

2007 DRAFTING REQUEST

Bill

Received: 05/16/2007

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Scott Gunderson (608) 266-3363

By/Representing: Mike Bruhn

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Beverages

Extra Copies:

Submit via email: YES

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

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

Pre Topic:

No specific pre topic given

Topic:

Allowing retail licenses for beauty salons and spas

Instructions:

Wants to create an exception for class b liquor license allowing beauty salons and health spas to hold them; 125.32 (3m)

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>
/?							
/P1	agary 05/16/2007	bkraft 05/18/2007	rschluet 05/18/2007	_____	mbarman 05/18/2007		
/1	agary 05/23/2007	bkraft 05/24/2007	nmatzke 05/24/2007	_____	lparisi 05/24/2007	mbarman 05/31/2007	

FE Sent For: *hand*

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FE Sent For: *bjk 5/24* *nwn 5/24* *hwn/jf 5/24*
1 5/24 jld **<END>**

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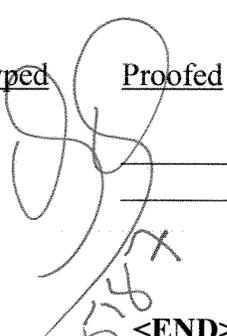
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1?	agary	PI bjk 5/17					
		PI 5/18 jld					


5/18
<END>

FE Sent For:

in 5/16

bjk
+
jld

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D - Note

SA ✓
X-ref ✓

gen. cat.

1 AN ACT ...; relating to: the issuance of retail alcohol beverage licenses for
2 premises on which another business is conducted. ✓

Analysis by the Legislative Reference Bureau

Current law prohibits, with certain exceptions including hotels, restaurants, and bowling centers, the issuance of a Class "B" license or permit for any premises where another business is conducted. However, this prohibition does not apply if the other business and the Class "B" premises are connected by a "secondary doorway" — a safety exit ~~which~~ ^{is that} is not the primary entrance to the Class "B" premises. A Class "B" license authorizes the retail sale of beer for consumption on or off the premises.

This bill creates an exception to this prohibition for a beauty salon or health spa. ✓

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

3 SECTION 1. 125.32 (3m) (h) of the statutes is created to read:

4 ✓125.32 (3m) (h) A beauty salon or health spa. ✓

5 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2744/P1dn

ARG:.....

date

bjk
J+JL

ATTN: Mike Bruhn

Please review the attached draft carefully to ensure that it is consistent with your intent. ✓

While the analysis refers only to beer, the impact of the change affects retail liquor licenses too, as a Class "B" beer license is a prerequisite to obtaining a "Class B" liquor license. See s. 125.51 (3) (f). ✓

The attached draft does not create an underage presence exception for these beauty salons and health spas. ✓ Accordingly, if a beauty salon or health spa obtains a retail license, no underage person may be present on the premises unless accompanied by a parent, guardian, or spouse. Do you want an underage presence exception added to the bill? ✓

The attached draft does not undertake to define a "beauty salon" or "health spa." ✓ While certain practitioners of related disciplines may be licensed by the Department of Regulation and Licensing (DRL), I don't believe the establishment itself is licensed by DRL, so it would be difficult to tie this retail alcohol license exception to any license issued by DRL. The terms "beauty salon" and "health spa" are vague enough to leave room for debate as to what type of establishment might qualify under this exception. ✓

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "1" draft. ✓

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2744/P1dn
ARG:bjk&jld:rs

May 18, 2007

ATTN: Mike Bruhn

Please review the attached draft carefully to ensure that it is consistent with your intent.

While the analysis refers only to beer, the impact of the change affects retail liquor licenses too, as a Class "B" beer license is a prerequisite to obtaining a "Class B" liquor license. See s. 125.51 (3) (f).

The attached draft does not create an underage presence exception for these beauty salons and health spas. Accordingly, if a beauty salon or health spa obtains a retail license, no underage person may be present on the premises unless accompanied by a parent, guardian, or spouse. Do you want an underage presence exception added to the bill?

The attached draft does not undertake to define a "beauty salon" or "health spa." The terms "beauty salon" and "health spa" are vague enough to leave room for debate as to what type of establishment might qualify under this exception.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

5/23/07

Mc ~/ Mike - Rep. Gundersen
6-3363
2744/P1

d-note: yes, add drainage except

· beauty salon, health spa - OK as is,
local discretion

J



State of Wisconsin
2007 - 2008 LEGISLATURE

soon ←

LRB-2744/11 ←
ARG:bjk&jld:rs

in 5/23

RMR

✓ PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2007 Bill

SA ✓
X-ref ✓

gen. cont. ✓

✓
insert 1-2 ✓

1 AN ACT ...; relating to: the issuance of retail alcohol beverage licenses for
2 premises on which another business is conducted.

Analysis by the Legislative Reference Bureau

Current law prohibits, with certain exceptions including hotels, restaurants, and bowling centers, the issuance of a Class "B" license or permit for any premises where another business is conducted. However, this prohibition does not apply if the other business and the Class "B" premises are connected by a "secondary doorway" — a safety exit that is not the primary entrance to the Class "B" premises. A Class "B" license authorizes the retail sale of beer for consumption on or off the premises. This bill creates an exception to this prohibition for a beauty salon or health spa.

✓
insert ANAL ✓

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

✓
insert 1-3 ✓

3 SECTION 1. 125.32 (3m) (h) of the statutes is created to read:
4 125.32 (3m) (h) A beauty salon or health spa.
5

(END)

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2744/lins
ARG:.....

✓
INSERT 1-2:

and the prohibition against underage persons entering or being on any premises
② operating under a retail alcohol beverage license ✓

INSERT ANAL:

Under current law, a person who is under 21 years of age and not accompanied by his or her parent, guardian, or spouse who is at least 21 years of age (unaccompanied underage person) may not enter or be on any premises for which a license or permit for the retail sale of alcohol beverages has been issued (licensed premises). Current law also provides for various exceptions to this prohibition. Among the exceptions, an unaccompanied underage person may enter or be in a bowling center, a billiard center meeting certain requirements, an indoor golf simulator facility, an outdoor volleyball court contiguous to a licensed premises, or an indoor volleyball court of a certain size on a licensed premises. ②
② This bill creates an additional exception allowing an unaccompanied underage person to enter or be in a beauty salon or health spa on a licensed premises.

INSERT 1-3:

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

125.07 (3) (a) 3. Hotels, drug stores, grocery stores, beauty salons, health spas, bowling centers, billiards centers having on the premises 12 or more billiards tables that are not designed for coin operation and that are 8 feet or longer in length, indoor golf simulator facilities, service stations, vessels, cars operated by any railroad, regularly established athletic fields, outdoor volleyball courts that are contiguous to a licensed premises, stadiums, public facilities as defined in s. 125.51 (5) (b) 1. d. which are owned by a county or municipality, or centers for the visual or performing arts.

Barman, Mike

From: Bruhn, Mike
Sent: Wednesday, May 30, 2007 5:12 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-2744/1 Topic: Allowing retail licenses for beauty salons and spas

Please Jacket LRB 07-2744/1 for the ASSEMBLY.