

2009 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB181)

Received: **05/08/2009**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Mary Lazich (608) 266-5400**

By/Representing: **Lance Burri**

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

Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Buildings/Safety - clean ind air**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Lazich@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Wholesale intoxicating liquor and beer sales to certain taverns

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	rkite 05/08/2009	kfollett 05/08/2009	jfrantze 05/08/2009	_____	cduerst 05/08/2009	cduerst 05/08/2009	
	rkite 05/13/2009	kfollett 05/13/2009		_____			
/2			rschluet 05/13/2009	_____	lparisi 05/13/2009	lparisi 05/13/2009	

FE Sent For:

<END>

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/?	rkite	1/15/09 5/8	2/6 5/8	<u>2/6</u> 5/8			

FE Sent For:

<END>

Gary, Aaron

From: Burri, Lance
Sent: Wednesday, May 06, 2009 5:11 PM
To: Gary, Aaron
Subject: Smoking ban amendment

Aaron, yesterday we discussed a possible amendment to SB 181, which would change or add to 125.04(1): "(1) License or permit; when required. No person may sell, manufacture, rectify, brew or engage in any other activity for which this chapter provides a license, permit, or other type of authorization without holding the appropriate license, permit or authorization issued under this chapter."

We want to make it impermissible for a wholesaler to sell to a business not in compliance with SB 181, so I'm not sure how to proceed. Would it be proper to add "...and unless all parties are in compliance with 101.123" to that statute, or to add a whole new paragraph:

(1) (b) License or permit; when required. No person may sell, manufacture, rectify, brew or engage in any other activity for which this chapter provides a license, permit, or other type of authorization unless all parties are in compliance with 101.123.

Please let me know what you think: Sen. Lazich would like to have this for Friday's executive session.

Thanks.

Lance Burri
Office of Sen. Mary Lazich
608-266-5400 or 800-334-1442

Kite, Robin

From: Gary, Aaron
Sent: Thursday, May 07, 2009 10:36 AM
To: Burri, Lance
Cc: Kite, Robin
Subject: RE: Smoking ban amendment

That's fine. I think it fits best in s. 125.34 (beer) and s. 125.54 (liquor). Actually, Robin Kite has been a primary drafter on the smoking legislation and also is a backup drafter for alcohol beverages, so she is drafting this amendment. Feel free to contact her if you want to follow up on anything.

Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Burri, Lance
Sent: Thursday, May 07, 2009 10:31 AM
To: Gary, Aaron
Subject: RE: Smoking ban amendment

Please let me know if you want to put it somewhere other than in 125 (the ones listed earlier) - I have no intention of telling you how to do your job, but Mary specifically asked for those.

Lance Burri
Office of Sen. Mary Lazich
608-266-5400 or 800-334-1442

From: Gary, Aaron
Sent: Thursday, May 07, 2009 8:59 AM
To: Burri, Lance
Subject: RE: Smoking ban amendment

Lance,

My understanding is the you want to prohibit beer wholesalers and liquor wholesalers from selling to a retailer that is not in compliance with the smoking ban, s. 101.123. If that is accurate, then I will find the right placement for the provision. I'll go ahead and draft this up, or Robin Kite will.

Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Burri, Lance

Sent: Thursday, May 07, 2009 8:40 AM
To: Gary, Aaron
Subject: Smoking ban amendment

Aaron, regarding my email from yesterday, instead of amending 125.04(1), let's put it in the definitions of wholesaler, etc. in 125.02; 125.28; and 125.54.

Lance Burri
Office of Sen. Mary Lazich
608-266-5400 or 800-334-1442



Now
State of Wisconsin
2009 - 2010 LEGISLATURE

RM run
LRBa0331/0

RNK:.....
gf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2009 SENATE BILL 181

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

2 **1.** Page 15, line 12: after that line insert:

3 **"SECTION 76c.** 125.34 (4) (am) of the statutes is created to read:

4 125.34 (4) (am) Any person who holds a Class "B" license if the licensee or his
5 or her agent is in violation of s. 101.123 (2m) (a) to (d).

6 **SECTION 77g.** 125.54 (9) of the statutes is created to read:

7 125.54 (9) CERTAIN SALES PROHIBITED. No wholesaler may sell any intoxicating
8 liquor to a person who holds a "Class B" license if the licensee or his or her agent is
9 in violation of s. 101.123 (2m) (a) to (d)."

10 (END)

