

1999 DRAFTING REQUEST

Senate Amendment (SA-SB71)

Received: **04/30/99**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Roger Breske (608) 266-2509**

By/Representing: **Vaughn**

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 samples must be purchased from wholesalers

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 04/30/99	gilfokm 04/30/99		_____			
/1			martykr 05/3/99	_____	lrb_docadmin 05/3/99	lrb_docadmin 05/3/99	

FE Sent For:

<END>

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1?	nilsepe	1-4-30-99 kmg	Kor 3	JF 3 Kor 3			

FE Sent For:

<END>

IMMER & 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.....

April 5, 1999

JLJ/182

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)

Nilsen, Paul

From: Vance, Vaughn
Sent: Friday, April 30, 1999 1:54 PM
To: Nilsen, Paul
Subject: LRBa0346/1

Paul,

Could you please draft a Senate version of the above mentioned amendment for introduction to SB71, Roger's Wine Tasting Bill. We would like to introduce it at Roger's May 5 hearing.

Thanks for your help.

VAUGHN L. VANCE for
Senator Roger Breske



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0346/1

PEN:kmg:jf

29045

90348/1

~~ASSEMBLY AMENDMENT ,~~
~~TO 1999 ASSEMBLY BILL 172~~

SA - 5871

soon

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

2 1. Page 2, line 5: after "person." insert "No "Class A" ~~licensee~~ may provide as
3 taste samples under this subsection wine that the "Class A" licensee did not purchase
4 from a wholesaler."

licensee

5

(END)