

LEGISLATIVE COMMITTEE MINUTES

HB1039

Bill as Introduced

HB 1039 - AS AMENDED BY THE HOUSE

15Mar2022... 0284h

2022 SESSION

22-2276
08/04

HOUSE BILL **1039**

AN ACT relative to the definition of "beverage manufacturer retail outlet" and certain liquor licenses and fees.

SPONSORS: Rep. Hunt, Ches. 11

COMMITTEE: Commerce and Consumer Affairs

AMENDED ANALYSIS

This bill:

I. Removes the production and manufacturing requirements from the definition of "beverage manufacturer retail outlet."

II. Prohibits licensed carriers from transporting any liquor, wine, or beverage from a person without a direct shipper permit at any time.

III. Repeals provisions for multi-year liquor licenses.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 1039 - AS AMENDED BY THE HOUSE

15Mar2022... 0284h

22-2276
08/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to the definition of "beverage manufacturer retail outlet."

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

- 1 1 Beverage Manufacturer Retail Outlet; Definition. Amend RSA 175:1, IX-a to read as follows:
2 IX-a. "Beverage manufacturer retail outlet" means an outlet for the sale, sampling,
3 ~~[production or manufacturing]~~ and promotion of beverages and other products manufactured by a
4 beverage manufacturer licensee.
5 2 Carrier Licenses. Amend RSA 178:14, III to read as follows:
6 III. A licensed carrier shall not transport any liquor, wine, or beverage ~~[within a 90 day~~
7 ~~period]~~ that has been identified by the commission as originating from a person who does not hold a
8 valid New Hampshire direct shipper permit, provided that such identification has first been provided
9 to and received by the licensed carrier in writing. The commission shall notify carriers by mail on a
10 monthly basis of the identity of unauthorized shippers, which notification shall be effective 15 days
11 after such mailing. The commission may impose a fine by rule for violations within the reporting
12 month per shipper.
13 3 Repeal. RSA 178:23, IV-V, relative to fees for multi-year licenses, are repealed.
14 4 Effective Date. This act shall take effect 60 days after its passage.

HB 1039 - AS AMENDED BY THE SENATE

15Mar2022... 0284h
05/05/2022 1799s
05/05/2022 1946s

2022 SESSION

22-2276
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HOUSE BILL **1039**

AN ACT relative to the definition of "beverage manufacturer retail outlet," certain liquor licenses and fees, including beer and specialty beverage festival licenses, relative to direct to consumer shipments of alcohol.

SPONSORS: Rep. Hunt, Ches. 11

COMMITTEE: Commerce and Consumer Affairs

AMENDED ANALYSIS

This bill:

I. Removes the production and manufacturing requirements from the definition of "beverage manufacturer retail outlet."

II. Prohibits licensed carriers from transporting any liquor, wine, or beverage from a person without a direct shipper permit at any time.

III. Repeals provisions for multi-year liquor licenses.

IV. Allows holders of a beer festival license to also sell specialty beverages.

V. Allows the delivery of alcohol to consumers by means of vehicles registered to a New Hampshire licensee who holds a carrier license.

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

HB 1039 - AS AMENDED BY THE SENATE

15Mar2022... 0284h
05/05/2022 1799s
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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to the definition of "beverage manufacturer retail outlet," certain liquor licenses and fees, including beer and specialty beverage festival licenses, relative to direct to consumer shipments of alcohol.

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

1 1 Beverage Manufacturer Retail Outlet; Definition. Amend RSA 175:1, IX-a to read as follows:

2 IX-a. "Beverage manufacturer retail outlet" means an outlet for the sale, sampling,
3 ~~[production or manufacturing]~~ and promotion of beverages and other products manufactured by a
4 beverage manufacturer licensee.

5 2 Carrier Licenses. Amend RSA 178:14, III to read as follows:

6 III. A licensed carrier shall not transport any liquor, wine, or beverage ~~[within a 90-day~~
7 ~~period]~~ that has been identified by the commission as originating from a person who does not hold a
8 valid New Hampshire direct shipper permit, provided that such identification has first been provided
9 to and received by the licensed carrier in writing. The commission shall notify carriers by mail on a
10 monthly basis of the identity of unauthorized shippers, which notification shall be effective 15 days
11 after such mailing. The commission may impose a fine by rule for violations within the reporting
12 month per shipper.

13 3 Beer and Specialty Beverage Festival Licenses. Amend RSA 178:30 to read as follows:

14 178:30 Beer *and Specialty Beverage* Festival Licenses.

15 I. The commission may issue a supplemental beer *and specialty beverage* festival license
16 to the holder of a beverage manufacturer license, brew pub license, wholesale distributors license,
17 beverage vendor license, on-premises license, or off-premises license. The commission may also issue
18 a beer *and specialty beverage* festival license to a responsible person representing a voluntary
19 nonprofit group or such group's designee. Notwithstanding any other provisions of law, the holder of
20 a license under this section shall be allowed to organize, advertise, and hold an event not exceeding 3
21 days in length, promoting the products of the beverage industry. The provisions of RSA 178:22, I,
22 III, and IV shall apply to any license issued under this section. The sales and services of alcoholic
23 beverages shall be in a clearly defined area. Applications for a license under this section shall be
24 filed with the commission 15 working days before the date on which the license is needed.

