

2007 DRAFTING REQUEST

Bill

Received: **08/23/2007**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **Tony Staskunas (608) 266-0620**

By/Representing:

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

Drafter: **phurley**

May Contact:

Addl. Drafters:

Subject: **Drunk Driving - penalties**

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Operating a motor vehicle after huffing

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>
/?	phurley 09/21/2007	bkraft 09/28/2007		_____			
/1			pgreensl 09/28/2007	_____	sbasford 09/28/2007	cduerst 11/19/2007	

FE Sent For: **N/A**

<END>

*Jacketed
Per attached e-mail
to Rep. Soletski*

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/?	phurley	1 bjk 9/25	g /28 PV	g /28 /28			

FE Sent For:

<END>

be
bjk

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2007 Bill

SA ✓
X-ref ✓

gen. cat.

1 AN ACT ...; relating to: the definition of intoxicant.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from operating, or causing injury or death to a person by operating, a vehicle, including an all-terrain vehicle, snowmobile, or boat, while under the influence of an intoxicant. Current law also prohibits a person from operating, or causing injury or death to a person by operating, a firearm or airgun under the influence of an intoxicant. Current law defines an "intoxicant" as any alcohol beverage, controlled substance, controlled substance analog or other drug or any combination thereof.

while *

This bill broadens the definition of "intoxicant" to include a substance that is inhaled, ingested, or otherwise consumed in a manner that is contrary to its intended use or labelling, and that is inhaled, ingested, or otherwise consumed to induce intoxication or elation, to stupefy the central nervous system, or to change the human audio, visual, or mental processes.

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

2 SECTION 1. 23.33 (1) (i) of the statutes is amended to read:

1 ✓ 23.33 (1) (i) "Intoxicant" means any alcohol beverage, substance used contrary
 2 to s. 941.316, controlled substance, controlled substance analog or other drug or any
 3 combination thereof.

History: 1985 a. 29; 1987 a. 200, 353, 399, 403; 1989 a. 31, 275, 359; 1991 a. 39, 303, 315; 1993 a. 16, 105, 119, 405; 1995 a. 27 ss. 1350 to 1351, 9126 (19); 1995 a. 436, 448; 1997 a. 27, 248, 283; 1999 a. 9; 2001 a. 16, 90, 106, 109; 2003 a. 30, 97, 251, 326; 2005 a. 25, 253, 481

4 **SECTION 2.** 30.50 (4e) of the statutes is amended to read:

5 ✓ 30.50 (4e) "Intoxicant" means any alcohol beverage, substance used contrary
 6 to s. 941.316, controlled substance, controlled substance analog or other drug or any
 7 combination thereof.

History: 1979 c. 275; 1983 a. 27, 100; 1985 a. 279, 331; 1987 a. 3, 374; 1989 a. 145; 1991 a. 39, 257, 316; 1995 a. 290, 349, 436, 448; 1997 a. 198; 1999 a. 9; 2001 a. 16; 2003 a. 97; 2005 a. 25, 308.

8 **SECTION 3.** 85.53 (1) (c) of the statutes is amended to read:

9 ✓ 85.53 (1) (c) "Intoxicant" means any alcohol beverage, substance used contrary
 10 to s. 941.316, controlled substance, controlled substance analog or other drug or any
 11 combination thereof.

History: 1997 a. 27; 1999 a. 9, 185.

12 **SECTION 4.** 340.01 (25d) of the statutes is created to read:

13 ✓ 340.01 (25d) "Intoxicant" means any alcohol beverage, substance used
 14 contrary to s. 941.316, controlled substance, controlled substance analog or other
 15 drug or any combination thereof.

16 **SECTION 5.** 350.01 (9) of the statutes is amended to read:

17 ✓ 350.01 (9) "Intoxicant" means any alcohol beverage, substance used contrary
 18 to s. 941.316, controlled substance, controlled substance analog or other drug or any
 19 combination thereof.

History: 1971 c. 219, 277; 1973 c. 298; 1981 c. 79 s. 18; 1981 c. 295; 1983 a. 27 s. 2202 (38); 1983 a. 189, 459; 1985 a. 146 s. 8; 1985 a. 331, 332; 1987 a. 399; 1989 a. 51, 359; 1991 a. 39; 1995 a. 61, 436, 448; 1997 a. 34, 35, 248, 267; 1999 a. 9; 2001 a. 16, 56; 2003 a. 97.

