



State of Wisconsin

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STEPHEN R. MILLER
CHIEF

October 14, 2009

MEMORANDUM

To: Representative Hintz

From: Aaron Gary, Senior Legislative Attorney, (608) 261-6926

Subject: Technical Memorandum to **2009 AB 466** (LRB-0485/1) by **DOR**

We received the attached technical memorandum relating to your bill. This copy is for your information and your file.

If you wish to discuss this memorandum or the necessity of revising your bill or preparing an amendment, please contact me.

MEMORANDUM

October 7, 2009

TO: Aaron R. Gary
Legislative Reference Bureau

FROM: Paul Ziegler
Department of Revenue

SUBJECT: Technical Memorandum on AB466 - municipal quotas for retail intoxicating liquor licenses

The bill provides a quota exception for full-service restaurants regardless of seating capacity in which alcohol beverage sales account for 50 percent or less of the establishment's gross receipts.

"Full-service restaurant" is defined in the bill as an establishment where meals are prepared, served, and sold. However, the bill creates no definition of "meals." If desired, the author of the bill may wish to define this term. While an existing statutory definition of "meals" (under s.77.54 (20) (bg)) is repealed effective October 1, 2009, pursuant to 2009 Wis. Act 2, this same act created a definition of a related term, "prepared food", under s.77.51(10m) (a), which may be useful in refining the application of this bill.

The author may also wish to consider amending the criteria of a "full-service restaurant" to include additional conditions specified in AB 8, as amended. These additional conditions include requirements for a separate dining area and minimal business hours.

If you have any questions regarding this technical memorandum, please contact Jacek Cianciara at 266-8133.

cc: Representative Hintz