

Bill as Introduced

HB 276-FN - AS INTRODUCED

2011 SESSION

11-0327

03/01

HOUSE BILL **276-FN**

AN ACT relative to wine manufacturers.

SPONSORS: Rep. S. Palmer, Hills 6; Rep. Kappler, Rock 2; Rep. Willette, Hills 6; Rep. Sad, Ches 2

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill permits wine manufacturers to sell wine at annual fairs or similar events. This bill also eliminates the requirement that wine provided as samples by a wine manufacturer be purchased from the liquor commission.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eleven

AN ACT relative to wine manufacturers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Wine Manufacturer License; Retail Sales. Amend RSA 178:8, III to read as follows:

2 III. Each wine manufacturer shall have the right to sell at retail or wholesale at its winery
 3 for off-premises consumption any of its wines. Visitors at said premises may be provided with
 4 reasonable samples of wine for tasting. Pursuant to rules adopted by the commission, a wine
 5 manufacturer may transport its products to a farmers' market *or a wine festival licensed under*
 6 *RSA 178:31*, and may sell such products at retail in the original container.

7 2 Fees; Wine Festival License. Amend RSA 178:29, I to read as follows:

8 I. On-premises licensees shall pay the following applicable fees annually:

	Supplemental Only	Beverages and Wine	Beverages and Liquor	Cocktail Lounge
12 Airport				\$1,200
13 Ballroom	\$ 45			\$1,200
14 Bed and Breakfast		\$ 480	\$ 840	
15 Beer Festival				
16 One-day	\$ 250			
17 Two-day	\$ 300			
18 Three-day	\$ 350			
19 Catering (all)				\$1,200
20 Catering (off-site only)				\$ 840
21 Catering (on-site only)				
22 18 events-	\$ 5			
23 36 events-	\$ 5			
24 52 events-	\$ 5			
25 Club Military				\$ 100
26 Club Social				
27 9 events	\$ 250			
28 18 events	\$ 450			
29 36 events	\$ 750			
30 52 events	\$1,200			
31 Club Private				\$1,200
32 Club Veterans				
33 9 events	\$ 250			
34 18 events	\$ 450			
35 36 events	\$ 750			
36 52 events	\$1,200			
37 College Club				\$1,200
38 Convention Center				\$2,400
39 Dining Car		\$ 480		\$ 840
40 Fairs		\$ 112		
41 Hotel		\$ 840		\$1,200
42 One day License				\$ 100

HB 276-FN - AS INTRODUCED

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1	Performing Arts			\$ 360
2	Racetrack/Motor Vehicle			\$1,800
3	Racetrack/Pari-Mutuel			\$3,000
4	Rail Cars			\$1,200
5	Restaurant	\$ 480	\$ 840	\$1,200
6	Special License		\$ 25	
7	Sports/Entertainment Complex			\$1,800
8	9 events	\$ 250		
9	18 events	\$ 450		
10	36 events	\$ 750		
11	52 events	\$1,200		
12	Sports Recreation Facility			\$1,200
13	Tobacco Retailer		\$ 840	
14	Vessel	\$ 480	\$ 840	\$1,200
15	<i>Wine Festival</i>			
16	<i>One-day</i>	\$ 250		
17	<i>Two-day</i>	\$ 300		
18	<i>Three-day</i>	\$ 350		

19 3 New Section; Wine Festival Licenses. Amend RSA 178 by inserting after section 30 the
20 following new section:

21 . 178:31 Wine Festival Licenses.

22 I. The commission may issue a supplemental wine festival license to the holder of a wine
23 manufacturer license. The commission may also issue a wine festival license to a responsible person
24 representing a voluntary nonprofit group or such group's designee. Notwithstanding any other provisions
25 of law, the holder of a license under this section shall be allowed to organize, advertise, and hold an event
26 not exceeding 3 days in length, promoting the products of the beverage industry. The provisions of RSA
27 178:22, I, III, and IV shall apply to any license issued under this section. The sales and services of
28 alcoholic beverages shall be in a clearly defined area. Applications for a license under this section shall be
29 filed with the commission 15 working days before the date on which the license is needed.

30 II. For purposes of regulation, any person issued a license under paragraph I shall be subject
31 to all applicable statutory provisions and rules adopted under this title, except as directed by this
32 section. Any violations committed by a supplemental licensee shall be considered violations against
33 the applicant's annual or seasonal license.

34 III. No alcohol other than wine shall be served under this license.

35 IV.(a) No license shall be issued under paragraph I unless the applicant obtains:

36 (1) Official approval of the chief of the local fire department as to the safety of the
37 location; and

38 (2) Official approval of the local health department concerning sanitary conditions; and

39 (3) Official approval of the local police department as to the accessibility and public
40 safety of the location and the event.

