

5

1999 DRAFTING REQUEST

Bill

Received: 09/24/98

Received By: malaigm

Wanted: As time permits

Identical to LRB:

For: Marlin Schneider (608) 266-0215

By/Representing: Judy

This file may be shown to any legislator: NO

Drafter: malaigm

May Contact:

Alt. Drafters:

Subject: Employ Priv - miscellaneous

Extra Copies:

Topic:

Convenience store security

Instructions:

Redraft 97-1242/1

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>
/?	malaigm 09/24/98	gilfokm 10/23/98		_____			
/1			jfrantze 10/26/98	_____	lrbdocadmin 10/26/98	lrb_docadminS&L 11/2/98	

FE Sent For:

01-14-99

<END>

10/26/98 2:09:02 PM

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Redraft 97- 124211

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/?	malaigm		<i>Jb</i> 10/26	<i>Jb</i> 10/26		

FE Sent For:

<END>

1997-1998 LEGISLATURE

CORRECTIONS IN:

1997 ASSEMBLY BILL 128

Prepared by the Legislative Reference Bureau
(March 11, 1997)

1. Page 5, line 14: delete "GRANT APPLICATION PROCESS."

97-1242/1ccc-1

MFD:ch

Minor clerical corrections in legislation are authorized under s. 35.17, stats.; Senate Rule 31, Assembly Rule 37 and Joint Rule 56.

1999-2000

1997-1998 LEGISLATURE

0324/1

LRB-1242/1

GMM: [initials]

DVote

1999

→ PK

1997 ASSEMBLY BILL 128

~~February 18, 1997 - Introduced by Representatives SCHNEIDER, WILLIAMS, L. YOUNG, WASSERMAN and MORRIS-TATUM. Referred to Joint committee on Finance.~~

repeal

1 **AN ACT to create** 20.445 (1) (fm) and 103.08 of the statutes; **relating to:**
 2 convenience store, service station and restaurant security, a grant program for
 3 workplace security training and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill permits counties, cities, villages and towns to enact local ordinances requiring convenience stores, service stations and restaurants that are regularly open for business at any time between 8 p.m. and 5 a.m. (at-risk businesses), other than at-risk businesses in which only the owner and his or her family members work during those hours, to do all of the following:

1. Adequately illuminate the parking lot at an intensity determined by the ordinance.
2. If the at-risk business is constructed or converted from another use on or after the effective date of the ordinance, **place the** cash register and transaction area and maintain window signs and tinting **so as** to provide a clear and unobstructed view of the cash register and transaction area from the street.
3. If the at-risk business is equipped with a security camera, make the recording device of the security camera inaccessible to employees and post a conspicuous sign at the entrance stating that a security camera with an inaccessible recording device is in place on the premises.

In addition to the requirements listed above, the bill also permits a local ordinance enacted under the bill to require the owner of an at-risk business that is subject to the ordinance to do any of the following:

ASSEMBLY BILL 128

Workforce

1. Equip the at-risk business with an inaccessible drop safe and post a conspicuous sign at the entrance stating that an inaccessible drop safe is on the premises.

2. Require all employees who work at any time between 8 p.m. and 5 a.m. to attend a workplace security training program that is provided by the law enforcement agency of the local governmental unit enacting the ordinance or by a local chamber of commerce or other local business group and that has been approved by the attorney general. The bill appropriates moneys and directs the department of industry, labor and job development to provide grants to assist local governmental units and local chambers of commerce or other local business groups in providing those training programs.

For further information see the **state and local** 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:

SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

1999-00	2000-01
1997-98	1998-99

3

Workforce

4

20.445 ~~Industry, labor and job development,~~

5

department of WORKFORCE

6

(1) ~~INDUSTRY, LABOR AND JOB DEVELOPMENT~~

(fm) Workplace security training

grants	GPR	A	10,000	10,000
--------	-----	---	--------	--------

SECTION 2. 20.445 (1) (fm) of the statutes is created to read:

20.445 (1) (fm) workplace security training grants. The amounts in the schedule for workplace security training grants under s. 103.08 (6).

