

2007 DRAFTING REQUEST

Bill

Received: **05/09/2007**

Received By: **csundber**

Wanted: **As time permits**

Identical to LRB: **1136/3**

For: **Mark Pocan (608) 266-8570**

By/Representing: **Craig Trost**

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

Drafter: **csundber**

May Contact:

Addl. Drafters:

Subject: **Trade Regulation - other**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Pocan@legis.wisconsin.gov**

Carbon copy (CC:) to: **christopher.sundberg@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Prohibit offers in the form of bogus checks

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>
/?	csundber 05/09/2007	jdyer 05/09/2007		_____			State
/1			pgreensl 05/09/2007	_____	lparisi 05/09/2007	sbasford 05/14/2007	

FE Sent For: **"1" AT INTRO 6-12-2007 <END>**

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for Senate

2007 DRAFTING REQUEST

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Received: 05/09/2007

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Identical to LRB: 1136/3

For: Mark Pocan (608) 266-8570

By/Representing: Craig Trost

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May Contact:

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/?	csundber	1 5/9 jld	5/9 ps	5/9 sell			
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FE Sent For:

<END>

Sundberg, Christopher

From: Trost, Craig
Sent: Wednesday, May 09, 2007 11:38 AM
To: Sundberg, Christopher
Subject: RE: Fine

Thanks for the great work. Can you also have a companion version for the Senate sent to us along with the Assembly version?

From: Sundberg, Christopher
Sent: Tuesday, May 08, 2007 4:08 PM
To: Trost, Craig
Subject: RE: Fine

Got it.

From: Trost, Craig
Sent: Tuesday, May 08, 2007 4:08 PM
To: Sundberg, Christopher
Subject: RE: Fine

Please proceed with the below language but include a 7 calendar day period, rather than the 24-hour period.

From: Sundberg, Christopher
Sent: Tuesday, May 08, 2007 10:14 AM
To: Trost, Craig
Subject: RE: Fine

Just a reminder: if you're still hoping for a redraft by Wednesday, I'll need to get something to the editors ASAP.

CS

From: Trost, Craig
Sent: Monday, May 07, 2007 3:36 PM
To: Sundberg, Christopher
Subject: RE: Fine

That sounds good. I will run it past the boss and let you know what he says!

From: Sundberg, Christopher
Sent: Monday, May 07, 2007 3:30 PM
To: Trost, Craig
Subject: RE: Fine

Hmm. Currently, \$100 "for each violation."

How about:

"a forfeiture of not more than \$100 for each solicitation sent in violation of this section, except that the forfeiture may not exceed \$10,000 for each 24-hour period in which the person violates this section."

CS

From: Trost, Craig
Sent: Monday, May 07, 2007 3:27 PM
To: Sundberg, Christopher
Subject: Fine

How is the do not call list fine assessed? Could that be a helpful idea for us?

Craig Frost

Office of Representative Mark Pocan
PO Box 8951
Madison, WI 53708
608.266.8570

In: 5/9/07
wanted: today, if possible

2007 - 2008 LEGISLATURE

2687/1
LRB-1136/3
CTS:jld:jf
RWR
stays

2007 BILL

d-note

Regen

1 AN ACT to create 100.315 of the statutes; relating to: soliciting purchases of
2 goods or services using unsolicited checks or money orders and providing a
3 penalty.✓

Analysis by the Legislative Reference Bureau

This bill prohibits soliciting the purchase of goods or services by the delivery to a recipient in this state of a document that is or appears to be a check or money order payable to the recipient, if the endorsement of the document purports to bind the recipient to purchasing goods or services and the recipient did not request the delivery of the document. Under the bill, the Department of Agriculture, Trade and Consumer Protection✓ may bring an action against a violator for a forfeiture of \$100 per solicitation, except that the forfeiture may not exceed \$10,000 for each✓ seven-day period in which the person commits a violation.✓

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:

4 SECTION 1. 100.315^x of the statutes is created to read:
5 100.315 Solicitation of contract using check or money order. (1) In this
6 section, "check" has the meaning given in s. 217.02 (2).

BILL

1 (2) No person may solicit the purchase of goods or services by delivering to a
2 recipient in this state a document that is or appears to be a check payable to the
3 recipient, if the endorsement of the document purports to bind the recipient to
4 purchasing goods or services and the recipient did not request the delivery of the
5 document.

6 (3) The department shall investigate violations of this section and may bring
7 an action against a person who violates this section to recover a forfeiture of not more
8 than \$100 for each solicitation sent in violation of this section, except that the
9 forfeiture may not exceed \$10,000 for each 7-day period in which the person violates
10 this section.

11

(END)

d-note



DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

date

LRB-2687/1dn

CTS:.....

↑
jld

Representative Pocan:

This draft is identical to LRB-1136/3.

Christopher T. Sundberg
Legislative Attorney
Phone: (608) 266-9739
E-mail:
christopher.sundberg@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2687/1dn
CTS:jld:pg

May 9, 2007

Representative Pocan:

This draft is identical to LRB-1136/3.

Christopher T. Sundberg
Legislative Attorney
Phone: (608) 266-9739
E-mail:
christopher.sundberg@legis.wisconsin.gov

Duerst, Christina

From: Trost, Craig
Sent: Monday, May 14, 2007 12:55 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-2687/1 Topic: Prohibit offers in the form of bogus checks

Please Jacket LRB 07-2687/1 for the SENATE.