

LEGISLATIVE HEARING CALENDAR

Positions to be taken by the City of Milwaukee on the following bills will be discussed by the

COMMITTEE ON JUDICIARY-LEGISLATION

MONDAY, APRIL 7, 2003 AT 9:30 A.M.

Room 301-B City Hall

S-77	Promissory Notes
A-35	Underage Drinking; Failure to Prevent
A-86	Pupils; Physical Health Exams
A-89	Manufacturing Property Tax Refund
A-148	Weights and Measures
A-164	Driver Improvement Surcharge
A-169	Library Records; Disclosure to Parent
A-172	Absentee Ballots; Mailing
A-175	Absentee Ballots; Mailing; Witnessing
A-179	Municipal Fireworks Permit; Liability
A-206	Pointing a Firearm; Substances
A-210	Reciprocity; Alcohol Beverage License

Update on 2003-2005 Governor's Budget

2003 SENATE BILL 77

March 20, 2003 - Introduced by Senators DARLING, REYNOLDS and LAZICH, cosponsored by Representatives STONE, MONTGOMERY, BIES, GROTHMAN, HINES, GIELOW and MCCORMICK. Referred to Committee on Homeland Security, Veterans and Military Affairs and Government Reform.

1 AN ACT *to amend* 67.12 (12) (a), 119.49 (5) and 119.498; and *to create* 119.498
2 (3) of the statutes; **relating to:** promissory notes issued by the city of
3 Milwaukee to pay for unfunded prior service liability contributions of the
4 Milwaukee Public Schools under the Wisconsin Retirement System.

Analysis by the Legislative Reference Bureau

Current law allows the board of the Milwaukee Public Schools to direct the Milwaukee Common Council to issue promissory notes for the purpose of paying unfunded prior service liability contributions under the Wisconsin Retirement System. The notes must be repaid within 10 years.

Under this bill, the Milwaukee Common Council is not required to issue the notes. If the common council does so, the notes must be repaid within 20 years. The bill also provides that the sum of the amount of the notes that are outstanding and the amount of bonds issued by the common council to construct school buildings or purchase school sites that are outstanding at any time may not exceed 2% of the total value of all taxable property in the city of Milwaukee. Under current law, the latter amount alone is subject to the 2% limit.

For further information see the *state and local* 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:

2003 ASSEMBLY BILL 35

February 6, 2003 - Introduced by Representatives WASSERMAN, STONE, BERCEAU, BIES, COGGS, GIELOW, JESKEWITZ, J. LEHMAN, SHILLING, SINICKI, TURNER and A. WILLIAMS, cosponsored by Senator ROESSLER. Referred to Committee on Criminal Justice.

1 AN ACT *to amend* 125.07 (1) (a) 3. of the statutes; **relating to:** the prohibition
2 against adults knowingly permitting or failing to take action to prevent the
3 illegal consumption of alcohol beverages by underage persons.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, a person who has not reached the legal drinking age of 21 years (underage person), and who is not accompanied by his or her parent, guardian, or spouse who has attained the legal drinking age, may not knowingly possess or consume alcohol beverages. Current law prohibits an adult from knowingly permitting or failing to take action to prevent the illegal consumption of alcohol beverages by an underage person on "premises" owned by the adult or under the adult's control. "Premises" is defined as the area described in a license or permit for the sale of alcohol beverages.

This bill specifies that an adult may not knowingly permit or fail to take action to prevent the illegal consumption of alcohol beverages by an underage person on any property owned by the adult or under the adult's control, regardless of whether the property is covered by an alcohol beverages license or permit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 SECTION 1. 125.07 (1) (a) 3. of the statutes is amended to read:

2003 ASSEMBLY BILL 86

February 20, 2003 - Introduced by Representatives RHOADES, LOEFFELHOLZ, WARD, LADWIG, JENSEN, STONE, GRONEMUS, AINSWORTH, FREESE, HAHN, ALBERS, SUDER, KRAWCZYK, GROTHMAN, TOWNSEND, OWENS, VRAKAS, HINES, HUNDERTMARK, PETROWSKI, LOTHIAN, J. WOOD and GUNDERSON, cosponsored by Senators KANAVAS, ZIEN, LAZICH, LEIBHAM, KEDZIE, A. LASEE and STEPP. Referred to Committee on Children and Families.

1 **AN ACT** *to renumber and amend* 118.25 (3); *to amend* 119.04 (1); and *to create*
2 118.25 (3) (b) of the statutes; **relating to:** physical health examinations of
3 pupils.

