

2007 DRAFTING REQUEST

Bill

Received: 10/18/2006

Received By: rryan

Wanted: As time permits

Identical to LRB:

For: Frank Boyle (608) 266-0640

By/Representing: Marylou

This file may be shown to any legislator: NO

Drafter: rryan

May Contact:

Addl. Drafters: agary

Subject: Criminal Law - miscellaneous
Beverages

Extra Copies:

Submit via email: YES

Requester's email: Rep.Boyle@legis.wisconsin.gov

Carbon copy (CC:) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Daylight saving time; closing hours for alcohol beverages retailers

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>
/?	rryan 10/25/2006			_____			
/1	agary 10/25/2006	jdyer 10/26/2006	jfrantze 10/26/2006	_____	sbasford 10/26/2006	mbarman 01/24/2007	

FE Sent For:

<END>

↪ Not Needed

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/?	rryan 10/25/2006 agary	1/10/26 jld		_____			

FE Sent For:

<END>

10/18/06

maylon for Rep. Boyle

move daylight saving time to
match federal law

start 2nd Sun. in March
end 1st Sun. in Nov.



Ryan, Robin

From: Keleher, Marylou
Sent: Friday, October 20, 2006 11:20 AM
To: Ryan, Robin
Subject: FW: Daylight Savings Time

FYI... I honestly don't remember what we decided. Does it reflect Roger Johnson's e-mail below?

Thanks!

Mary Lou

From: Johnson, Roger B
Sent: Friday, October 20, 2006 11:16 AM
To: Keleher, Marylou; scott@stengergov.com
Cc: TLW; 'CAMPBELLS@ci.superior.wi.us'
Subject: RE: Daylight Savings Time

Thank you; please be aware that state daylight savings (DST) time laws are superseded by federal daylight savings time; thus, if federal law says it begins at 2AM the second Sunday in March, state law must coincide with that; we cannot say it begins in Wisconsin at 1AM; this will present a problem with regard to bar closing hours - they close at 2:30AM on Sundays; so, if we move clocks ahead at 2AM to 3AM, the bars will be open 1/2 hour past the closing time.

From: Keleher, Marylou [<mailto:Marylou.Keleher@legis.wisconsin.gov>]
Sent: Friday, October 20, 2006 9:19 AM
To: Johnson, Roger B; scott@stengergov.com
Subject: Daylight Savings Time

Hi Scott & Roger,

As Asst. Chief Scott Campbell of the Superior Police Department has indicated, Rep. Frank Boyle already has in drafting legislation that would make Wisconsin Statutes uniform with new federal law related to daylight savings time. If either of you would like input on the draft prior to its introduction, Frank would be more than happy to share it with you.

Thanks!

Mary Lou Keleher
Aide to Rep. Frank Boyle
1-888-534-0073
608-266-0640

Gary, Aaron

From: Johnson, Roger B
Sent: Monday, October 23, 2006 7:46 AM
To: Gary, Aaron
Subject: FW: Daylight Savings Time

Aaron - just a "FYI", as I'm sure this will be coming your way.....

Guess I'd have bar closing hour be 3:30AM the Sunday that Federal Daylight Savings Time begins; that way, the problem will be addressed whenever the Feds change Daylight Savings Time, and we won't always have to tweek our laws each time.

From: Campbell, Scott A. [mailto:CAMPBELLS@ci.superior.wi.us]
Sent: Friday, October 20, 2006 2:49 PM
To: Johnson, Roger B
Cc: TLW; Keleher, Marylou; scott@stengergov.com
Subject: RE: Daylight Savings Time

Roger (and Mary Lou),
I reminded Rep. Boyle's office about that glitch. About the only solution I see to not have taverns complaining of losing revenue or for the Federal system that WI wasn't in compliance would be to:

1. Amend the DST Law, WI Stat. #175.095, so that it reflects the new Federal days and times, that being **Beginning in 2007, Daylight Saving Time begins at 2 a.m. on the Second Sunday in March and ends at 2 a.m. on the First Sunday of November.**
2. Also amend the Tavern closing time law, WI Stat. #125.32 (3), to add that **Class B's are allowed to remain open until 3:30 a.m. DST on the Second Sunday of every March.**

With those changes, the annual total hours of operation would remain the same as current law....they lose 1 hour in the spring and gain 1 hour in the fall. This would also allow WI to stay compliant with the Feds DST plan. Everyone should be happy (except for Frank who has to explain it all). Thanks for your work.
Scott

Scott Campbell, Assistant Chief
Superior Police Department
1316 N.14th St., Suite 150
Superior, WI 54880
715-395-7415

From: Johnson, Roger B [mailto:rjohnso2@dor.state.wi.us]
Sent: Friday, October 20, 2006 11:16 AM
To: 'Keleher, Marylou'; scott@stengergov.com
Cc: TLW; Campbell, Scott A.
Subject: RE: Daylight Savings Time

Thank you; please be aware that state daylight savings (DST) time laws are superseded by federal daylight savings time; thus, if federal law says it begins at 2AM the second Sunday in March, state law must coincide with that; we cannot say it begins in Wisconsin at 1AM; this will present a problem with regard to bar closing hours - they close at 2:30AM on Sundays; so, if we move clocks ahead at 2AM to 3AM, the bars will be open 1/2 hour past the closing time.

