

2013 DRAFTING REQUEST

Senate Amendment (SA-SB445)

Received:	1/16/2014	Received By:	tkuczens
Wanted:	As time permits	Same as LRB:	
For:	Richard Gudex (608) 266-5300	By/Representing:	Lance Burri
May Contact:		Drafter:	tkuczens
Subject:	Agriculture - food safety Health - miscellaneous	Addl. Drafters:	mduchek
		Extra Copies:	ret

Submit via email: **YES**
 Requester's email: **Sen.Gudex@legis.wisconsin.gov**
 Carbon copy (CC) to: **tracy.kuczenski@legis.wisconsin.gov**
tamara.dodge@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Licensure of food establishments

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>
/?	mduchek 1/16/2014	evinz 1/16/2014		_____			
/P1	tkuczens 1/17/2014	evinz 1/17/2014	jmurphy 1/16/2014	_____	lparisi 1/16/2014		
/1			rschluet	_____	sbasford	sbasford	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u> 1/17/2014	<u>Proofed</u> _____	<u>Submitted</u> 1/17/2014	<u>Jacketed</u> 1/17/2014	<u>Required</u>
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FE Sent For:

<END>

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Health - miscellaneous
Extra Copies: rct

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Topic:

Licensure of food establishments ✓

Instructions:

See attached

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Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	tkuczens	pl eev 1/16/14	pl eev 1/16/14	_____	_____	_____	_____
FE Sent For:				_____	_____	_____	_____

<END>

Kuczenski, Tracy

From: Burri, Lance
Sent: Thursday, January 16, 2014 12:19 PM
To: Kuczenski, Tracy; Duchek, Michael
Subject: FW: Possible amendments to SB 445

Tracy and Mike, I know you're already working on the amendments, but I just got this suggestion from Milwaukee. It seems like it covers what I wanted. What do you think?

Lance Burri
Office of Sen. Rick Gudex
608-266-5300

From: Wood, Brenda [<mailto:bwood@milwaukee.gov>]
Sent: Thursday, January 16, 2014 12:10 PM
To: Burri, Lance
Cc: Neville, William; Geary, Rachel
Subject: FW: Possible amendments to SB 445

Lance—

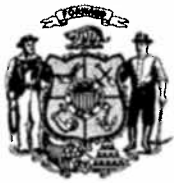
Rather than give blanket authority to shift all expiration dates to a new date it may make more sense to allow it at the request of the business and not mandate it. This way, the bill will give us the ability to have all **new** licenses on a 12 month cycle and phase in the existing licenses as a business requests it.

Possible language:

"A first class city may grant a license extension to a business upon request in order to coincide with another license expiration date of the applicant." Added language could include prorated rates if you think that's necessary.

Let me know if you or the drafter has any questions. Thanks so much for your help and I'm sorry it has become a bit more complicated—it always does!

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Today

J
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT,
TO SENATE BILL 445

J # Page 3 line 5: delete "paragraph" and substitute "subdivision"

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

2 1. Page 3, line 2: after "of the first class." insert "1." 1st

3 2. Page 3, line 6: after that line insert: I

4 "2. A retail food establishment may request an extension to the term of a license

5 issued under par. (a) by the local health department of a city of the 1st class that has

6 entered into an agreement with the department under s. 97.41 (1m) for the purpose

7 of aligning the annual term of any other license or permit issued to that retail food

8 establishment with ^{the annual term of} a license to be issued to that retail food establishment under

9 subd. 1. The local health department may require a retail food establishment that

10 receives an extension under this subdivision to pay a prorated fee in an amount

11 determined by dividing the license fee imposed under s. 97.41 (4) by 12 and

1 multiplying the quotient by the number of months by which the license issued under
2 ~~par. (a)~~ ^{Stet} is extended under this subdivision." ✓

~~This section~~ NOTE: Do you want to specify a limit on the number of months the license may be extended?

