

LEGISLATIVE COMMITTEE MINUTES

SB18

Bill as
Introduced

SB 18 - AS INTRODUCED

2021 SESSION

21-0328
08/04

SENATE BILL **18**

AN ACT permitting tastings by liquor manufacturers at farmers markets.

SPONSORS: Sen. Birdsell, Dist 19; Sen. French, Dist 7; Sen. Cavanaugh, Dist 16; Sen. Carson,
Dist 14

COMMITTEE: Commerce

ANALYSIS

This bill allows liquor manufacturers to offer samples at farmers markets.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Twenty One

AN ACT permitting tastings by liquor manufacturers at farmers markets.

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

1 1 Free Drinks; Liquor Manufacturers. Amend RSA 179:44, II-a to read as follows:

2 II-a. Notwithstanding paragraph I, wine manufacturers, beverage manufacturers, nano
3 breweries, **liquor manufacturers**, and brew pubs may provide samples for tasting to persons of
4 legal drinking age at a farmers' market provided they have received written authorization by the
5 town or city's governing body, which authorization shall remain effective until revoked in writing,
6 and they have provided the commission with a copy of that authorization. Provision of samples
7 shall be restricted to clearly defined areas approved by the commission. Samples shall be limited to
8 one 4-ounce sample per label per person for any beer, specialty beer, or cider, and one 2-ounce
9 sample per label per person for any wine **and 1/2-ounce sample per label per person for any**
10 **liquor.**

11 2 Liquor Manufacturers License. Amend RSA 178:6, IV to read as follows:

12 IV. A liquor manufacturer may provide to visitors of legal drinking age at its facility
13 samples of liquor manufactured on the premises for tasting. Samples may be provided either free or
14 for a fee and shall be limited to one 1/2-ounce sample per label per person. Samples sold under this
15 section shall be subject to fees as established in paragraph VI. **A liquor manufacturer may**
16 **transport its products to a farmers market and may offer samples as provided in this**
17 **paragraph. Such products may be sold at retail at the farmers market in the original**
18 **containers.**

19 3 Effective Date. This act shall take effect 60 days after its passage.

SB 18 - AS AMENDED BY THE SENATE

02/04/2021 0020s

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15 section shall be subject to fees as established in paragraph VI. ***A liquor manufacturer that***
16 ***produces less than 10,000 bottles during their licensing year and that operates and***
17 ***produces liquor solely within the state, may transport its products to a farmers market and***
18 ***may offer samples as provided in this paragraph. Such products may be sold at retail at***
19 ***the farmers market in the original sealed containers.***

20 3 Effective Date. This act shall take effect 60 days after its passage.

SB 18 - VERSION ADOPTED BY BOTH BODIES

02/04/2021 0020s
3Jun2021... 1403h

2021 SESSION

21-0328
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SENATE BILL **18**

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COMMITTEE: Commerce

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3Jun2021... 1403h

21-0328
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STATE OF NEW HAMPSHIRE

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14 for a fee and shall be limited to one 1/2-ounce sample per label per person. Samples sold under this
15 section shall be subject to fees as established in paragraph VI. ***A liquor manufacturer that***
16 ***produces fewer than 10,000 bottles during their licensing year and that operates and***
17 ***produces liquor solely within the state may transport to and sell its products at a farmers***
18 ***market at retail in the original sealed containers and may offer samples as provided in***
19 ***this paragraph.***

20 3 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 173
SB 18 - FINAL VERSION

02/04/2021 0020s
3Jun2021... 1403h

2021 SESSION

21-0328
08/04

SENATE BILL **18**

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COMMITTEE: Commerce

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CHAPTER 173
SB 18 - FINAL VERSION

02/04/2021 0020s
3Jun2021... 1403h

21-0328
08/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT permitting tastings by liquor manufacturers at farmers markets.

