

**SF 59: DUI – Mandatory Hold Upon Arrest
2008 Budget Session**

Sponsor: Sen. Bill Landon (R-S27, Casper); co-sponsors Sens. Kit Jennings (R-S28, Casper), Drew Perkins (R-S29, Casper), Charlie Scott (R-S30, Casper) and Reps. Bob Brechtel (R-H38, Casper), Roy Cohee (R-H35, Casper), David Edwards (R-H6, Douglas), Mary Gilmore (D-H59, Casper), Mary Hales (D-H36, Casper), Thomas Lockhart (R-H57, Casper)

SF 59 would have required accused drunk drivers to be demonstrably sober before they could be released from jail. If a person was arrested for driving while under the influence of alcohol, he would have been required to submit to alcohol concentration testing, and could not have been released until he was seen by a judge or had a blood alcohol test showing alcohol concentration of .02% or less.

SF 59 was drafted and supported by Casper-area legislators because of an incident in 2007 when a Casper man was run over and dragged underneath a vehicle that was driven by a drunk driver very soon after he was released from a DUI arrest. Supporters argued that some Wyoming sheriffs don't require sobriety before allowing DUI offenders to be released because they don't believe they have that authority under current state law, and that SF 59 would clarify their authority and prevent accidents such as the one in Casper.

Opponents of SF 59 pointed out that as the bill was written, it presented technical difficulties and was likely unconstitutional.

SF 59 passed the vote for introduction, 25-5. The Senate Judiciary Committee defeated SF 59 on a 3-2 vote, with Senators Drew Perkins (R-S29, Casper) and Kathryn Sessions (D-S7, Cheyenne) voting for the bill, and Senators Bruce Burns (R-S21, Sheridan), Ken Decaria (D-S15, Evanston) and Tony Ross (R-S4, Cheyenne) voting against it.

The votes below are the Senate votes for introduction. A YES vote means the senator wanted to consider requiring that accused drunk drivers be held until they were demonstrably sober. A NO vote means the senator did not want to consider this bill.

Bighorn Basin Legislators		SF 59 S Intro
S 18	Hank Coe (R)	Yes
H 24	Colin Simpson (R)	
H 50	Pat Childers (R)	
S 19	Ray Peterson (R)	Yes
H 25	Alan Jones (R)	
H 26	Elaine Harvey (R)	
S 20	Gerald E. Geis (R)	Yes
H 27	Debbie Hammons (D)	
H 28	Lorraine Quarberg (R)	

Casper-Area Legislators		SF 59 S Intro
S 27	Bill Landen (R)	Yes
H 35	Roy Cohee (R)	
H 36	Mary Hales (R)	
S 28	Kit Jennings (R)	Yes
H 56	Tim Stubson (R)	
H 57	Thomas A. Lockhart (R)	
S 29	Drew A Perkins (R)	Yes
H 37	Steve Harshman (R)	
H 59	Mary Gilmore (D)	
S 30	Charles K. Scott (R)	Yes
H 38	Bob Brechtel (R)	
H 58	Lisa Shepperson (R)	

Cheyenne-Area Legislators		SF 59 S Intro
S 4	Tony Ross (R)	No
H 7	Doug Samuelson (R)	
H 41	Ken A Esquibel (D)	
S 5	Robert (Bob) Fecht (R)	Yes
H 8	Lori Millin (D)	
H 42	Pete Illoway (R)	
S 6	Wayne H. Johnson (R)	Yes
H 9	David Zwonitzer (R)	
H 10	Rodney "Pete" Anderson (R)	
S 7	Kathryn Sessions (D)	Yes
H 11	Mary Throne (D)	
H 43	Dan Zwonitzer (R)	
S 8	E. Jayne Mockler (D)	Yes
H 12	Amy L Edmonds (R)	
H 44	Floyd Esquibel (D)	

Gillette-Area Legislators		SF 59 S Intro
S 23	John Hines (R)	Yes
H 31	Thomas E. Lubnau II (R)	
H 52	Sue Wallis (R)	
S 24	Michael Von Flatern (R)	Yes
H 32	Timothy Hallinan (R)	
H 53	Erin Mercer (R)	

Lander/Riverton-Area Legislators		SF 59 S Intro
S 25	Cale Case (R)	No
H 33	W. Patrick Goggles (D)	
H 54	Del McOmie (R)	
S 26	Eli Bebout (R)	Yes
H 34	Frank Philp (R)	
H 55	David Miller (R)	

Northeast/East Central WY Legislators		SF 59 S Intro
S 1	C.L. Townsend (R)	Yes
H 1	Mark Semlek (R)	
H 2	Ross Diercks (D)	
S 2	Jim Anderson (R)	Yes
H 5	Matt Teeters (R)	
H 6	Dave Edwards (R)	
S 3	Curt Meier (R)	Yes
H 3	Deborah Alden (R)	
H 4	Edward A. Buchanan (R)	

Sheridan-Area Legislators		SF 59 S Intro
S 21	Bruce Burns (R)	No
H 29	Jerry Iekel (R)	
H 51	Rosie Berger (R)	
S 22	John Schiffer (R)	Yes
H 30	Jack Landon (R)	
H 40	Mike Madden (R)	

South Central WY Legislators		SF 59 S Intro
S 9	Mike Massie (D)	Yes
H 13	Jane Warren (D)	
H 45	Kevin A. White (R)	
S 10	Phil Nicholas (R)	Yes
H 14	Kermit C. Brown (R)	
H 46	James Slater (R)	
S 11	Bill Vasey (D)	No
H 15	George Bagby (D)	
H 47	William Steward (R)	

Southwest WY Legislators		SF 59 S Intro
S 12	Rae Lynn Job (D)	Yes
H 48	Marty Martin (D)	
H 16	Pete Jorgensen (D)	
S 13	John M Hastert (D)	Yes
H 17	Bernadine Craft (D)	
H 60	Bill Thompson (D)	
S 14	Stan Cooper (R)	Yes
H 18	Allen Jaggi (R)	
H 39	Stan Blake (D)	
S 15	Ken Decaria (D)	No
H 19	Owen Petersen (R)	
H 49	Saundra Meyer (D)	

West Central WY Legislators		SF 59 S Intro
S 16	Pat Aullman (R)	Yes
H 20	Kathy Davison (R)	
H 21	Dan Dockstader (R)	
S 17	Grant Larson (R)	Yes
H 22	Monte Olsen (R)	
H 23	Keith Gingery (R)	
See Southwest Region for H 16 and S 12		