

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB172)

Received: **04/29/99**

Received By: **nilsepe**

Wanted: **Today**

Identical to LRB:

For: **Mark Pettis**

By/Representing: **Don**

This file may be shown to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Beverages - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Wine taste samples must be purchased from wholesaler

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>
/?	nilsepe 04/29/99	gilfokm 04/29/99		_____			
/1			jfrantze 04/29/99	_____	lrb_docadmin 04/29/99	lrb_docadmin 04/29/99	

FE Sent For:

<END>

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/?	nilsepe	1-4-29-99 Kmg	6/1/29	Jb/Ry 4/29			

FE Sent For:

<END>

WIMMER & COMPANY, S.C.

DATE: March 22, 1999
TO: Office of Senator Roger Breske
ATTN: Vaughn Vance
FROM: Eric J. Petersen
RE: SB 71

Pursuant to our meeting last week attended by Senator Breske, Scott Stenger, myself and you, enclosed is an amendment which satisfies the concerns of both the Wisconsin Wine & Spirit Institute as well as the Wisconsin Tavern League. Briefly, this amendment ensures compliance with existing pricing laws by requiring that "Class A" licensees purchase wine used for taste samples. Additionally, the amendment requires that the taste samples be served by persons holding a current operators license.

From a policy perspective, this ensures two things. First, that the desire by "Class A" licensees to hold wine tastings does not create momentum to encourage wholesalers to underwrite this activity. As I hope I demonstrated in our meeting, Wisconsin pricing laws would demand free samples for all "Class A" licensees if they were given for any.

Second, both the Wine & Spirit Institute, as well as the Tavern League, believe servers at wine tastings to be held by "Class A" licensees to be licensed in a manner consistent with the regulatory regime imposed upon "Class B" licensees.

Hopefully, the amendment as we have drafted it, comports with the oral understanding we reached at our meeting. If you have any questions or comments, please do not hesitate to contact me directly at (608) 256-5223.

EJP/ab
ws/sb71amend

enclosure

1999 - 2000 LEGISLATURE

AMENDMENT 1 TO SENATE BILL 71

Amendment 1 to Senate Bill 71 adds the following language at line 5:

Notwithstanding 125.68 (2), all taste samples must be served by a person holding an operator's license issued under s. 125.17. Any wine used by the "Class A" licensee for taste samples shall be purchased from a licensed wholesaler in accord with s. 125.69.

[END]

[The purpose of this Amendment is to ensure compliance with existing pricing laws by requiring that "Class A" licensees purchase wine used for taste samples. Additionally, the Amendment requires that taste samples be served by persons holding an operator's license.]

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa02647dn
PEN.....

↑
jg
1/8/99

April 5, 1999

Sen. Breske:

I did not include the statement suggested by Mr. Eric J. Peterson (to require wine provided as samples to have been purchased from a wholesaler). It seems to me that s. 125.69 (4) (a) 2., stats., already requires this. See also, ss. 125.67, 125.32 (6) (a) and 125.02 (20), stats. Adding the proposed language also undercuts existing law by suggesting that gifts of alcohol may be offered as samples under existing "sampling" language that does not include that requirement, and by calling into question the intended meaning of ss. 125.67 and 125.32 (6), stats.

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

125.65(1)

1999

Date (time) needed

today

LRB a 03/16/11

AMENDMENT

PEN: King

See form AMENDMENTS — COMPONENTS & ITEMS.

S A AMENDMENT

TO S A AMENDMENT (LRBa),
TO S A SUBSTITUTE AMENDMENT (LRBs),
TO 1999 SB SJR SR AB AJR AR 172 (LRB)

At the locations indicated, amend the bill as follows:
(fill ONLY if "engrossed" or "as shown by")

#. Page 2, line 5: after "person." insert "No "Class A" as taste samples licensee may provide under this subsection

#. Page, line: is wine that is not purchased from a wholesaler.

#. Page, line:

#. Page, line:

#. Page, line:

the "Class A" licensee did

2
3
4

