



MARY FELZKOWSKI

STATE SENATOR • 12TH SENATE DISTRICT

**Testimony of SB 22
Cocktails-To-Go
Committee on Government Operations, Legal Review, and Consumer Protection
Thursday, February 4, 2021
411 South – 1PM**

Chairman Stroebel & Members of the Committee,

Thank you for taking testimony today on SB 22, otherwise known as Cocktails-To-Go.

Throughout this pandemic, one thing has remained clear – our hospitality industry is hurting. From the draconian shutdowns of last spring to the capacity restrictions that followed, our hospitality industry has been hit the hardest of all sectors. Right now they are asking for just a little bit of wiggle room to help keep them afloat.

Our bars and restaurants are good citizens of our small towns and communities. They employ our friends and neighbors, often giving our children their first jobs as dishwashers, busboys, or cooks helpers. They help us celebrate holidays, birthdays, and personal accomplishments; support our communities; sponsor our sports teams; and ask for little in return.

Right now however, they need our help – and this Cocktails-To-Go bill is a great first step.

During this pandemic, to-go orders have been extremely helpful to our bars and restaurants who have either been shut down or have lost customers due to capacity restrictions. Our legislation would allow for a “Class B” license holder to sell alcoholic drinks in sealed containers with their to-go orders – something that is currently prohibited. Why introduce this? As many of us know, the profit margin on the sale of alcohol is at least 2x that of food sales.

A version of this bill is currently permitted in 33 states and the District of Columbia.



DAVID STEFFEN

STATE REPRESENTATIVE • 4TH ASSEMBLY DISTRICT

February 4, 2021

Chairman Stroebel and Members of the Committee,

Thank you for holding a public hearing on SB 22 relating to the retail sale of intoxicating liquor by the glass for consumption away from the licensed premises.

The hospitality industry has been amongst the hardest hit during this pandemic. Sadly, thousands of small independently owned restaurants, taverns and supper clubs have gone out of business since March. As of December, 2020 over 17% of restaurants in the United States have permanently closed and the unemployment rate in the hospitality industry has reached 40%.

In Wisconsin, the hospitality industry is a critical economic component to our state's economy. Permitting restaurants, taverns, and supper clubs to provide drinks to go is a small change that would help many of these small businesses survive. A version of this legislation is currently permitted in 33 states plus the District of Columbia in response to COVID-19.

SB 22 does not change current in-person purchasing requirements but simply amends current law to allow a "Class B" licensed retailer to sell a cocktail or wine by the glass for consumption off premise if the restaurant/bar seals the container of with a tamper-evident seal before the cocktail is removed from the premises. This important change will greatly benefit small independent restaurant, tavern, and supper club owners by providing them with another tool to survive until the summer.

I appreciate your consideration of this bill and I would be happy to answer any questions you may have.



To all considering bill SB22,

Liliana's is in favor of SB22. Since the shutdown, Liliana's has remained closed to the public to keep the public safe. We have continued with carryout but are at about 50% of our normal sales year to year. Since the shutdown happened with extraordinarily little warning, we were sitting on over \$50,000 of liquor and wine inventory. With an average liquor cost of 20%, that is \$250,000 in revenue potential that is as of now locked.

Opening up this revenue stream could be a much-needed life blood for our restaurant. Please vote yes on this bill to help support restaurants like Liliana's who are in the same position, so that we can continue to stay afloat and serve our community.

Thank you,

Dave Heide

Dave Heide

Executive Chef / Owner

Liliana's Restaurant

Fellow Members-

My office received several inquiries regarding my alcohol delivery and pick up bills and which types of businesses it will help. Below is the description from Wisconsin Department of Revenue regarding examples of alcohol beverage licenses. The highlighted lines are examples per-WisDOR:

What types of alcohol beverage licenses are there?

