

2013 DRAFTING REQUEST

Assembly Joint Resolution

Received: 12/5/2012 Received By: smiller
Wanted: As time permits Same as LRB:
For: Jim Ott (608) 266-0486 By/Representing: ginger
May Contact: Drafter: smiller
Subject: Constitutional Amendments Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Rep.OttJ@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Proceeds from sale of seized vehicles

Instructions:

See attached

*Jacket for "/1" not
returned by requester prior
to jacketing "/2". OK'd by
CMT*

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> |
|--------------|-----------------------|------------------------|----------------------|----------------|-----------------------|--------------------|-----------------|
| /? | smiller 12/10/2012 | csicilia 12/13/2012 | | _____ | | | |
| /1 | smiller 1/24/2013 | csicilia 1/24/2013 | jmurphy 1/24/2013 | _____ | mbarman 12/13/2012 | | |
| /2 | | | | _____ | lparisi 1/24/2013 | srose 1/31/2014 | |

FE Sent For:

<END>

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| /2 | | | | _____ | lparisi 1/24/2013 | mbarman 1/25/2013 | |

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| /? | smiller 12/10/2012 | csicilia 12/13/2012 | | _____ | | | |
| /1 | | 2 cjs 1/24 12 | rschluet 12/13/2012 | _____ | mbarman 12/13/2012 | | |
| FE Sent For: | | | Jim 1/24/13 | self | | | |

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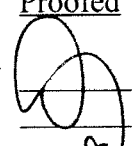
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|--------------|----------------|-------------------|-------------------|---|------------------|-----------------|-----------------|
| 1/? | smiller | 1 cjs 12/13 12 | 1 cjs 12/13 12 |  | | | |

FE Sent For:

<END>

DEC. 5, 2012

-0734

Rep J. O'H

GINGER

CONSTITUTIONAL AMENDMENT:

Specify that proceeds from the sale of vehicles seized by law enforcement under "fun and your done" legislation or for third or more OWI conviction be allocated to that unit of law enforcement to defray the cost associated with the seizure.

PUN

11-3839

evading arrest - failure to stop



e 1
cjs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
2013 ASSEMBLY JOINT RESOLUTION

Gen Cat

1 **Relating to:** proceeds from the sale of seized vehicles (first consideration).

Analysis by the Legislative Reference Bureau

The constitution requires that all funds that accrue to the state from forfeitures, escheats, fines for the breach of penal laws, and unrestricted grants shall be deposited into the school fund. This proposed constitutional amendment, proposed to the 2013 legislature on first consideration, requires that proceeds from the sale of vehicles that are seized by law enforcement officers from persons who are convicted of evading arrest or of a felony offense of operating a vehicle while intoxicated be credited to the unit of government that seized the vehicle.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

2 ***Resolved by the assembly, the senate concurring, That:***

3 **SECTION 1.** Section 2 of article X of the constitution is amended to read:

4 [Article X] Section 2 (1) The Except as provided in sub. (2), the proceeds of all
5 lands that have been or hereafter may be granted by the United States to this state
6 for educational purposes (except the lands heretofore granted for the purposes of a

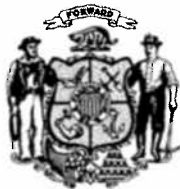
1 university) and all moneys and the clear proceeds of all property that may accrue to
2 the state by forfeiture or escheat; and the clear proceeds of all fines collected in the
3 several counties for any breach of the penal laws, and all moneys arising from any
4 grant to the state where the purposes of such grant are not specified, and the 500,000
5 acres of land to which the state is entitled by the provisions of an act of congress,
6 entitled "An act to appropriate the proceeds of the sales of the public lands and to
7 grant pre-emption rights," approved September 4, 1841; and also the 5 percent of the
8 net proceeds of the public lands to which the state shall become entitled on admission
9 into the union (if congress shall consent to such appropriation of the 2 grants last
10 mentioned) shall be set apart as a separate fund to be called "the school fund," the
11 interest of which and all other revenues derived from the school lands shall be
12 exclusively applied to the following objects, to wit:

13 (1) (a) To the support and maintenance of common schools, in each school
14 district, and the purchase of suitable libraries and apparatus therefor.

15 (2) (b) The residue shall be appropriated to the support and maintenance of
16 academies and normal schools, and suitable libraries and apparatus therefor.

17 (2) Proceeds from the sale of vehicles lawfully seized by law enforcement
18 officers from persons who are convicted of evading arrest or of a felony offense of
19 operating a vehicle while intoxicated shall be credited to the unit of government that
20 seized the vehicle.

21 **SECTION 2. Numbering of new provisions.** If another constitutional
22 amendment ratified by the people creates the number of any provision created in this
23 joint resolution, the chief of the legislative reference bureau shall determine the
24 sequencing and the numbering of the provisions whose numbers conflict and shall
25 adjust any cross-references to those provisions.



2
g's RMNR

2013 ASSEMBLY JOINT RESOLUTION

1-24

Ger cat

1 **To amend** section 2 of article X of the constitution; **relating to:** proceeds from the
2 sale of seized vehicles (first consideration).

Analysis by the Legislative Reference Bureau

The constitution requires that all funds that accrue to the state from forfeitures, escheats, fines for the breach of penal laws, and unrestricted grants shall be deposited into the school fund. This proposed constitutional amendment, proposed to the 2013 legislature on first consideration, requires that proceeds from the sale of vehicles that are seized by law enforcement officers from persons who are convicted of evading arrest or of a felony offense of operating a vehicle while intoxicated be credited to the unit of government that seized the vehicle.

net

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8 university) and all moneys and the clear proceeds of all property that may accrue to

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16 ^{Net}
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21 amendment ratified by the people creates the number of any provision created in this
22 joint resolution, the chief of the legislative reference bureau shall determine the
23 sequencing and the numbering of the provisions whose numbers conflict and shall
24 adjust any cross-references to those provisions.

Barman, Mike

From: Rep.OttJ
Sent: Friday, January 25, 2013 11:46 AM
To: LRB.Legal
Subject: Draft Review: LRB -0734/2 Topic: Proceeds from sale of seized vehicles

Please Jacket LRB -0734/2 for the ASSEMBLY.

Rose, Stefanie

From: Mueller, Virginia
Sent: Friday, January 31, 2014 2:12 PM
To: LRB.Legal
Subject: Draft Review: LRB -0734/2 Topic: Proceeds from sale of seized vehicles

Please Jacket LRB -0734/2 for the ASSEMBLY. If you could please get the jacket today, that would be great. Thank you!