

REGULAR CALENDAR

October 24, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Commerce and Consumer Affairs to
which was referred HB 1556,**

**AN ACT relative to on-premise and off-premise sales at
a beverage manufacturer's facility. Having considered
the same, report the same: NOT RECOMMENDED FOR
FUTURE LEGISLATION.**

Rep. John Potucek

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Commerce and Consumer Affairs
Bill Number:	HB 1556
Title:	relative to on-premise and off-premise sales at a beverage manufacturer's facility.
Date:	October 24, 2022
Consent Calendar:	REGULAR
Recommendation:	NOT RECOMMENDED FOR FUTURE LEGISLATION

STATEMENT OF INTENT

This bill relates to on-premise and off-premise sales at a beverage manufacturer's facility. The majority of this Committee has voted NOT to recommend further action on this matter. With the cash-register technology available in the 21st Century, this bill is not needed.

Vote 16-1.

Rep. John Potucek
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Commerce and Consumer Affairs

HB 1556, relative to on-premise and off-premise sales at a beverage manufacturer's facility.**NOT RECOMMENDED FOR FUTURE LEGISLATION .**

Rep. John Potucek for Commerce and Consumer Affairs. This bill relates to on-premise and off-premise sales at a beverage manufacturer's facility. The majority of this Committee has voted NOT to recommend further action on this matter. With the cash-register technology available in the 21st Century, this bill is not needed. **Vote 16-1.**

Original: House Clerk
Cc: Committee Bill File

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 1556

BILL TITLE: relative to on-premise and off-premise sales at a beverage manufacturer's facility.

DATE: October 19, 2022

LOB ROOM: 302 - 304

MOTION:

Interim Study (2nd yr) Not Recommended for Future Legislation

Moved by Rep. Potucek

Seconded by Rep. Hunt

Vote: 16-1

Respectfully submitted,

Rep Keith Ammon, Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 1556

BILL TITLE:

DATE: 10/19/22

LOB ROOM: 302 - 304

MOTION:

Recommended for Future Legislation

Not Recommended for Future Legislation

Moved by Rep. Potvcek Seconded by Rep. Hunt Vote: 16-1

Respectfully submitted,

Rep. [Signature]
Committee Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

10/17/2022 12:32:27 PM
Roll Call Committee Registers
Report

2022 SESSION

Commerce and Consumer Affairs *Potucek*

Bill #: HB 1556 Motion: NR AM #: _____ Exec Session Date: 10/19/22

Members	YEAS	Nays	NV
Hunt, John B. Chairman	16		
Potucek, John M. Vice Chairman	1		
Osborne, Jason M. <i>B</i>	2		
Ammon, Keith M. Clerk	3		
Abramson, Max	e	1	
Ham, Bonnie D.	4		
Depalma IV, Joseph <i>D</i>	5		
Greeson, Jeffrey <i>M</i>	6		
Johnson, Dawn M.	7		
Terry, Paul A.	8		
Bartlett, Christy D.	9		
Abel, Richard M.			
Herbert, Christopher J.	10		
Van Houten, Constance	11		
Fargo, Kristina M.			
Weston, Joyce	12		
Beaulieu, Jane E.	13		
Burroughs, Anita D.	14		
McAleer, Chris R.	15		
TOTAL VOTE:	16	1	



**STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK**

10/17/2022 12:32:27 PM
Roll Call Committee Registers
Report

2022 SESSION

Bill #: _____ **Motion:** _____ **AM #:** _____ **Exec Session Date:** _____

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

SUBCOMMITTEE WORK SESSION on HB 1556

BILL TITLE: relative to on-premise and off-premise sales at a beverage manufacturer's facility.

DATE: 10/12/22

Subcommittee Members: Reps. Hunt, Potucek, Ammon, Osborne, Abramson, Ham, Depalma IV, Greeson, Johnson, Terry, Bartlett, Abel, Herbert, Van Houten, Fargo, Weston, Beaulieu, Burroughs and McAleer

Comments and Recommendations:

- MOTION:** Recommended for Future Legislation
 Not Recommended for Future Legislation

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

Respectfully submitted,

Rep. _____
Subcommittee Chairman/Clerk

CONSENT CALENDAR

March 6, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Commerce and Consumer Affairs to which was referred HB 1556,

AN ACT relative to on-premise and off-premise sales at a beverage manufacturer's facility. Having considered the same, report the same with the recommendation that the bill be REFERRED FOR INTERIM STUDY.

Rep. John Hunt

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Commerce and Consumer Affairs
Bill Number:	HB 1556
Title:	relative to on-premise and off-premise sales at a beverage manufacturer's facility.
Date:	March 6, 2022
Consent Calendar:	CONSENT
Recommendation:	REFER FOR INTERIM STUDY

STATEMENT OF INTENT

This bill allows consumers purchasing beverage samples to drink to also purchase beverages for consumption off premise at the same point of sale in the licensee's facility. The Liquor Commission contended that this problem was a misunderstanding and by request from the Commerce Committee put out an industry circular intended for distribution to the Beverage Manufacturers. The circular is intended to provide information and clarity on questions and in accuracies regarding the question of POS systems. The committee decided to hold the bill to insure there are no more misunderstandings.

