

2001 DRAFTING REQUEST

Bill

Received: **02/01/2001**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Tony Staskunas (608) 266-0620**

By/Representing: **Adrienne Ramirez**

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

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Beverages - miscellaneous**

Extra Copies: **RCT**

Submit via email: **NO**

Requester's email:

Pre Topic:

No specific pre topic given

Topic:

Revocations, suspensions, and refusals to renew a license or permit relating to alcohol beverages

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>
/?	agary 03/07/2001	jdye 03/08/2001		_____			
/1			martykr 03/08/2001	_____	lrb_docadmin 03/08/2001	lrb_docadmin 04/09/2001	

FE Sent For:

<END>

↳ Not Needed

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1?	agary	1 8/8 jld	Km 3/8	PC Km 3/8			

FE Sent For:

<END>

Gary, Aaron

From: Ramirez, Adrienne
Sent: Thursday, February 01, 2001 2:09 PM
To: Gary, Aaron
Subject: drafting request

Aaron-

Last Session Paul Nilsen drafted LRB-1954/2 for Rep. Staskunas. This bill was introduced as AB 522. Would you please redraft this proposal for introduction.

Thank you for your help. Please give me a call if you have any questions.

Adrienne Ramirez
Office of Rep. Tony Staskunas
6-0620

2372/1
LRB-1999-02
PEN:km
AR6 jld

2001 Bill

1999 ASSEMBLY BILL 522

RMR Not Run
D-Note

October 12, 1999 - Introduced by Representatives STASKUNAS, STONE, BRANDEMUEHL, LADWIG, KELSO, LA FAVE and COLON, cosponsored by Senator ROSENZWEIG. Referred to Committee on State Affairs.

Regen

1 AN ACT to amend 125.12 (2) (ag) 5. and 125.12 (4) (ag) 7. of the statutes; relating
2 to: revocations, suspensions, and refusals to ~~issue~~ renew a license or permit
3 relating to alcohol beverages.

Analysis by the Legislative Reference Bureau

Under current law, a municipality or the department of revenue (DOR) generally may revoke, suspend, or refuse to ~~issue~~ renew any license or permit to manufacture, brew, distribute, or sell alcohol beverages if the licensee or permittee is not qualified to hold the license or permit, violates this state's laws regulating alcohol beverages, or commits specified offenses. ~~One specified offense for which~~ an alcohol beverage license or permit may be revoked is a felony conviction of the licensee or permittee ~~for~~ unlawfully possessing, with intent to manufacture, distribute, or deliver, a controlled substance or controlled substance analog, or unlawfully manufacturing, distributing, or delivering a controlled substance or controlled substance analog.

This bill expands the offenses involving controlled substances or controlled substance analogs that may be considered by a municipality or DOR ~~considering~~ to revoke, suspend, or refuse to ~~issue~~ renew an alcohol beverage license or permit. Under the bill, any allegation that a license or permit holder has violated this state's uniform controlled substances act, or a substantially similar federal law or law of another state, may be considered in an action to revoke, suspend, or refuse to ~~issue~~

has been convicted of

if the

in deciding

*

ASSEMBLY BILL 522

~~renew~~ ^{insert} an alcohol beverage license or permit, even if there has been no conviction for the alleged violation. ^A

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 125.12 (2) (ag) 5. ^X of the statutes is amended to read:

2 125.12 (2) (ag) 5. The person has ^{plain} ~~been convicted of manufacturing, distributing~~
3 ~~or delivering a controlled substance or controlled substance analog under s. 961.41~~
4 ~~(1); of possessing, with intent to manufacture, distribute or deliver, a controlled~~
5 ~~substance or controlled substance analog under s. 961.41 (1m); or of possessing, with~~
6 ~~intent to manufacture, distribute or deliver, or of manufacturing, distributing or~~
7 ~~delivering a controlled substance or controlled substance analog under violated ch.~~
8 ~~961~~ [✓] or a substantially similar federal law or a substantially similar law of another
9 state.

10 SECTION 2. 125.12 (4) (ag) 7. ^X of the statutes is amended to read:

11 125.12 (4) (ag) 7. That the licensee has ~~been convicted of manufacturing,~~
12 ~~distributing or delivering a controlled substance or controlled substance analog~~
13 ~~under s. 961.41 (1); of possessing, with intent to manufacture, distribute or deliver,~~
14 ~~a controlled substance or controlled substance analog under s. 961.41 (1m); or of~~
15 ~~possessing, with intent to manufacture, distribute or deliver, or of manufacturing,~~
16 ~~distributing or delivering a controlled substance or controlled substance analog~~
17 ~~under violated ch. 961~~ [✓] or a substantially similar federal law or a substantially
18 similar law of another state.

19 (END)

D-Note

**2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2372/lins
ARG:.....

Insert
A

(no P)

However, the allegation must be found to be true before it may provide a basis for revocation, suspension, or refusal to renew an alcohol beverage license or permit. ✓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2372/1dn

ARG:.....
Jld

Would you also like to amend the treatments of s. 125.12 (2) (ag) 6. ✓ and (4) (ag) 8. ✓ in a manner consistent with the amendments to s. 125.12 (2) (ag) 5. and (4) (ag) 7. ✓ in the attached draft? Amending s. 125.12 (2) (ag) 6. and (4) (ag) 8. to allow revocation, suspension, or refusal to renew a license for knowingly allowing another person to violate ch. 961, or a substantially similar federal law, on the licensed premises would expand the effect of the statute by, for example, allowing revocation, suspension, or refusal to renew for simple possession of a controlled substance or controlled substance analog, for possession of drug paraphernalia, or for possession of methamphetamine manufacturing waste.

Please feel free to call if you have any questions or comments.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2372/1dn
ARG:jld:km

March 8, 2001

Would you also like to amend the treatments of s. 125.12 (2) (ag) 6. and (4) (ag) 8. in a manner consistent with the amendments to s. 125.12 (2) (ag) 5. and (4) (ag) 7. in the attached draft? Amending s. 125.12 (2) (ag) 6. and (4) (ag) 8. to allow revocation, suspension, or refusal to renew a license for knowingly allowing another person to violate ch. 961, or a substantially similar federal law, on the licensed premises would expand the effect of the statute by, for example, allowing revocation, suspension, or refusal to renew for simple possession of a controlled substance or controlled substance analog, for possession of drug paraphernalia, or for possession of methamphetamine manufacturing waste.

Please feel free to call if you have any questions or comments.

Aaron R. Gary
Legislative Attorney
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E-mail: aaron.gary@legis.state.wi.us



STEPHEN R. MILLER
CHIEF

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

MAR 08 2001

March 8, 2001

MEMORANDUM

To: Representative Staskunas

From: Arron R. Gary, Attorney

Re: LRB-2372 Revocations, suspensions, and refusals to renew a license or permit relating to alcohol beverages

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 261-6926 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.