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

1 173:1 Free Drinks; Liquor Manufacturers. Amend RSA 179:44, II-a to read as follows:

2 II-a. Notwithstanding paragraph I, wine manufacturers, beverage manufacturers, nano
3 breweries, ***liquor manufacturers***, and brew pubs may provide samples for tasting to persons of
4 legal drinking age at a farmers' market provided they have received written authorization by the
5 town or city's governing body, which authorization shall remain effective until revoked in writing,
6 and they have provided the commission with a copy of that authorization. Provision of samples
7 shall be restricted to clearly defined areas approved by the commission. Samples shall be limited to
8 one 4-ounce sample per label per person for any beer, specialty beer, or cider, and one 2-ounce
9 sample per label per person for any wine ***and 1/2-ounce sample per label per person for any***
10 ***liquor.***

11 173:2 Liquor Manufacturers License. Amend RSA 178:6, IV to read as follows:

12 IV. A liquor manufacturer may provide to visitors of legal drinking age at its facility
13 samples of liquor manufactured on the premises for tasting. Samples may be provided either free or
14 for a fee and shall be limited to one 1/2-ounce sample per label per person. Samples sold under this
15 section shall be subject to fees as established in paragraph VI. ***A liquor manufacturer that***
16 ***produces fewer than 10,000 bottles during their licensing year and that operates and***
17 ***produces liquor solely within the state may transport to and sell its products at a farmers***
18 ***market at retail in the original sealed containers and may offer samples as provided in***
19 ***this paragraph.***

173:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 30, 2021
Effective Date: September 28, 2021

Amendments

Sen. Birdsell, Dist 19
January 11, 2021
2021-0010s
08/04

Amendment to SB 18

1 Amend RSA 178:6, IV as inserted by section 2 of the bill by replacing it with the following:

2

3 IV. A liquor manufacturer may provide to visitors of legal drinking age at its facility
4 samples of liquor manufactured on the premises for tasting. Samples may be provided either free or
5 for a fee and shall be limited to one 1/2-ounce sample per label per person. Samples sold under this
6 section shall be subject to fees as established in paragraph VI. *A liquor manufacturer that*
7 *produces less than 5,000 bottles during their licensing year and that operates and produces*
8 *liquor solely within the state, may transport its products to a farmers market and may*
9 *offer samples as provided in this paragraph. Such products may be sold at retail at the*
10 *farmers market in the original sealed containers.*

UNAPPROVED

Commerce
January 15, 2021
2021-0020s
08/04

Amendment to SB 18

1 Amend RSA 178:6, IV as inserted by section 2 of the bill by replacing it with the following:

2

3 IV. A liquor manufacturer may provide to visitors of legal drinking age at its facility
4 samples of liquor manufactured on the premises for tasting. Samples may be provided either free or
5 for a fee and shall be limited to one 1/2-ounce sample per label per person. Samples sold under this
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10 *the farmers market in the original sealed containers.*

Committee Minutes

SENATE CALENDAR NOTICE

Commerce

Sen Harold French, Chair
Sen Bill Gannon, Vice Chair
Sen Jeb Bradley, Member
Sen Donna Soucy, Member
Sen Kevin Cavanaugh, Member

Date: January 7, 2021

HEARINGS

Monday	01/11/2021	
(Day)	(Date)	
Commerce	REMOTE 000	1:00 p.m.
(Name of Committee)	(Place)	(Time)
1:00 p.m. SB 14	relative to the direct shipping of liquor.	
1:10 p.m. SB 17	relative to brew pubs allowing customers to bring dogs to outdoor areas.	
1:25 p.m. SB 18	permitting tastings by liquor manufacturers at farmers markets.	