Vote 18-0.

Rep. John Hunt
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Commerce and Consumer Affairs

HB 1556, relative to on-premise and off-premise sales at a beverage manufacturer's facility. **REFER FOR INTERIM STUDY.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill allows consumers purchasing beverage samples to drink to also purchase beverages for consumption off premise at the same point of sale (POS) in the licensee's facility. The Liquor Commission contended that this problem was a misunderstanding and by request from the Commerce Committee put out an industry circular intended for distribution to the Beverage Manufacturers. The circular is intended to provide information and clarity on questions and inaccuracies regarding the question of POS systems. The committee decided to hold the bill to ensure there are no more misunderstandings. **Vote 18-0.**

Original: House Clerk

Cc: Committee Bill File

HB1556 Point of sale for licenses

This bill allows consumers purchasing beverage samples to drink to also purchase beverages for consumption off premise at the same point of sale in the licensee's facility. The Liquor Commission contended that this problem was a misunderstanding and by request from the Commerce Committee put out an industry circular intended for distribution to the Beverage Manufacturers. The circular is intended to provide information and clarity on questions and inaccuracies regarding the question of POS systems. The committee decided to hold the bill to insure there are no more misunderstandings.

HB2022-1556

Rep. John Potucek for the Majority of Commerce and Consumer Affairs. Relative to on-premise and off-premise sales at a beverage manufacturer's facility. The majority of this Committee has voted NOT to recommend further action on this matter. With the cash-register technology available in the 21st Century, this Bill is not needed.

HB2021-0416

Rep. John Potucek for the Majority of Commerce and Consumer Affairs. Allowing hobby distillation of liquors. The majority of this Committee has voted **NOT to recommend further action on this matter**. According to U.S. Code, the distillation of alcohol is still a primarily a Federal matter. It is therefore a moot point whether or not the State of New Hampshire permits it or not, it is still a federally controlled substance.

HB2022-1591-FN

Rep. John Potucek for the Majority of Commerce and Consumer Affairs. Eliminating the Enforcement Division of the Liquor Commission. The majority of this Committee has voted **NOT to recommend further action on this matter**. The Committee believes that this Division is paramount to the ongoing enforcement and education efforts of the NH Liquor Commission, and that removing/diverting these efforts would be detrimental to the ongoing education of our youth about drug and alcohol use and abuse, and also to the education and enforcement of alcohol laws within the adult provider and consumer communities.

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 1556

BILL TITLE: relative to on-premise and off-premise sales at a beverage manufacturer's facility.

DATE: March 3, 2022

LOB ROOM: 302-304

MOTIONS: REFER FOR INTERIM STUDY

Moved by Rep. Hunt

Seconded by Rep. Potucek

Vote: 18-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Keith Ammon, Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on Bill # HR 556

BILL TITLE: ... on-premises/off-premise

DATE: 3/3/22

LOB ROOM: _____

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1st year)
- Interim Study (2nd year)
- Adoption of Amendment # _____ (if offered)

Moved by Rep. Hunt Seconded by Rep. Patucek Vote: 18-0

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Interim Study (2nd year)
- Adoption of Amendment # _____ (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Interim Study (2nd year)
- Adoption of Amendment # _____ (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Interim Study (2nd year)
- Adoption of Amendment # _____ (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: X YES ___ NO

Minority Report? ___ Yes ___ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: Keith Ammon
Rep Keith Ammon, Clerk



2022 SESSION

Commerce and Consumer Affairs

Bill #: HB 1516 Motion: 15 AM #: _____ Exec Session Date: 3/3/22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Hunt, John B. Chairman	18		
Potucek, John M. Vice Chairman	1		
Osborne, Jason M.	2		
Ammon, Keith M. Clerk	3		
Abramson, Max	4		
Ham, Bonnie D.	5		
Depalma IV, Joseph <i>Acton</i>	6		
Greeson, Jeffrey	7		
Johnson, Dawn M.	8		
Terry, Paul A.	9		
Bartlett, Christy D.	10		
Abel, Richard M.	11		
Herbert, Christopher J.			
Van Houten, Constance	12		
Fargo, Kristina M.	13		
Weston, Joyce	14		
Beaulieu, Jane E. <i>Tanner</i>	15		
Burroughs, Anita D.	16		
McAleer, Chris R.	17		
TOTAL VOTE:	18	0	

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

SUBCOMMITTEE WORK SESSION on HB 1556

BILL TITLE: relative to on-premise and off-premise sales at a beverage manufacturer's facility.