Analysis by the Legislative Reference Bureau

Under current law, in a county with a population of less than 500,000, a school board may require periodic health examinations of pupils by physicians. This bill allows a school board in any county to require that a pupil be examined by a physician, but only if the school board provides a schedule of examinations to the pupil's parent or guardian at the beginning of each school year and obtains the written consent of the pupil's parent or guardian for a specific examination. The school board may conduct an additional examination if it provides the pupil's parent or guardian with a revised schedule and obtains the written consent of the pupil's parent or guardian to conduct the additional examination.

For further information see the *local* 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:

4 **SECTION 1.** 118.25 (3) of the statutes is renumbered 118.25 (3) (a) and amended
5 to read:

2003 ASSEMBLY BILL 89

February 20, 2003 – Introduced by Representatives M. LEHMAN, JESKEWITZ, W. WOOD, OLSEN, GIELOW, J. LEHMAN, GROTHMAN, SERATTI, TOWNSEND, ZIEGELBAUER, HAHN, F. LASEE, KRAWCZYK, LADWIG and COLON, cosponsored by Senators KANAVAS and A. LASEE. Referred to Committee on Ways and Means.

1 AN ACT *to amend* 70.511 (2) (b), 74.35 (3) (c) and 74.37 (3) (c); and *to create*
2 20.835 (2) (bm), 70.511 (2) (bm), 70.511 (2) (br), 74.35 (3) (cm) and 74.37 (3) (cm)
3 of the statutes; **relating to:** installment payments of refunds of taxes on
4 manufacturing property, the interest on refunded and additional taxes on
5 manufacturing property, and making an appropriation.

Analysis by the Legislative Reference Bureau

The Department of Revenue (DOR) currently assesses manufacturing property for property taxes. DOR determines what property is classified as manufacturing property for property tax purposes. If a reviewing authority for property assessments reduces a manufacturing property's assessed value or determines that manufacturing property is exempt from property tax, an affected taxpayer may file a claim with the municipality for a property tax refund. The municipality pays the refund to the taxpayer in one sum that includes interest on the refund amount, paid at the rate of 0.8% per month.

Under the bill, a municipality may pay a property tax refund to an owner of manufacturing property in five annual installments rather than all at once, and the interest on the refund amount is paid either at a rate of ten percent a year or at a rate determined by the last auction of six-month U.S. treasury bills, whichever is less.

2003 ASSEMBLY BILL 148

March 13, 2003 – Introduced by Representatives WIECKERT, GUNDERSON, HINES, JESKEWITZ, MUSSER, GIELOW, M. LEHMAN, OLSEN, LADWIG, LOEFFELHOLZ, JENSEN, STONE, KRAWCZYK, OWENS, MCCORMICK, VRAKAS, ALBERS, HAHN, MILLER, AINSWORTH, SERATTI, BIES, VAN ROY and GROTHMAN, cosponsored by Senators COWLES, STEPP and ROESSLER. Referred to Committee on Urban and Local Affairs.

1 **AN ACT** *to renumber and amend* 98.04 (2); *to amend* 20.115 (1) (j), 97.30 (3m)
2 (a) 3., 97.30 (3m) (b) 3. and 97.30 (3m) (c) 3.; and *to create* 98.04 (2) (b) of the
3 statutes; **relating to:** the provision of weights and measures services.

Analysis by the Legislative Reference Bureau

Current law requires a city or village (municipality) with a population of more than 5,000 to establish a department of weights and measures to enforce state laws regulating instruments and devices for weighing and measuring. Alternatively, a municipality that is required to establish a department of weights and measures may enter into a contract with the Department of Agriculture, Trade and Consumer Protection (DATCP) to enforce the weights and measures laws within that municipality's jurisdiction. DATCP may charge the municipality fees to cover DATCP's costs under the contract, and the municipality may assess those fees on the persons who receive services under the weights and measures program.

Current law authorizes any municipality to contract with other municipalities for the joint exercise of any duty required by law. Consistent with current law, this bill provides that a municipality may, instead of establishing its own department of weights and measures or entering into a contract with DATCP, enter into a contract with another municipality or with a county to enforce the weights and measures laws.

2003 ASSEMBLY BILL 164

March 13, 2003 – Introduced by Representatives STASKUNAS, BERCEAU, GIELOW, WASSERMAN and VAN AKKEREN, cosponsored by Senators LEIBHAM, CARPENTER and STEPP. Referred to Committee on Highway Safety.

