

1999 DRAFTING REQUEST

Senate Amendment (SA-SB413)

Received: 03/09/2000

Received By: jkreye

Wanted: Soon

Identical to LRB:

For: Judy Robson (608) 266-2253

By/Representing: Tom Ourada

This file may be shown to any legislator: NO

Drafter: jkreye

May Contact:

Alt. Drafters:

Subject: Tax - cigarettes and t.p.

Extra Copies: Tom Ourada-electronic copy

Pre Topic:

No specific pre topic given

Topic:

Gray market cigarettes

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	jkreye 03/09/2000	kgeller 03/09/2000	kfollet 03/09/2000	_____	lrb_docadmin 03/09/2000	lrb_docadmin 03/09/2000	

FE Sent For:

<END>

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/1	jkreye	h 3/9 jg JJ	Kjf 3/9	Kjf/self 3/9			

FE Sent For:

<END>

Kreye, Joseph

To: Nordlie, John K; Ourada, Thomas D
Cc: Jenkins, James G
Subject: RE: gray market cigarettes

Thanks for the quick response.

Joseph T. Kreye, Legislative Attorney
Legislative Reference Bureau
(608) 266-2263
joseph.kreye@legis.state.wi.us

-----Original Message-----

From: Nordlie, John K
Sent: Thursday, March 09, 2000 2:43 PM
To: Kreye, Joseph; Ourada, Thomas D
Cc: Jenkins, James G
Subject: RE: gray market cigarettes
Importance: High

I talked to Jim Jenkins, and this is how we would like to see it read, thanks.

-----Original Message-----

From: Kreye, Joseph
Sent: Thursday, March 09, 2000 2:25 PM
To: Ourada, Thomas D; Nordlie, John K
Subject: gray market cigarettes

Tom

With regard to the gray market cigarettes, is it the intent that the 400 cigarette limitation apply to the sale and distribution of cigarettes as well as possession? For example, do you want the language to read "It is unlawful for any person to possess, sell or distribute in excess of 400 cigarettes as described under s. 139.31(4), other than..." **or do you want it to read "It is unlawful for any person to possess in excess of 400 cigarettes as described under s. 139.31(4); or to sell or distribute cigarettes as described under s. 139.31(4); other than..." ?**

Joseph T. Kreye, Legislative Attorney
Legislative Reference Bureau
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Kreye, Joseph

To: Ourada, Thomas D; Nordlie, John K
Subject: gray market cigarettes

Tom

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Kreye, Joseph

From: Ourada, Thomas D
Sent: Thursday, March 09, 2000 12:51 PM
To: Kreye, Joseph
Cc: Nordlie, John K
Subject: SB 413 LRB 4622- gray market draft

Joe after discussions this morning with lobbyists about this legislation, there appear to be some concerns remaining that the bill would prohibit someone from bringing back cigarettes from another country for personal use and also could effect duty free shops. John Nordlie and John Evans have suggested that some additional language be added in section 139.321 (1) that might go something like this:

"It is unlawful for any person to possess, sell or distribute cigarettes as described under s. 139.31(4) other than cigarettes allowed to be imported or brought into the United States for personal use, subject to the limitations in 139.321 (1)(intro.) and cigarettes sold or intended to be sold by a duty-free sales enterprise in accordance with federal law."

Joe, we wanted to make sure that if we added language to cover the personal use, it was still subject to the 400 cigarette limitation that appears in 139.321(1)(intro.). Hope you can find a way to do this. Can you prepare this amendment for Sen. Robson and send us a copy as well? The committee may be doing a paper ballot on the bill soon and we would like them to have this for their review. Thanks very much Joe.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1721/1

JK:...

JG

SENATE AMENDMENT,
TO 1999 SENATE BILL 413

m 3-9-2000

SOON

1 At the locations indicated, amend the bill as follows:
2 1. Page 2, line 19: delete lines 19 and 20[✓] and substitute^g "(1) and 139.33 (4).
3 It is unlawful for any person to possess in excess of 400 cigarettes as described under
4 s. 139.31 (4);[✓] or to sell or distribute cigarettes as described under s. 139.31 (4); other
5 than cigarettes that may be brought into the United States for personal use and
6 cigarettes that are sold or are intended for sale by a[✓] duty-free enterprise, as provided
7 under federal law."

8 (END)