

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB133)**

Received: 06/11/99

Received By: traderc

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Russell

This file may be shown to any legislator: NO

Drafter: traderc

May Contact:

Alt. Drafters:

Subject: Beverages - miscellaneous

Extra Copies: PEN

**Pre Topic:**

LFB:.....Russell -

**Topic:**

Liquor licenses and coliseum suites

**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>
/?	traderc 06/11/99	chanaman 06/11/99		_____			
/1			mclark 06/11/99	_____	lrb_docadmin 06/12/99		

FE Sent For:

<END>

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1/?	traderc	cmH /1 4/11	MRC 6/11	MRC/CH 6/11			

FE Sent For:

<END>

**Tradewell, Becky**

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**From:** Russell, Faith  
**Sent:** Friday, June 11, 1999 9:58 AM  
**To:** Tradewell, Becky  
**Subject:** Budget language

Hi Becky -

Attached is a copy of motion #1255, on the "Class B" liquor licenses, as well as a copy of motion #1206, which is the item on the cigarette multiple retailer permit. The cigarette multiple retailer permit is covered under Chapter 100 and Chapter 139. Please let me know if you have any questions. Thanks!

Faith Russell  
Fiscal Analyst, Legislative Fiscal Bureau  
faith.russell@legis.state.wi.us  
Phone: 608-266-3847

GENERAL FUND TAXES

"Class B" Liquor Licenses and Coliseum Suites

Motion:

Move to provide that a "Class B" license for retail sales of intoxicating liquor authorizes a coliseum or a business servicing a coliseum suite as a concessionaire to furnish a coliseum suite holder with a selection of intoxicating liquor in a coliseum suite that is not part of the "Class B" premises. Define a "coliseum" as a multipurpose facility designated principally for sports events, with a capacity of 18,000 or more. Specify that the conditions that apply to the furnishing of intoxicated liquor to a hotel guest in a guest room that is not part of the "Class B" premises would apply in the case of a coliseum and a coliseum suite, with the following exceptions: (a) provide that a coliseum suite could be locked in lieu of providing a locked storage place to store the liquor within the suite; (b) exclude a coliseum from the requirement for hotels that a key be provided (to a hotel guest) to the locked storage place and that a liquor price list be prominently displayed; and (c) specify that a coliseum suite holder may pay for the liquor in accordance with the terms of the agreement with the owner of the coliseum suite.

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Note:

A "Class B" license for retail sales of intoxicating liquor generally authorizes the retail sale of liquor for consumption on the premises, where sold by the glass and not in the original package or container (with the exception of wine, which may be sold in the original package or container to be consumed off the premises where sold). A municipality may also elect to allow the sale of any intoxicating liquor in its original package for off-premise consumption. "Premises" is defined as the area described in a license or permit.

Current law also specifies that a "Class B" license authorizes a person operating a hotel to furnish a registered guest aged 21 years or older with a selection of liquor in the original packages or containers in a guest's room that is not part of the "Class B" premises (depending on the description of the premises in the license application, a hotel guest's room may or may not be part of the premises). The liquor must be stored in a place that can be locked. In the case of a hotel guest, the guest is provided with a key to the locked storage place upon request. Notwithstanding statutory closing hours for premises with a "Class B" license, there are no restrictions on when a guest may pay for the liquor if the payment is made in conjunction with checking out of the hotel.

With the exceptions noted above, this motion would extend similar provisions to a "Class B" liquor license held by a person operating a coliseum (or a business as a concessionaire servicing a coliseum suite).

1999

Date (time) needed SOON

LRB b 0659 11

**LFB BUDGET AMENDMENT  
[ONLY FOR LFB]**

RCT : cm :

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**LFB AMENDMENT  
TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

*ONote*

At the locations indicated, amend the bill as follows:

#. Page 1020, line 17: *after that line insert!*

#. Page . . . , line . . . :



#. Page . . . , line . . . :

#. Page . . . , line . . . :

#. Page . . . , line . . . :

#. Page . . . , line . . . :

