

1989 Senate Bill 402

Date of enactment: **April 18, 1990**

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1989 WISCONSIN ACT 252

AN ACT to *renumber and amend* 125.27 (2) (a); to *amend* 125.51 (5) (c) 1; and to *create* 125.27 (2) (a) 1. b of the statutes, **relating to:** vessels eligible for alcohol beverage permits.

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

SECTION 1. 125.27 (2) (a) of the statutes, as affected by 1989 Wisconsin Act 16, is renumbered 125.27 (2) (a) 1. (intro) and amended to read:

125.27 (2) (a) 1. (intro.) The department may issue a Class "B" permit to any person qualified under s. 125.04 (5) authorizing the sale of fermented malt beverages for consumption on any vessel having a regular place of mooring located in any waters of this state as defined under s. 29.01 (9) and (11) if the vessel is either certified by the U.S. coast guard or classed by the American bureau of shipping; and if any of the following applies:

a. The vessel serves food and has an approved passenger capacity of not less than 40 individuals, and if the sale of intoxicating liquor and fermented malt beverages on the vessel accounts for less than 50% of the gross receipts of all of the food and beverages served on the vessel.

2. The department may issue the permit only if the vessel customarily leaves its place of mooring while the sale of fermented malt beverages is taking place. A permit issued under this subsection also authorizes the permittee to store fermented malt beverages purchased for sale on the vessel on premises owned or leased by the permittee and located near the vessel's regular place of mooring. The permittee shall describe on the permit application under s. 125.04 (3) (a) 3. the premises where the fermented malt beverages will be stored. The prem-

ises shall be open to inspection by the department upon request.

SECTION 2. 125.27 (2) (a) 1. b. of the statutes is created to read:

125.27 (2) (a) 1. b. The vessel has an approved passenger capacity of not less than 100 individuals, and if the sale of intoxicating liquor and fermented malt beverages on the vessel accounts for less than 50% of the gross receipts of the vessel.

SECTION 3. 125.51 (5) (c) 1. of the statutes, as affected by 1989 Wisconsin Act 16, is amended to read:

125.51 (5) (c) 1. The department may issue a "Class B" permit to any person qualified under s. 125.04 (5) authorizing the sale of intoxicating liquor for consumption on any vessel having a regular place of mooring located in any waters of this state as defined under s. 29.01 (9) and (11) if the vessel is either certified by the U.S. coast guard or classed by the American bureau of shipping; and if the vessel either serves food and has an approved passenger capacity of not less than 40 individuals, and if the sale of intoxicating liquor and fermented malt beverages on the vessel accounts for less than 50% of the gross receipts of all of the food and beverages served on the vessel; or if the vessel has an approved passenger capacity of not less than 100 individuals, and the sale of intoxicating liquor and fermented malt beverages on the vessel accounts for less than 50% of the gross receipts of the vessel. The department may issue the permit only if the vessel customarily leaves its place of mooring while the sale of intoxicating liquor is taking place. A permit issued under this subsection also autho-

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rizes the permittee to store intoxicating liquor purchased for sale on the vessel on premises owned or leased by the permittee and located near the vessel's regular place of mooring. The permittee shall describe on the permit

application under s. 125.04 (3) (a) 3. the premises where the intoxicating liquor will be stored. The premises shall be open to inspection by the department upon request.

