

2011 DRAFTING REQUEST

Bill

Received: 02/04/2011

Received By: mgallagh

Wanted: As time permits

Companion to LRB:

For: Leah Vukmir (608) 266-2512

By/Representing: Dean Cady

May Contact:

Drafter: mgallagh

Subject: Occupational Reg. - misc

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Sen.Vukmir@legis.wisconsin.gov

Carbon copy (CC:) to: michael.gallagher@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Exemption of prescription drugs from the Unfair Sales Act

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> |
|--------------|--|------------------------|------------------------|----------------|-----------------------|---|------------------|
| /? | mgallagh 02/16/2011 csundber 02/25/2011 | csicilia 03/01/2011 | | _____ | | | State |
| /1 | | | rschluet 03/01/2011 | _____ | lparisi 03/01/2011 | lparisi 03/02/2011 lparisi 03/02/2011 | reprint label |

FE Sent For:

at intro
1/5/12

<END>

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|--------------|----------------|-----------------|---|----------------|------------------|-----------------|-----------------|
| /? | mgallagh | 1 cjs 3/11 |  | _____ | _____ | | |

FE Sent For:

<END>

Gallagher, Michael

From: Gallagher, Michael
Sent: Thursday, February 03, 2011 4:40 PM
To: Cady, Dean
Cc: Sundberg, Christopher
Subject: RE: Drafting Request / Prescription Drugs exempt from Unfair Sales Act

Hi Deano. I'll handle this draft. It's no problem. I'll be in touch if I do run into any questions.

Mike

Michael P. Gallagher
Legislative Attorney
Legislative Reference Bureau
(608) 267-7511
michael.gallagher@legis.wisconsin.gov

From: Cady, Dean
Sent: Thursday, February 03, 2011 4:35 PM
To: Gallagher, Michael
Cc: Sundberg, Christopher
Subject: Drafting Request / Prescription Drugs exempt from Unfair Sales Act

Hi Michael, this is deano from Senator Vukmir's office. I just got off the phone with Chris Sunberg and Leah is wondering if it would be possible to have a Bill from last session re-drafted, ready for introduction this session. The Bill is AB 482, "minimum sale price of prescription drugs." In addition, could the draft include the amendment, LRBa 1474/1, by Reps Nygren & Schaber.
Let me know if there are any questions.
Thankx a mil, I know you all are crazy busy.
Deano



LRB-(836/1) 1303/1
CTS:wlj:jt
CTS/MPB:ajs

2011 **2009 ASSEMBLY BILL 482**

October 6, 2009 - Introduced by Representatives ~~Richard~~ RICHARDS, ROYS, HUBLER, MASON, YOUNG, PASCH, TURNER, GRIGSBY, SCHNEIDER, HINTZ, VUKMIR, SINICKI, POPE-ROBERTS, NEWCOMER, ~~Kramer~~ KRAMER, VRUWINK, CULLEN and FIELDS, cosponsored by Senators RISSER, CARPENTER, OLSEN, COWLES, ERPENBACH, LAZICH, TAYLOR, ~~Darling~~ DARLING and PLALE. Referred to Committee on Health and Healthcare Reform.

P.W.F.

SA 09 ✓
SA 11 ✓

Re-sen

1 AN ACT to create 100.30 (6) (a) 10. of the statutes; relating to: the minimum sale
2 price of prescription drugs.

Analysis by the Legislative Reference Bureau

Under current law, the Unfair Sales Act or "minimum markup" law prohibits "loss leaders," or wholesale and retail sales of merchandise at a price below the cost of the merchandise to the seller.

This bill exempts prescription drugs from the Unfair Sales Act. As a result, the bill deletes the current prohibition on below-cost sales of prescription drugs.

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:

Ins. 1-2 →

3 SECTION 1. 100.30 (6) (a) 10. of the statutes is created to read:
4 100.30 (6) (a) 10. Merchandise is a prescription drug, as defined in s. 450.01
5 (20). ✓

Ins. 1-5 →
6

(END)

X



**ASSEMBLY AMENDMENT 1,
TO 2009 ASSEMBLY BILL 482**

February 25, 2010 - Offered by Representatives NYGREN and BERNARD SCHABER.

LPS: Thru bill section #'s

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 3: before that line insert:

Ins. 1-2

3 "~~SECTION 1d~~ ^{*Auto #*} 100.30 (6) (title) of the statutes is amended to read:

4 100.30 (6) (title) EXCEPTIONS; CONSTRUCTION".

5 **2.** Page 1, line 3: delete "~~SECTION 1~~" and substitute "~~SECTION 1m~~".

6 **3.** Page 1, line 5: after that line insert:

Ins. 1-5

7 "~~SECTION 2d~~ ^{*Auto #*} 100.30 (6) (e) of the statutes is created to read:

8 100.30 (6) (e) Paragraph (a) 10. may not be construed to diminish any remedies
9 available for violations of ch. 133 or 15 USC 2".

10 (END)

Duerst, Christina

From: Cady, Dean
Sent: Wednesday, March 02, 2011 11:11 AM
To: LRB.Legal
Subject: Draft Review: LRB 11-1303/1 Topic: Exemption of prescription drugs from the Unfair Sales Act

Please Jacket LRB 11-1303/1 for the SENATE.