- Class "A" fermented malt beverage licenses allow retail sale of fermented malt beverages (beer) for consumption off the premises. **Examples: grocery or convenience stores.** (Sec. 125.25, Wis. Stats.)
- "Class A" liquor licenses allow retail sale of intoxicating liquor (including wine) for consumption off the premises. **Examples: liquor stores or grocery stores with full liquor sales sections.** (Sec. 125.51(2), Wis. Stats.)
- "Class A" (cider only) licenses allow retail sale of cider (any alcohol beverage made from the fermentation of the juice of apples or pears and that contains not less than 0.5% alcohol by volume and not more than 7% alcohol by volume) for consumption off the premises. Class "A" licensees applying for a "Class A" (cider only) license shall be issued the "Class A" (cider only) license. The municipality may not charge an initial issuance fee or annual fee for the "Class A" (cider only) license, but may charge a fee for newspaper publication of the alcohol beverage license application. (Sec. 125.51(2)(e), Wis. Stats.)
- Class "B" fermented malt beverage licenses allow retail sale of fermented malt beverages (beer) for consumption on or off the premises. **Examples: restaurants, "beer bars."** (Sec. 125.26, Wis. Stats.)
- "Class B" liquor licenses allow retail sale of intoxicating liquor (including wine) for consumption on the premises, and wine in original sealed containers for consumption off the premises. If the municipality elects to, it may also permit sale of intoxicating liquor in any quantity, in the original sealed container, for consumption off the premises. Check local ordinances for the allowance. State law also allows carryout of a single, opened (resealed) bottle of wine if sold with a meal at either a "Class B" or "Class C" licensed premises. **Examples: taverns and restaurants with alcohol beverage service.** (Secs. 125.51(3), 125.51(3r), Wis. Stats.)
- "Class C" wine licenses allow the sale of wine for consumption only on the premises and allow the carryout of a single opened (resealed) bottle if sold with a meal. Sale of additional bottles of wine for consumption off the premises is not allowed. (Sec. 125.51(3m), Wis. Stats.)
- Temporary Class B licenses (often called picnic licenses) allow retail fermented malt beverage and/or wine sales, at temporary events like fairs and festivals. Only specified organizations qualify for such a license. Temporary licenses may be issued to:
 1. Bona fide clubs
 2. State, county, or local fair associations, or agricultural societies
 3. Churches, lodges, or societies that have been in existence for at least 6 months prior to the date of application
 4. Posts of veterans organizations
 5. Chambers of commerce or similar civic or trade organizations organized under ch. 181, Wis. Stats

There are several other locally issued licenses or state issued permits that allow retail sale of alcohol beverages under certain circumstances. The licenses listed above are the most common, however. (Sec. 125.51(10), Wis. Stats.)

Link: [https://www.revenue.wi.gov/Pages/FAQS/ise-atlicns.aspx#:~:text=Class%20%22A%22%20licensees%20applying%20for,%22%20\(cider%20only\)%20license.&text=Class%20%22B%22%20fermented%20malt%20beverage,125.26%2C%20Wis.](https://www.revenue.wi.gov/Pages/FAQS/ise-atlicns.aspx#:~:text=Class%20%22A%22%20licensees%20applying%20for,%22%20(cider%20only)%20license.&text=Class%20%22B%22%20fermented%20malt%20beverage,125.26%2C%20Wis.)



Department of Administration
Intergovernmental Relations Division

Tom Barrett
Mayor

Sharon Robinson
Director of Administration

Kimberly Montgomery
Director of Intergovernmental Relations

City of Milwaukee Testimony on SB-22, SB-56, and SB-57
Senate Committee on Government Operations, Legal Review & Consumer Protection

February 4, 2021

RE: City of Milwaukee request to amend SB-22, support SB-56 and oppose SB-57.

Chairman Stroebel and committee members, my name is Jim Bohl and I am with the Intergovernmental Relations Division of the City of Milwaukee. I appreciate the opportunity to testify today on Senate Bills 22, 56 and 57. In addition to currently serving as a lobbyist for the City, I have the unique perspective of having served as a Milwaukee Alderman for over 18 years, with 14 years of service on the City's alcohol licensing committee, including two stints as its chairman.

There are a couple of measures in these bills being heard today which the City sees as beneficial, namely some efforts to ease access of legal alcoholic beverage purchases by consumers, along with the desire to assist struggling businesses during the economic turmoil we are facing.