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As Asst. Chief Scott Campbell of the Superior Police Department has indicated, Rep. Frank Boyle already has in drafting legislation that would make Wisconsin Statutes uniform with new federal law related to daylight savings time. If either of you would like input on the draft prior to its introduction, Frank would be more than happy to share it with you.

Thanks!

Mary Lou Keleher
Aide to Rep. Frank Boyle
1-888-534-0073
608-266-0640

Soon

in 10/25

JLD

2007 BILL

Gen

1 AN ACT ...; relating to: daylight saving time and closing hours for certain alcohol
2 beverages retailers. ✓

Analysis by the Legislative Reference Bureau

Federal law governing daylight saving time supersedes ✓ state law governing daylight saving time. Effective through 2006, federal law provides that daylight saving time begins at 2 a.m. on the first Sunday of April and ends at 2 a.m. on the last Sunday of October each year. Beginning in 2007, ✓ federal law provides that daylight saving time begins on the second ✓ Sunday of March and ends on the first Sunday of November each year. ✓

The current state statute defining standard time provides that daylight saving time begins at 1 a.m. on the first Sunday of April and ends at 2 a.m. ✓ on the last Sunday of October each year. This bill provides that daylight saving time begins at 2 a.m. ✓ on the second Sunday of March and ends at 2 a.m. ✓ on the first Sunday of November ✓ each year.

Under current law, with exceptions, no premises for which a ✓ Class "B" license (authorizing the retail sale of beer for consumption on or off the premises where sold) or a "Class B" ✓ license (authorizing the retail sale of intoxicating liquor for consumption on or, subject to certain conditions, off the premises where sold) has been issued may remain open between the hours of 2 a.m. and 6 a.m. ✓ However, on Saturday and Sunday ✓ closing time is 2:30 a.m. ✓ rather than 2 a.m. ✓ This bill provides

*

⑤

BILL

that, on the Sunday that daylight saving time begins, closing time is 3:30 a.m. rather than 2:30 a.m.

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

1 **SECTION 1.** 125.32 (3) (a) of the statutes is amended to read:

2 125.32 (3) (a) No premises for which a Class "B" license or permit is issued may
3 remain open between the hours of 2 a.m. and 6 a.m., except as provided in this
4 paragraph and par. (c). On Saturday and Sunday, the closing hours shall be between
5 2:30 a.m. and 6 a.m. except that, on the Sunday that daylight saving time begins as
6 specified in s. 175.095 (2), the closing hours shall be between 3:30 a.m. and 6 a.m.

7 On January 1 premises operating under a Class "B" license or permit are not
8 required to close.

9 History: 1981 c. 79; 1983 a. 27, 74, 192, 452; 1985 a. 28, 33, 221, 317; 1987 a. 27, 121; 1989 a. 253; 1991 a. 28, 39, 315; 1993 a. 112; 1995 a. 320.

9 **SECTION 2.** 125.68 (4) (c) 1. of the statutes is amended to read:

10 125.68 (4) (c) 1. Subject to subd. 3. and s. 125.51 (3r) (a) 3., no premises for
11 which a "Class B" license or permit or a "Class C" license has been issued may remain
12 open between the hours of 2 a.m. and 6 a.m., except as otherwise provided in this
13 subdivision and subd. 4. On January 1 premises operating under a "Class B" license
14 or permit are not required to close. On Saturday and Sunday, no premises may
15 remain open between 2:30 a.m. and 6 a.m. except that, on the Sunday that daylight
16 saving time begins as specified in s. 175.095 (2), no premises may remain open
17 between 3:30 a.m. and 6 a.m. This subdivision does not apply to a "Class B" license
18 issued to a winery under s. 125.51 (3) (am).

19 History: 1981 c. 79, 158, 202; 1983 a. 74; 1983 a. 189 s. 329 (6); 1983 a. 203 s. 47; 1983 a. 349; 1985 a. 28, 221, 317; 1987 a. 27, 121, 399; 1989 a. 30, 253; 1991 a. 28, 39; 1993 a. 27, 112; 1995 a. 27 s. 9126 (19); 1997 a. 283; 2001 a. 109; 2005 a. 25, 268.

19 **SECTION 3.** 175.095 (2) of the statutes is amended to read:

BILL

1 175.095 (2) From 1 ² a.m. on the ~~first~~ ^{2nd} second Sunday in ~~April~~ March until 2 a.m.
2 on the ~~last~~ first Sunday in ~~October~~ November of each year, the standard of time in
3 this state shall be one hour in advance of that prescribed in s. 175.09 (1).

History: 1987 a. 8.

4

(END)

Barman, Mike

From: Keleher, Marylou
Sent: Wednesday, January 24, 2007 8:45 AM
To: LRB.Legal
Subject: Draft Review: LRB 07-0542/1 Topic: Daylight saving time; closing hours for alcohol beverages retailers

Please Jacket LRB 07-0542/1 for the ASSEMBLY.