DATE: February 24, 2022

Subcommittee Members: Reps. Hunt, Potucek, Greeson, Van Houten and Beaulieu

Comments and Recommendations:

MOTIONS: REFER FOR INTERIM STUDY

Moved by Rep. Rep. Potucek

Seconded by Rep. Rep. Hunt

Vote: 5-0

Respectfully submitted,

Rep. John Hunt
Subcommittee Chairman

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

SUBCOMMITTEE WORK SESSION on HB 1556

BILL TITLE: relative to on-premise and off-premise sales at a beverage manufacturer's facility.

DATE: 2/24/22

Subcommittee Members: Reps. Hunt, Potucek, ~~Abramson~~, Van Houten and Beaulieu
Greene

Comments and Recommendations:

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr)
(Please circle one)

Moved by Rep. Potucek Seconded by Rep. Hunt AM Vote: 5-0

Adoption of Amendment # _____

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

_____ Amendment Adopted _____ Amendment Failed

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr)
(Please circle one)

Moved by Rep. _____ Seconded by Rep. _____ AM Vote: _____

Adoption of Amendment # _____

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

_____ Amendment Adopted _____ Amendment Failed

Respectfully submitted,

Rep. 
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

PUBLIC HEARING ON HB 1556

BILL TITLE: relative to on-premise and off-premise sales at a beverage manufacturer's facility.

DATE: January 27, 2022

LOB ROOM: 302-304

Time Public Hearing Called to Order: 11:15 a.m.

Time Adjourned: 11:41 a.m.

Committee Members: Reps. Hunt, Potucek, Ammon, Ham, Greeson, Johnson, Terry, Bartlett, Abel, Weston, Beaulieu, Burroughs and McAleer

Bill Sponsors:
Rep. Berry

TESTIMONY

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

Rep Berry introduced the bill.

- Necessity for two points of sale systems for those operating brew pub lights licenses where they sell food and drink
- Liquor commission told them that for tax purposes they had to have one for premise consumption and one for on premises eating and drinking
- Not necessary as point of sale systems are very sophisticated
- Enforced for two different tax rates but it can be programed into the appropriate tax rate
- Liquor commission said they don't enforce but brewers cited instances where it was
- Trying to codify the state statute
- Does not change the states revenue

Rep Bartlett -

Question - Can you send us an amendment?

Answer - I emailed the committee yesterday

Rep Weston -

Question - If I buy a lobster live, I pay one tax. If I buy it steamed it's another tax?

Answer - You are making the point here. Market Basket can charge different tax rates.

Aidan Moore - LIquor Commission

- The liquor commission has no position on the bill.

Rep Hunt -

Question - It starts with random enforcement with this in-house rule. Does the auditor expect seperate point of sale reports?

Answer - The auditor should be looking through records. Every beverage manufacturer has the duty to report to the commission in order to pay the correct taxation. Today's point of sales systems are sophisticated enough to break down sales.

Question - Could you put out a bulletin to clear this up once and for all instead of using legislation?

Answer - I'd be happy to speak to the commissioner to see how we could clarify this rule. Policy isn't made on the whim of one person. We could be able to appear with appropriate staff at the subcommittee and provide you with information on this bill.

Question - Most manufacturers hadn't heard of this policy to use seperate point of sales systems.

Answer - This may have to do with a beverage manufacturer who has a second on-premise license. Depends how the business is organized.

Question - This only comes up when they have multiple licenses?

Answer - Correct

Joe Green - Londonderry

- I support this amendment
- Own a pizza/deli and convenience store
- Have run into issues with enforcement wanting them separated

Rep Hunt -

Question - Do you have more than one license?

Answer - I have an off-premise license

Question - One side is a takeout deli that has no tables and the other side is a convenience store?

Answer - Correct. Say you wanted a sandwich and a pack of beer, you would have to go to two different registers. This clears up a gray area.

Rep Johnson -

Question - Can your POS system do all of the transactions?

Answer - I could but I am told that I am not allowed to.

Rep Beaulieu -

Question - You need the two licenses because you have two businesses?

Answer - Same business, two different types of licenses.

Drew Cline - Josiah Bartlett

- Each license requires separate record keeping
- Technology has made the regulation obsolete

Rep Hunt -

Question - I don't think this is a brew pub problem. A brewpub license is a total trampling on the three tier system.

Answer - You are correct

Dennis Molnar - Concord Craft Brew

- We can sell a draft beer and sell a growler under one license up to 2000 barrels. After that we would need a second beverage manufacturer license.
- Inconvenient for customers to have to go to two registers. Cannot take credit card for one transaction if they are buying a draft and growler.
- POS systems are sophisticated enough but have had to get a second register for take home products as we cannot sell a six pack or growler across the bar.

