

2005 DRAFTING REQUEST

Bill

Received: **08/18/2005**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Joan Ballweg (608) 266-8077**

By/Representing: **Anne Sappenfield - LC**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Beverages**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Ballweg@legis.state.wi.us**

Carbon copy (CC:) to: **Anne.Sappenfield@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Class B license quota exception for theaters and opera houses operated by a nonprofit organization

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>
/P1	agary 08/18/2005	wjackson 08/19/2005	jfrantze 08/22/2005	_____	sbasford 08/22/2005		Local
/1	agary 09/16/2005 lnorthro 09/19/2005	wjackson 09/19/2005	pgreensl 09/19/2005	_____	lnorthro 09/19/2005	lnorthro 09/19/2005	Local

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/P1	agary 08/18/2005	wjackson 08/19/2005	jfrantze 08/22/2005	<u>9/19</u> self	sbasford 08/22/2005		Local

FE Sent For: *1 wj 9/19* *9/19* *PF* **<END>**

**PA's: please
send "1" out
jacketed. Thanks,
ARG*

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/P1	agary	/pl wly 8/19		<i>Self</i> 8/22			Local

FE Sent For:

<END>

8/17

file from Anne Sappentfield

7-9485

Ballweg : quota exception

Resters & opera house operated
by a non-profit organization



Gary, Aaron

From: Sappenfield, Anne
Sent: Thursday, August 18, 2005 12:13 PM
To: Gary, Aaron
Subject: RE: LRB-3509: quota exception

It should be limited to theaters for the performing arts. A minimum seating capacity is probably a good idea. I'll talk to Ballweg's office and see what they want.

Thanks, Aaron!

Anne

From: Gary, Aaron
Sent: Thursday, August 18, 2005 11:49 AM
To: Sappenfield, Anne
Subject: LRB-3509: quota exception

Anne,

Do you want to try to narrow the terms "theater" or "opera house" for this draft? Is it a motion picture theater or theater for the performing arts or both? Should there be a minimum seating capacity specified? See for example s. 70.11 (29m) and (43) (c). Potentially a bar with a projector or big screen TV could claim that it is a theater.
Thanks. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

Gary, Aaron

From: Sappenfield, Anne
Sent: Thursday, August 18, 2005 1:41 PM
To: Gary, Aaron
Subject: RE: LRB-3509: quota exception

Hi Aaron--

The author doesn't want a minimum seating requirement in the bill. Thanks!

Anne

From: Gary, Aaron
Sent: Thursday, August 18, 2005 11:49 AM
To: Sappenfield, Anne
Subject: LRB-3509: quota exception

Anne,

Do you want to try to narrow the terms "theater" or "opera house" for this draft? Is it a motion picture theater or theater for the performing arts or both? Should there be a minimum seating capacity specified? See for example s. 70.11 (29m) and (43) (c). Potentially a bar with a projector or big screen TV could claim that it is a theater. Thanks. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

Soon

WJ

in 8/18

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1

AN ACT ^{Gen}...; **relating to:** municipal quotas 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.

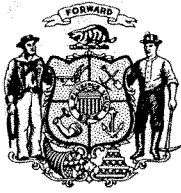
This bill creates a third quota exception for any opera house or theater for the performing arts operated by a nonprofit organization.

9/16

6-8077
He from Vinu — rep. Ballweg

3509

want it "1" & jacketed



State of Wisconsin
2005 - 2006 LEGISLATURE

soon

LRB-3509/1

ARG:wlj:jf

in 9/16

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No changes

Regen

- 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.