However, there is one specific issue that looms large over the ramifications of these bills and that is the dramatic expansion of state alcoholic beverage purchase mandates which co-opt local control. Some of the law changes being sought in these bills are being expressed as a long-term fix for an economic situation that we hope is short-lived. Nonetheless, the impact on decisions being weighed, including the possible increase of illegal consumption of alcoholic beverages while driving; the expanded hours upon which purchases for off premise purchases can be made; and the ability to legally enforce purchases, should not be done lightly. It is locally where problems may arise from these decisions and it is locally where the legal purchases of alcoholic beverages are enforced. It is for these reasons that the City is taking varied positions on these three bills.

SB-22

Regarding SB-22, the City hopes the bill can be amended to establish it as enabling legislation. Again, our issue is not so much with giving restaurants, taverns and supper clubs a means of financial benefit by permitting to-go sales of sealed, mixed hard liquor and wine drinks by the glass, or consumers the ability to make these purchases for safe consumption in their homes. The issue is inconsistency.

Authorization under the statutes already exists from 2019 Wis. Act 6 for "Class B" establishments to provide pre-packaged retail purchases of hard spirits and bottles of wine if a municipality elects to allow it by ordinance enactment. What the proposed legislation in SB-22 as currently written does is circumvent a municipality's ability to allow intoxicating liquor sales in another form—by the glass purchases.

Local governments should be able to decide whether or not they believe a single glass container, even if sealed at the onset of a purchase, might impact open consumption in a vehicle. Furthermore, this bill allows for bars and restaurants to circumvent the current 9:00 pm ordinance for Milwaukee, and other local retail closure laws, for retail intoxicating sales off premise otherwise restricted to establishments with "Class A", Class "B" or "Class C" licenses (i.e., retail liquor stores, and wine and grocery establishments). In effect, this bill would permit "Class B" licensees to allow purchases of hard liquor for take home consumption up to bar time—and in doing so it restricts municipalities of any say on the matter. Lastly, the City has concerns that any potential gross violations that might come by this policy could be weighed only by suspension or by the wholesale non-renewal or revocation of an entire "Class B" license. If authorized locally, a municipality could elect to allow to-go sales of mixed spirits and wine by the glass as an addendum to a license, much like similar authorization is given for extension of a premise at restaurants. If violations occurred that were specific to that policy, a municipality could simply opt to take that authority away without jeopardizing the overall premises license.

In summary, the City believes that not only should consistency hold with established state laws governing off-premise sales of intoxicating liquor, but that the decision is best left as an option for local governments to weigh and decide upon for themselves. We therefore request that SB-22 be amended to reflect this change.

SB-56

The City supports SB-56. We regard the use of remote orders for the sale of alcoholic beverages to be picked up on retail license premises as largely a minor extension to current on premise sales. While the purchase of alcoholic beverages could be made remotely, the requirement rests on a licensed establishment with a licensed manager or bartender to supervise the enforcement of legal age purchases on premise. The same holds true for adherence to hours during which alcohol is picked up. These enforcement practices are mandated by law currently and we believe can be effectively enforced under this proposed

change. Lastly, we favor this bill as it would not further alter or expand local retail purchase hour restrictions of intoxicating beverages.

SB-57

The City opposes SB-57. While SB-57 would provide an additional mechanism of convenience for off-premise purchases of alcoholic beverages by online or telephone service, the City has strong reservations about the efficacy of both licensed premised delivery services and those used by third-party delivery services. We oppose any off-premise retail sales that would expand retail sales beyond our current 9:00 pm ordinance. We also have questions about the bill's language, which appears to not address viable hours of delivery so long as the sale was conducted during the legal hours of purchase. Finally, the City has strong concerns that this bill mandates this service upon municipalities and does not authorize its use under enabling legislation.

Under state law, licensed retail establishments are subject to police enforcement actions for legal age sales. They must be open to police inspection and must have a licensed manager or bartender, or someone who is working under the direct supervision of that person, on the premises. Licensed bartenders and managers must take and pass a responsible beverage course in order to be licensed for sales. But in this case, the responsibility rests on approved licensees to properly enforce all laws surrounding legal sales. Licensed bartenders are subject to police background checks when undergoing evaluation for a license. The fitness of a potential alcohol delivery driver who has an extensive background with drug sales violations would be heavily scrutinized if such a license were required. This, however, is not an option under this bill.

