE: April 13

At previous meetings, the committee has reviewed /1 drafts. Before that happens, it's up to you.

Rachel

-----Original Message-----

From: Munson, Bruce
Sent: Tuesday, March 30, 2004 12:19 PM
To: Hanaman, Cathlene
Cc: Zavos, Nicholas; Hoesly, Bruce; Letzing, Rachel
Subject: RE: April 13

Hi Cathlene,

The drafts should be /P's. As far as I know, we don't really need /1 drafts until the committee meets. Am I right, Rachel and Nick?

We can do without the long revision bill (-3603) for this meeting. So we'll have 3 correction bills for the committee on the 13th: -4386, -4492, and -4493.

Bruce

-----Original Message-----

From: Hanaman, Cathlene
Sent: Tuesday, March 30, 2004 11:46 AM
To: Munson, Bruce
Cc: Hoesly, Bruce
Subject: RE: April 13

First, do the drafts need to be /1s and will that be possible since Bruce is on vacation?

We can certainly commit to finishing the two newest correction drafts from Bruce (-4492 and -4493) and the short draft that Bruce and Mike Dsida were working on (-4386).

We also have a long revision bill (-3603) here that may be more difficult to finish by that deadline since it