

**2001 DRAFTING REQUEST**

**Bill**

Received: 01/24/2001

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Mary Hubler (608) 266-2519

By/Representing: Lynn Ansfield (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Alt. Drafters:

Subject: Beverages - miscellaneous

Extra Copies: RCT

**Pre Topic:**

No specific pre topic given

**Topic:**

Effect of municipality annexation on "Class B" license quota

**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>
/?	agary 03/05/2001	gilfokm 03/06/2001		_____			
/1			rschluet 03/06/2001	_____	lrb_docadmin 03/06/2001	lrb_docadmin 03/08/2001	

FE Sent For:

<END>

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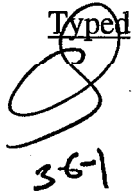
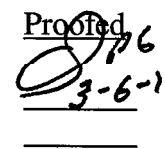
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1?	agary	11-3/KWG 16-01	 3-6-1	 3-6-1			

FE Sent For:

<END>



**Mary Hubler**

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**State Representative**

**2001 BILL REQUEST FORM**

**Drafter: Aaron Gary**

**Date: January 24, 2001**

**Legislator:** Representative Mary Hubler

**Person submitting request:** Lynn Ansfield 6-2519

**Drafting Request:** Please redraft for introduction in the 2001-02 Legislative Session 1999 Assembly Bill 489 relating to the effect of annexation or detachment of territory on a municipality's quota of "Class B" intoxicating liquor licenses.

Hard copy will follow.

2261/1  
LRB-83092  
RM:kmg:jf  
ARC ↑

2001 Bill  
~~1999 ASSEMBLY BILL 489~~

RMI not Run

In 3/5

September 28, 1999 - Introduced by Representatives HUBLER, LADWIG, KREUSER, ZIEGELBAUER, M. LEHMAN, STASKUNAS, SKINDRUD and BOYLE, cosponsored by Senators JAUCH and FARROW. Referred to Committee on State Affairs.

Gen. Act.

- 1 AN ACT to create 125.51 (4) (c) and (d) of the statutes; relating to: the effect of
- 2 annexation or detachment of territory on a municipality's quota of "Class B"
- 3 intoxicating liquor licenses.

**Analysis by the Legislative Reference Bureau**

Current law prohibits a person from selling alcohol beverages at retail ~~to a consumer~~ unless the seller possesses a license or permit authorizing the sale. A "Class B" license authorizes the sale of intoxicating liquor at retail for consumption on the premises where sold and is issued for specific ~~fixed~~ premises. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. The quota is increased based on population increases; one new license is authorized for each 500 population increase.

This bill modifies the number of "Class B" licenses that a municipality may issue based on annexation or detachment of territory containing premises for which a "Class B" license is issued. If a municipality that has reached its quota annexes territory containing premises for which a "Class B" license is issued, the annexing municipality's quota is increased by the number of annexed "Class B" licenses. (The population gained by annexation is also counted as a population increase for purposes of increasing the annexing municipality's quota.) Conversely, the quota of a municipality from which territory has been detached by annexation is reduced by the number of ~~detached~~ "Class B" ~~premises~~ unless the reduction would leave the

covered covered by an existing

licenses issued for premises in the detached territory

issued for premises in the annexed territory.

**ASSEMBLY BILL 489**

municipality with less than one "Class B" license per 500 population or with less than one "Class B" license.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

Insert  
A

1 SECTION 1. 125.51 (4) (c) and (d) of the statutes are created to read:

2 125.51 (4) (c) If territory containing premises covered by a license or reserve  
3 "Class B" license is annexed to a municipality and if the municipality's quota would  
4 not otherwise allow a license or reserve "Class B" license for the premises, the quota  
5 is increased to include the license or reserve "Class B" license of each premises in the  
6 annexed territory.

7 (d) Detachment of territory shall decrease the quota of the remainder of the  
8 municipality by the number of premises covered by a license or reserve "Class B"  
9 license existing in the detached territory, except that detachment does not decrease  
10 the quota of the remainder to less than one license per 500 persons or less than one  
11 license.

**SECTION 2. Initial applicability.**

12 (1) This act first applies to territory annexed or detached on the effective date  
13 of this subsection.  
14

(END)

issued for premises

2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-2261/lins  
ARG:.....

Insert  
A

**SECTION 1.** 125.51 (4) (b) (intro.) of the statutes is amended to read:

125.51 (4) (b) (intro.) The Except as provided in pars. (c) and (d), the quota of each municipality is the sum of the following:



STEPHEN R. MILLER  
CHIEF

# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

March 6, 2001

### MEMORANDUM

To: Representative Hubler

From: Arron R. Gary, Attorney

Re: LRB-2261 Effect of municipality annexation on "Class B" license quota

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY  JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 261-6926 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.



**Gary, Aaron**

**From:** Ansfield, Lynn  
**Sent:** Thursday, March 22, 2001 11:08 AM  
**To:** Gary, Aaron  
**Subject:** RE: LRB 2261

Gary,

I sent the jacket to the wrong place! My head's still foggy from a bout with the flu (That's my excuse and I'm sticking to it.) Can you reroute it to Kay Inabet in the Chief Clerk's Office? If you feel uncomfortable about that, just send it back to me, and I'll get it to the right place this time.

Thanks for putting up with my meandering mind.

Lynn Ansfield