



ROB SUMMERFIELD

STATE REPRESENTATIVE • 67th ASSEMBLY DISTRICT

April 12, 2017

Representative Swearingen, Chair
Representative Tauchen, Vice-Chair
Members of the Assembly Committee on State Affairs

Testimony on 2017 Assembly Bill 194

Relating to the prohibition against underage persons being present on alcohol licensed premises

Submitted by: Representative Rob Summerfield

Chair Swearingen, Vice-Chair Tauchen, and Committee Members:

Thank you for providing me with the opportunity to testify at today's Assembly Committee on State Affairs hearing on 2017 Assembly Bill 194 relating to the prohibition against underage persons being present on alcohol licensed premises. I appreciate your time and consideration of this important legislation.

When you think of summer in Wisconsin, undoubtedly you will think of one of the many large music festivals held around the state. Whether it be Country USA in Oshkosh, Rock Fest in Cadott, or the Blue Ox Music Festival in Eau Claire, Wisconsin has something for every music taste. We are all aware of the immense popularity of these large music festivals, as well as the economic boost they provide to our state. For example, large music festivals in Eau Claire alone bring in an estimated \$40 million; accounting for over 10% of yearly visitor spending in the Chippewa Valley. Area restaurants, hotels, stores, and other businesses rely heavily on the estimated 100,000 visitors that come to these large music festivals; not to mention the numerous additional visitors and revenue generated from other large area music festivals.

Unfortunately, it has recently come to light that, due to a technical provision in Wisconsin law, many of these economically essential and exceedingly popular music festivals have been operating illegally. Under Wisconsin Statute 125.07, large music festival venues are not exempted from the federal minimum drinking age of 21. Therefore, unaccompanied minors (those under 21 years old) may not be on premises licensed for the sale and consumption of alcoholic beverages. This presents a real dilemma for large music festivals. The responsible use of alcoholic beverages is a necessity from both the viewpoint of the music festivals and their patrons; however, so is the attendance of young adults, especially those in the 18-20 year old range.

Fortunately, however, Wisconsin Statute 125.07 (3) (a) allows for exemptions to the federal minimum drinking age. Some current exemptions include: hotels; grocery stores; bowling alleys;



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movie theaters; stadiums; state fair park; public facilities (arenas, coliseums, related exposition facilities or centers for the performing or visual arts) which are owned by a county or municipality; and the Eagle Ridge Festival Grounds in the city of Chippewa Falls. This bill would add an exemption for music festival venues during an event with a projected attendance of at least 2,500 persons.

In short, Assembly Bill 194 would keep the status quo of large music festival operations. Without this exemption, large music festival venues would be forced to choose between continuing to legally sell alcoholic beverages on their premises but not allowing anyone under 21 to be on those premises unaccompanied, or discontinuing the legal sale of alcoholic beverages so all ages may be present. Either option would result in a significant amount of lost revenue for both the large music festivals themselves and the surrounding areas that benefit from these large music festivals. However, by providing an exemption, this difficult and economically unviable situation would be eliminated.

Given that summer is fast approaching, there is no more appropriate time for this legislation to be introduced. In order for Wisconsin's large music festivals to continue to operate as they have for decades, it is imperative that the legislature address this technical fix today.



TERRY MOULTON



WISCONSIN STATE SENATOR

23RD SENATE DISTRICT

From: Senator Terry Moulton

To: Assembly Committee on State Affairs

Re: Testimony on Assembly Bill 194
Relating to: the prohibition against underage persons being present on alcohol licensed premises

Date: April 12, 2017

Mr. Chair and committee members, thank you for the opportunity to speak to you today. Wisconsin is home to many music festivals. In the Chippewa Valley alone, there are five major festivals each year that bring in thousands of visitors from all over Wisconsin and from out of the state. They bring with them an economic impact of \$40 million annually, accounting for over 10% of total yearly visitor spending in the Chippewa Valley. Other parts of the state receive a big boost from the music festivals in their areas as well.

Unfortunately, an issue was brought to my attention by music festival organizers in my area when they found out that the Department of Revenue was going to enforce a law that prohibits minors from attending an event with a liquor license without a parent or guardian present. Assembly Bill 194 will ensure that underage patrons will continue to be allowed to enjoy festivals that are also licensed to sell liquor.

Specifically, this bill will maintain the status quo by allowing a festival that has an expected attendance of over 2,500 people to have an alcohol license and also allow underage patrons to attend without the accompaniment of an adult over the age of twenty-one. If the current law is enforced, many festival organizers will be forced to decide between not allowing a big group of underage music lovers to attend or not having alcohol for patrons of legal age.

The changes in this bill are not necessary for festivals like Summerfest in Milwaukee because they hold their festival on public grounds. In the statutes (Wis. Stat. § 125.07(3)(a) 3), there is an exemption for public facilities owned by a county, municipality, or center for visual or performing arts to have a liquor license and also allow unaccompanied underage patrons among many other exemptions.

We are merely looking for the exact same rules for festivals on public grounds to apply to festivals on private grounds. This bill does not allow underage patrons to drink alcohol on the premises; it only allows them to be present without a parent or guardian. All current laws and regulations concerning the sale of alcohol would still be in effect.

Considering the importance of festivals both economically and as a way to bring people together to appreciate art, I would ask you to please recommend the passage of Assembly Bill 194. Thank you again for allowing me to submit testimony today.

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