20 **SECTION 6.** 939.22 (42) of the statutes is amended to read:

21 ✓ 939.22 (42) "Under the influence of an intoxicant" means that the actor's ability
 22 to operate a vehicle or handle a firearm or airgun is materially impaired because of
 23 his or her consumption of an alcohol beverage, substance used contrary to s. 941.316,

of a

Plain
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1 of a controlled substance or controlled substance analog under ch. 961, of any
2 combination of an alcohol beverage, substance used contrary to s. 941.316, controlled
3 substance and controlled substance analog, or of any other drug or of an alcohol
4 beverage and any other drug.

History: 1971 c. 219; 1973 c. 336; 1977 c. 173; 1979 c. 89, 221; 1981 c. 79 s. 17; 1981 c. 89, 348; 1983 a. 17, 459; 1985 a. 146 s. 8; 1987 a. 332, 399; 1993 a. 98, 213, 227, 441, 486; 1995 a. 69, 436, 448; 1997 a. 143, 295; 2001 a. 109; 2003 a. 97, 223; 2005 a. 273, 277, 435; s. 13.93 (2) (c).

5 **SECTION 7. 940.225 (5) (ai) of the statutes is amended to read:**

6 ✓ 940.225 (5) (ai) "Intoxicant" means any alcohol beverage, substance used
7 contrary to s. 941.316, controlled substance, controlled substance analog, or other
8 drug or any combination thereof.

History: 1975 c. 184, 421; 1977 c. 173; 1979 c. 24, 25, 175, 221; 1981 c. 89, 308, 309, 310, 311; 1985 a. 134; 1987 a. 245, 332, 352; 1987 a. 403 ss. 235, 236, 256; 1993 a. 445; 1995 a. 69; 1997 a. 220; 2001 a. 109; 2003 a. 51; 2005 a. 273, 344, 388, 435, 436.

9 (END) ✓

Duerst, Christina

From: Young, Dan
Sent: Monday, November 19, 2007 10:54 AM
To: Duerst, Christina
Subject: RE: Bill Jacketing request

Yes. Thank you.

From: Duerst, Christina
Sent: Monday, November 19, 2007 10:52 AM
To: Young, Dan
Subject: RE: Bill Jacketing request
Importance: High

I will jacket this for your office. Just for clarification, you want it jacketed for the Assembly correct?
Thanks,

CHRISTINA DUERST
Program Assistant
State of WI - Legislative Reference Bureau
1 East Main, Suite 200
Madison, WI 53703
Phone: (608) 266-3561 Fax: (608) 264-6948

From: Clark, Lloyd
Sent: Monday, November 19, 2007 10:45 AM
To: Duerst, Christina
Cc: Young, Dan
Subject: FW: Bill Jacketing request
Importance: High

Hi Christina,

Please jacket the bill for Rep. Soletski's office. Rep. Staskunas has passed this bill over to them for introduction.

If you have any questions, feel free to contact me.

Lloyd Clark
Office of Representative Tony Staskunas
Assembly Democratic Caucus Chair
State Capitol - 221N
608-266-0620

From: Young, Dan
Sent: Monday, November 19, 2007 10:42 AM
To: Clark, Lloyd
Subject: FW: Bill Jacketing request
Importance: High

Lloyd,

Can you take care of this with LRB? They need your office to request the jacketing for the huffing bill. Thanks.

Dan

From: Duerst, Christina
Sent: Monday, November 19, 2007 10:39 AM
To: Young, Dan
Subject: RE: Bill Jacketing request

Dan,

This request needs to be made by the requestor of the bill. I don't know if Representative Staskunas is passing the draft on to your office or just wants the jacket sent to you but either way we need written, (e-mail is fine), permission from the requestor's office per confidentiality procedure. If I can be of any further assistance please don't hesitate to let me know.

Thank you,

CHRISTINA DUERST
Program Assistant
State of WI - Legislative Reference Bureau
1 East Main, Suite 200
Madison, WI 53703
Phone: (608) 266-3561 Fax: (608) 264-6948

From: Young, Dan
Sent: Monday, November 19, 2007 10:33 AM
To: LRB.Legal
Subject: Bill Jacketing request
Importance: High

Please jacket this legislation for Rep. Soletski. This is a bill draft that was passed on to Jim by Rep. Staskunas.

If possible, I would like to get it this afternoon; but, I realize that may not be possible.

<< File: 07-30921.huffing.pdf >>

Thank you.

Daniel Young
Office of Representative Jim Soletski
(608) 266-0485
1-888-534-0088