

ASSEMBLY BILL 739 (LRB -3509)

An Act to create 125.51 (4) (v) 3. of the statutes; relating to: municipal quotas for intoxicating liquor retailers. (FE)

2005

- 02-21. A. Introduced by Representatives **Ballweg, Berceau, Davis, Gunderson, Hines, Jeskewitz, Nischke, Owens, Townsend** and **M. Williams**; cosponsored by Senators **Olsen, Darling** and **Grothman**.
- 10-11. A. Read first time and referred to committee on Urban and Local Affairs 519
- 11-02. A. Fiscal estimate received.
- 11-15. A. Public hearing held.

2006

- 01-04. A. Assembly amendment 1 offered by Representative Ballweg (**LRB a1995**) 710
- 01-09. A. Assembly amendment 1 to Assembly amendment 1 offered by Representative Gottlieb (**LRB a2039**) 712
- 01-10. A. Executive action taken.
- 01-17. A. Report Assembly Amendment 1 adoption recommended by committee on Urban and Local Affairs, Ayes 7, Noes 1 723
- 01-17. A. Report passage as amended recommended by committee on Urban and Local Affairs, Ayes 6, Noes 2 723
- 01-17. A. Referred to committee on Rules 723
- 02-21. A. Placed on calendar 2-23-2006 by committee on Rules.
- 02-23. A. Placed at the foot of the calendar 840
- 02-23. A. Read a second time 843
- 02-23. A. Assembly amendment 2 to Assembly amendment 1 offered by Representatives Gottlieb and LeMahieu (**LRB a2464**) 843
- 02-23. A. Assembly amendment 2 to Assembly amendment 1 **adopted** 844
- 02-23. A. Assembly amendment 1 **adopted** 844
- 02-23. A. Ordered to a third reading 844
- 02-23. A. Rules suspended 844
- 02-23. A. Read a third time and **passed**, Ayes 72, Noes 24, Paired 2 844
- 02-23. A. Ordered immediately messaged 844
- 02-27. S. Received from Assembly.
- 02-27. S. Read first time and referred to committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.
- 03-01. S. Public hearing held.
- 03-06. S. Executive action taken.
- 03-08. S. Report concurrence recommended by committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform, Ayes 3, Noes 2.
- 03-08. S. Available for scheduling.
- 03-08. S. Placed on calendar 3-9-2006 by committee on Senate Organization.
- 03-09. S. Read a second time.
- 03-09. S. Ordered to a third reading.
- 03-09. S. Rules suspended.
- 03-09. S. Read a third time and **concurred in**, Ayes 23, Noes 10.
- 03-09. S. Ordered immediately messaged.
- 03-09. A. Received from Senate concurred in 938

2005
ENROLLED BILL

05en A-B-739

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

05-350911 ✓

Amendments to above (if none, write "NONE"): AA1 — a 1995/1 ✓

AA2 to AA1 — a 2464/1 ✓

Corrections - show date (if none, write "NONE"): None ✓

Topic Rel

3-14-06 [Signature]
Date Enrolling Drafter

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2005 ASSEMBLY BILL 739

October 11, 2005 - Introduced by Representatives BALLWEG, BERCEAU, DAVIS, GUNDERSON, HINES, JESKEWITZ, NISCHKE, OWENS, TOWNSEND and M. WILLIAMS, cosponsored by Senators OLSEN, DARLING and GROTHMAN. Referred to Committee on Urban and Local Affairs.

- 1 **AN ACT to create** 125.51 (4) (v) 3. of the statutes; **relating to:** municipal quotas
2 for intoxicating liquor retailers.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from selling alcohol beverages at retail 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 premises. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. The quota on the number of "Class B" licenses that a municipality may issue is generally determined by a formula based on the number of licenses previously issued by the municipality and the municipality's population. Current law also provides quota exceptions for a full-service restaurant that has a seating capacity of 300 or more persons and for a hotel that has 50 or more rooms and has a restaurant or banquet room meeting certain criteria. The holder of a "Class B" license issued under one of these two quota exceptions is not entitled to transfer the license to another premises within the issuing municipality and, if there is a finding of certain alcohol beverage violations by the licensee, a "Class B" license issued under one of these two quota exceptions must be revoked, in contrast to other "Class B" licenses for which revocation would be permissive.

This bill creates a third quota exception for any opera house or theater for the performing arts operated by a nonprofit organization.

ASSEMBLY BILL 739

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 125.51 (4) (v) 3. of the statutes is created to read:
2 125.51 (4) (v) 3. An opera house or theater for the performing arts operated by
3 a nonprofit organization, as defined in s. 134.695 (1) (am).

4 (END)

↑
INSERT 1 ✓

**ASSEMBLY AMENDMENT 1,
TO 2005 ASSEMBLY BILL 739**

January 4, 2006 - Offered by Representative BALLWEG.

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

2 ✓ 1. Page 2, line 3: after "(am)." insert "Notwithstanding sub. (3) (a) and (b), a
3 "Class B" license issued under this subdivision authorizes the retail sale of
4 intoxicating liquor only for consumption on the premises where sold and only in
5 connection with ticketed performances ~~or private events~~."

6 (END)

AA2 TO AA1 ✓

**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY AMENDMENT 1,
TO 2005 ASSEMBLY BILL 739**

February 23, 2006 – Offered by Representatives GOTTIEB and LEMAHIEU.

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

2 1. Page 1, line 5: delete “or private events”.

3 (END)