41 (b) Written statements from such officials shall accompany the application for a license
42 issued under paragraph I. The selectmen, city council, city manager, or town administrator may at their
43 discretion, assign police officers to the location of the event where alcoholic beverages are served.

1 V. Notwithstanding any other provision of law, the commission or its investigators may
2 suspend, without warning, any license issued under paragraph I, if in their opinion, such continued
3 sale or service of alcoholic beverages is contrary to the public interest.

4 4 Wine Samples. Amend RSA 179:44, III to read as follows:

5 III. Liquor, beverage, or wine samples shall be consumed on the premises, and, *except for*
6 *wine samples provided by wine manufacturers*, liquor or wine for this purpose shall be
7 purchased from the commission under conditions prescribed by this title. Beverage samples for a
8 tasting shall only be obtained as prescribed by this title.

9 5 Effective Date. This act shall take effect 60 days after its passage.

LBAO
11-0327
01/18/11

HB 276-FN - FISCAL NOTE

AN ACT relative to wine manufacturers.

FISCAL IMPACT:

Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill at this time. When completed, the fiscal note will be forwarded to the House Clerk's Office.

HB 276 FISCAL NOTE

AN ACT relative to wine manufacturers.

FISCAL IMPACT:

The Liquor Commission states this bill will have an indeterminable fiscal impact on state revenue in FY 2012 and each year thereafter. There is no fiscal impact on county and local revenue or state, county and local expenditures.

METHODOLOGY:

The Liquor Commission states this bill permits wine manufacturers to sell wine at annual fairs or similar events and eliminates the requirement that wine provided as samples be purchased from the Commission. The Commission has no information to determine how many wine festival licenses would be issued or the amount of lost sales to determine the impact on revenue.

Amendments

Amendment to HB 276-FN

1 Amend the bill by replacing section 2 with the following:

2

3 2 Fees; Wine Festival License. Amend RSA 178:29, I to read as follows:

4 I. On-premises licensees shall pay the following applicable fees annually:

	Supplemental Only	Beverages and Wine	Beverages and Liquor	Cocktail Lounge
8 Airport				\$1,200
9 Ballroom	\$ 45			\$1,200
10 Bed and Breakfast		\$ 480	\$ 840	
11 Beer Festival				
12 One-day	\$ 250			
13 Two-day	\$ 300			
14 Three-day	\$ 350			
15 Catering (all)				\$1,200
16 Catering (off-site only)				\$ 840
17 Catering (on-site only)				
18 18 events-	\$ 5			
19 36 events-	\$ 5			
20 52 events-	\$ 5			
21 Club Military				\$ 100
22 Club Social				
23 9 events	\$ 250			
24 18 events	\$ 450			
25 36 events	\$ 750			
26 52 events	\$1,200			
27 Club Private				\$1,200
28 Club Veterans				
29 9 events	\$ 250			
30 18 events	\$ 450			
31 36 events	\$ 750			
32 52 events	\$1,200			
33 College Club				\$1,200
34 Convention Center				\$2,400
35 Dining Car		\$ 480		\$ 840
36 Fairs		\$ 112		
37 Hotel		\$ 840		\$1,200
38 One day License				\$ 100
39 Performing Arts				\$ 360
40 Racetrack/Motor Vehicle				\$1,800
41 Racetrack/Pari-Mutuel				\$3,000
42 Rail Cars				\$1,200
43 Restaurant		\$ 480	\$ 840	\$1,200
44 Special License			\$ 25	
45 Sports/Entertainment Complex				\$1,800

Not Adopted

Amendment to HB 276-FN

- Page 2 -

1	9 events	\$ 250		
2	18 events	\$ 450		
3	36 events	\$ 750		
4	52 events	\$1,200		
5	Sports Recreation Facility			\$1,200
6	Tobacco Retailer		\$ 840	
7	Vessel	\$ 480	\$ 840	\$1,200
8	<i>Wine Festival</i>	<i>\$ 112</i>		
9				

10 Amend RSA 178:31, I as inserted by section 3 of the bill by replacing it with the following:

11

12 I. The commission may issue a supplemental wine festival license to the holder of a wine
13 manufacturer license. The commission may also issue a wine festival license to a responsible person
14 representing a voluntary nonprofit group or such group's designee. Notwithstanding any other
15 provisions of law, the holder of a license under this section shall be allowed to organize, advertise,
16 and hold an event not exceeding one day in length, promoting the products of the beverage industry.
17 The provisions of RSA 178:22, I, III, and IV shall apply to any license issued under this section. The
18 sales and services of alcoholic beverages shall be in a clearly defined area. Applications for a license
19 under this section shall be filed with the commission 15 working days before the date on which the
20 license is needed.

