

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB614)

Received: 02/04/2000

Received By: mdsida

Wanted: 02/07/2000

Identical to LRB:

For: Mark Pettis (608) 267-2365

By/Representing: Don

This file may be shown to any legislator: NO

Drafter: mdsida

May Contact:

Alt. Drafters: olsenje

Subject: Criminal Law - miscellaneous

Extra Copies: Don Dyke

Pre Topic:

No specific pre topic given

Topic:

Unlawfully rerecorded movies and technical changes

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>
/?	mdsida 02/04/2000	jgeller 02/04/2000		_____			
/1	olsenje 02/07/2000		jfrantze 02/07/2000	_____	lrb_docadmin 02/07/2000		
/2	mdsida 02/07/2000	csicilia 02/07/2000	jfrantze 02/07/2000	_____	lrb_docadmin 02/07/2000	lrb_docadmin 02/07/2000	

FE Sent For:

<END>

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Subject: Criminal Law - miscellaneous

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by e-mail

Pre Topic:

No specific pre topic given

Topic:

Unlawfully transferred, pirated and counterfeit recordings and unlawfully rerecorded movies

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>
1?	mdsida	1/23 jlg	2/2/00	2/17			
FE Sent For:		1/2 gs 2/7	2/2/00	2/17			
				END>			

MOTION PICTURE ASSOCIATION OF AMERICA, INC.
18503 VENTURA BOULEVARD
ENCINO, CALIFORNIA 91438



LAURI DONAHUE
SENIOR COUNSEL
UNITED STATES
ANTI-PIRACY OPERATIONS

PHONE: (818) 995-8600
FAX: (818) 382-1797
E-MAIL: Lauri_Donahue@mpaa.org

DATE: February 1, 2000
TO: Don Valdez, RIAA
CC: Ken Jacobsen, Vans Stevenson, Amy Isbell, Tod Cohen
FROM: Lauri Donahue, MPAA *Lauri*
SUBJECT: DRAFT WISCONSIN LEGISLATION

As we discussed on the phone today, the MPAA has some concerns with the proposed Wisconsin legislation (Assembly Bill 614), which Ken and I only saw this afternoon.

Specifically, we are concerned that the section of the draft addressing the making or distribution of copies of films may be federally pre-empted.

We suggest making the following changes:

Page 3: delete section at top of page starting "The bill also prohibits a person from knowingly advertising..." through the associated chart.

Page 8: Lines 2 and 5: insert the word "true" before "name."
Line 18: delete "in which."

Page 9: Line 6: add to the end of the sentence: "...authorized to grant such permission."

Delete section 3 (lines 11-24, and page 10, lines 1-23). We are concerned that this section prohibiting trafficking in copies of camcorderd films would be federally pre-empted. In any case, this conduct is already addressed by the true name and address section preceding.

Page 10: Line 24: This section would be re-numbered as 3.

Page 11: Line 8: "Employee" is missing an "e".

Line 20: Should "is seized" be "may be seized"?

1304/1

ASSEMBLY AMENDMENT⁹,
TO 1999 ASSEMBLY BILL 614

~~1200~~
Noon
Monday

February 2, 2000 - Offered by COMMITTEE ON JUDICIARY AND PERSONAL PRIVACY.

Insert
1/2

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 5, line 16: delete "100 or fewer" and substitute "fewer than 1,000".
- 3 **2.** Page 5, line 17: delete "100 or fewer" and substitute "fewer than 1,000".
- 4 **3.** Page 5, line 18: after "period" insert ", and the value of the recordings does
- 5 not exceed \$2,500".
- 6 **4.** Page 5, line 19: delete "sub. (1) and" and substitute "sub. (1),".
- 7 **5.** Page 5, line 21: delete that line and substitute "Internet fewer than 1,000
- 8 times during a 180-day period, and the value of the transferred sounds does not
- 9 exceed \$2,500.".
- 10 **6.** Page 5, line 24: delete "more than 100 but less" and substitute "fewer".
- 11 **7.** Page 6, line 1: delete "more than 100 but less" and substitute "fewer".

1 **8.** Page 6, line 2: delete that line and substitute “period, and the value of the
2 recordings exceeds \$2,500.”.

3 **9.** Page 6, line 3: delete “sub. (1) and” and substitute “sub. (1),”.

4 **10.** Page 6, line 4: delete “more than 100 but”.

5 **11.** Page 6, line 5: delete that line and substitute “fewer than 1,000 times
6 during a 180–day period, and the value of the transferred sounds involved in the
7 violation exceeds \$2,500.”.

8 **12.** Page 7, line 6: delete “100 or”.

9 **13.** Page 7, line 7: delete that line and substitute “fewer than 1,000 recordings
10 embodying sound or fewer than 100 audiovisual recordings in violation”.

11 **14.** Page 7, line 8: after “period” insert “, and the value of the recordings does
12 not exceed \$2,500”.

13 **15.** Page 7, line 10: delete “more than 100”.

14 **16.** Page 7, line 11: delete that line and substitute “fewer than 1,000
15 recordings embodying sound or fewer than 100”.