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

1 III. No alcohol other than beverages, *specialty beverages*, and specialty beer shall be
2 served under this license.

3 IV. Holders of a license issued under paragraph I may temporarily register beverages,
4 *specialty beverages*, and specialty beer not currently registered for sale in New Hampshire.
5 Registration shall be on forms provided by the commission. Registration forms shall be filed with
6 the commission and an administration fee of \$10 per brand registered shall be assessed. Temporary
7 registration of beverages, *specialty beverages*, and specialty beer shall not be allowed once a
8 registration form is filed with the commission. Any temporary registration filed under this
9 paragraph shall expire upon the termination of the event or shall not exceed 3 consecutive days,
10 whichever is longer.

11 V. Beverages, *specialty beverages*, and *specialty beer* registered with the commission
12 under paragraph IV shall be purchased by the holder of the license. Additionally, fees of \$.30 per
13 gallon of beverages or specialty beer, *or a fee of 5 percent of the wholesale price per case of any*
14 *specialty beverage*, purchased under this paragraph shall be paid to the commission by the licensee
15 within 10 business days of the expiration of the license. Payment shall be accompanied by any forms
16 and documentation required by the commission.

17 VI. Beverages, *specialty beverages*, and *specialty beer* purchased under paragraph V
18 which are partially consumed or not consumed shall be returned to the supplier for credit or shall be
19 destroyed.

20 VII. Notwithstanding any other provision of this chapter, holders of beverage manufacturer,
21 beverage vendor, wholesaler, and brew pub licenses or any other industry member not licensed in
22 New Hampshire may furnish draft beer equipment and/or representatives to dispense and promote
23 their beverages, *specialty beverages*, and *specialty beer* at licensed beer festivals.

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

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

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

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

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

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

1 4 Fees; Beer and Specialty Beverage Festival. Amend RSA 178:29, I, Beer Festival by replacing
2 it with the following:

3 Beer *and Specialty Beverage* Festival

4 One-day \$ 250

5 Two-day \$ 300

6 Three-day \$ 350

7 5 Direct to Consumer Shipments of Alcohol to New Hampshire Residents. Amend RSA 178:27-
8 b, I to read as follows:

9 I.(a) Notwithstanding any other provision of law to the contrary, any business licensed
10 under this chapter as a beverage manufacturer, nano brewery, brew pub, wine manufacturer, liquor
11 manufacturer or beverage distributor may apply for a direct to consumer shipping permit from the
12 commission. The permit shall authorize the holder to sell and deliver [~~aleehol~~] *alcoholic* beverages
13 to consumers 21 years of age or older located within the state of New Hampshire and businesses
14 licensed by the commission for on-sale and off-sale of alcoholic beverages. *The permit shall also*
15 *authorize the licensee to deliver alcohol manufactured or distributed under their license to*
16 *consumers 21 years of age or older residing in New Hampshire by means of vehicles*
17 *registered to the New Hampshire licensee and holding a carrier license under RSA 178:14.*
18 There shall be no fee to obtain a shipping permit under this section. *Nothing in this paragraph*
19 *shall relieve the licensee of their obligation to comply with the record keeping and*
20 *reporting requirements of this section when shipping products directly to legal age New*
21 *Hampshire consumers by means of a third party holding a carrier license under RSA*
22 *178:14. Direct to consumer permittees or carriers shall not ship into areas of the state*
23 *where alcoholic beverages may not be lawfully sold. Shipments of any other products shall*
24 *be considered unlicensed shipments under the provisions of RSA 178:1, I.*

25 (b) *Any individual engaged in the delivery of alcoholic beverages pursuant to*
26 *this section shall be an employee who regularly receives a W-2 from the licensee and is at*
27 *least 21 years of age. During deliveries conducted under this section, the person making*
28 *the delivery shall obtain a signed receipt from the consumer. Consumers who appear*
29 *visibly intoxicated or who a reasonable and prudent person would know are intoxicated,*
30 *who do not produce identification verifying the consumer's age, or who fail to sign a*
31 *receipt shall not be entitled to his or her delivery of alcoholic beverages.*

32 (c) *No holder of a direct to consumer shipping permit shall deliver any*
33 *alcoholic beverages to any college, university, or school, whether public or private, located*
34 *within the state. No holder of a direct to consumer shipping permit shall deliver any*
35 *alcoholic beverages to any public library, public playground, or public park.*

36 6 Alcoholic Beverages; Transportation of Beverages and Wine. Amend RSA 179:15, III(a)(4) to
37 read as follows:

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1 (4) All beverages and wines transported pursuant to RSA 179:15, II shall be
2 transported in their original, manufactured, sealed containers [~~and shall consist of no greater than~~
3 ~~192 ounces of malt beverage or 1.5 liters of sparkling or still wine~~];

4 7 Repeal. RSA 178:23, IV-V, relative to fees for multi-year licenses, are repealed.

