## **1995 SENATE BILL 479**

January 11, 1996 - Introduced by Senators Burke, Rosenzweig and Breske, cosponsored by Representatives Walker, Cullen, Riley and Grothman, by request of City of Milwaukee. Referred to Committee on Business, Economic Development and Urban Affairs.

- 1 AN ACT to amend 125.26 (2) (b) 1.; and to create 125.26 (2) (b) 1m. and 125.33
- 2 (2g) of the statutes; **relating to:** allowing cities, villages and towns to issue
- 3 Class "B" licenses to certain brewery employes.

## Analysis by the Legislative Reference Bureau

Under current law, no city, village or town (municipality) may issue a license authorizing the retail sale of fermented malt beverages for consumption on the premises where sold (Class "B" license) to any person who commercially manufactures fermented malt beverages. This bill allows a municipality to issue a Class "B" license to any person employed by a brewery if that person is employed only in a position in which he or she could not affect the pricing or distribution of that brewery's products and that person is otherwise qualified to hold a Class "B" license.

Also under current law, no brewer may furnish, give or lend any money or other thing of value to any person who holds a Class "B" license. This bill allows a brewery to compensate a brewery employe who holds a Class "B" license in an amount not more than the compensation paid to a comparable employe of that brewery who does not hold a Class "B" license or, if there is no comparable employe, in an amount equal to the fair market value of the services performed by that employe.

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:

- 4 Section 1. 125.26 (2) (b) 1. of the statutes is amended to read:
- 5 125.26 (2) (b) 1. Except as provided in subd. 1m. and s. 125.31, Class "B"
- 6 licenses may not be issued to brewers.

SECTION 2

<b>Section 2.</b> 125.26 (2) (b) 1m. of the statutes is created to rea	au:	to 1	created	1S C1	tutes is	e stat	of the	Im.	(d)	Z) (	(2	).Zb	125	ION 2.	SECTIO
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125.26 (2) (b) 1m. A municipal governing body may issue a Class "B" license to any person employed by a brewery if that person is qualified under s. 125.04 (5) and is not employed in a position in which he or she could affect the pricing or distribution of that brewery's product.

**Section 3.** 125.33 (2g) of the statutes is created to read:

125.33 (2g) EXCEPTION FOR EMPLOYES OF BREWERS. Notwithstanding the prohibitions in sub. (1), a brewer may compensate, with wages and benefits, an employe who holds a Class "B" license under s. 125.26 (2) (b) 1m. in an amount not more than the compensation paid to a comparable employe who does not hold a Class "B" license or, if there is no comparable employe who does not hold a Class "B" license, in an amount not more than the fair market value of services performed by that employe.

14 (END)