21

22 Amend RSA 178:31, III as inserted by section 3 of the bill by replacing it with the following:

23

24 III. No alcohol other than domestic wine shall be served under this license.



2011-0235h

AMENDED ANALYSIS

This bill permits wine manufacturers and nonprofit groups to hold wine festivals. This bill also eliminates the requirement that wine provided as samples by a wine manufacturer be purchased from the liquor commission.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

PUBLIC HEARING ON HB 276-FN

BILL TITLE: relative to wine manufacturers.

DATE: 2-1-11

LOB ROOM: 302 **Time Public Hearing Called to Order:** 1505

Time Adjourned:RECESSED 1525

(please circle if present)

Committee Members: Reps. Hunt, Coffey, Belanger, Flanders, Quandt, Headd, Nevins, Palfrey, Sullivan, Bergevin, Manuse, Mauro, McGuinness, Rice, Taylor, Meader, Gidge and Schlachman.

Bill Sponsors: Reps. S. Palmer, Kappler, Willette and Sad

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Stephen Palmer, prime sponsor – Read from written testimony. Intent of bill is to promote New Hampshire wine.

***Rep, Mike Kappler, co-sponsor** – Handed out written testimony; copy in file. He read from written testimony.

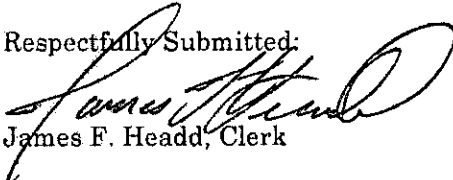
Bob DeBrowski, representing self – Supports bill. Small winery owner. I always have a beer table at my wine tastings. Addressed a few house keeping issues in the bill.

Rep. Tara Sad, co-sponsor – Represents agricultural committee. Supports bill. Supports festivals for safe wine by selling point; bill makes it easier to get licensed. Hope we support.

Stuart Trachy, Wine Institute – Neutral on bill. Concerns with New Hampshire wines only; has not discussed with his client but has a few other questions that he wants to discuss.

Hearing Recessed due to snow concerns; will hold continued public hearing.

Respectfully Submitted:


James F. Headd, Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

PUBLIC HEARING ON HB 276-FN

BILL TITLE: relative to wine manufacturers.

DATE: 2-1-11

LOB ROOM: 302

Time Public Hearing Called to Order: 1505

Time Adjourned: Recess 1525

(please circle if present)

Committee Members: Reps. Hunt, Coffey, Belanger, Flanders, Quandt, Headd, Nevins, Palfrey, Sullivan, Bergevin, Manuse, Mauro, McGuinness, Rice, Taylor, Meader, Gidge and Schlachman.

Bill Sponsors: Reps. S. Palmer, Kappler, Willette and Sad

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep Stephen Palmer - Prime Sponsor
Read from written testimony
intent of the bill is to promote NH
wine

#2 Rep Mike Kappler - Co-sponsor
Handed out written testimony - Copy
in file - he read from his
written testimony

#3 Bob DeBroski - Represents small viney
owner - supports Bill - I always have
been talk at my wine tasting
addressed a few House keyy issues in the Bill

#2 HB 276 FW.

#4

Rep TARA SAD - Requests
Agricultural Committee - supports
Bill. - Support Festivals for
sale of wine - by selling point
Bill makes I want to get
licensed - Hence we support

#5

Stewart Trachy. wine
Institute - concern with
NH wines only - hasn't discussed
with his client but has a few
other questions that he wants to discuss

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

PUBLIC HEARING ON HB 276-FN (CONTINUED)

BILL TITLE: relative to wine manufacturers.
DATE: 2-22-11
LOB ROOM: 302 **Time Public Hearing Called to Order:** 1641
Time Adjourned: 1700

(please circle if present)

Committee Members: Reps. Hunt, Coffey, Belanger, Flanders, Quandt, Headd, Nevins, Palfrey, Sullivan, Bergevin, Manuse, Mauro, McGuinness, Rice, Taylor, Meader, Gidge and Schlachman.

Bill Sponsors: Reps. S. Palmer, Kappler, Willette and Sad

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Peter Oldak, NH Winery Assn.: Supports the bill. Read from prepared statement.

Rep. Stephen Palmer, prime sponsor -- Offering an amendment. 1- Line 16 reduces license to \$112 from \$250 for a one-day festival. 2 - Changes length from 3 days to 1 day in length. 3 - "No alcohol other than domestic wines shall be served." To promotes NH wines. Beer at wine festivals should require a separate license.

Q: Rep. James Sullivan -- "Domestic"...does this mean New Hampshire or US?

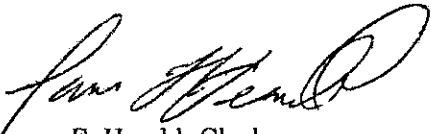
A: IN this instance it would mean New Hampshire.

Q: Rep. Donna Schlachman -- Why just one-day?