While there is a designated mechanism in SB 57 calling for delivery drivers to check for proof of age and obtain a photographic copy of a license or other legal identification which might be retained for a period of one year, the bill does not call for the delivery service driver to be a licensed bartender with an understanding of the law and subject to suspension or revocation of the license if violations were to occur. With this bill, there is no consequential repercussions to prevent delivery violations from being allowed by a delivery person short of a potential municipal citation, and there is no ramifications found for violations by a licensed establishment or delivery service who may become chronic violators. Is it even realistic to assume delivery drivers will nullify transactions if they find a purchaser is inebriated? At the very least a bartender must be licensed and they and the establishments they work for can be held accountable through its own licensure for such violations on premise. Absolving licensed establishments from delivery violations that may come from an establishments' own delivery service is simply an invitation for overlooking the potential intoxicated state of a purchaser.

Lastly, it is unclear in the bill, but it would appear that this proposal would mandate allowance for "Class B" establishments to conduct sales up to the legal bar time, circumventing local retail alcohol sales closing hour restrictions, and also provide delivery beyond those hours. Are "Class

A”, Class “B” and “Class C” establishments only going to be allowed to conduct sales up to 9 pm or the locally designated retail ordinance restriction time under this bill? If so, that is an inconsistency.

In Milwaukee’s licensed retail alcohol establishments, police will periodically conduct sting operations using underage police aides. It is not uncommon to encounter violations of this law. Further, Milwaukee police will also occasionally encounter violations of our legal hours of sale ordinance. With regard to SB-57 and the use of delivery services, the ability to have police openly inspect or conduct enforcement is impossible. While this bill is well-intentioned, it guts enforcement mechanisms currently in place for cities like Milwaukee for dealing with issues like after-hour and potential underage sales. Finally, this bill unravels the measure of local control found in the aforementioned 2019 Wis. Act 9. As it stands, municipalities may elect or not elect to allow “Class B” establishments the ability to sell pre-packaged intoxicating liquor on a retail to-go basis. If this bill were to pass, those very establishments would have the ability to conduct such sales by delivery as a right, and to do so in a manner in which the potential enforcement of laws is weakened. We would ask the committee to either not pass this bill, or at the very least consider its passage only as enabling legislation.

I thank you for the ability to testify here today and stand ready for any questions you may have.



2801 Fish Hatchery Road | Madison, WI 53713 | (608) 270-9950 | (800) 589-3211 | FAX (608) 270-9960 | www.wirestaurant.org

Testimony

February 4, 2021

TO: Senate Committee on Government Operations, Legal Review and Consumer Protection
Senator Duey Stroebel, Chair

FR: Kristine Hillmer, President and CEO

RE: Testimony in support of SB 22, SB 56 and SB 57

Thank you Mr. Chairman and members of the committee for hearing our testimony today. If possible, I would like to provide comments in support of all three alcohol related bills at this time, since our industry's desperate need for all three provisions are closely related.

The Wisconsin Restaurant Association represents over 7,000 restaurant locations statewide. Our organization represents all segments of the restaurant and hospitality industry; our membership includes food establishments of all types and sizes, such as seasonal drive-ins, supper clubs, diners, locally owned franchisees, fine-dining and hotels/resorts. Over 75 percent of our membership are independent restaurants and the majority of our members have alcohol licenses. Regardless of ownership type, all restaurants are the cornerstones of their neighborhoods and communities. Restaurants not only provide great food, drink and hospitality, they support schools, teams, charities and churches with fundraising and donations. They provide meeting places to celebrate, mourn and organize, or just provide a safe, tasty meal for a busy family. Prior to the pandemic, the restaurant industry employed nine percent of Wisconsin's workforce.

I am sure you all know the toll the COVID-19 pandemic has taken on the entire hospitality and tourism industry. The vast majority of restaurants have seen steep declines in their sales, steep increases in prices for supplies and services and in some places, severe restrictions on their ability to be open and safely serve customers. It seems like every time we turn on the news or read publications, public health officials across the country are scapegoating restaurants and other public facing businesses as places to avoid, or even worse, close in order to protect the public. And worst of all, our industry has been forced to lay off a large number of our employees, who in turn are suffering economically and having a hard time paying their own bills. Restaurant owners are desperately looking for ways to keep their employees they have working and to bring back those they were forced to lay off.

