2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: 06/15/2001 Wanted: As time permits					Received By: isagerro				
					Identical to LRB:				
For: Senate Democratic Caucus					By/Representing: Keckhaver				
This file may be shown to any legislator: NO May Contact:					Drafter: isagerro Addl. Drafters:				
Subject: Health - tobacco Trade Regulation - cigs/tobacco				Extra Copies:		DAK, RNK, MGG			
Submit	via email: NO								
Request	ter's email:		-						
Pre To	pic:	· · · · · · · · · · · · · · · · · · ·							
SDC:	Keckhaver - C	CN1044 7511							
Topic:									
Elimina	te defense for to	obacco retailer	for selling to	obacco produc	ets to minors (CN85	520)			
Instruc	etions:		· ·						
See Atta	ached		,						
 Draftin	g History:								
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required		
/?	isagerro 06/16/2001	csicilia 06/16/2001							
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06/16/2001 07:27:27 PM Page 2

<u>Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required</u>

FE Sent For:

<END>

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Requeste	r's email:	,				•	·	
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Topic:	1.66.	4-1	C					
Eliminate	e defense for	tobacco retailer	for selling to	obacco produc	ts to minors (CN8	3520)		
Instructi	ions:							
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Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required	
/?	isagerro		6/16	10/1/5				

FE Sent For:

<END>

C7511

Agency:

Corrections (?) - Tobacco Products

Fiscal Bureau Paper:

None

Fiscal Bureau Motion:

#348 - Local Enforcement of Youth Access To

Tobacco Laws

Fiscal Effect:

None

Eliminate the provision designed to insulate retailers from forfeitures or other sanctions as long as the retailer provides employee training to its employees.

15R

CORRECTIONS -- JUVENILE CORRECTIONS

Tobacco Products

Motion:

Move to provide that if the retailer license holder offers proof that the retailer's employees have been provided training on the requirements of state law with regard to the sale of tobacco products to minors, the court would be required to remove the forfeiture and any related license suspension that would otherwise apply to the retailer license holder (but not the forfeiture imposed on the employee who sold the product to the minor).

Subject:

Penalties to retailers for selling tobacco products to minors

(N&30

Prior Reference:

Freestanding Motion #348, approved by Joint Finance on May 21

(copy attached)

Fiscal Effect:

None

Existing LRB #:

n/a

Amendment:

Repeal Joint Finance action

5P

CN1044 SDC

Delete Freestanding Motion 348, which provides that if a retail license holder is held harmless if he or she offers proof that employees have been trained on the requirements of state law with regard to the sale of tobacco to minors.

CORRECTIONS -- JUVENILE CORRECTIONS

Tobacco Products

Motion:

Move to provide that if the retailer license holder offers proof that the retailer's employees have been provided training on the requirements of state law with regard to the sale of tobacco products to minors, the court would be required to remove the forfeiture and any related license suspension that would otherwise apply to the retailer license holder (but not the forfeiture imposed on the employee who sold the product to the minor).

LFB:.....Zimmerman – Tobacco retailer employee training FOR 2001–03 BUDGET — NOT READY FOR INTRODUCTION LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

1	At the locations indicated, amend the bill as follows:
2	1. Page 1310, line 10: after that line insert:
3	"Section 2814g. 134.66 (3) (title) of the statutes is repealed and recreated to
4	read:
5	134.66 (3) (title) Defenses.
6	SECTION 2814i. 134.66 (3) (intro.) of the statutes is renumbered 134.66 (3) (a)
7	(intro.).
8	SECTION 2814L. 134.66 (3) (br) of the statutes is created to read:
9	134.66 (3) (br) Proof by a retailer that the act for which the retailer is being
10	prosecuted under sub. (2) (a) was committed by his or her agent or employee and that
11	the retailer provided training on the prohibitions under sub. (2) (a) to that agent or
12	employee is a defense to any prosecution for a violation of sub. (2) (a). The defense

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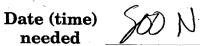
8

is not available to a retailer who knowingly permits his or her agent or employee to sell or provide for nominal or no consideration cigarettes or tobacco products to individuals under the age of 18.".

2. Page 1815, line 25: after that line insert:

"(11tk) TOBACCO RETAILER DEFENSE. The treatment of section 134.66 (3) (title), (intro.), and (br) of the statutes first applies to violations of section 134.66 (2) (a) of the statutes committed on the effective date of this subsection.".

(END)



LRB b_073/,

AMDT TO BUDGET SUB AMDT ISR RJM 95

See form AMENDMENTS — COMPONENTS & ITEMS.

AMENDMENT TO 2001 SENATE BILL

At the locations indicated, amend the substitute amendment amendment as follows:

- #. Page 9.39, line). 7: del met beg. with that line az enery with page 940, line 4.
- #. Page 14/6, line 14: del lus 14 to 16. V
- **#.** Page, line:
- **#.** Page, line:
- **#.** Page . . . , line . . . :
- **#.** Page . . . , line . . . :

SDC:.....Keckhaver – CN1044 7511 Eliminate defense for tobacco retailer for selling tobacco products to minors (CN8520)

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1	At the locations indicated, amend the substitute amendment as follows:

- 1. Page 939, line 17: delete the material beginning with that line and ending 2
- with page 940, line 4. 3

1

2. Page 1416, line 14: delete lines 14 to 16. 4

5 (END)