16 **17.** Page 7, line 12: after “period” insert “, and the value of the recordings
17 exceeds \$2,500”.

18 **18.** Page 8, line 8: delete “10 or”.

19 **19.** Page 8, line 9: delete that line and substitute “than 100 recordings in
20 violation of sub. (1) during a 180–day period, and the value of the recordings does not
21 exceed \$2,500.”.

22 **20.** Page 8, line 11: delete “more than 10”.

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1304/lins
MGD:.....

1 **INSERT 1/2**

2 **1.** Page 5, line 16: delete "creates," ✓

3 **INSERT 3/3**

4 **2.** Page 8, line 18: delete "in which" and substitute "that". ✓ fix

5 **3.** Page 9, line 5: delete "authorization" and substitute "consent". ✓

6 **4.** Page 9, line 6: delete that line and substitute "theater owner or a person
7 authorized by the theater owner to provide written consent." ✓

8 **5.** Page 9, line 11: delete the material beginning with that line and ending with
9 page 10, line 23. ✓



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1304/1
JEO&MGD:jlg:jf

D - Note

2
RMR

ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL 614

Now

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 5, line 16: delete "100 or fewer" and substitute "fewer than 1,000".

3 **2.** Page 5, line 16: delete "creates,".

4 **3.** Page 5, line 17: delete "100 or fewer" and substitute "fewer than 1,000".

5 **4.** Page 5, line 18: after "period" insert ", and the value of the recordings does
6 not exceed \$2,500"

7 **5.** Page 5, line 19: delete "sub. (1) and" and substitute "sub. (1),".

8 **6.** Page 5, line 21: delete that line and substitute "Internet fewer than 1,000
9 times during a 180-day period, and the value of the transferred sounds does not
10 exceed \$2,500.".

11 **7.** Page 5, line 24: delete "more than 100 but less" and substitute "fewer".

12 **8.** Page 6, line 1: delete "more than 100 but less" and substitute "fewer".

1 **9.** Page 6, line 2: delete that line and substitute “period, and the value of the
2 recordings exceeds \$2,500.”.

3 **10.** Page 6, line 3: delete “sub. (1) and” and substitute “sub. (1),”.

4 **11.** Page 6, line 4: delete “more than 100 but”.

5 **12.** Page 6, line 5: delete that line and substitute “fewer than 1,000 times
6 during a 180-day period, and the value of the transferred sounds involved in the
7 violation exceeds \$2,500.”.

8 **13.** Page 7, line 6: delete “100 or”.

9 **14.** Page 7, line 7: delete that line and substitute “fewer than 1,000 recordings
10 embodying sound or fewer than 100 audiovisual recordings in violation”.

11 **15.** Page 7, line 8: after “period” insert “, and the value of the recordings does
12 not exceed \$2,500”.

13 **16.** Page 7, line 10: delete “more than 100”.

14 **17.** Page 7, line 11: delete that line and substitute “fewer than 1,000
15 recordings embodying sound or fewer than 100”.

16 **18.** Page 7, line 12: after “period” insert “, and the value of the recordings
17 exceeds \$2,500”.

18 **19.** Page 8, line 8: delete “10 or”.

19 **20.** Page 8, line 9: delete that line and substitute “than 100 recordings in
20 violation of sub. (1) during a 180-day period, and the value of the recordings does not
21 exceed \$2,500.”.

22 **21.** Page 8, line 11: delete “more than 10”.

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22. Page 8, line 12: delete that line and substitute “fewer than 100 recordings in violation of sub. (1) during a 180-day period, and the value of the recordings exceeds \$2,500.”.

23. Page 8, line 18: delete “in which” and substitute “that”.

24. Page 9, line 5: delete “authorization” and substitute “consent”.

25. Page 9, line 6: delete that line and substitute “theater owner or a person authorized by the theater owner to provide written consent.”.

26. Page 9, line 11: delete the material beginning with that line and ending with page 10, line 23. *, as affected by assembly amendment 1.*

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1304/2dn

MGD:|:....

cjs

February 7, 2000

Don:

As I indicated in one of our phone conversations, I drafted this amendment based on the assumption that assembly amendment 1 will be adopted first. It is unclear how the bill's provisions regarding unlawfully rerecorded movies will be construed if assembly amendment 1 is not adopted or is adopted after this amendment.

Michael Dsida
Legislative Attorney
Phone: (608) 266-9867

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1304/2dn
MGD:cjs:jf

February 7, 2000

Don:

As I indicated in one of our phone conversations, I drafted this amendment based on the assumption that assembly amendment 1 will be adopted first. It is unclear how the bill's provisions regarding unlawfully rerecorded movies will be construed if assembly amendment 1 is not adopted or is adopted after this amendment.

Michael Dsida
Legislative Attorney
Phone: (608) 266-9867

Barman, Mike

From: Barman, Mike
Sent: Monday, February 07, 2000 3:34 PM
To: Dyke, Don
Cc: Dsida, Michael
Subject: LRB 99a1304/1



99a1304/2dn



99a1304/2

Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin
Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703