1 AN ACT *to amend* 346.655 (1), 346.655 (2) (a) and 346.655 (2) (b); and *to create*
2 346.655 (2) (am) of the statutes; **relating to:** a surcharge for convictions related
3 to operating a vehicle while intoxicated.

Analysis by the Legislative Reference Bureau

Under current law, as changed by the 2001 budget act, a person who is convicted of certain violations relating to operating a vehicle while intoxicated must pay a driver improvement surcharge of \$355 in addition to any applicable forfeiture or fine, assessments, and costs. The driver improvement surcharge is distributed between the municipality or county where the conviction occurs and the state.

This bill increases the driver improvement surcharge to \$455. Under the bill, \$100 of that amount is given to the law enforcement agency that arrested the person who is convicted of the violation relating to operating a vehicle while intoxicated. The bill requires the law enforcement agency to use the money to purchase and maintain law enforcement equipment that will be used to prevent alcohol-related and other drug-related criminal activity. The remaining \$355 is distributed, as under current law, between the municipality or county where the conviction occurs and the state.

For further information see the *local* 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:

2003 ASSEMBLY BILL 169

March 18, 2003 – Introduced by Representatives ALBERS, KRAWCZYK, BIES, FRISKE, GROTHMAN, GUNDERSON, HAHN, HINES, JESKEWITZ, LADWIG, M. LEHMAN, NASS, OTT, OWENS, PETROWSKI, SERATTI, STONE, TOWNSEND and VAN ROY, cosponsored by Senators LEIBHAM, COWLES, LAZICH and ROESSLER. Referred to Committee on Children and Families.

1 AN ACT *to amend* 43.30 (1); and *to create* 43.30 (4) of the statutes; relating to:
2 the disclosure of public library records.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, a library that is supported by public funds is prohibited from disclosing library records that indicate the identity of any individual who borrows or uses the library's documents or other materials, resources, or services.

This bill requires a library that is supported by public funds, upon the request of a parent or guardian of a child under the age of 16, to disclose to the parent or guardian all library records relating to the use of the library's documents or other materials, resources, or services by the child.

For further information see the *state and local* 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 SECTION 1. 43.30 (1) of the statutes is amended to read:
4 43.30 (1) Records of any library which is in whole or in part supported by public
5 funds, including the records of a public library system, indicating the identity of any

2003 ASSEMBLY BILL 172

March 18, 2003 - Introduced by Representatives KRUG, FREESE, HUBER, LADWIG, TRAVIS, MUSSER, PLOUFF, HAHN, CULLEN, ALBERS, ZEPNICK, STASKUNAS, J. LEHMAN, SINICKI, MORRIS, GUNDRUM, BERCEAU, COGGS and LASSA, cosponsored by Senators MOORE, REYNOLDS, ROBSON and SCHULTZ. Referred to Committee on Campaigns and Elections.

1 AN ACT *to renumber and amend* 6.87 (3) (b); and *to amend* 6.87 (3) (a) and 6.87
2 (3) (c) and (d) of the statutes; **relating to:** mailing and transmitting absentee
3 ballots.

Analysis by the Legislative Reference Bureau

Currently, each municipal clerk and Board of Election Commissioners is directed to mail an absentee ballot requested by an elector to the residence of the elector unless the elector specifies a different mailing address. However, no elector may specify that an absentee ballot shall be mailed to the address of a candidate, political party, or other campaign finance registrant. If a clerk or board is reliably informed of a facsimile transmission number or electronic mail address where an eligible elector who has applied for an absentee ballot is able to receive the ballot and there may not be sufficient time before an election to send and receive the ballot through the mail, the clerk or board may transmit the ballot to the elector at the facsimile transmission number or electronic mail address.

This bill provides that a municipal clerk or Board of Election Commissioners may only mail an absentee ballot to the permanent or temporary residence or place of employment of an absent elector. Under the bill, if a clerk or board transmits an absentee ballot to an elector, the clerk or board may only transmit the ballot to an

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address located at the permanent or temporary residence or place of employment of the elector.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 6.87 (3) (a) of the statutes is amended to read:

2 6.87 (3) (a) Except as authorized under par. (d) and as otherwise provided in
3 s. 6.875, the municipal clerk shall mail the absentee ballot postage prepaid for return
4 to the elector's permanent or temporary residence unless otherwise or place of
5 employment of the elector, as directed by the elector, or shall deliver it to the elector
6 personally at the clerk's office.