A: Most are but if want 2 days can get 2 licenses.

Commissioner Lorraine Merrill, NH Dept. of Agriculture (Markets & Food -- Supports the bill as way of promoting local products and agriculture other states have these festivals.

Respectfully Submitted:

A handwritten signature in cursive script, appearing to read "James F. Headd". The signature is fluid and somewhat stylized, with a large loop at the end.

James F. Headd, Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

PUBLIC HEARING ON HB 276-FN (CONTINUED)

BILL TITLE: relative to wine manufacturers.

DATE: 2-22-11

LOB ROOM: 302 Time Public Hearing Called to Order: 1641

Time Adjourned:

(please circle if present)

Committee Members: Reps. Hunt, Coffey, Belanger, Flanders, Quandt, Headd, Nevins, Palfrey, Sullivan, Bergevin, Manuse, Mauro, McGuinness, Rice, Taylor, Meader, Gidge and Schlachman.

Return in Division

Bill Sponsors: Reps. S. Palmer, Kappler, Willette and Sad

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

*Mr Peter Oldak - NH Wine Makers Assoc.
South Hampton NH -
Continued heavy.
Read from a prepared written
statement -*

Rep. Palmer - Prime sponsor of bill

Offering an amendment -

- 1) line 16 reduces license to \$112 from \$250 for a one-day festival.
- 2) changes length from 3 days to 1 day in length
- 3) "No alcohol other than domestic wines shall be served" to promote WA wines.

Beer at wine festivals should require a separate license.

Question Rep Sullivan:

"domestic" does this mean WA or U.S.

Ans: In this instance it would mean "WA"

Question Schlatterman - why just one-day?

Ans: most are but if want 2 days can get 2 licenses.

Commissioner Merrill Dept of Agri

Supports bill as way of promoting local products & agriculture
Other states have these festivals

Sub-Committee Minutes

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

SUBCOMMITTEE WORK SESSION ON HB 276-FN

BILL TITLE: relative to wine manufacturers.

DATE: 2-28-11

Subcommittee Members: Reps. Nevins, Headd, Rice, Sullivan, Schalchman

Comments and Recommendations: Went from only wine at festivals to only "domestic" wine -- NH made wine only. Jim Demers: Q: Does amendment change entire bill? A: Rep. Schlachman -- No. I suggest that if you want to issue a license for a wine festival it should be open to everyone. Participants must be registered in the state of NH. What is also lacking is what is the definition of a "wine festival". I For RSA 175:1).

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

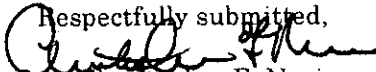
Vote:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Christopher F. Nevins
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

SUBCOMMITTEE WORK SESSION ON HB 276-FN

BILL TITLE: relative to wine manufacturers.

DATE: 2-28-11

Subcommittee Members: Reps. Headd, Rice, Sullivan, Schalchman

Comments and Recommendations: Went from only wine at festivals to only "domestic" wine – NH made wine only. Jim Demers: Q: Does amendment change entire bill? A: Rep. Schlachman – No. I suggest that if you want to issue a license for a wine festival it should be open to everyone. Participants must be registered in the state of NH. What is also lacking is what is the definition of a "wine festival". I For RSA 175:1).

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. James F. Headd
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

SUBCOMMITTEE WORK SESSION ON HB 276-FN

BILL TITLE: relative to wine manufacturers.

DATE: 2/28/11

Subcommittee Members: Reps. *HEBOO, RILE, Sullivan*

Comments and Recommendations: *Schlochman.*

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

RILE
Sullivan

Seconded by Rep.

3 → 1

Vote:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. {Type NAME}
Subcommittee Chairman/Clerk

2/20/11

HB 276 RELATIVE TO WINE MANUFACTURERS

WANT FROM ONLY WINE AT FESTIVALS TO ONLY
"DOMESTIC" WINE (NOT MADE WINE ONLY.)

MR. PARR GRIP

JIM DORMAN'S

QUESTION: DOES ADD CHANGE ENTIRE BILL?

REP SENTENCEMENT: NO

I SUGGEST THAT IF YOU WANT TO ISSUE A LICENSE
FOR A WINE FESTIVAL IT SHOULD BE OPEN TO EVERYONE

PARTICIPANTS MUST BE REGISTERED IN THE STATE OF ALA

WHAT IS ALSO UNKIND IS WHAT IS THE DEFINITION OF A
"WINE FESTIVAL" (FOR ^{25A} 175:1)

Testimony

**New Hampshire State Representative
Vice Chair Resources, Recreation, & Development
Committee
L. Mike Kappler**

February 1, 2011

Dear Committeeman and Committee members,

HB-276 is a golden opportunity, that is available in some states, for our "local wineries" to make awareness of their fine products, offering a small sample, and be able to sell their product at the same time. The more exposure that a small business can get, the better opportunity there is for that business to be a continued success.