House Remote Testify

Commerce and Consumer Affairs Committee Testify List for Bill HB1556 on 2022-01-27

Support: 68 Oppose: 1 Neutral: 0 Total to Testify: 0

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Rosenfeld, Erika	Peterborough, NH erika@postandbeambrewery.com	A Member of the Public	Post & Beam Brewing, Peterborough	Support	No	No	1/21/2022 11:57 AM
ploszaj, tom	Center Harbor, NH tom.ploszaj@gmail.com	An Elected Official	Myself	Support	No	No	1/21/2022 3:25 PM
Howland, Curtis	Manchester, NH howland@priss.com	A Member of the Public	Myself	Support	No	No	1/23/2022 9:46 PM
Domenico, William	Manchester, NH bill@resunltd4u.com	A Member of the Public	Myself	Support	No	No	1/24/2022 9:57 AM
Reed, William	Concord, NH willie.b.reed@gmail.com	A Member of the Public	Myself	Support	No	No	1/24/2022 12:54 PM
Reed, Sarah	Concord, NH stubbs.saraha@gmail.com	A Member of the Public	Myself	Support	No	No	1/24/2022 12:55 PM
Neves, Kirsten	Eaton, NH kirsten@tuckermanbrewing.com	A Member of the Public	Tuckerman Brewing Co, Conway, NH	Support	No	No	1/24/2022 4:09 PM
chapman, kevin	marlborough, NH denoct103@yahoo.com	A Member of the Public	Myself	Support	No	No	1/24/2022 5:31 PM
Share, Jennifer	Manchester, NH jshare@tosharebrewing.com	A Member of the Public	To Share Brewing, Manchester	Support	No	No	1/26/2022 10:52 AM
Levine, Robert	Hampton, NH bob@whym.beer	A Member of the Public	Whym Craft Pub & Brewery	Support	No	No	1/26/2022 10:57 AM
Manley, Robert	Meredith, NH Bob@hermitwoods.com	A Member of the Public	Myself	Support	No	No	1/26/2022 11:17 AM
Picarillo, David	Meredith, NH Dave.Picarillo@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 11:27 AM
Curley, Sharon	Concord, NH SharonCurley@Comcast.net	A Member of the Public	Myself	Support	No	No	1/26/2022 11:31 AM

Moe, Erol	Dover, NH erol@stonefacebrewing.com	A Member of the Public	Myself	Support	No	No	1/26/2022 11:37 AM
Thomas, Renee	Hampton, NH renee.thomas@finestkindbrewing.com	A Member of the Public	Myself	Support	No	No	1/26/2022 11:37 AM
Booth, Randy	Meredith, NH rbooth@twinbarnsbrewing.com	A Member of the Public	Twin Barns Brewing Co., Meredith	Support	No	No	1/26/2022 11:39 AM
stanciu, nik	Conway, NH nik@tuckermanbrewing.com	A Member of the Public	Tuckerman Brewing Company, Conway	Support	No	No	1/26/2022 11:42 AM
Murphy, Christine	*Manchester, NH catmommy@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 11:43 AM
Hurteau, Lauren	Intervale, NH lauren@tuckermanbrewing.com	A Member of the Public	Myself	Support	No	No	1/26/2022 11:44 AM
Molnar, Dennis	Hopkinton, NH dmolnar@comcast.net	A Member of the Public	Myself	Support	No	No	1/26/2022 11:45 AM
Stewart, David	Epsom, NH dave@blastybough.com	A Member of the Public	Blasty Bough Brewing Company	Support	No	No	1/26/2022 11:47 AM
Cancelliere, Liz	Center Conway, NH lizcancelliere@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 11:57 AM
Shubelka, Mark	Deerfield, NH baronialjester@myfairpoint.net	A Member of the Public	Myself	Support	No	No	1/26/2022 11:58 AM
Yarrington, David	Somersworth, NH david@chapelandmain.com	A Member of the Public	Chapel + Main Brewery, Dover, NH	Support	No	No	1/26/2022 11:58 AM
Currier, David	Henniker, NH dcurrier@hennikerbrewing.com	A Member of the Public	Henniker Brewing Company, LLC	Support	No	No	1/26/2022 12:10 PM
MacDonald, Ian	Center Ossipee, NH nhptamacdonald@yahoo.com	A Member of the Public	Myself	Support	No	No	1/26/2022 12:13 PM
MacDonald, Jennifer	Center Ossipee, NH nhptamacdonald@yahoo.com	A Member of the Public	Myself	Support	No	No	1/26/2022 12:14 PM
Zagami, Frank	Stratham, NH Frank@deciduousbrewing.com	A Member of the Public	Deciduous Brewing Co., LLC	Support	No	No	1/26/2022 12:17 PM
Cleary, Robert	Alton, NH Iflyp3fe@yahoo.com	A Member of the Public	Myself	Support	No	No	1/26/2022 12:21 PM
Runge, Kerri	Manchester, NH kerri@greatnorthaleworks.com	A Member of the Public	Myself	Support	No	No	1/26/2022 12:22 PM
Moore, Michael	Merrimack, NH someguy0005@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 12:24 PM