7 **SECTION 2.** 6.87 (3) (b) of the statutes is renumbered 6.87 (3) (e) and amended
8 to read:

9 6.87 (3) (e) ~~No elector may direct that a ballot be sent to the address of a~~
10 ~~candidate, political party or other registrant under s. 11.05 unless the elector~~
11 ~~permanently or temporarily resides at that address.~~ Upon receipt of reliable
12 information that an address given by an elector is not eligible to receive ballots under
13 this paragraph, the municipal clerk shall refrain from sending mailing or
14 transmitting ballots to that address. Whenever possible, the municipal clerk shall
15 notify an elector if his or her ballot cannot be mailed or transmitted to the address
16 directed by the elector.

17 **SECTION 3.** 6.87 (3) (c) and (d) of the statutes are amended to read:

18 6.87 (3) (c) If an elector's ballot is mailed to a location other than the elector's
19 permanent residence or place of employment, it shall be prepaid for return when
20 mailed within the United States. If the ballot is delivered to the elector at the clerk's
21 office, the ballot shall be voted at the office and may not be removed therefrom.

2003 ASSEMBLY BILL 175

March 18, 2003 – Introduced by Representatives LADWIG, GUNDERSON, ALBERS, BIES, GROTHMAN, HAHN, JENSEN, JESKEWITZ, KRAWCZYK, M. LEHMAN, LEMAHIEU, MCCORMICK, MONTGOMERY, NASS, OTT, OWENS, SERATTI, STONE, VRAKAS and J. WOOD, cosponsored by Senators DARLING, LEIBHAM, STEPP, COWLES, S. FITZGERALD, LAZICH, REYNOLDS, SCHULTZ and HARSDORF. Referred to Committee on Campaigns and Elections.

1 AN ACT *to renumber and amend* 6.87 (3) (b); and *to amend* 6.22 (2) (b), 6.24
2 (4) (d), 6.87 (2) (form), 6.87 (3) (a), 6.87 (3) (c) and (d) and 6.87 (4) of the statutes;
3 **relating to:** mailing, transmittal, and witnessing of absentee ballots.

Analysis by the Legislative Reference Bureau

Currently, each municipal clerk and board of election commissioners is directed to mail an absentee ballot requested by an elector to the residence of the elector unless the elector specifies a different mailing address. However, no elector may specify that an absentee ballot shall be mailed to the address of a candidate, political party, or other campaign finance registrant. If a clerk or board is reliably informed of a facsimile transmission number or electronic mail address where an eligible elector who has applied for an absentee ballot is able to receive the ballot and there may not be sufficient time before an election to send and receive the ballot through the mail, the clerk or board may transmit the ballot to the elector at the facsimile transmission number or electronic mail address.

This bill provides that a municipal clerk or board of election commissioners may only mail an absentee ballot to the permanent or temporary residence of an absent elector. Under the bill, if a clerk or board transmits an absentee ballot to an elector, the clerk or board may only transmit the ballot to an address located at the permanent or temporary residence of the elector.

Under current law, an elector who votes absentee must complete a certification before a witness indicating that the elector is qualified to vote the absentee ballot and that the elector has voted the absentee ballot in the manner prescribed by law.

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This bill deletes the requirement that an elector voting absentee must complete a certification before one witness and, instead, requires an elector to complete a certification before two witnesses or swear an affidavit before a person who is authorized to administer oaths.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 6.22 (2) (b) of the statutes is amended to read:

2 6.22 (2) (b) Notwithstanding s. 6.87 (4), a military elector shall make and
3 subscribe to the certification under s. 6.87 (2) before ~~a witness who is an adult U.S.~~
4 ~~citizen~~ 2 witnesses who are adult U.S. citizens.

5 **SECTION 2.** 6.24 (4) (d) of the statutes is amended to read:

6 6.24 (4) (d) An overseas elector who is not registered may request both a
7 registration form and an absentee ballot at the same time, and the municipal clerk
8 shall send the ballot automatically if the registration form is received within the time
9 prescribed in s. 6.28 (1). The board shall prescribe a special certificate form for the
10 envelope in which the absentee ballot for overseas electors is contained, which shall
11 be substantially similar to that provided under s. 6.87 (2). Notwithstanding s. 6.87
12 (4), an overseas elector shall make and subscribe to the special certificate form before
13 ~~a witness who is an adult U.S. citizen~~ 2 witnesses who are adult U.S. citizens.

