

2013 DRAFTING REQUEST

Bill

Received: **6/27/2013** Received By: **agary**
Wanted: **As time permits** Same as LRB: **-3770**
For: **Luther Olsen (608) 266-0751** By/Representing: **Amy Harriman**
May Contact: Drafter: **agary**
Subject: **Beverages** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Sen.Olsen@legis.wisconsin.gov**
Carbon copy (CC) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Underage presence exception for a banquet or hospitality room at a winery used for a winery tour

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 7/5/2013			_____			
/P1	agary 12/5/2013	kfollett 7/9/2013	jmurphy 7/9/2013	_____	lparisi 7/9/2013		
/1		kfollett 12/5/2013	jfrantze 12/5/2013	_____	sbasford 12/5/2013	lparisi 12/5/2013	

FE Sent For:

Not Needed

<END>

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FE Sent For: *1/1/13* *12/13* *Jb* *12/13*
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/?	agary	1/Pl/lf 7/9	gm 7/9	self			

FE Sent For:

<END>

Gary, Aaron

From: Harriman, Amy
Sent: Thursday, June 27, 2013 11:45 AM
To: Gary, Aaron
Cc: DeBeck, Elisabeth
Subject: Wine Legislation
Attachments: Winery Legislative Package Drafting Request.docx

Hey Aaron-

Attached is the drafting request on wine legislation. Senator Olsen and Representative Ripp will be the sponsors of this legislation.

Please let myself and Liz from Rep Ripp's office know if you have any questions or concerns.

Looking forward to working with you!

Thanks,

Amy Harriman

Senator Luther Olsen

14th Senate District

608-266-0751

amy.harriman@legis.wisconsin.gov

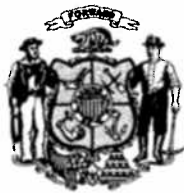
[Senator Olsen on Facebook](#)

Winery Legislative Package Drafting Request

Senator Olsen and Representative Ripp would like draft 4 bills that do the following:

- 2) Add "winery or distillery" to Wisconsin Statute 125.07(3)(13) which states an underage person who enters or remains in a banquet or hospitality room on brewery premises for the purpose of attending a brewery tour.

Intent: We would like to allow for an underage person to remain in a banquet or hospitality room on a winery or distillery premises for the purpose of attending a tour. Wineries are a family business in which children or underage persons should be able to take an education tour of facilities. Places like Door County where many wineries exist are a vacation hot spot for families, but are restricted to disallowing children. We believe this is a common sense fix and aligns Wisconsin Statute to the operation and allowance of underage persons on brewery tours.



in
7/5



soon

D-Note

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Gen

1 **AN ACT ...; relating to:** creating an exception to the prohibition against underage
2 persons entering or being on premises operating under a retail alcohol beverage
3 license.

Analysis by the Legislative Reference Bureau

Under current law, a person who has not reached the legal drinking age of 21 years of age (underage person), and who is not accompanied by his or her parent, guardian, or spouse who has attained the legal drinking age, may not enter or be on any premises for which a license or permit for the retail sale of alcohol beverages has been issued. Current law also provides for various exceptions to this prohibition.

This bill creates an exception to this prohibition to allow an unaccompanied underage person to enter and remain in a banquet or hospitality room on winery premises licensed for the retail sale of alcohol beverages for the purpose of attending a winery tour.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

✓

4 **SECTION 1.** 125.07 (3) (a) 15. of the statutes is created to read:

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2594/P1dn
ARG: kjf

Date

ATTN: Amy Harriman

A distillery is authorized to make retail sales of its own products without holding a retail license and is actually prohibited from holding a retail license to sell distilled spirits. See ss. 125.52 (1)(b) 2., 125.69 (1) (a) and (b). The underage presence provision in s. 125.07 (3) (a) applies only to retail licensed premises and therefore does not apply to a distillery. Accordingly, no treatment of distilleries is included in this draft.

I have also created a new provision in this draft, s. 125.07 (3) (a) 15., instead of amending s. 125.07 (3) (a) 13. because there is a problem with current law in s. 125.07 (3) (a) 13. In 2011 Wisconsin Act 32, which eliminated the requirement that brewers hold retail licenses, s. 125.07 (3) (a) 13. was amended, but in retrospect it should have been repealed since breweries are no longer retail licensed premises.

I also note that current law allows families to bring their underage children on winery tours that include retail licensed premises on the tour. What current law prohibits is the presence of underage persons who are not family members, who are considered "unaccompanied" underage persons.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2594/P1dn
ARG:kjf:jm

July 9, 2013

ATTN: Amy Harriman

A distillery is authorized to make retail sales of its own products without holding a retail license and is actually prohibited from holding a retail license to sell distilled spirits. See ss. 125.52 (1) (b) 2., 125.69 (1) (a) and (b). The underage presence provision in s. 125.07 (3) (a) applies only to retail licensed premises and therefore does not apply to a distillery. Accordingly, no treatment of distilleries is included in this draft.

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Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

Gary, Aaron

To: Harriman, Amy
Subject: RE: LRB 2594 and 2596

From: Harriman, Amy
Sent: Wednesday, December 04, 2013 4:54 PM
To: Gary, Aaron
Cc: Portz, Elisabeth
Subject: LRB 2594 and 2596

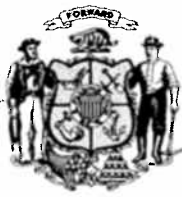
Hey Aaron-

Rep. Ripp and Sen. Olsen are ready of introducible versions of LRB 2594 and LRB 2596.

Thanks,

Amy Harriman

Senator Luther Olsen
14th Senate District
608-266-0751
amy.harriman@legis.wisconsin.gov
[Senator Olsen on Facebook](#)



TODAY



LRB-2594/1

ARG:kjf:jm

in
12/5

RWR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Regen

- 1 AN ACT to create 125.07 (3) (a) 15. of the statutes; relating to: creating an
- 2 exception to the prohibition against underage persons entering or being on
- 3 premises operating under a retail alcohol beverage license.

Analysis by the Legislative Reference Bureau

Under current law, a person who has not reached the legal drinking age of 21 years of age (underage person), and who is not accompanied by his or her parent, guardian, or spouse who has attained the legal drinking age, may not enter or be on any premises for which a license or permit for the retail sale of alcohol beverages has been issued. Current law also provides for various exceptions to this prohibition.

This bill creates an exception to this prohibition to allow an unaccompanied underage person to enter and remain in a banquet or hospitality room on winery premises licensed for the retail sale of alcohol beverages for the purpose of attending a winery tour.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4

SECTION 1. 125.07 (3) (a) 1⁶. of the statutes is created to read:

Parisi, Lori

From: Harriman, Amy
Sent: Thursday, December 05, 2013 11:24 AM
To: LRB.Legal
Subject: Draft Review: LRB -2594/1 Topic: Underage presence exception for a banquet or hospitality room at a winery used for a winery tour

Please Jacket LRB -2594/1 for the SENATE.

