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Details:

(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2009-10

(session year)

Assembly

(Assembly, Senate or Joint)

**Committee on ... Criminal Justice
(AC-CJ)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Record of Committee Proceedings

Joint committee on Finance
Assembly Bill 547
AB547

Relating to: operating a vehicle while intoxicated, granting rule-making authority, and providing a penalty.

By Representatives Krusick, J. Ott and Bies; cosponsored by Senators Darling, Olsen and Carpenter, by request of Paul and Judy Jenkins of Mequon (in memory of Jennifer Bukosky, Courtney Bella and Sophie Bukosky), Wendy Calvillo of Fort Atkinson (in memory of Alan and Bailey Calvillo), Steve Meinel of Weston (in memory of Lacey Meinel), Scott and Missy Heroux of Green Bay (in memory of Talhia Heroux), Jennifer M. Loppnow of Watertown (in memory of Randall James Engel), Elizabeth Klumb of Addison (in memory of Parker Klumb), Bruce and Nan Browne of Sheboygan, Bryan and Julie Gagnon of Shawano, Debbie Wermeling of Fort Atkinson, David Meredith of Oconto Falls, Milwaukee County Sheriff David A. Clarke Jr., Neenah Police Chief Kevin E. Wilkinson, Jamie Schumacher, Ramona Erickson of Greenfield (in memory of Clint Erickson), Dennis, Geraldine, Julie, Carl and Rebecca Bartoli of Campbellsport (in memory of Michael Bartoli) and Mothers Against Drunk Driving (MADD).

February 05, 2010 Referred to Joint Committee on Finance.

April 22, 2010 Failed to pass pursuant to Senate Joint Resolution 1.

Joe Malkasian
Committee Clerk

No RCP
by
Comm. on
Criminal
Justice
?

AB547

ASSEMBLY BILL 547

An Act to repeal 346.65 (2g) (d); to amend 165.755 (1) (b), 302.372 (2) (a) (intro.), 302.46 (1) (a), 340.01 (46m) (a), 343.23 (2) (b), 343.30 (1q) (c) 1. (intro.), 345.20 (2) (c), 346.65 (2) (am) 1., 346.65 (2) (f), 346.65 (2c), 346.65 (2e), 346.65 (2g) (a), 346.65 (2g) (ag), 346.65 (2g) (am), 346.65 (2i), 346.655 (1), 349.02 (2) (a), 753.19, 757.05 (1) (a), 814.63 (1) (c), 814.63 (2), 814.65 (1), 814.85 (1) (a), 814.86 (1), 969.01 (2) (a), 972.11 (3m), 973.09 (1) (d) 1. and 973.15 (8) (a) 3.; to repeal and recreate 343.23 (2) (b), 814.65 (1), 814.85 (1) (a) and 814.86 (1); and to create 16.185, 20.435 (5) (q), 20.475 (1) (q), 20.505 (6) (q), 20.550 (1) (q), 20.625 (1) (q), 25.975, 46.03 (44), 139.27, 165.85 (4r), 340.01 (46m) (am), 346.65 (2) (h), 977.02 (2g) and 978.05 (1p) of the statutes; relating to: operating a vehicle while intoxicated, granting rule-making authority, and providing a penalty. (FE)

2009

11-05-09. A. Introduced by Representatives Krusick, J. Ott and Bies; cosponsored by Senators Darling, Olsen and Carpenter, by request of Paul and Judy Jenkins of Mequon (in memory of Jennifer Bukosky, Courtney Bella and Sophie Bukosky), Wendy Calvillo of Fort Atkinson (in memory of Alan and Bailey Calvillo), Steve Meinel of Weston (in memory of Lacey Meinel), Scott and Missy Heroux of Green Bay (in memory of Talhia Heroux), Jennifer M. Loppnow of Watertown (in memory of Randall James Engel), Elizabeth Klumb of Addison (in memory of Parker Klumb), Bruce and Nan Browne of Sheboygan, Bryan and Julie Gagnon of Shawano, Debbie Wermeling of Fort Atkinson, David Meredith of Oconto Falls, Milwaukee County Sheriff David A. Clarke Jr., Neenah Police Chief Kevin E. Wilkinson, Jamie Schumacher, Ramona Erickson of Greenfield (in memory of Clint Erickson), Dennis, Geraldine, Julie, Carl and Rebecca Bartoli of Campbellsport (in memory of Michael Bartoli) and Mothers Against Drunk Driving (MADD).

11-05-09. A. Read first time and referred to committee on Criminal Justice. **496**

11-18-09. A. Fiscal estimate received.

11-23-09. A. Fiscal estimate received.

12-08-09. A. Fiscal estimate received.

12-10-09. A. Fiscal estimate received.

12-10-09. A. Fiscal estimate received.

2010

01-14-10. A. Fiscal estimate received.

02-05-10. A. Withdrawn from committee on Criminal Justice and referred to joint committee on Finance pursuant to Assembly Rule 42 (3)(c). **634**



11/19/09

AB 547
Folder

Bob,

Rep. Krusick stopped by today to let you know that her instincts were right in asking that her bill be referred to your committee. She wanted it referred to you because you are a leader. She also wanted you to know that she followed up on your tip.

N.

?



Memorandum

AB 547
Folder

To: Bob/Nancy

From: Lorna

Date: 11/19/2009

Re: Rep. Staskunas call re: Rep. Krusick's drunk driving bill

Rep. Staskunas called regarding Rep. Krusick's drunk driving bill. Since this is now in Criminal Justice, he wants to talk about what the plan is for a hearing. Because much of this bill is already covered by the other drunk driving bill, he doesn't know how you feel about the sobriety checkpoints, but believes there is not enough support for this approach.

Please call him at his law office: 414-541-9440.

3:15pm I called Bob and gave him the message. I also told him about Peggy K's message.



Memorandum

To: Bob/Nancy
From: Lorna
Date: 1/20/2010
Re: Call from Paul (Judy Jenkins)

Paul Jenkins called this morning (262-512-1447) to speak to you. He and his wife Judy are the parents of the victim of a drunk driver. He said you spoke with him (after the Governor signed the drunk driving bill?). You asked him to call you to discuss other legislation that may be in or come to your committee. He would like to talk with you and he and his wife will be home all day.

I told him I would have Nancy return the call first, because she may have more information on what may be happening in the Criminal Justice Committee.

re: AB 547

I talked with him and
his wife by phone Tuesday
of this week

AB547

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George, Lorna

From: Harris, Frank [Frank.Harris@madd.org]
Sent: Wednesday, January 27, 2010 8:58 AM
To: Rep. Turner
Cc: McAdams, Nancy; George, Lorna
Subject: MADD Letter Requesting a Hearing on AB 547
Attachments: MADD Letter Requesting Hearing on AB 547.1-27-10.pdf

Dear Chairman Turner,

Attached is a letter from MADD's National President requesting a hearing on AB 547. Thank you for your time and consideration of this request.

Please feel free to contact me with any questions.

Frank Harris
State Legislative Affairs Manager
Mothers Against Drunk Driving
Frank.Harris@madd.org
(202) 974-2471
Fax: (202) 293-0106

Packet



MADD
Activism Victim Services Education

**CAMPAIGN TO
ELIMINATE
DRUNK DRIVING**

January 27, 2010

The Honorable Robert Turner
Chairman, Assembly Committee on Criminal Justice
State Capitol, Room 223 North
Madison, Wisconsin 53708

Dear Chairman Turner,

Thank you for supporting drunk driving reform legislation SB 66 and AB 283 in 2009. The legislation represented unheralded progress for Wisconsin due to the leadership of many. However, more action is needed and Mothers Against Drunk Driving (MADD) urges your consideration of holding a public hearing on Assembly Bill 547. AB 547 will help prevent drunk driving by legalizing sobriety checkpoints and making a first OWI offense a misdemeanor.

Drunk driving is a taxpayer subsidized violent crime. Between 1998 to 2008 in Wisconsin, 3,196 people died in drunk driving crashes. In that same time period, 67,588 people were injured in alcohol related crashes. For these 100 percent preventable deaths and injuries, the state and taxpayers have paid at least \$6.7 billion. AB 547 is necessary as it aims to prevent drunk driving from occurring and lifting the taxpayer subsidy of drunk driving.

Giving the option for law enforcement to perform sobriety checkpoints, which are funded by federal grants in other states, can help find and charge those endangering public safety. As a result, people who drink are deterred to drive because enhanced enforcement increases one's fear of being arrested. The Centers for Disease Control found that when well-publicized sobriety checkpoints were run, alcohol-related crashes and fatalities decreased by more than 20 percent.

AB 547 makes a first offense a misdemeanor and serves as a deterrent to drunk driving occurring in the first place. Studies show that a first time convicted OWI offender has driven drunk an average of 87 times before they are caught. According to Wisconsin DOT, most drunk driving deaths and injuries are caused by drunk drivers with no prior convictions. Clearly, a stronger deterrent is needed to stop drunk driving from occurring in the first place.

I urge you allow for the sunshine of open government to shine in and allow for AB 547 to receive a public hearing and an up or down vote in Committee. MADD believes the legislation is critical to helping prevent drunk driving by allowing law enforcement the option to perform sobriety checkpoints and helps make the punishment fit the crime by making a first OWI offense a misdemeanor.

Thank you in advance for your consideration of this legislation to receive a hearing in the Assembly Committee on Criminal Justice.

Sincerely,

Laura Dean-Mooney
National President
Mothers Against Drunk Driving





MADD
Action • Victim Services • Education

**CAMPAIGN TO
ELIMINATE
DRUNK DRIVING**

January 27, 2010

FEB 01 2010

The Honorable Robert Turner
Chairman, Assembly Committee on Criminal Justice
State Capitol, Room 223 North
Madison, Wisconsin 53708

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Sincerely,

Laura Dean-Mooney
National President
Mothers Against Drunk Driving





Robert Turner

STATE REPRESENTATIVE
TO THE 61ST ASSEMBLY DISTRICT

January 29, 2010

Speaker Mike Sheridan
Room 211 West
State Capitol
Madison, WI 53702

Dear Speaker Sheridan:

On November 5, 2009, Assembly Bill 547, relating to operating a vehicle while intoxicated, was referred to the Assembly Criminal Justice Committee. To date, I have not scheduled a public hearing on this bill because I believe it should have been referred to the Assembly Committee on Public Safety.

I am now receiving correspondence from Mothers Against Drunk Driving asking that this bill be heard. Since the Assembly Committee on Public Safety has been assigned all other drunk driving bills this session, I am requesting that you remove the bill from the Assembly Criminal Justice Committee and refer it to the Assembly Committee on Public Safety. I believe the members of the Public Safety Committee will be able to consider this bill in the context of other drunk driving legislation that has been discussed in that committee, and are better prepared to examine the merits of this bill.

Thank you for your consideration of my request.

Sincerely,

Robert L. Turner, Chair
Assembly Criminal Justice Committee

RLT/nam