14 **SECTION 3.** 6.87 (2) (form) of the statutes is amended to read:

15 6.87 (2) (form)

16 [STATE OF

17 County of]

18 or

19 [(name of foreign country and city or other jurisdictional unit)]

2003 ASSEMBLY BILL 179

March 21, 2003 - Introduced by JOINT LEGISLATIVE COUNCIL. Referred to
Committee on Urban and Local Affairs.

1 AN ACT *to create* 167.10 (7m) of the statutes; **relating to:** creating a civil liability
2 exemption for certain municipalities and their agents that issue fireworks
3 permits.

Analysis by the Legislative Reference Bureau

Under this bill, a city, village, or town, or committee, official, or employee of a city, village, or town, may not be held civilly liable for damage to any person or property caused by fireworks by reason of issuing a fireworks permit in accordance with statutory and local requirements.

This bill is further explained in the PREFATORY NOTE provided by the Joint Legislative Council in the bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on Review of Fireworks Law. Current law generally prohibits the sale of fireworks and the possession of fireworks with the intent to sell them. The exceptions are that fireworks may be sold to a person holding a valid user's permit, to a city, village, or town, or for certain specified purposes such as in a manufacturing process. The law authorizes a city, village, or town to issue a user's permit if certain requirements are met. Current law also generally limits local government liability for damages, injury, or death to \$50,000. [See s. 893.80 (3).] The bill provides that no city, village, or town, or committee, official, or employee of a city, village, or town, is

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civilly liable for damage to any person or property caused by fireworks by reason of issuing a permit, in accordance with applicable legal requirements, that authorized the purchase, possession, or use of the fireworks.

1 **SECTION 1.** 167.10 (7m) of the statutes is created to read:

2 167.10 (7m) MUNICIPAL LIABILITY. No city, village, or town, or committee,
3 official, or employee of a city, village, or town, is civilly liable for damage to any person
4 or property caused by fireworks by reason of issuing a permit in accordance with the
5 requirements of sub. (3) and any applicable requirements authorized under sub. (5),
6 that authorized the purchase, possession, or use of the fireworks.

7 (END)

2003 ASSEMBLY BILL 206

March 25, 2003 - Introduced by Representatives WIECKERT, JESKEWITZ, PETTIS, GUNDERSON, M. LEHMAN, STONE, LADWIG, HAHN, MUSSER, HINES, OTT, KREIBICH, AINSWORTH, OWENS, VRAKAS, COGGS and SERATTI, cosponsored by Senators STEPP and ROESSLER. Referred to Committee on Criminal Justice.

1 AN ACT *to amend* 941.20 (1) (c), 946.42 (1) (a), 946.43 (title) and 946.43 (2m) (a);
2 and *to create* 941.20 (1m), 946.42 (1) (bm), 946.43 (1) and 946.43 (2m) (am) of
3 the statutes; **relating to:** pointing a firearm at certain persons and throwing
4 or expelling bodily substances and providing penalties.

Analysis by the Legislative Reference Bureau

Current law prohibits pointing a firearm at or toward another person. A person who violates this prohibition may be fined up to \$10,000, confined in the county jail for up to nine months, or both. Under this bill, a person who points a firearm at a law enforcement officer, a fire fighter, an emergency medical technician, a first responder, or an ambulance driver may be fined up to \$10,000, sentenced to a term of imprisonment (a term of confinement in state prison followed by a term of extended supervision) of up to six years, or both.

This bill also expands the scope of current law's prohibition against prisoners throwing bodily substances at others. Under current law, a prisoner may not intentionally throw or expel blood, semen, vomit, saliva, urine, feces, or another bodily substance at or toward an officer, employee, or a visitor of the prison, jail, or detention facility or at another prisoner if he or she does so with the intent either to cause bodily harm to the victim or to abuse, harass, offend, intimidate, or frighten the victim. A person who violates this prohibition may be fined up to \$10,000, sentenced to a term of imprisonment of up to three and a half years, or both. Under this bill, the prohibition applies to a person who is in the custody of or who has been

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detained by a peace officer and to throwing or expelling bodily substances at a peace officer.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the *state and local* 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:

1 **SECTION 1.** 941.20 (1) (c) of the statutes is amended to read:

2 941.20 (1) (c) ~~Intentionally~~ Except as provided in sub. (1m), points a firearm
3 at or toward another.