Please remember, these local small winery businesses: pay local property taxes; employ local residents; purchase their supplies from other local small businesses such as, farms, stores, and gas stations. It's one small business supporting other small businesses. The wineries are an asset to their community and to the state, and we should support them by passing this legislation.

I am sure that the state Liquor Commission will welcome any license fee revenues they can get, a couple hundred here, and a couple hundred there add up.

Also profiting from this would be the wine festival sponsoring group or organization. It would be a good drawing card to an event.

I ask for your support and vote to recommend HB-276 "ought to pass" to the House floor.

Thank you.

L. Mike Kappler

178:8 Wine Manufacturer License. –

I. Wine manufacturer licensees may ferment fruit or other agricultural products naturally containing sugar to produce table wine containing at least 6 but not more than 15.5 percent alcohol by volume, and to produce from that wine fortified wine containing at least 15.5 but not more than 24 percent alcohol by volume.

II. Each manufacturer of domestic wines in this state shall have the right to sell and to transport and deliver wines manufactured by it directly to the holders of on-premises or off-premises licenses issued by the commission. No domestic wine manufactured in this state by any manufacturer shall be sold or delivered in this state in any manner which is inconsistent with the provisions of this title.

III. Each wine manufacturer shall have the right to sell at retail or wholesale at its winery for off-premises consumption any of its wines. Visitors at said premises may be provided with reasonable samples of wine for tasting **at a cost determined by the manufacturer**. Pursuant to rules adopted by the commission, a wine manufacturer may transport its products to a farmers' market or a **wine festival licensed under RSA 178:31**, and may sell such products at retail in the original container.

IV. Each wine manufacturer shall maintain records and prepare reports for the commission which shall indicate the sales made under this section and shall pay to the commission monthly a fee equal to 5 percent of such sales on or before the tenth day of the month following the sale.

V. Each wine manufacturer shall have the right to transport wines manufactured by it to the state border for transportation and sale outside the state.

VI. Each wine manufacturer shall have the right to hire sales representatives subject to RSA 179:11 as it desires, and shall have the right to solicit sales of its wines directly to retail licensees.

VII. The holder of a wine manufacturer license, or designee, may be issued an on-premises license at the discretion of the commission. The annual fee each license issued under this section shall be as required under RSA 178:29.

Source. 2003, 231:13, eff. July 1, 2003.

179:44 Free Drinks. –

I. No licensee shall give away free drinks to customers, patrons, members or guests, in any manner.

II. Notwithstanding the above, beverage manufacturers, beverage vendors, brew pubs, wholesale distributors and their liquor, ~~or wine, or beer~~ vendors, their liquor, ~~and wine or beer~~ representatives, domestic ~~wine beverage~~ manufacturers, and on-premises and off-premises licensees may conduct beverage, liquor, ~~or wine, or beer~~ tasting, **for a fee or served complimentary** as applicable on **any**, licensed premises. Liquor, beverage, ~~or wine, or beer~~ tasting shall be conducted only during such hours as are authorized by the commission for the sale of the product on the premises.

III. Liquor, beverage, ~~or wine, or beer~~ samples shall be consumed on the premises, and liquor, ~~or wine, or beer~~ for this purpose shall be purchased from the commission **or from licensed domestic beverage manufacturers.** ~~under conditions prescribed by this title. Beverage samples for a tastingshall only be obtained as prescribed by this title.~~

IV. The commission may adopt rules, pursuant to RSA 541-A, establishing the criteria

HB 276

Good afternoon Chairman Hunt and the rest of the Commerce and Consumer Affairs Committee

My name is Dr. Peter Oldak. I am the owner and winemaker and owner of Jewell Towne Vineyards in South Hampton. I am also President of NHWA.

The NH wine industry is still in its infancy but is one industry in NH which is growing at warp speed. When I appeared before the Commerce Committee, which was chaired by Rep. Hunt in 2002, there were 3 farm wineries in NH. We now have 27, with more on the way. There are domestic wine manufacturers in all 10 counties.

Last calendar year, the domestic wine manufacturers contributed over \$104,000 as excise taxes on locally made wine to the general fund.

As an industry, we are

1. Helping to keep NH green by keeping land in agriculture
2. Providing internships and jobs to our graduates, keeping our educated youth in the state.
3. We have been a magnet for tourism, drawing visitors from across the country and from around the world to visit us and thereafter support the economies of the local restaurants, resorts, hotels and motels, gift shops, service stations, grocery stores and the like.

The NHWA has proposed this piece of legislation to permit the holding of NH wine festivals. This particular bill combines 3 separate proposals:

1. The first authorizes the transport of wine to a festival for sale, as we already for at farmers' markets.

2. The second creates a Wine Festival License and Fee
3. The third exempts the domestic wine manufacturers from having to buy their own wine from the commission for sampling purposes.