3 **3.** Page 3, line 13: after "(b)" insert "1." ✓

4 **4.** Page 3, line 14: delete "to a" and substitute "a". ✓

5 **5.** Page 3, line 14: delete "restaurant or bed and breakfast establishment a
6 permit" and substitute "permit for a restaurant or bed and breakfast establishment". ✓

7 **6.** Page 3, line 17: after that line insert:

8 "2. The holder of a permit for a restaurant or bed and breakfast establishment,
9 may request an extension to the term of a permit issued under ~~par. (a)~~ ^{this section} by the local
10 health department of a city of the 1st class that has entered into an agreement with
11 the department under s. 254.69 (2) for the purpose of aligning the annual term of any
12 other license or permit issued to that permit holder with ^{the annual term of} a permit to be issued to that
13 permit holder under subd. 1. The local health department may require a ~~permit~~ ^{permit}
14 holder that receives an extension under this subdivision to pay a prorated fee in an
15 amount determined by dividing the permit fee imposed under s. 254.68 by 12 and
16 multiplying the quotient by the number of months by which the permit issued under ^{254.69(2)}
17 ~~par. (a)~~ is extended under this subdivision." ✓

~~this section~~

(END)

Page 3, line 16: delete "paragraph" and substitute "subdivision" ○

Kuczenski, Tracy

From: Duchek, Michael
Sent: Friday, January 17, 2014 10:05 AM
To: Burri, Lance; Kuczenski, Tracy
Subject: RE: Restaurant amendment

Any time Lance, see below.

-Mike

From: Burri, Lance
Sent: Friday, January 17, 2014 10:00 AM
To: Kuczenski, Tracy; Duchek, Michael
Subject: Restaurant amendment

I really like this. I'm sending it around for comments now.

One question: sections 5 and 6 of the amendment – are these just grammatical changes?

Yes, as I said in the other email. These are purely technical.

Okay, one more question: section 2 of the bill refers to a "license," while section 4 refers to a "permit." Is there a legal difference? And whether or not there is, does it matter to us?

Current law calls the food establishment one a "license" and calls the restaurant/B&B one a "permit." It's just what they're called under current law (I couldn't tell you why) and so that's the reason one uses one term and one uses the other, both in the bill and in the amendment.

That was two more questions. Sorry.

Lance Burri
Office of Sen. Rick Gudex
608-266-5300



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa1444/PX1
TKK&MED:eev:jm

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT ,
TO SENATE BILL 445

1/17/14

Today

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 3, line 2: after *“of the 1st class.”* insert *“1.”*.
- 3 **2.** Page 3, line 5: delete *“paragraph”* and substitute *“subdivision”*.
- 4 **3.** Page 3, line 6: after that line insert:
- 5 “2. A retail food establishment may request an extension to the term of a license
- 6 issued under par. (a) by the local health department of a city of the 1st class that has
- 7 entered into an agreement with the department under s. 97.41 (1m) for the purpose
- 8 of aligning the annual term of any other license or permit issued to that retail food
- 9 establishment with the annual term of a license to be issued to that retail food
- 10 establishment under subd. 1. The local health department may require a retail food
- 11 establishment that receives an extension under this subdivision to pay a prorated fee
- 12 in an amount determined by dividing the license fee imposed under s. 97.41 (4) by

1 12 and multiplying the quotient by the number of months by which the license issued
2 under par. (a) is extended under this subdivision.”.

3 *e* ****NOTE: Do you want to specify a limit on the number of months the license may
be extended?

4 **4.** Page 3, line 13: after “(b)” insert “1.”.

5 **5.** Page 3, line 14: delete “to a” and substitute “a”.

6 **6.** Page 3, line 15: delete “restaurant or bed and breakfast establishment a
7 permit” and substitute “permit for a restaurant or bed and breakfast establishment”.

8 **7.** Page 3, line 16: delete “paragraph” and substitute “subdivision”.

9 **8.** Page 3, line 17: after that line insert:

10 “2. The holder of a permit for a restaurant or bed and breakfast establishment
11 may request an extension to the term of a permit issued under this section by the
12 local health department of a city of the 1st class that has entered into an agreement
13 with the department under s. 254.69 (2) for the purpose of aligning the annual term
14 of any other license or permit issued to that permit holder with the annual term of
15 a permit to be issued to that permit holder under subd. 1. The local health
16 department may require a permit holder that receives an extension under this
17 subdivision to pay a prorated fee in an amount determined by dividing the permit fee
18 imposed under s. 254.69 (2) by 12 and multiplying the quotient by the number of
19 months by which the permit issued under this section is extended under this
20 subdivision.”.

(END)