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://zoom.us/j/97344950312>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-312-626-6799, or 1-646-558-8656, or 1-301-715-8592, or 1-346-248-7799, or 1-669-900-9128, or 1-253-215-8782
3. Or iPhone one-tap: 13126266799,,97344950312# or 16465588656,,97344950312#
4. Webinar ID: [973 4495 0312](https://zoom.us/j/97344950312)
5. To view/listen to this hearing on YouTube, use this link: <https://www.youtube.com/channel/UCiBZdtriRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link: <http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 14

Sen. D'Allesandro

Sen. Morse

SB 17

Sen. Birdsell

Sen. Gannon

Sen. Cavanaugh

Sen. Carson

Sen. Sherman

SB 18

Sen. Birdsell

Sen. French

Sen. Cavanaugh

Sen. Carson

Aaron Jones 271-4063

Harold F. French
Chairman

Senate Commerce Committee
Aaron Jones 271-4063

SB 18, permitting tastings by liquor manufacturers at farmers markets.

Hearing Date: January 11, 2021

Time Opened: 1:56 p.m.

Time Closed: 2:35 p.m.

Members of the Committee Present: Senators French, Gannon, Bradley, Soucy and Cavanaugh

Members of the Committee Absent : None

Bill Analysis: This bill allows liquor manufacturers to offer samples at farmers markets.

Sponsors:

Sen. Birdsell
Sen. Carson

Sen. French

Sen. Cavanaugh

Who supports the bill: Senator Regina Birdsell, Senator Kevin Cavanaugh, Senator Sharon Carson, Chairman Joseph Mollica (NH Liquor Commission), Holly Beene, Andy Day, Andrew Harthcock, Gregory Meeh (Cold Garden Spirits), Kevin Amacker (Copper Cannon Distillery), David Grasse, Alisa Lawrence, Kevin Kurland, Neil Wetherbee, Kevin Kurland (Smoky Quartz Distillery), Alvin See

Who opposes the bill: Kate Frey (New Futures), Jim Demers (on behalf of NH Wine and Spirits Association)

Who is neutral on the bill: Mark Armaganian (NH Liquor Commission), Aidan Moore (NH Liquor Commission)

Summary of testimony presented in support:

Senator Birdsell

- Senator Birdsell said this bill was introduced at the request of a local distillery owner, Andy Day. It would allow liquor manufacturers to provide ½-ounce samples per label at farmers' markets.
- The intent of the bill is to place distilleries on an even playing field with breweries, beverage manufacturers, and wineries when it comes to offering samples.

- Senator Birdsell offered an amendment, which would only allow incubator distilleries that are in New Hampshire to provide samples at farmers' markets.
 - Senator Birdsell said this amendment was a recommendation made by Chairman Mollica.
 - In the amendment, incubator distillers are defined as liquor manufacturers that produce less than 5,000 bottles during a licensing year, and that operate and produce liquor solely in the state.

Chairman Joseph Mollica, NH Liquor Commission

- Given the proposed changes offered by Senator Birdsell, Chairman Mollica said he would support SB 18. These changes would specifically help small incubator distilleries that are trying to start their small business, which the Liquor Commission always supports.
- **Senator Soucy** said she was concerned if there were a large farmers' market there could be a significant per label amount of beer, wine, and now spirits that someone could consume. She asked if there were any limitations that could be placed on how many labels could be tasted at one time at one facility.
 - **Chairman Mollica** replied that there were no limitations under the label requirement; however, it is under the jurisdiction of the licensees that they cannot serve anyone that is visibly intoxicated. He felt that licensees are trying to build a business, so it's expected that they wouldn't step around their duty regardless of the amount of alcohol that's available to be sampled.
- **Senator Soucy** wanted to clarify that to the extent someone has sampled a significant amount of beer and wine, and appears intoxicated, a licensee could prohibit them from sampling spirits as well.
 - **Chairman Mollica** responded absolutely and that he would expect them to do so.
- **Senator Bradley** wanted to clarify that the licensee is the entity providing beer, wine, cider or spirits and it would be their responsibility not to serve someone that's visibly showing signs of intoxication.
 - **Chairman Mollica** said yes and that licensees take on the responsibility of whether to serve regardless of if it's in their distillery or a satellite opportunity.
- **Senator Gannon** asked if there were any legal problems under the Commerce Clause to prohibiting out-of-state manufacturers from participating.
 - **Chairman Mollica** said that was something that was thought about; however, given the spirit of the bill and its support for small businesses in the state, the Commission would be willing to take those challenges one at a time.
- In response to comments from Mr. Kurland and Mr. Amacker, Chairman Mollica said the reason the amendment didn't say 5,000 cases was because that would be 60,000 bottles in 750 mL containers. Chairman Mollica thought that

