2007 DRAFTING REQUEST

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Received: 10/29/2007 Wanted: Soon For: Jim Sullivan (608) 266-2512				Received By: agary			
				Identical to LRB:			
			By/Representing: Lewis Rosser				
This file may be shown to any legislator: NO			Drafter: agary				
May Con	tact:				Addl. Drafters:		
Subject: Beverages				Extra Copies:			
Submit v	ia email: YES						
Requeste	r's email:	Sen.Sulliva	ın@legis.wi	sconsin.gov			
Carbon c	opy (CC:) to:	aaron.gary	@legis.wisc	consin.gov			
Pre Top	ic:						
No speci	fic pre topic gi	ven			A garage	i i	1 M 1 M 1 M 1 M
Topic:							
Liquor li	cense quotas fo	or restaurants					
Instruct	ions:						
See Attac	ched						
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Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
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2007 DRAFTING REQUEST

Bill

Received: 10/29/2007	Received By: agary
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Wanted: **Soon** Identical to LRB:

For: Jim Sullivan (608) 266-2512 By/Representing: Lewis Rosser

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: Sen.Sullivan@legis.wisconsin.gov

Carbon copy (CC:) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Liquor license quotas for 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>

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FE Sent For:

<END>

Gary, Aaron

From:

Rosser, Lewis

Sent:

Monday, October 29, 2007 3:18 PM

To:

Gary, Aaron

Subject:

RE: LRB-2326

Attachments: 07-23262.pdf

proted out - use as bane p/29

Hi Aaron,

I understand. I called Sen. Grothman's office and asked them to contact you. Attached is the copy of LRB - 2326/2 we have. If you don't hear from them by the end of the day, go ahead and create the same draft (under a new number) and jacket it for introduction.

Thanks,

Lewis Rosser
Office of State Senator Jim Sullivan
15 South, State Capitol
Madison, WI 53707-7882
lewis.rosser@legis.wi.gov
608-266-2512

From: Gary, Aaron

Sent: Monday, October 29, 2007 12:12 PM

To: Rosser, Lewis **Subject:** RE: LRB-2326

Hi Lewis,

I got your voice mail regarding jacketing LRB-2326. When I went to pull the file, I realized that Sen. Grothman is still officially the requester on this draft. I found the e-mail below, which is where things were left last summer. I will need a call or e-mail from Grothman's office transferring the file to Sen. Sullivan or, if you have a copy of LRB-2326/2 and want to send a copy over, I can create the same draft (under a new number) from that copy for Sen. Sullivan.

Thanks. Aaron

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

From: Churchill, Jolene

Sent: Thursday, June 21, 2007 12:36 PM

To: Gary, Aaron; Rosser, Lewis

Subject: RE: LRB-2326

Yes, this is correct. Thank you very much!

-j

From: Gary, Aaron

Sent: Thursday, June 21, 2007 12:27 PM **To:** Churchill, Jolene; Rosser, Lewis

Subject: LRB-2326

Jolene and Lewis,

Just so that we're all on the same page, I will make the changes suggesetd by Lewis to LRB-2326, so it will become a "/2." The requester on the draft will remain Sen. Grothman. As with all unintroduced drafts, the draft when finished will go to Sen. Grothman's office, and his office can distribute it to interested persons from there. I should be able to make the changes soon, but with all of the senate budget work right now, it won't be immediately.

Thanks. Aaron

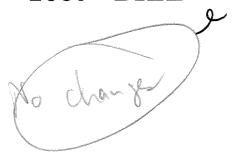
Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

2007 - 2008 LEGISLATURE

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LRB-2326/2 stays
ARG: Giffif Stays

2007 BILL



AN ACT to amend 125.51 (4) (v) 1.; and to create 125.02 (6g) of the statutes;

relating to: municipal quotas for retail intoxicating liquor licenses.

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 retail sale of intoxicating liquor for consumption on the licensed premises and, depending on the type of intoxicating liquor and whether a municipal ordinance has been adopted, may also authorize the retail sale of intoxicating liquor for consumption off the licensed premises, subject to certain limitations. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. This quota is generally determined by a formula based on the number of licenses previously issued by the municipality and the municipality's population. Current law 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. Current law also provides a quota exception for certain opera houses and theaters, but a "Class B" license issued under this exception authorizes the sale of intoxicating liquor only for consumption on the premises and only in connection with ticketed performances.

This bill modifies the quota exception for full–service restaurants. The bill provides a quota exception for full–service restaurants regardless of seating capacity, but creates a definition of "full–service restaurant" that limits the exception to establishments where meals are prepared, served, and sold for consumption on the premises and in which the sale of alcohol beverages accounts for 50 percent or less

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BILL

of the establishment's gross receipts. In addition, a "Class B" license issued under this exception authorizes the sale of intoxicating liquor only for consumption on the premises. The bill prohibits a person holding a "Class B" license, other than one issued under this exception, from surrendering that license and applying for a new license under this exception.

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:

SECTION 1. 125.02 (6g) of the statutes is created to read:

125.02 **(6g)** "Full–service restaurant" means an establishment where meals are prepared, served, and sold to transients or the general public for consumption on the premises and in which the sale of alcohol beverages accounts for 50 percent or less of the establishment's gross receipts for the most recent alcohol beverage licensing year.

SECTION 2. 125.51 (4) (v) 1. of the statutes is amended to read:

125.51 **(4)** (v) 1. A full–service restaurant that has a seating capacity of 300 or more persons. Notwithstanding sub. (3) (a) and (b), a "Class B" license issued under this subdivision authorizes the retail sale of intoxicating liquor only for consumption on the premises where sold. If a "Class B" license issued under this subdivision is surrendered to the issuing municipality, revoked, or not renewed, the municipality may not reissue the license to any applicant other than a full–service restaurant. A person that holds a "Class B" license, other than one issued under this subdivision, that is surrendered, revoked, or not renewed may not apply for issuance of a "Class B" license under this subdivision.

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