Wisconsin is one of a handful of states that does not allow mixed cocktails to leave the restaurant or allow alcohol to be delivered in any form.

Consumers can have a Friday night fish fry delivered from their favorite restaurant but cannot include a bottle of wine or six-pack of beer with that delivery. It is also not legal to carry out a house-made cocktail when customers pick up their dinner orders, but they can take home a growler of tap beer.

Even before the COVID-19 pandemic, restaurant industry surveys showed consumers were demanding the ability to have alcohol delivered. Restaurants and bars were experiencing a decrease in alcohol sales as

consumers drank less on premise. Consumers were also ordering restaurant quality food to enjoy in their homes at a rapidly increasing rate and were demanding alcohol delivery with those orders. Wisconsin has a high per capita number of eating and drinking establishments. Competition is fierce and Wisconsinites are very price conscious. Food sales for sit-down restaurants are very low margin or break even at best. Restaurants depend upon bar sales to keep their restaurants in the black.

Now consumers are staying home and avoiding dining in restaurants and customers are demanding cocktails-to-go and the safe delivery of alcohol with their restaurant deliveries. The Marquette Law School poll states that 50 percent of Wisconsinites are not comfortable dining inside a restaurant – that is a huge number of people who are only patronizing their local restaurants via carryout and delivery. WRA's recent survey shows over 76 percent of Wisconsin consumers support both cocktails-to-go and the ability for alcohol to be delivered to their homes. Attached to this testimony are the results of a survey we conducted in late November, giving you more detailed information on consumer demand for both cocktails-to-go and alcohol delivery.

Industry economists are predicting that restaurants with bars and inside dining will not see a “full” recovery until at least 2024. Consumers will be slow to returning to inside drinking and dining. Restaurants in areas with strong recreational tourism may see a return of customers at a faster rate than those in other areas of the state. However, table service restaurants in the majority of the state will not see a fast recovery and in order to survive, they need to tap those customers who are staying home. Over 10 percent of restaurants have already closed – we estimate at least another 20-30 percent will not survive the next few months unless they are able to improve sales, whether inside their restaurants or in consumer’s homes.

Now more than ever restaurants need these kinds of tools to keep their restaurants afloat and to keep their team employed. Passing all three of these bills to allow cocktails-to-go, allow alcohol delivery and clarify click and collect activities makes sense. It helps restaurants stay in business, keep their employees and provides the safe service and delivery of alcohol that consumers want.



2801 Fish Hatchery Road | Madison, WI 53713 | (608) 270-9950 | (800) 589-3211 | FAX (608) 270-9960 | www.wirestaurant.org

Wisconsin Off-Premises Alcohol Survey

Summary of Results – November 2020

Consumer Usage of Off-Premises Alcoholic Beverages

- Sixty-one percent of Wisconsin adults said they purchased takeout or delivery food from a restaurant for dinner during the week before they were surveyed.
 - Among this group, 20 percent of adults age 21+ said they included beer or wine with one of their takeout orders.
 - Among this same group, 29 percent of adults age 21+ said the option of including alcoholic beverages with their order would make them more likely to choose one restaurant over another similar restaurant.

Consumer Sentiment about Off-Premises Alcoholic Beverages

- Seventy-six percent of Wisconsin adults said they would favor a proposal that would allow customers to purchase cocktails or mixed drinks (made with distilled spirits) with their takeout and delivery food orders from restaurants. This is in addition to beer and wine, or factory sealed spirits, which is currently allowed for takeout only.
 - The intensity of support for this proposal is very strong. Twenty-eight percent of adults said they strongly favor the proposal, while only 7 percent said they strongly oppose it.
- A strong majority of adults across all demographic categories said they would favor this proposal. Millennials, Gen-Xers and individuals in higher-income households were the most likely to say they would favor this proposal.

Support among Wisconsin adults for a proposal that would allow customers to purchase cocktails or mixed drinks (made with distilled spirits) with their takeout and delivery food orders from restaurants.