Let me start with the Wine Festival License.

A wine festival is a great way to market and introduce domestic wines to the public, Last year, we partnered with the Department of Tourism and the Department of Agriculture to hold the first annual NH wine festival. We had to overcome massive amounts of red tape and needed special permits from the SLC.

178:31 Wine Festival License is modeled after 178:30, the Beer Festival License and relates to domestic wineries holding a festival. It has the same safeguards as the beer festivals including approvals by the fire, police, health departments, town officials, and SLC. This bill will go a long way to promoting domestically made wine.

The first portion of this bill amends the domestic wine manufacturer's license allowing the transport and sale of wine at festivals, the same as they already do at farmers' markets.

The third section addresses an inherent contradiction in the wine sampling statute. Many of the domestic manufacturers are quite small, producing less than 1000 cases/year, and are not listed or sold by the SLC. Other wineries have chosen not to list some or all of their wine with the State. For those wineries which list their wine with the state, the current statute requires them to buy back their wine which is already in their own inventory.

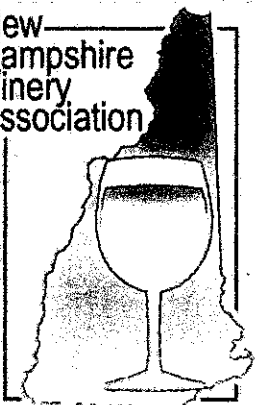
FN This is a revenue producer. Wines sampled produce multiples of sales yielding significant excise revenue

New Hampshire Wineries



New
Hampshire
Winery
Association

Visit 18 Wineries
throughout NH.



NhWineryAssociation.com

1. Candia Vineyards
702 High Street
Candia, NH 03034
(603)867-9751
www.CandiaVineyards.com

2. Crooked Tree Cider
35 Stickney Road
Whitefield, NH 03598
(603)837-9174
www.CrookedTreeCider.com

3. Farnum Hill Ciders
98 Poverty Lane
Lebanon, NH 03766
(603)448-1511
www.PovertyLaneOrchards.com

4. Flag Hill Winery & Distillery
297 North River Road
Lee, NH 03861
(603) 659-2949
www.FlagHill.com

5. Fulchino Vineyard
187 Pine Hill Road
Hollis, NH 03049
(603) 886-0479
www.FulchinoVineyard.com

6. Gilmanton Winery & Vineyard
528 Meadow Pond Rd
Gilmanton, NH 03237
(603) 267-8251

7. Haunting Whisper Vineyards
77 Oak Ridge Drive/ Rte 4
Danbury, NH 03230
(603) 768-5506
www.HauntingWhisper.com

8. Hermit Woods
56 Taylor Road
Sanbornton, NH 03269
(603) 253-7968
www.HermitWoods.com

9. Incredibrew / Grape Time Winery
112 Daniel Webster Highway
Nashua, NH 03060
(603) 891-2477
www.GrapeTimeWinery.com

10. Jewell Towne Vineyards
65 Jewell Street
Entrance: 183 Whitehall Road
South Hampton, NH 03827
(603) 394-0600
www.JewellTowneVineyards.com