would be excessive and would include manufacturers that were beyond incubators or start-ups. Also, businesses that would be able to sell 5,000 cases would already be in a majority of state liquor stores and doing business in other states. He concluded that if the committee raised the level to 5,000 cases, then the Commission might need to change their support for the bill.

- **Senator Bradley** asked Chairman Mollica if there were an amount between 5,000 bottles and 60,000 bottles that he could support.
 - **Chairman Mollica** said if the committee were to leave the 5,000 bottle mark, then he would be comfortable with a limit of either 7,500 or 10,000 bottles.
 - Mr. Meeh, Mr. Amacker, and Mr. Kurland all agreed that the 10,000 bottle limit was sufficient.

Aidan Moore, Legal Coordinator, NH Liquor Commission

- Mr. Moore wanted the committee to be aware that in RSA 179:44, II-a of the bill there was an existing provision that requires a wine, beer, or liquor manufacturer to go to the local community to obtain permission to operate at the farmers' market.
- Mr. Moore said that there's a degree of local control that could allow for limitations, such as on how many labels can be tasted, that local communities and markets could decide on their own.
- Mr. Moore suggested that many of these manufacturers are trying to establish reputations and increase product awareness, so they don't have a lot of resources to give away. Since these manufacturers are most likely going to sell their products at a certain price level, that could make farmers' market hopping less likely. That could also be something that farmers' markets and communities could set limits on as well.

Andy Day, Owner of Doire Distilling

- Mr. Day owns Doire Distillery in Derry. He said it's difficult to get people's attention, but his business is across from one of the largest and most successful farmers' markets in the state. If he were able to participate, it would help him and other smaller distilleries to grow. It also would help bring in more revenue for the state.
- Mr. Day said that Senator Soucy's concerns are valid, but alcohol producers work collectively to ensure customers are being safe. As business owners, Mr. Day said they understand the liabilities of over serving alcohol. For example, at a farmers' market if one person is drunk, it's conceivable that everyone is responsible if that person has been to every booth. He said it's not uncommon for breweries and wineries to be in contact with each other throughout the day to ensure someone isn't over served.

- Mr. Day asked a Derry Town Councilor, who's also a coordinator of the farmers' market, if allowing distilleries to sample would benefit the market. The councilor answered in the affirmative because variety is key.
- Finally, Mr. Day said that breweries, wineries, and distilleries try to narrow the tasting choices made to consumers based on their preferences, so they're not over serving.
- **Senator Bradley** asked where the ½-ounce amount came from.
 - **Mr. Day** responded that he believed this was an existing provision for some time, but it would be better answered by Chairman Mollica.
- **Senator Bradley** said that spirits haven't been allowed in the past, so he wondered if the ½-ounce amount is sufficient for a tasting or if a smaller amount would be better.
 - **Mr. Day** replied that right now they have a tasting room where they charge for their samples. In the past, however, they used to offer up to 12 possible skews to customers. Mr. Day said they wouldn't allow people to try from every skew and that they were only doing splashes since a lot of alcohol isn't needed since it can be potent. He felt that a ½-ounce sample provided customers with a full experience. In terms of where the ½-ounce limit came from, Mr. Day said that sample size was agreed upon when laws for distillery tasting rooms were adopted.
 - **Mr. Moore** said that the ½-ounce measurement standard is taken from RSA 178:6, which clarifies what liquor manufacturers are allowed to sample at their facilities.

