

 **07hr_sb0063_SC-TT_pt01**



Details:

(FORM UPDATED: 07/12/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2007-08

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on ... Transportation and Tourism
(SC-TT)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**
- Record of Comm. Proceedings ... **RCP**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt**
- Clearinghouse Rules ... **CRule**
- Hearing Records ... bills and resolutions
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**



WISCONSIN LEGISLATURE

P.O. BOX 8952 • MADISON, WI 53708

February 28, 2007

TO: Members of the Senate Committee on Transportation, Tourism, and Insurance
RE: SB 63

Chairman Breske and members of the Committee on Transportation, Tourism, and Insurance Committee:

Thank you for giving us this opportunity to speak today on Senate Bill 63. This bill is common sense legislation that is necessary for Wisconsin businesses. It is our responsibility, as legislators, to make sure the law does not get in the way of our retailers' ability to market products in the best possible way.

Under current law, retailers are allowed to provide two wine samples of not more than three fluid ounces each on licensed premises; however, retailers cannot provide the same type of sampling with beer. This bill allows retailers to provide two samples of beer and wine of not more than three fluid ounces. This legislation is long overdue since Wisconsin already allows wine samples.

This will give the brewers of Wisconsin, big and small, a tool to market new products to consumers and allow retailers to cross-market to consumers of other food products. By giving consumers the ability to sample products prior to purchase, we will be encouraging Wisconsin retail sales and improving consumer choices.

Thank you for this opportunity and I hope you will agree that we need to make this important change.

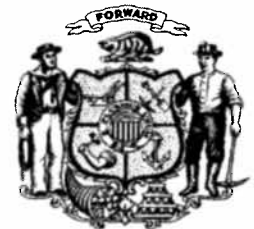
Sincerely,

Pat Kreitlow
Wisconsin State Senator
23rd Senate District

Scott Newcomer
Representative
33rd Assembly District



WISCONSIN STATE LEGISLATURE





TO: Members, Senate Committee on Transportation, Tourism and Insurance

FROM: Eric Jensen, Executive Director

DATE: February 28, 2007

RE: SB 63 - "Off Premise Beer Sampling" - No Amendments

Bob Spoerl
Premium Brands
Chair

Brian Morello
Beloit Beverage Co.
Vice-Chair

Garry Bunz
H & M Distributing Company
Treasurer

Ken Eggen
Dean Distributing
Secretary

Eric Jensen
Executive Director

2007 Members

Arcadia Beverage Company
Baer's Beverage
Beer Central, Inc.
Beechwood Distributors
Beloit Beverage Company.
Bill's Distributing, Ltd.
C & H Inc. of Reedsburg
Central Beer Distributors Inc.
Dean Distributing
Flanigan Dist. of Door County
Four Seasons Beer Distributing
Frank Beer Distributors
General Beer Distributors
General Beer Northwest
H & M Distributing Company
Hellman Distributors
Jozaitis Distributing
Kay Beer Distributing
LaCrosse Beverage, LLC
Larry's Distributing Company
Miller Beer of the Northwoods
Miller Brands-Milwaukee, LLC
Northwest Beverages
Oneida Sales & Service
Park Ridge Distributing
Pehler Brothers Distributing
Prairie Beer Dist. Company
Premium Brands
River City Distributing
S & S Distributing
Ott Schweitzer Distributorship
Superior Beverages, LP
Triangle Distributing Company
Western Distributing Company
Wisconsin Distributors, LP
Wisconsin Distributors - Appleton
Wisconsin Wetgoods Co.
W.O.W. Distributing Co. Inc.
Zastrow the Beer Man, Inc.

SB 63 would authorize beer to be sampled at "off premise" retail locations like grocery, liquor and convenience stores. Under SB 63, brewers and retailers are authorized to conduct the sampling events, or to hire 3rd parties to do so, while beer distributors are prohibited from participating.

WBDA polled its members on this issue twice - once in the spring of 2006 when a similar bill was being debated, and once this past fall when the issue reappeared. The will of our membership was consistent and crystal clear - *"sampling" is ok if distributors are not involved.*

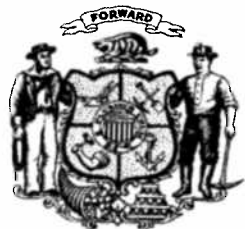
Beer distributors do not serve or sell beer to consumers and cannot be licensed to do so; that is not our role in the system. Small though the sample sizes may be, our members do not wish to be exposed to potential liability that may arise if they are to become "alcohol servers" by passing out samples to consumers. The only complete protection is to prohibit distributors from being involved.

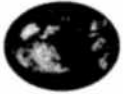
Therefore, during the weeks of negotiations among the interested parties, we sought inclusion of language expressly prohibiting the involvement of distributors in "sampling." SB 63 accomplishes that goal, and accordingly WBDA removed its opposition.

One brewer is now seeking to amend SB 63 to allow distributors to "opt into" sampling. Our membership has specifically sought to be excluded, and does not wish to "opt in." Inclusion of such an amendment would destroy the negotiated compromise SB 63 represents and bring WBDA's opposition to the bill as a whole.



WISCONSIN STATE LEGISLATURE





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Beer Tasting Without Beer Distributors' Involvement.....

- **Requires retailers and brewers to hire third-party tasting companies – non-professionals in alcohol serving rules and regulations.**
- **Beer distributors are the crucial middle tier of the three-tier system, crucial because they are the beer companies' primary sales force. Prohibiting the middle tier from participating removes the local presence and customer service the retailers have come to expect.**

Fix The Problem.....

- **Amend the bill to allow beer distributors who want to participate in beer tasting to do so. The amendment allows distributors to maintain consistent customer service with their retail customers.**

SB 63