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## State of Misconsin 1997 - 1998 LEGISLATURE

LRBa1191/1 MGG:kmg:ijs

## SENATE AMENDMENT 13, TO 1997 SENATE BILL 313

November 19, 1997 - Offered by Senator WINEKE.

- At the locations indicated, amend the bill as follows:
- **1.** Page 1, line 6: before the period insert "and providing a penalty".
  - **2.** Page 3, line 1: before that line insert:
  - **"Section 1g.** 134.65 (1) of the statutes is amended to read:
  - 134.65 (1) No person shall, or the person's agent or employe, may in any manner, or upon any pretense, or by any device, directly or indirectly sell, expose for sale, possess with intent to sell, exchange, barter, dispose of or give away any cigarettes or tobacco products to any person not holding a license as herein provided or a permit under ss. 139.30 to 139.41 or 139.79 without first obtaining a license from the clerk of the city, village or town wherein such privilege is sought to be exercised.".
    - **3.** Page 3, line 1: substitute "Section 1m" for "Section 1".
- 12 **4.** Page 3, line 10: after "retailer" insert ", or employe or agent of a retailer".
  - **5.** Page 3, line 16: after "retailer," insert "employe or agent of a retailer,".

forfeiture of not more than \$250.".

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1	<b>6.</b> Page 5, line 3: after that line insert:
2	"Section 7q. 134.66 (3) (intro.) of the statutes is amended to read:
3	134.66 (3) Defense of retailer, manufacturer and distributor. (intro.) Proof
4	of all of the following facts by a retailer, an employe or agent of a retailer, a
5	manufacturer or $\underline{\mathbf{a}}$ distributor who sells cigarettes or to bacco products to a person
6	under the age of 18 is a defense to any prosecution for a violation of sub. (2) (a):".
7	7. Page 5, line 5: before "manufacturer" insert "employe or agent of the
8	retailer,".
9	8. Page 5, line 7: after that line insert:
10	"Section 8g. 134.66 (4) (a) 2. (intro.) of the statutes is amended to read:
11	134.66 (4) (a) 2. (intro.) A person, other than an employe or agent of a retailer,
12	who commits a violation is subject to a forfeiture of:
13	<b>Section 8m.</b> 134.66 (4) (am) of the statutes is created to read:
14	134.66 (4) (am) 1. In this paragraph, "violation" means a violation of sub. (2)
15	$(a),(c),(d)\ or\ (e)\ or\ a\ local\ ordinance\ that\ strictly\ conforms\ to\ sub.\ (2)\ (a),(c),(d)\ or$
16	(e).
17	2. An agent or employe of a retailer who commits a violation is subject to a

(END)