Gregory Meeh, Owner of Cold Garden Spirits

- Currently, distillery sample tastings are permitted only in tasting rooms or by the Liquor Commission.
- Mr. Meeh said that most distilleries are in rural or industrial areas that have limited foot traffic, which makes tastings difficult.
- He said that allowing distilleries to sell through state liquor stores has been a great opportunity; however, it only works for high volume products. By permitting tastings and sales at farmers' markets, distilleries could offer and sell more limited and specialty products not available in stores.
- Since New Hampshire spirits are sold at a premium, according to Mr. Meeh, more revenue can be generated per unit sold for both businesses and the state.
- When Mr. Meeh purchased his distillery, his goal was to preserve local New Hampshire agriculture, so he purchased tens of thousands of pounds of fruit and grain from communities throughout the state.
- Mr. Meeh said spirits tourism is an expanding market with about 35 percent of their tastings coming from out of state. Since most tasting rooms have limited hours, primarily on weekends, tastings and sales at farmers' markets could result in the expansion of spirits tourism during the weekday.

- In regards to sample size, Mr. Meeh said they pour no more than ¼-ounce in a single serving to allow for them to give the customer another splash of something they're interested in. He said he has found that helps their sales without the risk of over serving.

Kevin Amacker, Owner of Copper Cannon Distillery

- Mr. Amacker said this bill would be a great for revenue, and it would allow businesses to expand their brand awareness and their operations. He also agreed with previous speakers that they struggle with getting people into their tasting rooms.
- Mr. Amacker suggested the committee change the language of the amendment from 5,000 bottles to 5,000 cases, which would align with the cap set for tasting rooms.
- He also thought it was a great idea to limit this only to New Hampshire distilleries. He tried to participate at a farmers' market in Vermont, but he was unable to since only Vermont-based distillers are allowed to participate.
- Mr. Amacker echoed Mr. Day's comments on working together with others to ensure no one is over served. He continued that his employees are trained both formally and internally when it comes to serving.

Kevin Kurland, Owner of Smoky Quartz Distillery

- Under either state law or regulation, Mr. Kurland said that all distilleries are required to attend the NTS (NH Liquor Commission Training Seminar), which trains everyone on how to serve alcohol.
- He said that virtually no one gives ½-ounce samples. Instead, they provide only a splash, especially when multiple products are available.
- Mr. Kurland said that currently he can offer samples at farmers' markets, but he cannot sell his products. This bill would enable him to do so, which is beneficial for his business and the state.
- To prevent over serving, Mr. Kurland said farmers' markets could place all breweries and distilleries in one area with only one check point, which would make the environment very controlled and manageable.
- Mr. Kurland thought the bill pertained to 5,000 cases, not 5,000 bottles. If the limit were set for 5,000 bottles, Mr. Kurland said that limit would be too low since most places break even at that amount. He continued that if that limit were set, he would be unable to participate in any farmers' markets. Similar to Mr. Amacker, he said that the 5,000 cases limit would be more responsible and it would directly tie in with the liquor stores.

Summary of testimony presented in opposition: None

Neutral Information Presented:

Kate Frey, New Futures

- Excessive alcohol use is a primary driver of mortality in the US, and a new study has shown that people are drinking more during the pandemic. As a result, there has been an increase in costs related to overconsumption.
- Ms. Frey said her main concern is similar to Senator Soucy's. The US dietary guidelines recommend individuals drink in moderation to reduce alcohol-related harm. Those guidelines recommend that men limit their drinking to 2 drinks or less a day and for women to limit their drinking to 1 drink or less a day. Depending on how many vendors are at a farmers' market, Ms. Frey said it's probable that individuals are being offered anywhere from 1 drink to several, which is beyond what is perceived to many as a sample.
- She said she felt comfortable with what Chairman Mollica and Mr. Moore said about serving. She recommended that whoever is serving at the farmers' market should be someone who's trained to serve alcohol.
- Ms. Frey concluded that she understood the equity issue with these type of vendor when compared to others, but she was concerned that the margin is being moved away from samples and more towards drinks.

