

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/22/2001

Received By: agary

Wantcd: Soon

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Smith

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Beverages - miscellaneous

Extra Copies: RCT

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Smith - AM48,

Topic:

Tied-house provisions - ownership of restaurants

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>
/1	agary 06/24/2001	jdye 06/25/2001	rschlue 06/25/2001	_____	lrb_docadmin 06/25/2001		

FE Sent For:

<END>

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/1	agary	1 6/25 jld					

6-25-01

FE Sent For:

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ARC Amendment # 48

Economic Development Package

- c) Tied-House Provisions – Ownership of Restaurants (at the request of Rep. Vrakas)

Request #123

****Should not alter 1999 Wisconsin Act 163:**

<http://www.legis.state.wi.us/1999/data/acts/99Act163.pdf>

Under current law companies that have concurrent ownership of both restaurants and breweries are only allowed to own one brewery and one non-brewery restaurant.

Motion:

Allow companies that have concurrent ownership of both restaurants and breweries to own up to 20 restaurants in Wisconsin and prohibit restaurants so owned from selling beer made by a brewery that shares their corporate ownership.

(No Fiscal Effect)

Budget Amendments 2001 - 2003

Prepared by the Assembly Republican Caucus

Statement of Intent Allow companies that have concurrent ownership of both restaurants and breweries to own up to 20 restaurants in Wisconsin without conflict of the tied-house provisions.

Legislator	Vrakas	Amendment	48
Legislator 2		Pass or Fail	Pass
Legislator 3		Spending Cut	
Legislator 4		Withdrawn	
Staff contact	Bonnie	Package	

Agency Regulation and Licensing

Summary This amendment would allow companies that have concurrent ownership of both restaurants and breweries to own up to 20 restaurants in Wisconsin. It would further prohibit restaurants so owned from selling beer made by a brewery that shares their corporate ownership.

Fiscal Impact None

Drafting Inst Amends 125.31(1)(a)

4. Notwithstanding ss.125.29(2) and 125.33(1), in addition to places authorized under subd. 2., a brewer may possess a class "B" license for not more than 20 restaurants in each of which the sale of alcohol beverages accounts for less than 60% of the restaurant's gross receipts and provided the brewer's fermented malt beverages are not offered for sale in any of the 20 restaurants.

ARC Analyst Smith

ARG

Request # 123

Friday, June 22, 2001

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ARG:.....
ARC
JLD

ARC:.....Smith - AM48, Tied-house provisions - ownership of restaurants

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the substitute amendment[✓] as follows:

2 1. Page 935, line 12: after that line insert:

3 ^{NO CS} SECTION 2805g. 125.31 (1) (a) 2.[✓] of the statutes is amended to read:

4 125.31 (1) (a) 2. Notwithstanding ss. 125.29 (2) and 125.33 (1), a brewer may
5 maintain and operate one place on brewery premises and one place on real estate
6 owned by the brewer or a subsidiary or affiliate corporation or limited liability
7 company for the sale of fermented malt beverages for which a Class "B" license is

8 required for each place, but, except as provided in subd. ~~3~~ ^{plain} subds. ~~3~~ and 4.[✓], not more
9 than 2 such Class "B" licenses shall be issued to any brewer.

10 SECTION 2805h.[✓] 125.31 (1) (a) 4.[✓] of the statutes is created to read:



ARC:.....Smith – AM48, Tied-house provisions – ownership of restaurants

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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5 maintain and operate one place on brewery premises and one place on real estate
6 owned by the brewer or a subsidiary or affiliate corporation or limited liability
7 company for the sale of fermented malt beverages for which a Class “B” license is
8 required for each place, but, except as provided in ~~subd.~~ subds. 3. and 4., not more
9 than 2 such Class “B” licenses shall be issued to any brewer.

10 **SECTION 2805h.** 125.31 (1) (a) 4. of the statutes is created to read:

1 125.31 (1) (a) 4. Notwithstanding ss. 125.29 (2) and 125.33 (1), in addition to
2 places authorized under subd. 2., a brewer may possess a Class “B” license for not
3 more than 20 restaurants in each of which the sale of alcohol beverages accounts for
4 less than 60% of the restaurant’s gross receipts if no fermented malt beverages
5 manufactured by the brewer are offered for sale in any of these restaurants. No
6 brewer may possess Class “B” licenses under both this subdivision and subd. 3.”

7

(END)