Joy, Charles	New Hampton, NH cj@cjrep.com	A Member of the Public	Myself	Support	No	No	1/26/2022 12:35 PM
Santangelo, Mariano	Derry, NH usa.mariano@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 12:38 PM
Walah, Joanne	Wolfeboro, NH Jwalsh178@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 12:41 PM
Haines, CJ	Concord, NH info@nhbrewers.org	A Member of the Public	NH Brewers Association	Support	No	No	1/26/2022 12:53 PM
Mercer, Debby	Gilford, NH debmercernh@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 12:56 PM
Ireland, Danny	Wolfeboro, NH alligash99@aol.com	A Member of the Public	Myself	Support	No	No	1/26/2022 1:01 PM
Pumilia, MaryAnn	Laconia, NH mpumilia@frontiernet.net	A Member of the Public	Myself	Support	No	No	1/26/2022 1:24 PM
Coates, Kristen	Hebron, NH Kacoates01@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/26/2022 1:38 PM
Donahue, Jacob	Keene, NH Jacobtdonahue@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 1:44 PM
Wendelboe, Alisha	Ashland, NH Awendelboe@twinbarnsbrewing.com	A Member of the Public	Myself	Support	No	No	1/26/2022 1:59 PM
Gyles, Geoffrey	Concord, NH geoff@northwoodsbrewingcompany.com	A Member of the Public	Myself	Support	No	No	1/26/2022 1:59 PM
Provencher, Andrew	Concord, NH andrew@bfreshconsulting.com	A Lobbyist	New Hampshire Brewers Association (NHBA)	Support	No	No	1/26/2022 2:24 PM
McKillop, Christina	Weare, NH nhtina2002@yahoo.com	A Member of the Public	Myself	Support	No	No	1/26/2022 2:24 PM
Walton, Bruce	Meredith, NH bwalton@twinbarnsbrewing.com	A Member of the Public	Twin Barns Brewing Company, Meredith, NH	Support	No	No	1/26/2022 2:28 PM
Drewniak, Glen	Newbury, NH Glen.drewniak@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 2:34 PM
Burgess, Stephen	Londonderry, NH Burgess24@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 2:41 PM
Moriarty, Todd	Salem, NH temoriarty93@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 3:10 PM
Camire, Mike	Derry, NH mikecamire@me.com	A Member of the Public	Myself	Support	No	No	1/26/2022 3:16 PM

Moran, Brian	Stoughton, MA brian@necsema.net	A Lobbyist	New England Convenience Store & Energy Marketers Assoc.	Support	No	No	1/26/2022 3:39 PM
Little, Seth	Epsom, NH jeeper255@hotmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 3:45 PM
Frain, Jeff	Pembroke, NH jeff_frain@yahoo.com	A Member of the Public	Myself	Support	No	No	1/26/2022 3:53 PM
Page, David	Ashland, NH whitemtbrewingco@gmail.com	An Elected Official	Myself	Support	No	No	1/26/2022 4:02 PM
Smith, Richard	Manchester, NH rmsmi01@yahoo.com	A Member of the Public	Myself	Support	No	No	1/26/2022 4:30 PM
Johnson, Eric	Keene, NH Eric@westlabeercompany.com	A Member of the Public	Myself	Support	No	No	1/26/2022 5:12 PM
Connors, Matthew	Manchester, NH mattjconnors@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 5:19 PM
Dube, Bob	Bartlett, NH TheDubes1@comcast.net	A Member of the Public	Myself	Support	No	No	1/26/2022 6:34 PM
Jason, Spencer	Hooksett, NH Spencer.jason@yahoo.com	A Member of the Public	Myself	Support	No	No	1/26/2022 6:35 PM
Gormley, Mary	Raymond, NH Gormley.ma@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 7:04 PM
MacLeod, Tyler	Dover, NH tyleramacleod@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 7:04 PM
LeBlanc, Jeanine	Chester, NH jeanineleb@gsinet.net	A Member of the Public	Myself	Support	No	No	1/26/2022 7:05 PM
Jason, MELLETT	Groveton, NH jmellett@gmail.com	A Member of the Public	Myself	Support	No	No	1/26/2022 7:34 PM
Booth, Robert	New Durham, NH Rbooth35678@outlook.com	A Member of the Public	Myself	Support	No	No	1/26/2022 7:40 PM
See, Alvin	Loudon, NH absee@4liberty.net	A Member of the Public	Myself	Support	No	No	1/26/2022 9:14 PM
Marsh, David	Manchester, NH dave@davidmarsh.org	A Member of the Public	Myself	Support	No	No	1/26/2022 10:07 PM
Boyer, Marjorie	Merrimack, NH marjorie.boyer847@gmail.com	A Member of the Public	Myself	Support	No	No	1/27/2022 12:53 AM
Cunningham, Karen	Plymouth, NH klc19572005@yahoo.com	A Member of the Public	Myself	Support	No	No	1/27/2022 2:09 AM