Jim Demers, on behalf of the NH Wine and Spirits Association

- Mr. Demers said that the amendment addresses the concerns that the Wine and Spirits Association had by ensuring that large out-of-state or multistate manufacturers wouldn't be able to come into New Hampshire to market their products at farmers' markets.
- Mr. Demers said that helping the small, in-state manufacturers gives the balance we have seen in other areas.

AJ

Date Hearing Report completed: January 14, 2021

Speakers

Commerce Committee Testify List for Bill SB18 on 2021-01-11

Support: 14 Oppose: 2 Neutral: 2 Total to Testify: 9

<u>Name</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>
Birdsell, Regina	Senate District 19	Support	Yes
Mollica, Joseph	NHLC	Support	Yes
Day, Andy	Myself	Support	Yes
Meeh, Gregory	Cold Garden Spirits	Support	Yes
Amacker, Kevin	Myself	Support	Yes
kurland, kevin	Myself	Support	Yes
Moore, Aidan	NH Liquor Commission	Neutral	Yes
Frey, Kathryn	New Futures	Oppose	Yes
Cavanaugh, Senator Kevin	Myself	Support	No
Carson, Sharon	Myself	Support	No
Beene, Holly	Myself	Support	No
Harthcock, Andrew	Myself	Support	No
Grasse, David	Myself	Support	No
Lawrence, Alisa	Myself	Support	No
Wetherbee, Neil	Myself	Support	No
Demers, Jim	NH Wine & Spirits Brokers Association	Oppose	Yes
See, Alvin	Myself	Support	No
Armaganian, Mark	New Hampshire Liquor Commission	Neutral	No

Testimony

January 11, 2021

The Honorable Harold French, Chair
Senate Commerce Committee
State House, Room 100
Concord, NH 03301

Re: New Futures Opposition to SB 18, permitting tastings by liquor manufacturers at farmers markets.

Dear Senator French and Honorable Members of the Committee:

New Futures is a nonpartisan, nonprofit organization that advocates, educates and collaborates to improve the health and wellness of all New Hampshire residents through policy change. In this role, we work extensively with policy makers, stakeholders, and prevention partners to prevent and reduce alcohol and other drug problems in our state. **New Futures opposes SB 18 in its current form, because it will increase the accessibility and availability of alcohol.**

Excessive alcohol use continues to be a major driver of mortality in the United States, contributing to approximately 88,000 deaths annually, including one in every 10 deaths among adults 20 to 64 years of age.¹ In fact, excessive alcohol consumption has been steadily rising over the last decade, particularly among women, older adults, members of racial and ethnic minority groups, and those of lower socioeconomic status.² A new study shows that American adults, particularly women, are drinking more amid the COVID-19 pandemic. According to a September JAMA Network Open article, alcohol consumption has increased by 14% compared with a year ago, including 17% for women.

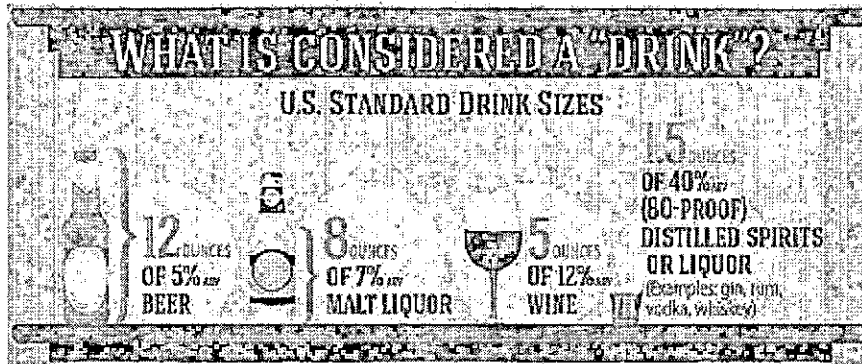
SB 18 allows liquor manufacturers to offer samples at farmers markets, to seek equity with beer and wine manufacturers who currently have the same ability. According to the bill, **samples shall be limited to one 4-ounce sample per label per person for any beer, specialty beer, or cider, and one 2-ounce sample per label per person for any wine and 1/2-ounce sample per label per person for any liquor.**