SECTION 3. 103.08 of the statutes is created to read:

103.08 Convenience store, service station and restaurant security ordinances. (1) DEFINITIONS. In this section:

ASSEMBLY BILL 128

(a) "Convenience store" means any place of business that is engaged in the retail sale of groceries, including the sale of prepared foods.

~~(b) "Great bodily harm" has the meaning given in s. 939.22(14).~~

~~(c) "Restaurant" has the meaning given in s. 254.61 (5).~~

~~(d) "Robbery" means conduct that is in violation of s. 943.32.~~

(c) ~~(e)~~ "Service station" means any place of business that is engaged in the retail sale of gasoline.

~~(f) "Sexual assault" means conduct that is in violation of s. 940.225.~~

~~(g) "Theft" means conduct that is in violation of s. 943.201.~~

or town

(2) LOCAL ORDINANCE. A county, city, ~~town~~ or village may enact an ordinance that is in strict conformity with subs. (3) and (4). An ordinance enacted by a county under this subsection is applicable in that part of any city or village located in the county and in any town located in the county, unless the city, village or town has enacted an ordinance under this subsection.

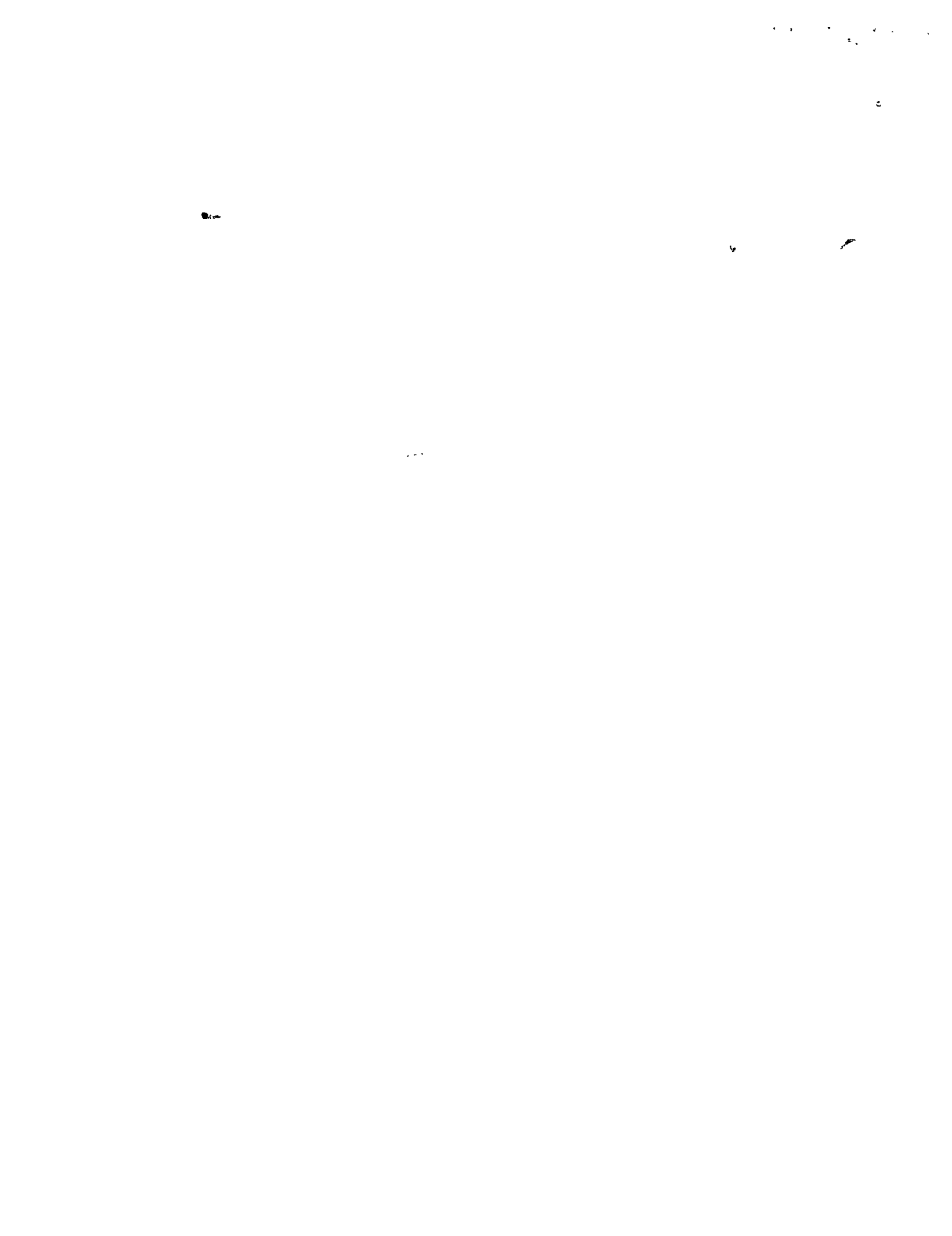
(3) CONVENIENCE STORE, SERVICE STATION AND RESTAURANT SECURITY. (a) An ordinance enacted under sub. (2) shall require all of the following:

or

1. That the owner of every convenience store, service station, ~~and~~ restaurant within the county, city, village or town enacting the ordinance that is regularly open for business at any time between 8 p.m. and 5 a.m., other than a convenience store, service station or restaurant in which only the owner ~~and~~ his or her family members work during those hours, adequately illuminate the parking lot at an intensity determined by the governing body of the county, city, village or town enacting the ordinance.

or

2. That the owner of every convenience store, service station ^r restaurant described in subd. 1. that is constructed or converted from another use on or after the



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SECTION 3

effective date of the ordinance place the cash register and transaction area and maintain window signs and tinting so as to provide a clear and unobstructed view of the cash register and transaction area from the street.

3. That the owner of every convenience store, service station and restaurant described in subd. 1. that is equipped with a security camera make the recording device of the security camera inaccessible to employes and post a conspicuous sign at the entrance stating that a security camera is in place on the premises and that the recording device of the security camera is inaccessible to employes.

(b) ~~An ordinance enacted under sub. (2)~~ in addition to the requirements under par. (a), may require any of the following:

or
An ordinance enacted under sub. (2)

1. That the owner of every convenience store, service station or restaurant described in par. (a) 1. equip the convenience store, service station or restaurant with a drop safe that is inaccessible to employes and post a conspicuous sign at the entrance stating that a safe is on the premises and that the safe is inaccessible to employes.

2. That the owner of every convenience store, service station or restaurant described in par. (a) 1. require all employes who work at any time between 8 p.m. and 5 a.m. to attend a workplace security training program that has been approved by the attorney general under sub. (5) or (6).

(4) PENALTIES. An ordinance enacted under sub. (2) shall provide that any person who violates the ordinance may be required to forfeit not more than \$1,000.

delete 1 space

(5) WORKPLACE SECURITY TRAINING. The law enforcement agency of a county, city, village or town that enacts an ordinance under sub. (2) may provide for persons who are required to attend a workplace security training program under sub. (3) (b) 2. a workplace security training program that trains and familiarizes those persons with

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1 the security practices required under sub. (3). The law enforcement agency shall
 2 submit the proposed training program to the attorney general and the attorney
 3 general shall review and approve or disapprove the proposed training program
 4 within 60 days after its receipt.

5 (6) GRANTS FOR WORKPLACE SECURITY TRAINING PROGRAMS. (a) From the
 6 appropriation under s. 20.445 (1) (fm), the department shall provide grants to
 7 applying local governmental units and to applying local chambers of commerce or

8 other local business groups to assist those local governmental units and local
 9 chambers of commerce or other local business groups in providing workplace security

10 training programs for the employes of convenience stores, restaurants, service
 11 stations and other places of business that are at risk of theft or robbery, including
 12 employes who are required to attend a workplace security training program under sub.

13 (3) (b) 2.

