

Larry Lichte's suggested change to the following statute
02-20-06

Strike 125.17 (6) (c) in its entirety which could then be interpreted to mean local municipalities could have local resolutions or ordinances requiring continuing education.

But, to avoid ambiguity, rewrite "c" as follows:

(c) Any municipal governing body may require that applicants referenced in (a) above may be required to undergo training in addition to that under par. (a) if they feel continuing education of some nature is appropriate, whether for a class of licenses or just for specific licensees deemed in need of additional education/training due to local situations. Such education/training shall not exceed three hours in any one calendar year, and may be with the referenced sources cited in (a) above, or any other private or public education/training entity that is approved by the department or the educational approval board.

NOTE: Comment and input on this suggested change would be welcomed.
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(6) TRAINING COURSE. (a) Except as provided in par. (b), no municipal governing body may issue an operator's license unless the applicant has successfully completed a responsible beverage server training course at any location that is offered by a technical college district and that conforms to curriculum guidelines specified by the technical college system board or a comparable training course, which may include computer-based training and testing, that is approved by the department or the educational approval board, or unless the applicant fulfills one of the following requirements:

1. The person is renewing an operator's license.
2. Within the past 2 years, the person held a Class "A", "Class A" or "Class C" license or a Class "B" or "Class B" license or permit or a manager's or operator's license.
3. Within the past 2 years, the person has completed such a training course.

(b) A municipal governing body shall issue a provisional operator's license to a person who is enrolled in a training course under par. (a) and who meets the standards established by the municipality by ordinance, if any. The municipal governing body shall revoke that license if the applicant fails successfully to complete the course in which he or she enrolls.

(c) No municipal governing body may require that applicants for operators' licenses undergo training in addition to that under par. (a) but may require applicants to purchase at cost materials that deal with relevant local subjects not covered in the course under par. (a).

History: 1981 c. 79, 170; 1983 a. 263; 1989 a. 253; 1991 a. 39, 269; 1993 a. 259, 399, 491; 1995 a. 27 a. 9154 (1); 1997 a. 27; 2001 a. 16; 2003 a. 243.

ALCOHOL BEVERAGE 125.185

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- (b) A municipal governing body shall issue a provisional operator's license to a person who is enrolled in a training course under par. (a) and who meets the standards established by the municipality by ordinance, if any. The municipal governing body shall revoke that license if the applicant fails successfully to complete the course in which he or she enrolls.
- (c) No municipal governing body may require that applicants for operators' licenses undergo training in addition to that under par. (a) but may require applicants to purchase at cost materials that deal with the relevant local subjects not covered in the course under par. (a): except when there is a pending prosecution or other enforcement action which is related to alleged violation(s) of this Chapter or local ordinances adopted pursuant thereto by either the operator licensee or his/her Class "A", "Class A", "Class C", Class "B" or "Class B" license holding employer but such education/training shall be limited to three hours in any licensing year.