Cunningham, Steven	Plymouth, NH	A Member of the Public	Myself	Support	No	No	1/27/2022 2:10 AM
Jennings, Chris	Dover, NH	A Member of the Public	Myself	Support	No	No	1/27/2022 6:17 AM

smc1592000@yahoo.com
kcl19572005@yahoo.com

Cjennings22@hotmail.com

Archived: Thursday, May 19, 2022 12:44:45 PM
From: Simon P. Thomson
Sent: Thursday, January 27, 2022 9:00:50 AM
To: ~House Commerce Committee
Cc: Ross Berry; Bruce Berke
Subject: HB 1556 Point of Sale amend.
Importance: Normal

Chairman Hunt and Members of the House Commerce and Consumer Affairs Committee:

Please find attached a letter from my client the New England Convenience Store and Energy Marketers Association (NECSEMA). The sponsor of the bill, Rep. Berry, has agreed to present an amendment to this bill on behalf of members of NECSEMA surrounding the issue of point of sale at a convenience store.

NECSEMA would ask for your support of the amendment to HB 1556 and will be on hand to testify in support of the amendment.

Let me know if you have any questions.

Regards,

Simon P. Thomson

Direct Dial: (603) 627-8360

Cell: (603) 254-8285

Email: sthomson@sheehan.com

www.spcapitolgroup.com



New England Convenience Store & Energy Marketers Association

January 27, 2022

Testimony of the New England Convenience Store & Energy Marketers Association

New Hampshire General Court
House Committee on Commerce & Consumer Affairs

RE: Amendment to HB 1556 - An Act relative to on-premise and off-premise sales at a beverage manufacturer's facility.

Chair Hunt, Vice-Chair Potucek, and Members of the Committee:

The New England Convenience Store & Energy Marketers Association (NECSEMA) represents the convenience store and transportation fuel industries in New Hampshire, and throughout New England. NECSEMA members wholesale and/or retail most of the motor fuels sold in the state. Across New Hampshire, there are over 850 convenience stores (of which 650 sell motor fuels) and employ close to 14,000 people.

NECSEMA appreciates the opportunity to provide comments in support of Representative Berry's amendment. As proposed the amendment would allow combination food and beverage license holders to use the same point of sale register for consumer purchases instead of having to "ring-in" the sales on separate registers. This amendment removes friction for combined sales for the consumer and provides an opportunity for licensed food and beverage businesses to consider other business models for their existing or future operations and offerings to consumers. NECSEMA urges the Committee to support this regulatory streamlining approach.

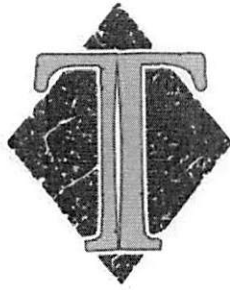
Thank you for your thoughtful consideration of our position on this matter.

Respectfully,

A handwritten signature in black ink that reads "Brian P. Moran".

Brian P. Moran
Director Government Affairs

1044 Central Street, Suite 203
Stoughton, MA 02072
(781) 297 - 9600



TUCKERMAN BREWING
CONWAY, NH

24 January 2022

State of NH
House of Representatives
House Commerce and Consumer Affairs Committee

Chairman Hunt and members of the House Commerce Committee,

My name is Kirsten Neves and I'm a co-owner of Tuckerman Brewing Company in Conway and writing in **support of HB 1556**.

Tuckerman Brewing Company was founded in 1998 and we produce about 8,000 barrels of beer a year. Our facility houses all of our production and packaging as well as a Tasting Room and Outdoor Beer Garden.

As a beverage manufacturer with a desire to sell beyond a two pint limit, we obtained an on-premise beverage and wine license and also serve food prepared on site.

By doing this, the NH Liquor Commission enforces a separation of our beverage manufacturer "hospitality room" from our "restaurant". The end result is the requiring of a separation of these areas for on-premise and off-premise sales, including a wall of separation and the use of separate POS systems.

For example, when a customer wants to purchase a pint of beer to drink at the brewery, plus a six pack to go, they have to go to separate areas of our brewery and ring up the beer as two distinct transactions. Prior to obtaining our on-premise beverage and wine license this purchase could have been made as a single transaction.

This is very confusing for the customer, and needlessly complicated for the brewery.

Modern point of sale (POS) systems, such as Square, which we use at our brewery, already allow us to separate beer that is sold for consumption on-premise from beer sold for off-premise consumption. It is no longer necessary to have a physical separation of the sales areas or the use of different POS systems.