B  
2165e  
Section 125.26 (2) of the statutes is amended to read:

created

125.26 (2) <sup>(b)</sup> Notwithstanding s. 125.04 (3) (a) 3. and (9), a Class "B" license authorizes a person operating a ~~hotel~~ <sup>coliseum or a concessionaire</sup> ~~to furnish~~ <sup>the holder of a coliseum suite</sup> a registered guest who has attained the legal drinking age with a selection of fermented malt beverages in the ~~guest's room which~~ <sup>coliseum suite that</sup> is not part of the Class "B" premises. Fermented malt beverages furnished under this ~~subsection~~ <sup>paragraph</sup> shall be furnished in original packages or containers and stored in a cabinet, refrigerator or other secure storage place. The cabinet, refrigerator or other secure storage place <sup>or the coliseum suite</sup> must be capable of being locked. The cabinet, refrigerator or other secure storage place <sup>or the coliseum suite</sup> shall be locked, or the fermented malt beverages shall be removed from the ~~room~~ <sup>coliseum suite</sup> when the ~~room~~ <sup>coliseum suite</sup> is not occupied and when fermented malt beverages are not being furnished under this ~~subsection~~ <sup>paragraph</sup>. A key for the lock shall be supplied to a guest who has attained the legal drinking age upon request at registration. The hotel shall prominently display a price list of the fermented malt beverages in the hotel room. Fermented malt beverages may be furnished at the time the ~~guest~~ <sup>holder</sup> occupies the ~~room~~ <sup>coliseum suite</sup>, but for purposes of this chapter, the sale of fermented malt beverages furnished under this ~~subsection~~ <sup>paragraph</sup> is considered to occur at the time and place that the ~~guest~~ <sup>holder</sup> pays for the fermented malt beverages. Notwithstanding s. 125.32 (3), the ~~guest~~ <sup>holder of a coliseum suite</sup> may pay for the fermented malt beverages at any time if he or she pays in ~~conjunction with checking out of the hotel~~ <sup>accordance with the terms of an agreement with the person operating the coliseum</sup>. An individual who stocks <sup>or with the concessionaire</sup> or accepts payment for alcohol beverages under this ~~subsection~~ <sup>paragraph</sup> shall be the licensee, the agent named in the license if the licensee is a corporation or limited liability company or the holder of a manager's or operator's license or be supervised by one of those individuals.

History: 1981 c. 79; 1985 a. 302; 1987 a. 249, 399; 1989 a. 253; 1991 a. 269; 1993 a. 112, 378; 1995 a. 282.

(a) In this subsection:

1. "Coliseum" means a multipurpose facility designed principally for sports events, with a capacity of 18,000 or more persons.
2. "Concessionaire" means a person designated by the owner or operator of a coliseum to operate premises in the coliseum and to provide fermented malt beverages to holders of coliseum suites.

Section <sup>B</sup> 125.51 (3) <sup>(b)</sup> of the statutes is amended to read: *created*

125.51 (3) <sup>(b)</sup> Notwithstanding pars. (a) and (b) and s. 125.04 (3) (a) 3. and (9), a "Class B" license authorizes a person operating a <sup>coliseum</sup> ~~hotel~~ to furnish <sup>the holder of a coliseum suite</sup> ~~registered guest~~ who has attained the legal drinking age with a selection of intoxicating liquor in the <sup>coliseum suite that</sup> ~~guest's room which~~ is not part of the "Class B" premises. Intoxicating liquor furnished under this <sup>subdivision</sup> ~~paragraph~~ shall be furnished in original packages or containers and stored in a cabinet, refrigerator or other secure storage place. The cabinet, refrigerator or other secure storage place <sup>or the coliseum suite</sup> must be capable of being locked. The cabinet, refrigerator or other secure storage place <sup>or the coliseum suite</sup> shall be locked, or the intoxicating liquor shall be removed from the <sup>coliseum suite</sup> ~~room~~ when the <sup>coliseum suite</sup> ~~room~~ is not occupied and when intoxicating liquor is not being furnished under this <sup>subdivision</sup> ~~paragraph~~. A key for the lock shall be supplied to a ~~guest who has attained the legal drinking age~~ upon request at registration. The hotel shall prominently display a price list of the intoxicating liquor <sup>holder of the coliseum suite</sup> ~~in the hotel room~~. Intoxicating liquor may be furnished at the time the <sup>holder of the coliseum suite</sup> ~~guest~~ occupies the ~~room~~, but for purposes of this chapter, the sale of intoxicating liquor furnished under this <sup>subdivision</sup> ~~paragraph~~ is considered to occur at the time and place that the <sup>holder</sup> ~~guest~~ pays for the intoxicating liquor. Notwithstanding s. 125.68 (4) (c), the <sup>holder of a coliseum suite</sup> ~~guest~~ may pay for the intoxicating liquor at any time if he or she pays in ~~conjunction~~ <sup>accordance with an agreement with the person operating the</sup> ~~with checking out of the hotel~~. An individual who stocks or accepts payment for alcohol beverages under this <sup>subdivision</sup> ~~paragraph~~ shall be the licensee, the agent named in the license if the licensee is a corporation or limited liability company or the holder of a manager's or operator's license or be supervised by one of those individuals. <sup>coliseum suite</sup>

