

2009 DRAFTING REQUEST

Bill

Received: 10/02/2008

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Mark Gottlieb (608) 267-2369

By/Representing: Denise Solie

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.Gottlieb@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> | <u>Required</u> |
|--------------|---------------------|-----------------------|------------------------|----------------|------------------------|-----------------------|-----------------|
| /? | agary 10/02/2008 | nmatzke 10/23/2008 | | _____ | | | Local |
| /1 | | | rschluet 10/23/2008 | _____ | sbasford 10/23/2008 | cduerst 01/29/2009 | |

FE Sent For: /1 @ intro. 10/5/09

<END>

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| 1/? | agary | 11 nwn 10/10 aa jld | agary 10/23/08 | af | | | |

FE Sent For:

<END>

Gary, Aaron

From: Solie, Denise
Sent: Wednesday, October 01, 2008 8:11 AM
To: Gary, Aaron
Subject: 2009 drafting request - Class B licenses

07-3363

Please re-draft 2007 AB 584 for introduction in 2009.

Feel free to call or email if you have any questions.

Thank you.

Denise Solie
Rep. Mark Gottlieb
608.267.2370

RMNR

9
2007 ASSEMBLY BILL 584

P.W.F.

November 27, 2007 - Introduced by Representatives GOTTlieb, HINTZ, BALLWEG, MURSAU, BERCEAU, ZEPNICK, PARISI, SINICKI, LOTHIAN, MONTGOMERY, FIELDS, HIXSON, BLES, LEMAHIEU, STRACHOTA, HINES, PRIDEMORE, ALBERS and NEWCOMER, cosponsored by Senators SULLIVAN, GROTHMAN, PLALE, ROESSLER, OLSEN, HARSDFORF, ELLIS and MILLER. Referred to Committee on State Affairs.

SA 07 ✓
X-ref ✓

- ✓ Gen. Cat.
- 1 AN ACT *to amend* 125.51 (4) (v) 1.; and *to create* 125.02 (6g) of the statutes;
 - 2 **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 a full-service restaurant 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

an

ASSEMBLY BILL 584

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:

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

2 125.02 (6g) "Full-service restaurant" means an establishment where meals
3 are prepared, served, and sold to transients or the general public for consumption on
4 the premises and in which the sale of alcohol beverages accounts for 50 percent or
5 less of the establishment's gross receipts for the most recent alcohol beverage
6 licensing year.

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

8 125.51 (4) (v) 1. A full-service restaurant that has a seating capacity of 300 or
9 more persons. ~~Notwithstanding sub. (3) (a) and (b),~~ a "Class B" license issued under
10 this subdivision authorizes the retail sale of intoxicating liquor only for consumption
11 on the premises where sold. If a "Class B" license issued under this subdivision is
12 surrendered to the issuing municipality, revoked, or not renewed, the municipality
13 may not reissue the license to any applicant other than a full-service restaurant. A
14 person that holds a "Class B" license, other than one issued under this subdivision,
15 that is surrendered, revoked, or not renewed may not apply for issuance of a "Class
16 B" license under this subdivision.

17 (END)

plain period

Barman, Mike

From: Solie, Denise
Sent: Thursday, January 29, 2009 2:49 PM
To: LRB.Legal
Subject: Draft Review: LRB 09-0485/1 Topic: Liquor license quotas for restaurants

Please Jacket LRB 09-0485/1 for the ASSEMBLY.

Gary, Aaron

From: Gary, Aaron
Sent: Thursday, August 13, 2009 3:23 PM
To: Meyer, Bob; Handrick, Diane
Cc: Solie, Denise
Subject: RE: LRB 0485

Great. I'll change the requester name in our file and it sounds like everything else is covered.

Aaron

From: Meyer, Bob
Sent: Thursday, August 13, 2009 2:58 PM
To: Gary, Aaron; Handrick, Diane
Cc: Solie, Denise
Subject: RE: LRB 0485

They gave us the jacket already, I've got it right here. Thank you!

Bob Meyer
Office of Representative Gordon Hintz
322 West, State Capitol
888-534-0054 toll-free

From: Gary, Aaron
Sent: Thursday, August 13, 2009 2:51 PM
To: Handrick, Diane
Cc: Meyer, Bob; Solie, Denise
Subject: RE: LRB 0485

I just pulled the file and this bill was jacketed for Rep. Gottlieb on Jan. 29, 2009. The jacket can be given by Rep. Gottlieb's office to Rep. Hintz's office. If the jacket cannot be found, let me know and I will have to prepare another draft under a new number.

Thanks. Aaron

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

08/13/2009

From: Handrick, Diane
Sent: Thursday, August 13, 2009 2:44 PM
To: Gary, Aaron
Cc: Meyer, Bob; Solie, Denise
Subject: LRB 0485

Aaron,

You can release LRB 0485 to the Hintz office.
Thanks.

Diane Handrick
Office of Representative Mark Gottlieb

608-267-2369
1-888-534-0060 Toll free in Wisconsin only

Room 309 North, State Capitol
Madison WI 53708

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