Thank you for the opportunity to submit this written testimony and I'm more than happy to answer any questions you may have.

Kirsten Neves
Managing Member
Tuckerman Brewing Co, LLC

President
NH Brewers Association



January 26, 2022

State of New Hampshire
House of Representatives
House Commerce and Consumer Affairs Committee

Chairman Hunt and Members of the House Commerce Committee:

My name is Bruce Walton and I'm writing on behalf of myself and David Picarillo as co-owners of Twin Barns Brewing Company in Meredith, in **support of HB 1556**, relative to on-premise and off-premise beer sales for beverage manufacturers.

Twin Barns Brewing is a Brewpub that opened its doors almost three years ago and includes a 10-barrel brewhouse with canning capabilities, a 2000 sqft taproom with outdoor seating and a nearly ½-acre outdoor beer garden facility. We serve a broad menu of food prepared on site as well, per our Brewpub license.

We will be working this year to change our license to a beverage manufacturer, to be complemented by a beverage and wine license (allowing for sales beyond the two-pint limit) while continuing to serve our full menu on-site in Meredith.

The requirement to separate on-premise and off-premise sale of our beer serves only to confuse our customer and slow down their purchasing process. At Twin Barns we have focused heavily on providing a relaxed atmosphere and an easy, seamless process for our customers to enjoy our beer, pay for it and then—ideally—leave with more of it in cans. Adding steps to the check-out process or forcing a happy customer to a separate retail sale position (a 30-foot trip in our case!) adds no value for our customer nor to us in managing sales of these items as our POS system can track all of it regardless of which point of sale we use. Per HB 1556, allowing sales of any form of on- or off-premise consumption is a logical and simple solution.

We at Twin Barns thank the Committee for allowing public comment via this written testimony and want to reiterate our support for passage of HB 1556.

Bruce Walton
Owner / Managing Member
Twin Barns Brewing Company



New England Convenience Store & Energy Marketers Association

January 27, 2022

Testimony of the New England Convenience Store & Energy Marketers Association

New Hampshire General Court
House Committee on Commerce & Consumer Affairs

RE: Amendment to HB 1556 - An Act relative to on-premise and off-premise sales at a beverage manufacturer's facility.

Chair Hunt, Vice-Chair Potucek, and Members of the Committee:

The New England Convenience Store & Energy Marketers Association (NECSEMA) represents the convenience store and transportation fuel industries in New Hampshire, and throughout New England. NECSEMA members wholesale and/or retail most of the motor fuels sold in the state. Across New Hampshire, there are over 850 convenience stores (of which 650 sell motor fuels) and employ close to 14,000 people.

NECSEMA appreciates the opportunity to provide comments in support of Representative Berry's amendment. As proposed the amendment would allow combination food and beverage license holders to use the same point of sale register for consumer purchases instead of having to "ring-in" the sales on separate registers. This amendment removes friction for combined sales for the consumer and provides an opportunity for licensed food and beverage businesses to consider other business models for their existing or future operations and offerings to consumers. NECSEMA urges the Committee to support this regulatory streamlining approach.

Thank you for your thoughtful consideration of our position on this matter.

Respectfully,

A handwritten signature in black ink that reads "Brian P. Moran".

Brian P. Moran
Director Government Affairs

1044 Central Street, Suite 203
Stoughton, MA 02072
(781) 297 - 9600



26 January 2022

State of NH
House of Representatives
House Commerce and Consumer Affairs Committee

Chairman Hunt and members of the House Commerce Committee,

My name is Stuart Cozzens I am a co-owner and CEO of Schilling Beer Company in Littleton, NH writing in **support of HB 1556**.

The requirement to separate physical locations for a customer to purchase retail beverages as a beverage manufacturer with a restaurant is needlessly complicated, confusing for guests, and as a result deprives the business and the State of New Hampshire additional revenue a more streamlined, common-sense approach (as outlined in HB 1556) provides.

In agreement with Ms. Neves of Tuckerman Brewing, “Modern point of sale (POS) systems, such as Square, which we use at our brewery, already allow us to separate beer that is sold for consumption on-premise from beer sold for off-premise consumption. It is no longer necessary to have a physical separation of the sales areas or the use of different POS systems.” This allows for easy audits by ensuring separation of revenue classes, which wasn’t readily available before such point-of-sale systems.

Thank you for your time and consideration.

Stuart Cozzens
Co-owner | Chief Executive Officer
Schilling Beer Co.

Archived: Tuesday, April 5, 2022 2:37:44 PM
From: Andrew P. Provencher
Sent: Tuesday, February 22, 2022 11:09:06 AM
To: John Hunt; ~House Commerce Committee
Cc: Ross Berry; CJ White
Subject: NHBA Comments on HB 1556
Importance: Normal

Chairman Hunt & Members of Commerce Committee,

I'm contacting you today on behalf of the New Hampshire Brewers Association (NHBA) in regards to HB 1556- relative to on-premise and off-premise sales at a beverage manufacturer's facility. HB 1556 is a bill we worked closely with Representative Berry on and strongly support.

