

Senate, Assembly plan final floor votes today before recessing until mid-January

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Backers of legislation to overhaul the state's alcohol policies are considering getting the proposal to the Senate floor today by offering it as an amendment to another bill already on the calendar, according to multiple sources.

The tactic could face several roadblocks, the sources noted. The bill, co-authored by Senate Majority Leader Devin LeMahieu, R-Oostburg, has been bottled up in committee by Chair Rob Hutton, and there are few other options to advance it before the Senate recesses until mid-January. The Brookfield Republican has yet to schedule an exec on the legislation after a public hearing Aug. 17.

The legislation, which would overhaul the state's 1930s-era three-tiered system, cleared the Assembly 90-4 in June. But several Senate Republicans have expressed reservations about the bill, particularly the provisions that would place new restrictions on wedding barns.

Today's Senate calendar includes SB 268, which would make changes to several provisions in state law dealing with tobacco and alcohol under the Department of Revenue's enforcement powers. That includes the definition of fermented malt beverages and the deadline for filing changes to an application or permit to sell alcohol.

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The sources said the alcohol bill, with a Legislative Reference Bureau summary stretching more than 150 pages, could be offered as an amendment to SB 268.

Under that scenario, opponents could argue the amendment isn't germane to SB

268, which would result in a ruling from Senate President Chris Kapenga, R-Delafield. Typically, those questions are raised by a member of the majority party when the minority party offers an amendment, and the president quickly rejects them.

In this case, if Kapenga ruled the amendment wasn't germane, backers of the alcohol bill would challenge that ruling. Supporters would need a majority of the 33 members present to overturn that ruling.

The sources noted the strategy would likely need Dem votes to work even with a 22-11 GOP majority. That's due to objections from various Senate Republicans, particularly over the wedding barn provisions.

The sources said discussions have included possible changes pertaining to wedding barns, including the number of events they can hold before getting a license, as a way to draw more support in the Senate and make the strategy more likely.

Meanwhile, the Assembly State Affairs Committee has scheduled a public hearing today on that chamber's version of the Revenue bill, SB 268. The Assembly typically has a public hearing on a bill before a floor vote. The late call of the public hearing on AB 273 would play into that process, allowing the Assembly to take up the Senate version of the bill with the alcohol provisions added if it passes that house. The Assembly could then approve the amended Senate bill and send it to the gov.

Sen. Dan Feyen, R-Fond du Lac, said this morning there will be an amendment on the Brewers bills that would increase the ticket tax on non-baseball events to drive down the state's contribution to the package.

The amended bill on today's Senate calendar includes a tax of \$2 on general admission tickets and \$8 on luxury suites. Feyen said the new structure would increase that fee twice over the 27-year deal.

In all, it would generate about \$30 million. The fee of \$2 and \$8 was expected to pull in \$14.1 million over the life of the deal.

Under the amended Brewers bills, the state would contribute \$382.5 million. The additional fee would drop that.

Feyen said the coming amendment also will address concerns from Dems that the board overseeing the stadium district doesn't have local representation. Now, the

gub would appoint four members of the board, while the majority leaders in each house would get another four. The team would submit a list of three people to the gub for the ninth and final spot on the board.

If the bills pass the Senate, it's expected the Assembly would take them up and concur to the changes. That would clear the way for the bills to head to Gov. Tony Evers' desk before year's end.

"I think we have the votes," LeMahieu told WisPolitics in a brief interview before the floor session this morning.

The houses aren't expected to meet again after today until mid-January.

The Senate calendar also includes SB 312, which proposes several measures to combat PFAS contamination.

And the Assembly plans to take up a \$2.2 billion tax cut package that cleared the Senate earlier this fall.

See the Senate calendar [here](#).

See the Assembly calendar [here](#).