To reduce the risk of alcohol-related harms, the *2020-2025 Dietary Guidelines for Americans* recommends that adults of legal drinking age can choose not to drink, or to drink in moderation by limiting intake to **2 drinks or less in a day for men or 1 drink or less in a day for women**, on days when alcohol is consumed. Two in three adult drinkers report drinking above moderate levels at least once a month.

The below graphic indicates how many ounces are considered a drink; 12 ounces 5% ABV beer, 8 ounces of 7% ABV malt liquor, 5 ounces of 12% ABV wine and 1.5 ounces of 40% distilled spirits or liquor.

¹ Stahre M, Roeber J, Kanny D, Brewer RD, Zhang X. Contribution of excessive alcohol consumption to deaths and years of potential life lost in the United States. *Prev Chronic Dis.* 2014;11:E109.

² Grant BF, Chou SP, Saha TD, et al. Prevalence of 12-month alcohol use, high-risk drinking, and DSM-IV alcohol use disorder in the United States, 2001–2002 to 2012–2013: results from the National Epidemiologic Survey on Alcohol and Related Conditions. *JAMA Psychiatry.* 2017;74:911–923.



Depending on how many beer, wine and liquor manufacturers are at a farmer's market and how many labels each vendor is offering, a consumer in reality could have anywhere from 1 drink to several - far beyond what is perceived by many as sample.

New Hampshire is currently struggling with a substance misuse epidemic and alcohol remains the most prevalent substance misused in the United States and New Hampshire. This state cannot afford to weaken New Hampshire's alcohol regulations.

New Futures urges the committee to look very closely at the sample size allowed in this bill across all vendors and balance it with best practice regarding concerns around excessive alcohol consumption.

Sincerely,

Kathryn (Kate) Frey
Vice President of Advocacy

Aaron Jones

From: Neil Wetherbee <neil@creativeandweb.com> on behalf of Neil Wetherbee <neil@wetherbeecreative.com>
Sent: Monday, January 11, 2021 11:28 AM
To: Aaron Jones
Cc: alana@doiredistilling.com
Subject: SB 18

Good morning,

I write today in support of SB 18. I am a local Derry business owner and have served as a Derry Town Councilor for 10 years. I have also served the past 4 years as the Board V.P. and Market Manager for the Derry Homegrown Farm & Artisan Market.

Our Market currently allows sales and samples of beer, wine and mead. I have spoken personally and at length with the proprietors of all of these establishments and discussed what their presence at the Market has done for their business and for our Market. Simply put, this is a win-win. These vendors being able to offer samples at the market allows us to offer a variety that attracts people to our Market but also based on the words of the vendors, translates directly, and in many cases significantly, to direct traffic and business at their brick and mortar establishments.

As I'm sure you all know, many of these business have struggled mightily over the past year and anything that can be done to increase their visibility and give them an opportunity to get back on their feet is imperative to the economic well-being of our state. These types of businesses represent the best of this state's entrepreneurial spirit, no pun intended. Several of our Market vendors have started small on the "market circuit" and have had success that allowed them to open their own brick and mortar operation or expand an existing one.

Please consider passage of this bill as I believe it encourages the entrepreneurial spirit that is so vital to our great state's economy and represents the true New Hampshire Advantage.

