

2009 DRAFTING REQUEST

Bill

Received: 12/10/2008

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Gary Sherman (608) 266-7690

By/Representing: Judy Kelly

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.Sherman@legis.wisconsin.gov

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

Pre Topic:

No specific pre topic given

Topic:

Intoxicating liquor retail license quota exception for certain golf course restaurants

Instructions:

Redraft 2005 AB484

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 12/10/2008	wjackson 12/13/2008		_____			Local
/1			jfrantze 12/15/2008	_____	sbasford 12/15/2008	sbasford 12/26/2008	

FE Sent For: "/1" @ intro. 1/27/09

<END>

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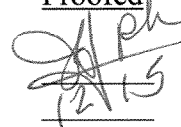
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/?	agary	1 wly 12/13	 12/15	 12/15			

FE Sent For:

<END>

RMNR

9
2005 ASSEMBLY BILL 484

June 14, 2005 - Introduced by Representative SHERMAN, by request of Tim Landgreen. Referred to Committee on State Affairs.

Regen

1 AN ACT *to amend* 125.51 (3) (e) 3.; and *to create* 125.51 (4) (v) 3. of the statutes;

2 relating to: municipal quotas for ~~Class B~~ 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 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.

Under current law, each municipality establishes an annual fee, which generally must be between \$50 and \$500, for a "Class B" license, except that the fee for initial issuance of a reserve "Class B" license (generally one first issued after December 1, 1997) may not be less than \$10,000. Current law does not specify a

Insert ANAL

This

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ASSEMBLY BILL 484

any *
 minimum or maximum initial issuance fee or annual fee for "Class B" licenses issued under ~~the two~~ quota exceptions.

This bill creates a ~~third~~ quota exception for any full-service restaurant that has a seating capacity of 75 to 100 persons and that is located on a golf course. A municipality may not establish an initial issuance fee or an annual fee for a "Class B" license issued under this exception that exceeds \$500.

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 (3) (e) 3. of the statutes is amended to read:

2 125.51 (3) (e) 3. Each municipal governing body shall establish the annual fee
 3 for a "Class B" license issued under sub. (4) (v), except that neither the fee for an
 4 initial issuance of, nor the annual fee for, a "Class B" license issued under sub. (4) (v)

5 may exceed any fee established under subd. 1. The initial fee may be different from
 6 the annual fee to renew the license.

7 SECTION 2. 125.51 (4) (v) ~~3~~ of the statutes is created to read:

8 125.51 (4) (v) ~~3~~ A full-service restaurant that has a seating capacity of 75 to
 9 100 persons and that is located on a golf course.

10 (END)

**2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1079/lins
ARG:.....

1

2

3

INSERT ANAL:

(no P) the retail sale of intoxicating liquor for consumption on the retail premises and, subject to various restrictions, the retail sale of intoxicating liquor in original packages for consumption off the retail premises

Barman, Mike

From: Barman, Mike
Sent: Tuesday, December 16, 2008 8:05 AM
To: Kelly, Judy
Cc: Rep.Sherman
Subject: LRB 09-1079/1 (un-introduced) (attached)

Attachments: 09-1079/1



09-10791.pdf (11
KB)

Mike Barman (Senior Program Assistant)
State of Wisconsin - Legislative Reference Bureau
Legal Section - Front Office
1 East Main Street, Suite 200, Madison, WI 53703
(608) 266-3561 / mike.barman@legis.wisconsin.gov

From: Kelly, Judy
Sent: Monday, December 15, 2008 4:08 PM
To: Barman, Mike
Subject: LRB 1079

Mike,
May I please have an electronic copy of LRB1079? Thanks.

Judy Kelly
Legislative Aide to
Rep. Gary Sherman

Basford, Sarah

From: Gary [gsherman@cheqnet.net]

Sent: Wednesday, December 24, 2008 8:04 AM

To: LRB.Legal

Subject: Draft Review: LRB 09-1079/1 Topic: Intoxicating liquor retail license quota exception for certain golf course restaurants

Please Jacket LRB 09-1079/1 for the ASSEMBLY.

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