

2007 DRAFTING REQUEST

Bill

Received: **12/08/2006**

Received By: **csundber**

Wanted: **As time permits**

Identical to LRB:

For: **Mark Miller (608) 266-9170**

By/Representing: **Jamie Kuhn**

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: **Sen.Miller@legis.wisconsin.gov**

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

Pre Topic:

No specific pre topic given

Topic:

Magazine subscription renewal offers

Instructions:

Redraft 2005 SB 621

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 12/08/2006	lkunkel 12/11/2006		_____			State
/1	csundber 02/20/2007	lkunkel 02/20/2007	rschluet 12/11/2006	_____	sbasford 12/11/2006		State
/2	csundber 03/05/2007	lkunkel 03/06/2007	jfrantze 02/20/2007	_____	mbarman 02/20/2007		State
/3			nmatzke	_____	lparisi	sbasford	

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			03/06/2007 _____		03/06/2007	03/29/2007	

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			nwn 3/6	nwn/pg 3/6			

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FE Sent For:

1/2/mk 3/20

J. Selb
12/20
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/?	csundber	1/mk/12/9					
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FE Sent For:

<END>

la: 12/8/06

12/15

7 8
2005 - 2006 LEGISLATURE

1069/1
LRB-4570/H
CTS(jld:pg)
mk:

2005 SENATE BILL 621

2007 BILL

D-note

February 22, 2006 - Introduced by Senators MILLER, ROESSLER, RISSER, BRESKE and LASSA, cosponsored by Representatives JESKEWITZ, BERCEAU, SHERIDAN, MUSSER, SEIDEL, LEHMAN, TOWNSEND, PARISI, OTT and ALBERS. Referred to Committee on Job Creation, Economic Development and Consumer Affairs.

- regen.

NO

✓

- 1 AN ACT to create 100.54 of the statutes; relating to: solicitations for the renewal
- 2 of a subscription to a periodical. ✓

Analysis by the Legislative Reference Bureau

This bill regulates solicitations to renew a subscription to a periodical. ✓ Under the bill, no person may send a mailing soliciting a renewal to a periodical (renewal solicitation) more than six months before the expiration date of the subscriber's current subscription. ✓ Also under the bill, a renewal solicitation must indicate the date on which the subscriber's current subscription will expire. ✓

✓ 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:

③
④

SECTION 1. 100.54 of the statutes is created to read:

100.54 Periodicals; renewal solicitations. (1) In this section, "periodical"

- 5 means a newspaper, magazine, newsletter, or similar publication that is published
- 6 on a daily, weekly, or monthly basis and delivered to a subscriber. ✓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1069/1dn

CTS:.....

mk

(date)

✓
Sen. Miller:

✓
This is a redraft of 2005 Senate Bill 621.

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

→
P Note that the bill's definition of "periodical" appears to exclude materials that are published every other day or every two weeks. For instance, should the definition of "periodical" be modified to refer to a newspaper, magazine, newsletter, or similar publication that is published on a regular basis, but at least once every month?

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

LRB-1069/1dn
CTS:lmk:rs

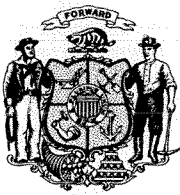
December 11, 2006

Sen. Miller:

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Note that the bill's definition of "periodical" appears to exclude materials that are published every other day or every two weeks. Should the definition of "periodical" be modified to refer to a newspaper, magazine, newsletter, or similar publication that is published on a regular basis, but at least once every month?

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



ln: 2/20/07
State of Wisconsin
2007 - 2008 LEGISLATURE

wanted: noon Wednesday

2
LRB-1069/E RMR
CTS:lmk:rs
↑
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stays

2007 BILL

Recom vt

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at least 2 times per year

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

3/20/07 Jamie/Miller

Redraft LRB-1069 to modify def. of

"periodical": published at least twice

a year.



Sundberg, Christopher

From: Anderson, John
Sent: Monday, March 05, 2007 1:30 PM
To: Sundberg, Christopher
Subject: LRB 1069

Chris,

Sen. Miller would like to make some changes to LRB 1069, specifically related to penalties, at the suggestion of DATCP: DATCP recommends putting a penalty(ies) section in the statute since, if none is stated, the default penalty is a criminal misdemeanor.

- Any person suffering pecuniary loss because of a violation of this section may commence an action to recover the pecuniary loss. If the person prevails, the person shall recover twice the amount of the pecuniary loss, or \$200 for each violation, whichever is greater, together with costs, including reasonable attorney fees.
- The department may commence an action in the name of the state to restrain by temporary or permanent injunction a violation of this section. Before entry of final judgment, the court may make any necessary orders to restore to a person any pecuniary loss suffered by the person because of the violation.

Any questions, please call or write. We would appreciate the new draft as soon as you can complete it. Thank you very much.

John G. Anderson
Office of Senator Mark Miller
State Capitol Room 409 South
P O Box 7882
Madison, WI 53707
Phone: (608) 266-9170
Fax: (608) 266-5087



lu: 3/5/07
State of Wisconsin
2007 - 2008 LEGISLATURE

3
LRB-1069/2

CTS:lmk/jf

STAYS

2007 BILL

ReGen

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A

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6 at least 2 times per year and delivered to a subscriber.

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1069/3ins
CTS:.....

1 **Insert A:**

2 ^{NOA} The bill authorizes a person injured by a violation of the provisions of the bill
3 to sue the violator for damages, and authorizes the Department of Agriculture, Trade
4 and Consumer Protection to bring an enforcement action against a violator.

5 **Insert 2-6:**

6 (4) Any person suffering pecuniary loss because of a violation of this section
7 may commence an action against the violator to recover twice the amount of the
8 person's pecuniary loss, or \$200 for each violation, whichever is greater, together
9 with costs, including reasonable attorney fees, notwithstanding s. 814.04 (1). ✓

10 (5) The department may commence an action in the name of the state to
11 restrain by temporary or permanent injunction a violation of this section. ✓ Before
12 entry of final judgment, the court may make any necessary orders to restore to a
13 person any pecuniary loss suffered by the person because of the violation. ✓

Basford, Sarah

From: Anderson, John
Sent: Thursday, March 29, 2007 10:12 AM
To: LRB.Legal
Subject: Message for Christopher Sundberg

Jacket please: LRB 1069/3, relating to periodical subscriptions.

Christopher, could you please have jacketed LRB 1069/3 or send me the email to order a jacket?

Thank you very much.

jga

John G. Anderson
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State Capitol Room 409 South
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Madison, WI 53707
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Fax: (608) 266-5087