11. LaBelle Winery
100 Chestnut Hill Road
Amherst, NH 03031
(603) 828-2923
www.LabelleWineryNh.com

12. Moonlight Meadery
23 Londonderry Rd #17
Londonderry, NH 03053
(603) 216-2162
www.MoonLightMeadery.com

13. The Vineyard at Seven Birches, LLC
1775 Benton Road
North Haverhill, NH 03774
(603) 785-7678
www.SevenBirches.com

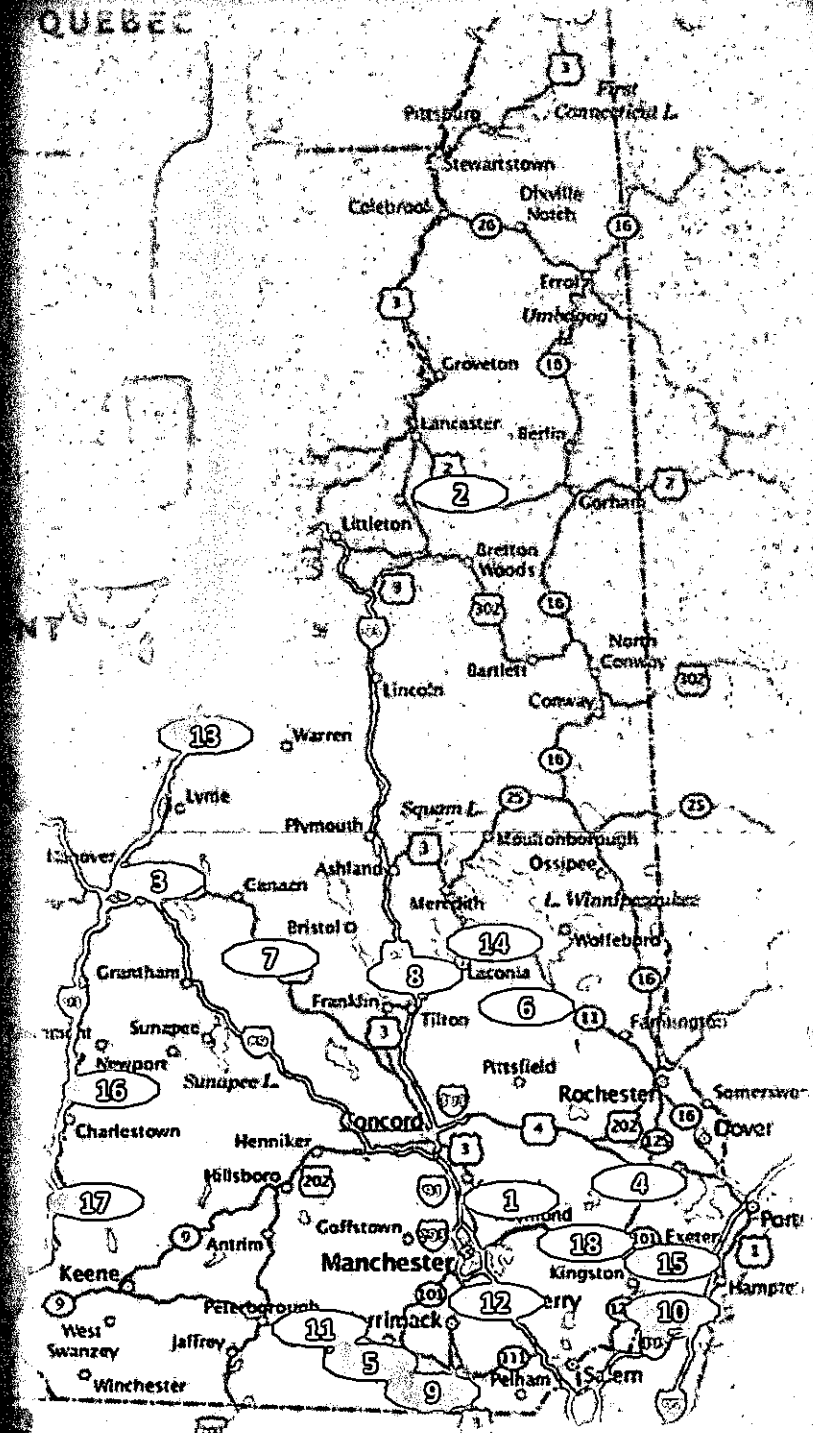
14. Stone Gate Vineyard
27 David Lewis Road
Gilford, NH 03249
(603) 524-4348
www.StoneGateVineyard.com

15. Sweet Baby Vineyard
204 South Road
Kensington, NH 03833
(603) 347-1738
www.SweetBabyVineyard.com

16. Silver Mountain Ciders
Box 62
Lempster, NH 03605
(603) 477-2026
www.SilverMountainCiders.com

17. Walpole Mountain View Winery at Barnett Hill Vineyard
114 Barnett Hill Road
Walpole, NH 03608
(603) 756-3948
www.BhVineyard.com

18. Zorvino Vineyards
226 Main Street
Sandown, NH 03873
(603) 887-8463
www.Zorvino.com



NH Wineries Hours of Operation

Coastal Region:

- ❖ Zorvino Vineyards - Open: Daily from 12-5pm.
- ❖ Jewell Towne Vineyards - Open: Wed-Fri, 11-4;
Sat-Sun 11-5pm.
- ❖ Sweet Baby Vineyards - Open: Sat-Sun, 12-5pm;
Mon-Fri by appt.
- ❖ Flag Hill Winery & Distillery - Open: Wed-Sun, 11-
5pm.

Valley Wineries:

- ❖ Crooked Tree Cider - Open: Weekends in October.
- ❖ Farnum Hill Ciders at Poverty Lane Orchards -
Open: Call ahead 603-448-1511.
- ❖ Silver Mountain Ciders - Open: Thu-Sun, 11-5 pm.
- ❖ Walpole Mountain View Winery - Open: Sat 11-
6pm, Memorial day through 12/24.
- ❖ The Vineyard at Seven Birches - Open: ?

Merrimack Region:

- ❖ Candia Vineyards - Open: Call ahead 603-867-
9751.
- ❖ Fulchino Vineyards - Open: Visit website for dates
& times.
- ❖ Incredibrew / Grape Time Winery - Open: Tue-Fri,
12-8pm; Sat, 9-5pm; Sun, 12-5pm.
- ❖ LaBelle Winery - Open: Visit website for dates &
times.
- ❖ Moonlight Meadery - Open: Wed-Sun, 11-7pm.