14 (b) GRANT APPLICATION PROCESS. A local governmental unit or local chamber of
 15 commerce or other local business group that applies for a grant under par. (a) shall
 16 submit with its grant application a description of its proposed workplace security
 17 training program containing any information that the department, after consulting
 18 with the attorney general, may require. On receipt of a grant application, the
 19 department shall submit the proposed workplace security training program to the
 20 attorney general and the attorney general shall review and approve or disapprove
 21 the proposed workplace security training program within 60 days after its receipt.

22 (c) Annually, the department shall notify all local governmental units and local
 23 chambers of commerce or other local business groups in this state of the availability
 24 of the grants provided under par. (a).

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of a local governmental unit

(7) IMMUNITY FROM LIABILITY. The attorney general and his or her employees and agents shall not be liable for any claim for damages to person or property arising out of the approval or disapproval of a workplace security training program under sub. (5) or (6). A local governmental unit, any governmental subdivision or agency thereof, a local chamber of commerce or other local business group and any officer, official, agent or employe of those entities shall not be liable for any claim for damages to person or property arising out of the implementation of a workplace security training program approved under sub. (5) or (6), if the workplace security training program is actually provided.

SECTION 4. Nonstatutory provisions.

2001

in the department of administration

(1) REPORT ON SAFETY AND SECURITY REQUIREMENTS OF HIGH-RISK BUSINESSES. No later than January 1, 1999, the department of justice shall submit a report to the legislature, in the manner provided under section 13.172 () of the statutes, on the safety and security requirements of businesses that have a high incidence of violent crimes such as homicide and robbery, as determined under the uniform crime reporting system of the Wisconsin office of justice assistance. The study shall include the effects of multistaffing, bullet-resistant enclosures, security devices such as cameras and alarm systems and other applicable crime prevention measures in preventing violent crime at those businesses.

(END)

DASTE

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

0324/ldn
LRB-1242/1dn
GMM:mfj:jlb
PK

Wednesday, December 4, 1996

seeking the enactment of this draft

This draft creates an appropriation for workplace security training grants. The budget bill, however, repeals and recreates the appropriation schedule. Accordingly, to avoid an inadvertent repeal of the appropriation created by this draft, you should either have this draft redrafted as a budget amendment next spring or wait until after the enactment of the budget before ~~pushing this draft toward passage.~~

Senior Gordon M. Malaise
Legislative Attorney
266-9738

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

LRB-0324/1dn
GMM:pk:jf

October 26, 1998

This draft creates an appropriation for workplace security training grants. The budget bill, however, repeals and recreates the appropriation schedule. Accordingly, to avoid an inadvertent repeal of the appropriation created by this draft, you should either have this draft redrafted as a budget amendment next spring or wait until after the enactment of the budget before seeking the enactment of this draft.

Gordon M. Malaise
Senior Legislative Attorney
266-9738

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 10/26/98

To: Representative Schneider

Relating to LRB drafting number: LRB-0324

Topic

Convenience store security

Subject(s)

Employ Priv - miscellaneous

1. **JACKET** the draft for introduction _____



in the Senate _____ or the Assembly (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____

If the analysis indicates that a fiscal estimate% required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-356 1. If you have any questions relating to the attached draft, please feel free to call me.

Gordon M. Malaise, Senior Legislative Attorney
Telephone: (608) 266-9738



**ASSEMBLY AMENDMENT 1,
TO 1999 ASSEMBLY BILL 6**

October 5, 1999 - Offered by Representative SCHNEIDER.

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

2 1 . Page 2, line 1: delete lines 1 to 12 and substitute:

3 **SECTION 1d.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
4 insert the following amounts for the purposes indicated:

5				1999-00	2000-01
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6 **20.143 Commerce, department of**

7 (3) **REGULATION OF INDUSTRY, SAFETY AND BUILDINGS**

8 (e) Workplace security training

9	grants	GPR	A	10,000	10,000
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10 **SECTION 2d.** 20.143 (3) (e) of the statutes is created to read:

11 *20.143 (3) (e) Workplace security training grants.* The amounts in the schedule
12 for workplace security training grants under s. 101.112 (6).

13 **SECTION 3d.** 101.112 of the statutes is created to read:

