Bill

Received: 11/16/2006 Wanted: As time permits For: Legislative Council - LRC 266-0292					Received By: agary Identical to LRB: 05-2718 By/Representing: Don Dyke			
This file	e may be shown	to any legislate	or: NO		Drafter: agary			
May Contact:					Addl. Drafters:			
Subject Submit		ortation - trafl ortation - driv			Extra Copies:	BAB		
Reques	ter's email:	don.dyke@	egis.wisco	nsin.gov				
Carbon	copy (CC:) to:	aaron.gary	@legis.wis	consin.gov				
Pre To	pic:					*****		
No spec	cific pre topic gi	ven		1002 (1224) (1004) 2			40	
Elimina	nte duplicate sus	pension for unc	lerage intox	icants in vehi	cle (R 0709 14)			
Instruc	ctions:							
See atta	ched							
Draftin	ng History:							
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required	
/P1	bbalinsk 12/22/2006 agary 01/03/2007	kfollett 01/26/2007	jfrantze 01/26/200	07	sbasford 01/26/2007		State	
/1	agary 11/15/2007	kfollett 11/15/2007	nnatzke 11/16/200)7	sbasford 11/16/2007	sbasford 11/19/2007	State	

FE Sent For: "/1" @ intro 11-28-07

Received By: agary

Bill

Received: 11/16/2006

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Pre To	pic:	manananan ereste da da antaria da da antaria					
No spec	cific pre topic gi	ven					
Topic: Elimina	ite duplicate sus	pension for unde	erage intoxic	eants in vehic	ele (R 0709 14)		
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Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
/P1	bbalinsk 12/22/2006 agary 01/03/2007	kfollett 01/26/2007	jfrantze 01/26/2007	7	sbasford 01/26/2007		State
/1	agary 11/15/2007	kfollett 11/15/2007	nnatzke 11/16/2007	7	sbasford 11/16/2007		State

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This file	e may be shown	to any legislat	or: NO		Drafter: agary		
May Co	ntact:				Addl. Drafters:		
Subject:		ortation - traf ortation - driv			Extra Copies:	BAB	
Submit	via email: YES						
Request	er's email:	don.dyke@	@legis.wiscor	ısin.gov			
Carbon	copy (CC:) to:	aaron.gar	y@legis.wisc	onsin.gov			
Pre To	pic:						
No spec	ific pre topic gi	ven					
Topic:							
Elimina	te duplicate sus	pension for un	derage intoxic	cants in vehic	cle (R 0709 14)		
Instruc	tions:						
See atta	ched						
Draftin	g History:						-
Vers.	<u>Drafted</u>	Reviewed	Typed	<u>Proofed</u>	Submitted	<u>Jacketed</u>	Required
/P1	bbalinsk 12/22/2006	kfollett 01/26/2007	jfrantze	7 ::	sbasford 01/26/2007		State

FE Sent For:

agary 01/03/2007

<END>

Bill

Received: 11/16/2006 Received By: agary

Identical to LRB: 05-2718 Wanted: As time permits

For: Legislative Council - LRC 266-0292 By/Representing: Don Dyke

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

Addl. Drafters: May Contact:

Subject: **Transportation - traffic laws** Extra Copies: **BAB**

Transportation - driver licenses

Requester's email: don.dyke@legis.wisconsin.gov

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

Pre Topic:

No specific pre topic given

Submit via email: YES

Topic:

Eliminate duplicate suspension for underage intoxicants in vehicle (R 0709 14)

Instructions:

See attached

Drafting History:

Vers. Drafted Reviewed **Typed** Submitted Jacketed Required Proofed

/P1 bbalinsk

12/22/2006

agary

FE Sent For:

<END>

RESEARCH APPENDIX -Draft Transfer/Copy Request Form

- Atty's please complete this form and give to Mike Barman

(Request Made By:) (Date://	_)
O Please <u>transfer</u> the drafting file for	سر الان الان
2005 LRB 2718 to the drafting file	
for 2007 LRB	
The final version of the 2005 draft and the final Request Sheet will copied on yellow paper, a returned to the original 2005 drafting file. A new cover sheet will be created/included listing the nolocation of the drafting file's "guts". For research purposes, because the 2005 draft was incorporated into a 2007 draft, the complete drafting file will be transferred, as a separate appendix, to the new 2007 drafting file. This request for will be inserted into the "guts" of the 2007 draft. If introduced, the appendix will be scanned/added to electronic drafting file folder.	lete orm
OR	
O Please copy the drafting file for	
2007 LRB / and place it in the drafting file for 2007 LRB) 0 7
For research purposes, because the original 2007 draft was incorporated into another 20 draft, the original drafting file will be copied on yellow paper (darkened/auto centered/reduced to 90%) and add draft, the original drafting file will be copied on yellow paper (darkened/auto centered/reduced to 90%) and add	led,

The original drafting file will then returned, intact, to its folder and filed. For future reference, a copy of the transfer/copy request form will also be added to the "guts" of the original draft.

as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the new 2007 draft. If introduced the appendix will be scanned/added to the electronic drafting file folder.

REMEDIAL LEGISLATIVE PROPOSAL

DT1605 9/2004 s.13.83(1)(c)4 Wis. Stats.

R 0709-14

Instructions: Complete this form for **Law Revision Committee Remedial Legislative proposal(s)** for which a Division requests Secretary's Office (SO) approval. This form must be signed by the Division Administrator.

Short Title of Issue						
Eliminate duplicate suspension for Underage	Intoxicants in Vehicle					
Date Submitted						
October 19, 2004 OGC						
ead Division Contact Person Area Code - Telephone Number						
aul Nilsen 608-261-0126						
Specific Statutory Change	•					
Repeal s. 343.30(2m).						
Administrative Problem with Current Statute						
343.30(2m) allows courts to suspend operatir	ng privilege for up to 30 days for conviction of s. 346.93. That statute, s.					
346.93, requires courts to suspend for varying periods depending on prior offenses.						
Justification/Need for Change Eliminate confusing and contradictory permiss	sive statutes.					
Fiscal Effect, If Any						
None.						
(Division Adn	ministrator Signature – Brush Script Font If Computer Filled) (Date)					
OGC Completes: DOT Remedial Legislation Proposal N	Number					

2005 - 2006 LEGISLATURE

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

If the underage person oftenses,

AN ACT to repeal 343.30 (2m) of the statutes; relating to: suspending the 1 2 operating privilege of an underage person who operates a vehicle while having

an intoxicant in a vehicle (suggested as remedial legislation by the Department

of Transportation).

3

#//845 S

Analysis by the Legislative Reference Bureau

Current law requires a court to suspend the operating privilege of an underage person who operates a vehicle while there is an intoxicant in the vehicle. Depending on the number of prior offenses, current law requires the court to suspend the operating privilege for varying periods Current law also allows a court to suspend the operating privilege of an underage person who operates a vehicle while there is an intoxicant in the vehicle for not less than 30 days nor more than one year.

This bill eliminates the permissive statute and retains the statute that requires the court to suspend the operating privilege for varying periods. Appending on the

-number of prior offenses.

For further information, see the Notes provided by the Law Revision Committee of the Joint Legislative Council.

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:

more general of these overlapping statutes, retaining

1

2

Law Revision Committee Prefatory Note: This bill is a remedial legislation proposal, requested by the Department of Transportation and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

SECTION 1. 343.30 (2m) of the statutes is repealed.

(END)

(soun)

2007 - 2008 LEGISLATURE

LRB-0799/101 / ARG:kjf:jf:

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Change from Don Dyke - LC - 11/18



AN ACT *to repeal* 343.30 (2m) of the statutes; **relating to:** suspending the operating privilege of an underage person who operates a vehicle while having an intoxicant in a vehicle (suggested as remedial legislation by the Department of Transportation).

Analysis by the Legislative Reference Bureau

Current law allows a court to suspend the operating privilege of an underage person who operates a vehicle while there is an intoxicant in the vehicle. If the underage person has committed prior offenses, current law requires the court to suspend the operating privilege for varying periods, depending on the number of prior offenses. Current law also allows a court to suspend the operating privilege of an underage person who operates a vehicle while there is an intoxicant in the vehicle for not less than 30 days nor more than one year.

This bill eliminates the more general of these overlapping statutes, retaining the statute that requires the court to suspend the operating privilege for varying periods if there are prior offenses.

For further information, see the Notes provided by the Law Revision Committee of the Joint Legislative Council.

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:

Law Revision Committee prefatory note: This bill is a remedial legislation proposal, requested by the Department of Transportation and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

(END)

Section 1. 343.30 (2m) of the statutes is repealed.

2

INSERT 2A to LRB-0799/P1

1

NOTE: The repealed provision authorizes a court to suspend the operating privilege for a person who violates the prohibition against an underage person operating a motor vehicle while an intoxicant is in the vehicle. The suspension period is not less than 30 days nor more than one year. The statute imposing the prohibition, s. 346.93, stats., contains its own suspension periods: first violation, 30 to 90 days; 2 violations within 12 months, not more than one year; 3 or more violations within 12 months, not more than 2 years. The repeal of s. 343.30 (2m), stats., eliminates overlapping and contradictory provisions and clarifies the pertinent penalties.

Basford, Sarah

From:

Dyke, Don

Sent:

Monday, November 19, 2007 1:56 PM

To:

LRB.Legal

Subject:

Draft Review: LRB 07-0799/1 Topic: Eliminate duplicate suspension for underage intoxicants

in vehicle (R 0709 14)

Please Jacket LRB 07-0799/1 for the ASSEMBLY.

Thanks