4 **SECTION 2.** 941.20 (1m) of the statutes is created to read:

5 941.20 (1m) (a) In this subsection:

- 6 1. "Ambulance" has the meaning given in s. 146.50 (1) (am).
7 2. "Emergency medical technician" has the meaning given in s. 146.50 (1) (e).
8 3. "First responder" has the meaning given in s. 146.53 (1) (d).

9 (b) Whoever intentionally points a firearm at or towards a law enforcement
10 officer, a fire fighter, an emergency medical technician, a first responder, or an
11 ambulance driver who is acting in an official capacity and who the person knows or
12 has reason to know is a law enforcement officer, a fire fighter, an emergency medical
13 technician, a first responder, or an ambulance driver, is guilty of a Class H felony.

14 **SECTION 3.** 946.42 (1) (a) of the statutes is amended to read:

15 946.42 (1) (a) "Custody" includes without limitation actual custody of an
16 institution, ~~including a secured correctional facility, as defined in s. 938.02 (15m), a~~
17 ~~secured child caring institution, as defined in s. 938.02 (15g), a secured group home,~~
18 ~~as defined in s. 938.02 (15p), a secure detention facility, as defined in s. 938.02 (16),~~

2003 ASSEMBLY BILL 210

March 25, 2003 - Introduced by Representatives PETTIS, MUSSER, SERATTI, LADWIG, KRAWCZYK, GUNDERSON, HAHN, HINES, PLOUFF, BIES, ALBERS and FRISKE. Referred to Committee on State Affairs.

1 AN ACT *to renumber and amend* 125.17 (2); *to amend* 125.17 (4) (intro.); and
2 *to create* 125.17 (2) (b) of the statutes; **relating to:** reciprocity for alcohol
3 beverages operators' licenses.

Analysis by the Legislative Reference Bureau

Current law requires cities, villages, and towns (municipalities) to issue operators' licenses (commonly called bartenders' licenses). An operator's license is valid only in the municipality that issued the license. No retail seller of alcohol beverages may be open for business unless the licensee or permittee, or a person who possesses a manager's license or an operator's license, is present and responsible for the acts of all persons serving alcohol beverages.

This bill generally requires a municipality to accept an operator's license issued by another municipality if the person to whom the operator's license is issued files a certified copy of the operator's license with the nonissuing municipality and pays the applicable license fee. A municipality is not required to accept a person's operator's license issued by another municipality if the person made a false representation to the issuing municipality in obtaining the operator's license, does not meet the qualifications for an operator's license, or engaged in certain prohibited conduct or if the issuing municipality failed to make a determination consistent with state law that the person meets the requirements relating to criminal history for issuance of an operator's license. A municipality that does not accept the validity of a person's operator's license issued by another municipality must notify the person in writing of the reasons for the decision. This bill does not require a municipality

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to accept the validity of a temporary or provisional operator's license issued by another municipality.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 125.17 (2) of the statutes is renumbered 125.17 (2) (a) and amended
2 to read:

3 125.17 (2) (a) ~~Operators'~~ Except as provided in par. (b) and ss. 125.32 (2) and
4 125.68 (2), operators' licenses are valid only within the issuing municipality.

5 **SECTION 2.** 125.17 (2) (b) of the statutes is created to read:

6 125.17 (2) (b) 1. A person issued an operator's license under sub. (1) may file
7 a certified copy of the operator's license with any other municipality and, upon filing
8 and payment of the fee under sub. (3), the operator's license is valid in the
9 municipality in which the operator's license is filed for the period established by that
10 municipality under sub. (3), or for the period established by the issuing municipality
11 under sub. (3) for the operator's license at the time it was issued, whichever is
12 shorter.

13 2. Notwithstanding subd. 1., an operator's license is not valid in a municipality
14 that did not issue the operator's license if the municipality determines that the
15 person to whom the operator's license is issued made a false representation to the
16 issuing municipality in obtaining the operator's license, is not qualified under s.
17 125.04 (5) (d) 2., or engaged in any of the prohibited conduct set forth in s. 125.12 (2)
18 (ag). Notwithstanding subd. 1., an operator's license is not valid in a municipality
19 that did not issue the operator's license if the issuing municipality failed to make a
20 determination consistent with s. 125.04 (5) (a) 1. and (b) that the person to whom the
21 operator's license is issued meets the requirements for an operator's license under