Lakes Region:

- ❖ Gilmanton Winery & Vineyard - Open: Apr-Dec,
Daily, 1-5pm.
- ❖ Haunting Whisper Vineyards - Open: May-Dec,
Wed-Sun, 12-5pm.
- ❖ Hermit Woods - Open: Weekends starting in June,
11-5pm.
- ❖ Stone Gate Vineyard - Open: Jun-Early Nov, Sat-
Sun 1-5pm.

Enjoy NH Mead, Grape & Fruit Wines.



NhWineryAssociation.com

Voting Sheets

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 276-FN

BILL TITLE: relative to wine manufacturers.

DATE: 3-9-11

LOB ROOM: 302

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

Motions: (OTP) OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Schlachman

Seconded by Rep. Manuse

Vote: 16-0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: Consent of Regular (Circle One)

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Jim Headd, Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 276-FN

BILL TITLE: relative to wine manufacturers.

DATE: 3-9-11

LOB ROOM: 302

Amendments:

Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Schlachman

Seconded by Rep. Manuso

Vote: 16-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: Consent or Regular (Circle One)

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Jim Headd, Clerk

New Fee
Regular Calendar

COMMERCE AND CONSUMER AFFAIRS

Bill #: HB 276-FN Title: _____

PH Date: 1/1/11

Exec Session Date: 3/9/11

Motion: OTF

Amendment #: _____

MEMBER	YEAS	NAYS
Hunt, John B, Chairman	/	
Coffey, Jennifer R, V Chairman	/	
Belanger, Ronald J		
Flanders, Donald H	/	
Quandt, Matt J	/	
Headd, James F	/	
Nevins, Chris F	/	
Palfrey, David J	/	
Sullivan, James M	/	
Bergevin, Jerry E	/	
Manuse, Andrew J	/	
Mauro, Donna C	/	
McGuinness, Sean M	/	
Rice, Frederick C	/	
Taylor, Kathleen N	/	
Meador, David R	/	
Gidge, Kenneth N	/	
Schlachman, Donna L	/	
	16-0	
TOTAL VOTE:		

Committee Report

REGULAR CALENDAR

March 16, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on COMMERCE AND CONSUMER
AFFAIRS to which was referred HB276-FN,**

**AN ACT relative to wine manufacturers. Having
considered the same, report the same with the
recommendation that the bill OUGHT TO PASS.**

Rep. Donna L Schlachman

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	COMMERCE AND CONSUMER AFFAIRS
Bill Number:	HB276-FN
Title:	relative to wine manufacturers.
Date:	March 9, 2011
Consent Calendar:	NO
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This bill adds wine manufacturers to the existing state statute that licenses beer festivals and that already allows wines to be brought to farmers' markets. It sets fees in line with beer festivals while the statute applies to all wines, this bill will reduce red tape and make it easier for New Hampshire's 24 wineries to participate in New Hampshire wine festivals.

Vote 16-0.

Rep. Donna L Schlachman
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

COMMERCE AND CONSUMER AFFAIRS

HB276-FN, relative to wine manufacturers. **OUGHT TO PASS.**

Rep. Donna L Schlachman for COMMERCE AND CONSUMER AFFAIRS. This bill adds wine manufacturers to the existing state statute that licenses beer festivals and that already allows wines to be brought to farmers' markets. It sets fees in line with beer festivals while the statute applies to all wines, this bill will reduce red tape and make it easier for New Hampshire's 24 wineries to participate in New Hampshire wine festivals. **Vote 16-0.**

Original: House Clerk
Cc: Committee Bill File

HB 276
Rep. Donna Schlachman
OTP
RC

This bill adds wine manufacturers to the existing state statute that licenses beer festivals and that already allows wines to be brought to farmers' markets. It sets fees in line with beer festivals while the statute applies to all wines, this bill will reduce red tape and make it easier for ~~New~~ Hampshire's 24 wineries to participate in New Hampshire wine festivals.

JBH

COMMITTEE REPORT

COMMITTEE: Commerce & CA

BILL NUMBER: 276

TITLE: _____

DATE: 3-9-11

CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- RE-REFER
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

This bill adds wine manufacturers to ^{the} existing state statute that licenses beer festivals and ~~sets~~ ^{but already allows wine to be brought to farmers' markets} fees in line with beer festivals..

While the statute applies to all wines, this bill will ~~reduce red tape and~~ ^{reduce red tape and} make it easier for New Hampshire's 24 wineries to participate in New Hampshire ~~wine~~ wine festivals

COMMITTEE VOTE: 16-0

Donna Schuchman

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. _____
For the Committee