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State of Misconsin 2007 - 2008 LEGISLATURE

2007 ASSEMBLY BILL 500

September 13, 2007 – Introduced by Representatives MOLEPSKE, MUSSER, VRUWINK, A. OTT, JESKEWITZ and ALBERS, cosponsored by Senators LASSA and GROTHMAN. Referred to Committee on State Affairs.

1 AN ACT to renumber and amend 125.51 (1) (b); and to create 125.51 (1) (b) 1.

to 3. of the statutes; relating to: issuance of retail intoxicating liquor licenses.

Analysis by the Legislative Reference Bureau

Under current law, a municipal governing body may grant and issue "Class A" and "Class B" retail licenses authorizing the sale of intoxicating liquor and "Class C" retail licenses authorizing the sale of wine. A member of the municipal governing body may not sell or offer to sell to any person holding or applying for a retail license any bond, material, product, or thing that may be used by the licensee in carrying on the retail business.

This bill modifies the interest restriction on a member of a municipal governing body by providing that such a member may not hold an intoxicating liquor wholesaler's permit or, with respect to the issuance or denial of retail licenses: 1) realize substantial personal gain through official conduct or have any interest that interferes with the full and faithful discharge of his or her duties; 2) use his or her public position to obtain financial gain or anything of substantial value for himself or herself or certain others; or 3) solicit or accept from any person anything of value if it could reasonably be expected to influence his or her official actions or judgment.

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

2007 – 2008 Legislature

ASSEMBLY BILL 500

| 1 | SECTION 1. 125.51 (1) (b) of the statutes is renumbered 125.51 (1) (b) (intro.) |
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| 2 | and amended to read: |
| 3 | 125.51 (1) (b) (intro.) No member of the municipal governing body may sell or |
| 4 | offer to sell to any person holding or applying for a license any bond, material, |
| 5 | product or thing which may be used by the licensee in carrying on the business |
| 6 | subject to licensure. hold a permit under s. 125.54 or, with respect to the issuance or |
| 7 | denial of licenses under this section, do any of the following: |
| 8 | SECTION 2. 125.51 (1) (b) 1. to 3. of the statutes are created to read: |
| 9 | 125.51 (1) (b) 1. Realize substantial personal gain through official conduct or |
| 10 | have any interest that interferes with the full and faithful discharge of his or her |
| 11 | duties. |
| 12 | 2. Use his or her public position to obtain financial gain or anything of |
| 13 | substantial value for the private benefit of himself or herself or his or her immediate |
| 14 | family, or for an organization with which he or she is associated. |
| 15 | 3. Solicit or accept from any person, directly or indirectly, anything of value if |
| 16 | it could reasonably be expected to influence his or her official actions or judgment, |
| 17 | or could reasonably be considered as a reward for any official action or inaction on |
| 18 | his or her part. |
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- 2 -

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(END)