History: 1981 c. 79, 202, 220; 1983 a. 27 ss. 1489c, 2202 (38); 1983 a. 250, 516; 1985 a. 74, 239, 302; 1987 a. 27, 91, 103, 249, 354, 399; 1989 a. 16, 30, 31, 252, 253, 359; 1991 a. 39; 1993 a. 112; 1995 a. 27; 1997 a. 27, 41, 248, 259.

(End)

1. In this paragraph:
- a. "Coliseum" means a multi purpose facility designed principally for sports events, with a capacity of 18,000 or more persons.
  - b. "Concessionaire" means a person designated by the owner or operator of a coliseum to operate premises in the coliseum and to provide intoxicating liquor to holders of coliseum suites.
- traderc(lrbunx13) Fri-Jun-11-1999 2:13 pm

60659/ldh  
RET:  
CMT

Faith Russell:

This is the draft about furnishing alcoholic beverages in coliseum suites. This draft authorizes the provision of fermented malt beverages (beer) as well as intoxicating liquor ("hard" liquor and wine).

(OK) The definition of "coliseum" appears to include a stadium. Is that OK?

I am not sure that the terms "coliseum suite" and "holder of a coliseum suite" are very clear.

I think that these suites may be occupied on either a long-term or <sup>a</sup> short-term basis. I don't know whether both long-term and short-term occupants would be considered holders.

If you have questions or redraft instructions, please call me. I will check my voice mail frequently this weekend if I am not in the office.

RET

↑ one word



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

LRBb0659/1dn  
RCT:cmh:mrc

June 11, 1999

Faith Russell:

This is the draft about furnishing alcoholic beverages in coliseum suites. This draft authorizes the provision of fermented malt beverages (beer) as well as intoxicating liquor ("hard" liquor and wine).

The definition of "coliseum" appears to include a stadium. Is that OK?

I am not sure that the terms "coliseum suite" and "holder of a coliseum suite" are very clear. I think that these suites may be occupied on either a long-term or a short-term basis. I don't know whether both long-term and short-term occupants would be considered holders.

If you have questions or redraft instructions, please call me. I will check my voice mail frequently this weekend if I am not in the office.

Rebecca C. Tradewell  
Managing Attorney  
Phone: (608) 266-7290  
E-mail: Becky.Tradewell@legis.state.wi.us



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0659/1  
RCT:cmh:mrc

LFB:.....Russell – Liquor licenses and coliseum suites

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

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

2 **1.** Page 1020, line 17: after that line insert:

3 **“SECTION 2165e.** 125.26 (2s) of the statutes is created to read:

4 125.26 (2s) (a) In this subsection:

5 1. “Coliseum” means a multipurpose facility designed principally for sports  
6 events, with a capacity of 18,000 or more persons.

7 2. “Concessionaire” means a person designated by the owner or operator of a  
8 coliseum to operate premises in the coliseum and to provide fermented malt  
9 beverages to holders of coliseum suites.

