

No. 238, A.]

[Published April 30, 1951.

#### CHAPTER 104.

AN ACT to amend 66.054 (8) (a), (11) (a) and 176.05 (9) of the statutes, relating to ineligibility of minors to be licensed for the sale of fermented malt beverages and intoxicating liquors, and the conduct of other businesses on licensed premises.

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

SECTION 1. 66.054 (8) (a) and (11) (a) of the statutes are amended to read:

66.054 (8) (a) Class "B" retailers' licenses shall be issued only to persons *21 years of age or over* of good moral character, who shall be citizens of the United States and of the state of Wisconsin, and shall have resided in this state continuously for not less than one year prior to the date of the filing of the application. No such license shall be granted for any premises where any other business shall be conducted, in connection with said licensed premises *and no other business may be conducted on such licensed premises after the granting of such license* except that such restriction shall not apply to a hotel, or to a restaurant not a part of or located in any mercantile establishment, or to a combination grocery store and tavern, or to a bowling alley or recreation premises or to a bona fide club, society or lodge that shall have been in existence for not less than 6 months prior to the date of filing application for such license. Not more than 2 Class "B" licenses shall be issued in the state to any one person, and in each application for a Class "B" license the applicant shall state that he has not made application for more than one other Class "B" license for any other location in the state. No such license shall be issued to any person acting as agent for or in the employ of another, except that this restriction shall not apply to a hotel or to a restaurant not a part of or located in or upon the premises of any mercantile establishment, or to a bona fide club, society or lodge that shall have been in existence for not less than 6 months prior to the date of application. Such license for a hotel, restaurant, club, society or lodge may be taken in the name of an officer or manager, who shall be personally responsible for compliance with all of the terms and provisions of this section. The provisions of section 176.05 (13) relating to the issuance of licenses to domestic or foreign corporations for the sale of intoxicating liquor and to the appointment of agents and successor agents by such corporations shall also be applicable to Class "B" retailers' licenses issued to domestic or foreign corporations for the sale of fermented malt beverages.

(11) (a) Every city council, village or town board, may issue a license known as an "Operator's" license, which shall be granted only upon application in writing. Said operator's license shall be issued only to persons *21 years of age or over* of good moral character, who shall have been citizens of the United States and residents of this state continuously for not less than one year prior to the date of the filing of the application. Such licenses shall be operative only within the limits of the city, village or town in which issued. For the purpose of this subsection any member of the immediate family of the licensee shall be considered as holding an operator's license.

SECTION 2. 176.05 (9) of the statutes is amended to read:

176.05 (9) No license or permit shall be granted to any person or persons *under the age of 21 years* for the sale of any such intoxicating liquors, or to any person who is not of good moral character and a full citizen of the United States and of this state and who has not resided in this state continuously for at least one year prior to the date of filing the application; nor shall any such license be granted or issued to any person who has habitually been a petty law offender, or has been convicted of an offense against the laws of this state punishable by imprisonment in the state prison, unless the person so committed has been duly pardoned. The provisions of this subsection shall not apply to a Wisconsin corporation; such provisions apply, however, to all officers and directors of any such corporation.

Approved April 26, 1951.

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