

2009 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB8)

Received: 10/09/2009

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Gary Sherman (608) 266-7690

By/Representing: Joe Hoey

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
Rick.Champagne@legis.wisconsin.gov

Handwritten note in a cloud shape:
10-14-2009
"1/2" deleted
by CMH
↓
"1/1" Re-Jacketed
& Re-Sent
An arrow points from this note to the entry for 10/14/2009 in the Drafting History table.

Pre Topic:

No specific pre topic given

Topic:

Municipal quotas for retail intoxicating liquor licenses

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 10/09/2009	csicilia 10/12/2009					
/1	agary 10/13/2009	nmatzke 10/13/2009	jfrantze 10/12/2009		mbarman 10/12/2009	mbarman 10/12/2009 mbarman 10/14/2009	
			pHenry		lparisi	lparisi	

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			10/13/2009	10/13/2009	10/13/2009		

FE Sent For:

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FE Sent For:			12 13 ph	ph <END>			

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1/?	agary	1 cis 10/12/09	10/2	12/12/09 ph / JK			

FE Sent For:

<END>

Gary, Aaron

From: Champagne, Rick
Sent: Friday, October 09, 2009 12:36 PM
To: Gary, Aaron
Subject: Substitute Amendment for AB 8

Aaron:

Can you draft a new assembly substitute amendment to AB 8, which consists of three parts: ASA 1 to AB 8, AA2 to ASA 1 to AB 8, and that corrective amendment that you did the other day for Sherman. The request is for Sherman, with Joe Hoey as the office staff requester. Maybe a Monday turnaround date, if possible. Also, could you send me the LRB number, as I will refer to the substitute amendment by LRB number in the joint resolution I am preparing for him. Thanks.

Rick



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa0801/P1
ARG:jld:rs

For File

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 8**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 3, line 5: delete "1,000" and substitute "400".

3 **2.** Page 3, line 5: delete "1,300" and substitute "500".

4 (END)



State of Wisconsin
2009 - 2010 LEGISLATURE

Wanted
by
Mm. 10/12
in 10/9
From
0151/1
LRBs 0056/1
ARG:cjs:ph
RMNR
steps

ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 8

May 5, 2009 - Offered by COMMITTEE ON URBAN AND LOCAL AFFAIRS.

Regan Cat

1 AN ACT *to amend* 125.51 (3) (e) 3.; and *to create* 125.02 (6g) and 125.51 (4) (v)
2 4. of the statutes; **relating to:** municipal quotas for retail intoxicating liquor
3 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 retail premises and, subject to various restrictions, the retail sale of intoxicating liquor in original packages for consumption off the retail premises. 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 a quota exception for a full-service restaurant that has a seating capacity of 300 or more persons.

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 minimum or maximum initial issuance fee or annual fee for "Class B" licenses issued under any quota exception.

Bayfield

This substitute amendment creates a quota exception for any full-service restaurant that has a seating capacity of 75 to 100 persons ~~located~~ is located on a golf course in a municipality, in ~~Iron~~ Bayfield County, having a population of at least ~~1,200~~ but not more than ~~12,000~~. Certain special provisions apply to a "Class B" license issued under this exception: 1) A municipality may not establish an initial issuance fee or an annual fee for the license that exceeds \$500; 2) The license must be issued within approximately three months after the effective date of the act; and 3) If the license is surrendered, not renewed, or revoked, the issuing municipality may not reissue the license. ~~The substitute amendment also defines, for purposes of this quota exception and another quota exception under current law, "full-service restaurant" as an establishment~~ is located in a commercial building; prepares, serves, and sells food to the public; has a separate dining area with permanent fixtures where table service is provided a minimum of four nights per week for a minimum of six months per year; ~~and~~ generates more than 50 percent of total sales revenue from food sales ^{and}

500

400

Move

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 that satisfies~~
3 ~~all of the following:~~
4 ~~(a) Is located in a commercial building.~~
5 ~~(b) Prepares, serves, and sells food to the public.~~
6 ~~(c) Has a separate dining area with permanent fixtures where table service is~~
7 ~~provided a minimum of 4 nights per week for a minimum of 6 months per year.~~
8 ~~(d) Generates more than 50 percent of total sales revenue from food sales.~~

9 SECTION 2. 125.51 (3) (e) 3. of the statutes is amended to read:
10 125.51 (3) (e) 3. Each municipal governing body shall establish the annual fee
11 for a "Class B" license issued under sub. (4) (v), except that neither the fee for an
12 initial issuance of, nor the annual fee for, a "Class B" license issued under sub. (4) (v)
13 4. may exceed any fee established under subd. 1. The initial fee may be different from
14 the annual fee to renew the license.

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

2 125.51 (4) (v) 4. A full-service restaurant that has a seating capacity of 75 to

3 100 persons on the effective date of this subdivision [LRB inserts date], and that

4 is located on a golf course in a municipality, in ^{Bayfield}Iron County, having a population of

5 at least ~~1,000~~ ⁴⁰⁰ but not more than ~~1,300~~ ⁵⁰⁰. For purposes of this subdivision, "golf course"

6 does not include a miniature golf course. No "Class B" license may be issued under

7 this subdivision after the first day of the 4th month beginning after the effective

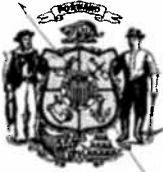
8 date of this subdivision [LRB inserts date]. If a "Class B" license issued under this

9 subdivision is surrendered to the issuing municipality, not renewed, or revoked, the

10 municipality may not reissue the license.

11 (END)

insert 3-3



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa0550/2
ARG:kjfrs

ASSEMBLY AMENDMENT 2,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 8

June 22, 2009 - Offered by Representative SHERMAN.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 2, line 1: delete lines 1 to 8.

3 **2.** Page 3, line 3: delete "and that" and substitute *is*; is located in a commercial
4 building; prepares, serves, and sells food to the public; has a separate dining area
5 with permanent fixtures where table service is provided a minimum of 4 nights per
6 week for a minimum of 6 months per year; generates more than 50 percent of total
7 annual sales revenue from food sales; and *is*

8 **3.** Page 3, line 4: delete "Iron" and substitute "Bayfield".

9 (END)

insert
3-3