

No. 618, A.]

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CHAPTER 424.

AN ACT to amend 66.05 (10) (g) 1 and 176.05 (13) of the statutes, relating to appointment of agents by corporations holding licenses for the sale of intoxicating liquor and class "B" licenses for the sale of fermented malt beverages.

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

SECTION 1. 66.05 (10) (g) 1 of the statutes is amended to read:

66.05 (10) (g) 1. Class "B" retailers' licenses shall be issued only to persons of good moral character, who shall be citizens of the United States and of the state of Wisconsin, and shall have resided in this state continuously for not less than one year prior to the date of the filing of the application. No such license shall be granted for any premises where any other business shall be conducted, in connection with said licensed premises except that such restriction shall not apply to a hotel, or to a restaurant not a part of or located in any mercantile establishment, or to a combination grocery store and tavern, or to a bowling alley or recreation premises or to a bona fide club, society or lodge that shall have been in existence for not less than 6 months prior to the date of filing application for such license. Not more than 2 Class "B" licenses shall be issued in the state to any one person, and in each application for a Class "B" license the applicant shall state that he has not made application for more than one other Class "B" license for any other location in the state. No such license shall be issued to any person acting as agent for or in the employ of another, except that this restriction shall not apply to a hotel or to a restaurant not a part of or located in or upon the premises of any mercantile establishment, or to a bona fide club, society or lodge that shall have been in existence for not less than 6 months prior to the date of application. Such license for a hotel, restaurant, club, society or lodge may be taken in the name of an officer or manager, who shall be personally responsible for compliance with all of the terms and provisions of this subsection. *The provisions of section 176.05 (13) relating to the issuance of licenses to domestic or foreign corporations for the sale of intoxicating liquor and to the appointment of agents and*

successor agents by such corporations shall also be applicable to Class "B" retailer's licenses issued to domestic or foreign corporations for the sale of fermented malt beverages.

SECTION 2. 176.05 (13) of the statutes is amended to read:

176.05 (13) No corporation organized under the laws of this state or of any other state or foreign country, shall be given a license to sell in any manner any intoxicating liquor unless such corporation shall have first appointed, in such manner as the state treasurer shall by regulation prescribe, as agent, a citizen of the United States and shall have vested in him by properly authorized and executed written delegation full authority and control of the premises, described in the license of such corporation, and of the conduct of all business therein relative to intoxicating liquors as the licensee itself could in any way have and exercise if it were a natural person resident in the state, nor unless such agent is, with respect to his character, record, and reputation, satisfactory to the state treasurer. *Such corporation may cancel the appointment of such agent and appoint a successor agent, qualified as the one first appointed and to act in his stead, for the remainder of the license year or until another agent is appointed, by giving the licensing authority and the state treasurer immediate written notice thereof stating the reason for such cancellation and new appointment. Such successor agent shall have all the authority and perform all the functions and be charged with all the duties of such agent of the corporation with like force and effect as if he had been first appointed by approval of the state treasurer until the next regular or special meeting of the licensing authority; provided, that such license shall cease to be in force prior to such regular or special meeting upon receipt by the clerk of the licensing authority of notice of disapproval of such successor agent by the state treasurer or by the sheriff or other peace officer of the municipality wherein the license was issued. Such license of such corporation shall not be in force after such regular or special meeting unless and until such successor agent or another qualified agent is appointed and approved by the licensing authority and the state treasurer. Such corporation shall, in each instance, following the approval of such successor agent or another qualified agent by the licensing authority and the state treasurer, pay to the licensing authority a fee of \$10.*

Approved June 30, 1943.