10 (b) Notwithstanding s. 125.04 (3) (a) 3. and (9), a Class “B” license authorizes  
11 a person operating a coliseum or a concessionaire to furnish the holder of a coliseum  
12 suite who has attained the legal drinking age with a selection of fermented malt

1 beverages in the coliseum suite that is not part of the Class “B” premises. Fermented  
2 malt beverages furnished under this paragraph shall be furnished in original  
3 packages or containers and stored in a cabinet, refrigerator or other secure storage  
4 place. The cabinet, refrigerator or other secure storage place or the coliseum suite  
5 must be capable of being locked. The cabinet, refrigerator or other secure storage  
6 place or the coliseum suite shall be locked, or the fermented malt beverages shall be  
7 removed from the coliseum suite, when the coliseum suite is not occupied and when  
8 fermented malt beverages are not being furnished under this paragraph. Fermented  
9 malt beverages may be furnished at the time the holder occupies the coliseum suite,  
10 but for purposes of this chapter, the sale of fermented malt beverages furnished  
11 under this paragraph is considered to occur at the time and place that the holder pays  
12 for the fermented malt beverages. Notwithstanding s. 125.32 (3), the holder of a  
13 coliseum suite may pay for the fermented malt beverages at any time if he or she pays  
14 in accordance with the terms of an agreement with the person operating the coliseum  
15 or with the concessionaire. An individual who stocks or accepts payment for alcohol  
16 beverages under this paragraph shall be the licensee, the agent named in the license  
17 if the licensee is a corporation or limited liability company or the holder of a  
18 manager’s or operator’s license or be supervised by one of those individuals.

19 **SECTION 2165j.** 125.51 (3) (bs) of the statutes is created to read:

20 125.51 (3) (bs) 1. In this paragraph:

21 a. “Coliseum” means a multipurpose facility designed principally for sports  
22 events, with a capacity of 18,000 or more persons.

23 b. “Concessionaire” means a person designated by the owner or operator of a  
24 coliseum to operate premises in the coliseum and to provide intoxicating liquor to  
25 holders of coliseum suites.

1           2. Notwithstanding pars. (a) and (b) and s. 125.04 (3) (a) 3. and (9), a “Class B”  
2 license authorizes a person operating a coliseum to furnish the holder of a coliseum  
3 suite who has attained the legal drinking age with a selection of intoxicating liquor  
4 in the coliseum suite that is not part of the “Class B” premises. Intoxicating liquor  
5 furnished under this subdivision shall be furnished in original packages or  
6 containers and stored in a cabinet, refrigerator or other secure storage place. The  
7 cabinet, refrigerator or other secure storage place or the coliseum suite must be  
8 capable of being locked. The cabinet, refrigerator or other secure storage place or the  
9 coliseum suit shall be locked, or the intoxicating liquor shall be removed from the  
10 coliseum suit, when the coliseum suit is not occupied and when intoxicating liquor  
11 is not being furnished under this subdivision. Intoxicating liquor may be furnished  
12 at the time the holder of the coliseum suite occupies the coliseum suite, but for  
13 purposes of this chapter, the sale of intoxicating liquor furnished under this  
14 subdivision is considered to occur at the time and place that the holder pays for the  
15 intoxicating liquor. Notwithstanding s. 125.68 (4) (c), the holder of a coliseum suite  
16 may pay for the intoxicating liquor at any time if he or she pays in accordance with  
17 an agreement with the person operating the coliseum or with the concessionaire. An  
18 individual who stocks or accepts payment for alcohol beverages under this  
19 subdivision shall be the licensee, the agent named in the license if the licensee is a  
20 corporation or limited liability company or the holder of a manager’s or operator’s  
21 license or be supervised by one of those individuals.”.

22

(END)

**Tradewell, Becky**

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**From:** Russell, Faith  
**Sent:** Saturday, June 12, 1999 10:44 AM  
**To:** Tradewell, Becky  
**Subject:** LRBb0659/1

Becky -

A coliseum is intended to include a stadium.

For the other terms, a "coliseum suite holder" is intended to apply to both long-term and short-term occupants. A "coliseum suite" is intended to include luxury boxes and skyboxes at a stadium. Do you suggest adding language to clarify these terms?

Thanks -

Faith Russell  
Fiscal Analyst, Legislative Fiscal Bureau  
faith.russell@legis.state.wi.us  
Phone: 608-266-3847

*We decided it's OK  
RET*