Regards,

Neil

--

wetherbee
creative

Neil Wetherbee
Wetherbee Creative
Call me - 603.548.3935
E - neil@wetherbeecreative.com
URL - www.wetherbeecreative.com
twitter - @creativeandweb
Facebook - facebook.com/wetherbeecreative

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Voting Sheets

Senate Commerce Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # SB 18

Hearing date: 1/11/21

Executive Session date: 1/11/21

Motion of: Amendment (00)(0s) Vote: 5-0

Committee Member	Made by	Second	Yes	No
Sen. French, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Bradley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTP-A Vote: 5-0

Committee Member	Made by	Second	Yes	No
Sen. French, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Bradley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Made by	Second	Yes	No
Sen. French, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Bradley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. French

Notes: _____

Committee Report

FOR THE CONSENT CALENDAR

COMMERCE

SB 18, permitting tastings by liquor manufacturers at farmers markets.

Ought to Pass with Amendment, Vote 5-0.

Senator Harold French for the committee.

This bill would allow liquor manufacturers to serve 1/2-ounce samples per label, per person at farmers' markets. Currently, liquor manufacturers are the only vendors excluded from providing free samples; therefore, the intent of this bill is to level the playing field. As amended by the committee, this bill would only allow incubator distilleries to provide samples and sell their products at farmers' markets. Incubator distilleries are defined as liquor manufacturers that produce less than 10,000 bottles during their licensing year, and they must only operate and produce within New Hampshire.

General Court of New Hampshire - Bill Status System

Docket of SB18

Docket Abbreviations

Bill Title: permitting tastings by liquor manufacturers at farmers markets.**Official Docket of SB18.:**

Date	Body	Description
1/5/2021	S	To Be Introduced 01/06/2021 and Referred to Commerce; SJ 2
1/7/2021	S	Remote Hearing: 01/11/2021, 01:25 pm; Links to join the hearing can be found in the Senate Calendar; SC 6
1/19/2021	S	Committee Report: Ought to Pass with Amendment #2021-0020s , 02/04/2021; Vote 5-0; CC; SC 9
2/4/2021	S	Committee Amendment #2021-0020s , RC 23Y-1N , AA; 02/04/2021; SJ 3
2/4/2021	S	Ought to Pass with Amendment 2021-0020s, RC 23Y-1N , MA; OT3rdg; 02/04/2021; SJ 3
3/10/2021	H	Introduced (in recess of) 02/25/2021 and referred to Commerce and Consumer Affairs HJ 4 P. 48
3/23/2021	H	Public Hearing: 03/23/2021 09:00 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/97167243328 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
5/5/2021	H	Executive Session: 05/13/2021 10:00 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/93883325643
5/25/2021	H	Committee Report: Ought to Pass with Amendment #2021-1403h (Vote 19-0; CC) HC 26 P. 4
6/3/2021	H	Amendment #2021-1403h : AA VV 06/03/2021 HJ 8 P. 3
6/3/2021	H	Ought to Pass with Amendment 2021-1403h: MA VV 06/03/2021 HJ 8 P. 3
6/10/2021	S	Sen. French Moved to Concur with the House Amendment, MA, VV; 06/10/2021; SJ 19
7/15/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); SJ 20
7/15/2021	H	Enrolled (in recess of) 06/24/2021
8/3/2021	S	Signed by the Governor on 07/30/2021; Chapter 0173; Effective 09/28/2021

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 18

Senate Committee: Commerce

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

- amendment # 21-00105 - amendment # _____

- amendment # 21-00205 - amendment # _____

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

_____ - amendment # _____ _____ - amendment # _____

_____ - amendment # _____ _____ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

_____ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

_____ Enrolled Bill Amendment(s)

_____ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

as amended by the senate _____ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Aaron Jones
Committee Aide

7/21/21
Date

Senate Clerk's Office [Signature]