Recently, the NHLC put forward an industry circular which clarifies that a beverage manufacturer does not need to operate a second POS system and that a single POS system is capable of breaking out transactions made by their restaurant and sales of beverages made and attributable to their beverage manufacturer's license.

The circular included the following hypothetical:

Hypothetical – Customer A comes to the beverage manufacturer's facility and goes into the dining room for something to eat and has a beverage to drink. Customer A expresses the desire to purchase a six pack of the manufacturer's products to take with him. If the manufacturer has a single POS system that is capable of distinguishing the purchases made at the restaurant from the sale of the six pack then this unified transaction is perfectly acceptable. If the manufacturer does not have a POS system capable of breaking down the 2 purchases in a single transaction then the licensee will need to acquire some type of separate system that can distinguish the two sales.

The NHBA appreciates this update and reached out to Representative Berry to let him know that we feel that it adequately achieves the goals of HB 1556.

Rep. Berry and the NHBA appreciate and respect the committee's time and do not want to burden you with a legislative solution to an item that the NHLC has adequately remedied.

Please proceed with HB 1556 as you deem appropriate, including ITL.

Thank you,

Andrew P. Provencher

Principal
b-fresh Consulting LLC

Cell: 603-377-6994

Email: andrew@bfreshconsulting.com

Carrie Morris

From: Andrew P. Provencher <andrew@bfreshconsulting.com>
Sent: Tuesday, February 22, 2022 11:04 AM
To: John Hunt; ~House Commerce Committee
Cc: Ross Berry; CJ White
Subject: NHBA Comments on HB 1556

Chairman Hunt & Members of Commerce Committee,

I'm contacting you today on behalf of the New Hampshire Brewers Association (NHBA) in regards to HB 1556- relative to on-premise and off-premise sales at a beverage manufacturer's facility. HB 1556 is a bill we worked closely with Representative Berry on and strongly support.

Recently, the NHLC put forward an industry circular which clarifies that a beverage manufacturer does not need to operate a second POS system and that a single POS system is capable of breaking out transactions made by their restaurant and sales of beverages made and attributable to their beverage manufacturer's license.

The circular included the following hypothetical:

***Hypothetical** – Customer A comes to the beverage manufacturer's facility and goes into the dining room for something to eat and has a beverage to drink. Customer A expresses the desire to purchase a six pack of the manufacturer's products to take with him. If the manufacturer has a single POS system that is capable of distinguishing the purchases made at the restaurant from the sale of the six pack then this unified transaction is perfectly acceptable. If the manufacturer does not have a POS system capable of breaking down the 2 purchases in a single transaction then the licensee will need to acquire some type of separate system that can distinguish the two sales.*

The NHBA appreciates this update and reached out to Representative Berry to let him know that we feel that it adequately achieves the goals of HB 1556.

Rep. Berry and the NHBA appreciate and respect the committee's time and do not want to burden you with a legislative solution to an item that the NHLC has adequately remedied.

Please proceed with HB 1556 as you deem appropriate, including ITL.

Thank you,

Andrew P. Provencher

Principal
b-fresh Consulting LLC

Cell: 603-377-6994

Email: andrew@bfreshconsulting.com

HB 1556 - AS INTRODUCED

2022 SESSION

22-2025
08/11

HOUSE BILL **1556**

AN ACT relative to on-premise and off-premise sales at a beverage manufacturer's facility.

SPONSORS: Rep. Berry, Hills. 44

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill allows consumers purchasing beverage samples to drink to also purchase beverages for consumption off premise at the same point of sale in the licensee's facility.

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 Two

AN ACT relative to on-premise and off-premise sales at a beverage manufacturer's facility.

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

- 1 1 Beverage Manufacturer License; Sale of Products. Amend RSA 178:12, II-a to read as follows:
- 2 II-a. The holder of a beverage manufacturer license may sell beverage samples to visitors of
- 3 legal drinking age for consumption on the premises where the beverages were manufactured. A
- 4 beverage manufacturer may either provide samples for free or for a fee which shall be limited to one
- 5 4-ounce glass per label or one 16-ounce glass per person. At such times as food is available, a
- 6 beverage manufacturer may serve no more than 2 16-ounce glasses per person in any areas approved
- 7 by the commission. For the purpose of this section, food and non-alcoholic beverages may be
- 8 provided by a properly-licensed third party food vendor, prepared on or off the premises. *A*
- 9 *customer purchasing beverage samples to drink may also purchase beverages for*
- 10 *consumption off premise at the same point of sale in the licensee's facility.*
- 11 2 Effective Date. This act shall take effect 60 days after its passage.