



State of Wisconsin  
1997 - 1998 LEGISLATURE

LRBa2089/1  
PEN:jlg:jf

**SENATE AMENDMENT 1,  
TO 1997 SENATE BILL 360**

March 19, 1998 - Offered by Senator BRESKE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 3: after "cities" insert "and the prohibition against brewers  
3 owning fermented malt beverage retailers".

4 **2.** Page 2, line 3: after that line insert:

5 "SECTION 1m. 125.33 (3m) and (3r) of the statutes are created to read:

6 125.33 (3m) BREWERS' EXCEPTION FOR HOTELS. Subsection (1) does not prohibit  
7 an affiliate of a brewer from lending money or leasing or selling any furniture,  
8 fixtures, fittings or equipment to a hotel for which Class "B" license is issued if all  
9 of the following apply:

10 (a) The hotel has at least 100 sleeping rooms for the accommodation of  
11 transient guests.

12 (b) Any such loan, lease or sale is made in the ordinary course of business upon  
13 usual and customary commercial terms and conditions, and, if a loan, the loan

1 proceeds are intended to be used to purchase, construct, remodel or refurbish the  
2 hotel or the furniture, fixtures, fittings and equipment.

3 (c) The brewer does not directly or indirectly own or have any interest in a  
4 wholesaler.

5 (d) The Class "B" licensee does not purchase any fermented malt beverages  
6 manufactured by the brewer when any loan described in this section is outstanding  
7 or when any lease described in this section is in effect, and the brewer does not  
8 directly or indirectly require the Class "B" licensee to sell any brand of fermented  
9 malt beverages.

10 (e) The affiliate of the brewer making the loan, lease or sale and the brewer  
11 have no common officers, directors or management personnel.

12 **(3r)** BREWERS OWNING CLASS "B" PREMISES IN A HOTEL. Subsection (1) does not  
13 prohibit a person who owns or has a financial interest in a brewer from owning or  
14 having a financial interest in a hotel for which a Class "B" license is issued if all of  
15 the following apply:

16 (a) The hotel has at least 100 sleeping rooms for the accommodation of  
17 transient guests.

18 (b) The Class "B" licensee does not purchase any fermented malt beverages  
19 manufactured by the brewer and the brewer does not require the Class "B" license  
20 to purchase any brand of fermented malt beverages.

21 (c) Neither the brewer nor the Class "B" licensee directly or indirectly owns or  
22 has any interest in a wholesaler.

23 (d) The brewer and the Class "B" licensee have no common officers, directors  
24 or management personnel."

25 (END)