This is in addition to beer and wine, which is currently allowed (for takeout only).

Demographic	Total Favor	Strongly Favor	Somewhat Favor	Total Oppose	Somewhat Oppose	Strongly Oppose
All adults	76%	28%	48%	24%	17%	7%
Gender						
Male	75%	31%	45%	25%	16%	8%
Female	76%	25%	51%	24%	18%	6%
Age Group						
Millennials (24-39)	83%	36%	46%	17%	13%	5%
Gen X (40-55)	80%	32%	48%	20%	16%	4%
Baby boomers (56-74)	70%	20%	50%	30%	18%	12%
Household Income						
Less than \$50,000	68%	19%	49%	32%	22%	10%
\$50,000 to \$99,999	78%	33%	44%	22%	15%	7%
\$100,000 or more	82%	32%	50%	18%	14%	4%
Type of community						
Urban	77%	35%	42%	23%	17%	6%
Suburban	76%	25%	51%	24%	19%	5%
Rural	73%	26%	47%	27%	15%	12%

Source: National Restaurant Association, online survey of 500 Wisconsin residents age 18 and older conducted by Engine, November 24-29, 2020

Note: Rows may not add precisely to 100% due to rounding.

Main Street Alliance of Wisconsin

Building a powerful, progressive, small business voice

Dear Members of the Committee on Government Operations, Legal Review and Consumer Protection-

Main Street Alliance members from across Wisconsin support Senate Bill 22 and urge swift passage in this committee and on the floor of the Senate. We are encouraged that this legislation is already bi-cameral and has robust bi-partisan support, including some of the most conservative and some of the most liberal members of the State House. *Unfortunately, due to the inclement weather today we are unable to testify in person on this legislation but are submitting the following testimony into the record.*

Wisconsin small businesses are still hurting. Our members have worked hard to keep themselves, their staff and communities safe by going curbside only or limiting in store capacity. We deeply appreciate this legislation which will help our members and small, main street businesses access a much-needed additional form of revenue. Many bars and restaurants across our state have thousands, sometimes tens of thousands of dollars worth of inventory that they have not been able to utilize for months due to existing regulation. This bill would address that and help provide help all across our state, from Hudson to Green Bay to Prairie du Chien to Waukesha.

That said, there is still more to do. Small businesses in Wisconsin need more access to capital, grants and support to make it through the next few months until the vaccine is more widely available. We urge the Senate and Assembly to compromise with the Governor to come up with a solution to COVID aid, especially in the case of workshare, direct grant aid, and continuing to give employers, local governments and others the flexibility needed to keep us safe. We also urge rejection of the repeal of the mask mandate. [It is bad for business.](#)

We urge a swift vote in favor in Support of Senate Bill 22.

I have included two additional pieces of testimony from our members, as well as a letter of support. Thank you.

Ryan Clancy/Becky Cooper Clancy, Bounce MKE and Fling MKE

We speak today as a founding member of the Progressive Restaurants and Activists of Wisconsin Network, a board member of the Milwaukee Independent Restaurant Coalition, as the owners of a small bar and restaurant, and as concerned members of the community.

This is a solid, commonsense bill which benefits our industry, our employees and our community.

We are in support of this just as we were last year, when it was authored by Senator Larson. Cocktails have higher margins than many other items sold in bars and restaurants, and often mean the difference between eking out a small profit and going under. Had this bill gotten your support when it came from the other side of the aisle in 2020, more restaurants might have survived thus far. More bartenders and support staff might still be working, and more small businesses would have been able to afford to do the right thing, to remain open only for pickup or delivery, and to have kept our dining rooms closed as public health officials have been begging us to do.

As it was, as small business owners we were forced to choose between paying our bills and employees and protecting the public health. Our employees had to choose between paying their bills and protecting the health of their families and communities. We had to make these choices because the party that controls our state legislature decided not to come to work when we needed you the most.

This bill, passed months ago, certainly would have slowed the spread of COVID, and might well have saved some of the 6,485 lives that we have lost to it.

This bill is late than never, but it's not enough. You could have passed this months ago. You could have provided aid to individuals and businesses during this pandemic. You could have refused to politicize the wearing of masks, which - aside from bringing us back to business sooner - would have clearly saved lives and communities. But here we are.

So, yes, we speak in favor of this bill, but also in favor of you doing your jobs so that we can get back to ours.

Dan Jacobs, JVR Catering, DanDan, EsterEv, Batches, Fauntleroy

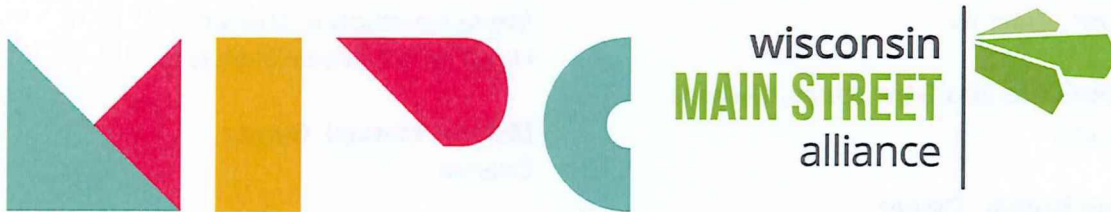
It is imperative that the state gives independent restaurant and bar owners the necessary tools to get through the pandemic of 2020 into 2021. Restaurants and bars cannot return to normal until a majority of our customer base feels confident in returning to our establishments. Therefore we need every tool we can use to allow our guests to enjoy a semblance of their experience they would have had in our space while at home. That includes the ability to sell our cocktails individually alongside our food.

Cocktails, unlike a bottle of wine or six pack of beer, cannot be sold unless they are part of a kit. With a full bottle of booze and kits running north of \$50, sales are obviously not great. This bill

would let us sell individual drinks for the more appropriate pricing and allow restaurants and bars another revenue stream in a time where revenue is scarce.

The bill we are discussing will by no means save restaurants and bars but the immediacy of this bill cannot be understated. We need help and we need it now!

According to the Independent Restaurant Coalition 75% of WI's 12,000+ eating and drinking establishments are in danger of closing permanently. Restaurants and bars accounted for an additional drop in unemployment for the state in December of over 1500 jobs. Show us that the state senate cares about the hospitality industry in WI by passing Senate Bill 22.



Senate and Assembly Leaders and Members,

On behalf of members of the Milwaukee Independent Restaurant Coalition and the Main Street Alliance-WI which is composed of 100 plus members in across Wisconsin, as well as the undersigned individual owners and constituents, we are writing in support of passage of legislation (Senate Bill 22) to amend 125.51 (3) (a), 125.51 (3) (am) and 125.51 (3) (b); and to create 125.02 (20g) of the statutes; relating to: the retail sale of intoxicating liquor by the glass for consumption away from the licensed premises. We urge swift passage of Senate Bill 22.

Support and passage of this bill would give bars and restaurants an additional life line of income to keep afloat during these uncertain times. Though how small this may seem, for others this could be the additional help a bar or restaurant may need to stay open. **We need to continue to support measures to help keep our industry safe, healthy and employed.** Being able to have patrons purchase these beverages to imbibe at home from their favorite dive or neighborhood joint will be one more step in helping accomplish that.

We thank you for your support.

Signed:

AJ Dixon, Owner
Lazy Susan MKE

Ryan Clancy and Becky Cooper Clancy, Owners
Bounce and Fling MKE

Dan Jacobs and Dan Van Rite, Owners
Dan Dan, Ester Ev

Cam Roberts and Sara Jonas, Owners
Cafe Lulu

George Bregar, Owner
Company Brewing

Greg Leon, Owner
Amilinda

Suzette Metcalf, Owner
Pasta Tree

Rebecca Loewen and Lisa Duggens, Owners
Cloud Red

Edward DeShazer, Owner
White Tail- MKE, Truck Stop-MKE

Justin Aprahamian, Owner
Sanford Restaurant

John Revord, Owner
Emily Dell Revord, Director of Operations
Boone & Crockett, The Cooperage

Britt Buckley, Owner
Buckley's

Dan Nowak, Owner
Tall Guy and a Grill

John C. Clark, Managing Partner
Public Table

Mayor Ken Tutaj
Mayor of St. Francis, WI

Steve Hawthorne, Owner
Hawthorne Coffee Roasters

Melanie Manuel, Owner
Celesta

CC:

Senator Stroebel (Chair)

Senator Felzkowski (Vice-Chair)

Senator Bradley

Senator Roys

Senator Smith



DATE: February 3, 2021
TO: The Senate Committee on Government Operations, Legal Review and Consumer Protection
FROM: The Wisconsin Association for Local Health Departments and Boards
The Wisconsin Public Health Association
RE: Senate Bill 22, Senate Bill 56, and Senate Bill 57

WPHA is the largest statewide association of public health professionals in Wisconsin and serves as the collective voice for public health in Wisconsin.

WALHDAB is the statewide organization of city, county, and tribal board of health members and health department administrators providing a unified forum for improvement of public health at the local level.

Together, WPHA and WALHDAB represent over 1,200 public health professionals in communities across Wisconsin, striving to prevent, promote, and protect the health of Wisconsin residents. WPHA and WALHDAB want to provide feedback for Senate Bill 22, Senate Bill 56, and Senate Bill 57.

In recognition of the burden of excessive drinking in Wisconsin, we oppose any permanent change to state statute that makes alcohol more accessible. Binge drinking and heavy drinking can relate to other target public health problems like mental health and addiction. During the COVID-19 pandemic, this is not the time to increase access to unhealthy choices.

Key facts make alcohol misuse and excessive drinking one of the main priorities of public health professionals across Wisconsin:

- Wisconsin's adult **binge drinking rate exceeds the national average** (24% versus 16%).ⁱ
- Adult **binge drinking cost Wisconsin \$3.9 billion** in 2018.ⁱⁱ
- Binge drinking can result in preventable injury and even death from **accidents and violence**.ⁱⁱⁱ
- Recent studies suggest 60% of self-reported binge drinkers in the United States have **increased alcohol consumption during the pandemic**, while 28% of non-binge drinkers report increased alcohol consumption.^{iv} One study explains **reasons for increased drinking include increased alcohol availability** (34%) and increased stress (46%).^v
- **Bing drinking increases risk of chronic diseases**, such as colon, liver, and breast cancer

Examples of public health and safety controls missing from these bills are:

- Limiting container size and quantity;
- Requiring food/meal purchase to purchase alcohol for off-premises consumption;
- Limiting number of alcohol beverages purchased;
- Defining an end date;
- Including funding for law enforcement to implement interventions to prevent underage drinking and operating while intoxicated; and
- Funding emergency medical services to staff any resulting increase in preventable injuries.

We strongly support the bills' desired outcome to support small and local business during the COVID-19 pandemic, but there are many ways to support business without promoting problem drinking. Promising policies recognized by public health authorities include microfinance programs, which provide small loans aimed to grow jobs, alleviate poverty, develop skills development, etc.^{vi}

WPHA and WALHDAB support business development policies that do not risk public health.

ⁱ Centers for Disease Control and Prevention (CDC). Behavioral Risk Factor Surveillance System Survey Data. Atlanta, Georgia: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, 2018.

ⁱⁱ Linnan, S. Paltzer, J. Skalitzky, E. (October 14, 2019). The Burden of Binge Drinking in Wisconsin. Retrieved from go.wisc.edu/burdenofbingedinking.

ⁱⁱⁱ Moberg, P., Kuo, D. "Intoxicated Driver Program-2: Analysis of Arrests, IDP Compliance and 3 Year Recidivism" Prepared for: Intoxicated Driver Program, Wisconsin Department of Health Services, Bureau of Prevention Treatment and Recovery, University of Wisconsin-Madison, Population Health Institute, 2019.

^{iv} Weerakoon, S.M., Jetelina, K.K., Knell, G. Longer time spent at home during Covid 19 pandemic is associated with binge drinking among US adults. American Journal of Drug and Alcohol Abuse. December 2020

^v Grossman. E., Benjamin-Neelon, S, Sonnenschein. Alcohol Consumption during the COVID-19 Pandemic: A Cross-Sectional Survey of US Adults.

^{vi} Servon 2006* - Servon LJ. Microenterprise development in the United States: Current challenges and new directions. Economic Development Quarterly. 2006;20(4):351–67.