5 8 Effective Date.

6 I. Sections 5-6 of this act shall take effect July 1, 2022.

7 II. The remainder of this act shall take effect 60 days after its passage.

HB 1039- FISCAL NOTE

AS AMENDED BY THE SENATE (AMENDMENTS #2022-1799s and #2022-1946s)

AN ACT relative to the definition of "beverage manufacturer retail outlet," certain liquor licenses and fees, including beer and specialty beverage festival licenses, relative to direct to consumer shipments of alcohol.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General Liquor Fund	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input checked="" type="checkbox"/> Other -

METHODOLOGY:

This bill removes the production and manufacturing requirements from the definition of "beverage manufacturer retail outlet", prohibits licensed carriers from transporting any liquor, wine, or beverage from a person without a direct shipper permit at any time, and repeals provisions for multi-year liquor licenses. The bill also allows holders of a beer festival license to also sell specialty beverages and allows the delivery of alcohol to consumers by means of vehicles registered to a New Hampshire licensee who holds a carrier license.

The Liquor Commission indicates this bill imposes a number of additional requirements and limitations upon the holder of a Direct to Consumer Shipping Permit (DCSP). The Commission is unable to predict the fiscal impact of these changes for businesses that choose to ship alcoholic beverages direct to New Hampshire residents. Currently, 8 manufacturers have acquired a DCSP and only one has shipped beer by means of the DCSP resulting in a tax revenue of just over \$300. The Commission believes this change will not result in a significant amount of new revenues. The Commission is unable to determine what additional revenue might be realized by changing the quantity of beverages or wine that may be delivered by a licensee holding an "on premise restaurant delivery license." This change would place a number of new restrictive provisions in the law, it is possible the Division of Enforcement may experience an increase in work related to monitoring and investigating violations or complaints.

The Commission states specialty beverages are not considered a beer and are not taxed at the rate of \$.30 a gallon, but are taxed by a fee of 5 percent of the wholesale price per case of any specialty beverage. The Commission is unable to determine whether the holders of a beer and

specialty beverage festival license will choose to sell specialty beverages and is not able to predict what additional revenues might be gained by this law change.

AGENCIES CONTACTED:

Liquor Commission

HB 1039 FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENTS #2022-1799s and #2022-1946s)

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AGENCIES CONTACTED:

Liquor Commission

CHAPTER 254
HB 1039 - FINAL VERSION

15Mar2022... 0284h
05/05/2022 1799s
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HOUSE BILL **1039**

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SPONSORS: Rep. Hunt, Ches. 11

COMMITTEE: Commerce and Consumer Affairs

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I. Removes the production and manufacturing requirements from the definition of "beverage manufacturer retail outlet."

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III. Repeals provisions for multi-year liquor licenses.

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CHAPTER 254
HB 1039 - FINAL VERSION

15Mar2022... 0284h
05/05/2022 1799s
05/05/2022 1946s

22-2276
08/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to the definition of "beverage manufacturer retail outlet," certain liquor licenses and fees, including beer and specialty beverage festival licenses, relative to direct to consumer shipments of alcohol.

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

1 254:1 Beverage Manufacturer Retail Outlet; Definition. Amend RSA 175:1, IX-a to read as
2 follows:

3 IX-a. "Beverage manufacturer retail outlet" means an outlet for the sale, sampling,
4 [~~production or manufacturing~~] and promotion of beverages and other products manufactured by a
5 beverage manufacturer licensee.

6 254:2 Carrier Licenses. Amend RSA 178:14, III to read as follows:

7 III. A licensed carrier shall not transport any liquor, wine, or beverage [~~within a 90-day~~
8 ~~period~~] that has been identified by the commission as originating from a person who does not hold a
9 valid New Hampshire direct shipper permit, provided that such identification has first been provided
10 to and received by the licensed carrier in writing. The commission shall notify carriers by mail on a
11 monthly basis of the identity of unauthorized shippers, which notification shall be effective 15 days
12 after such mailing. The commission may impose a fine by rule for violations within the reporting
13 month per shipper.

14 254:3 Beer and Specialty Beverage Festival Licenses. Amend RSA 178:30 to read as follows:

15 178:30 Beer *and Specialty Beverage* Festival Licenses.

16 I. The commission may issue a supplemental beer *and specialty beverage* festival license
17 to the holder of a beverage manufacturer license, brew pub license, wholesale distributors license,
18 beverage vendor license, on-premises license, or off-premises license. The commission may also issue
19 a beer *and specialty beverage* festival license to a responsible person representing a voluntary
20 nonprofit group or such group's designee. Notwithstanding any other provisions of law, the holder of
21 a license under this section shall be allowed to organize, advertise, and hold an event not exceeding 3
22 days in length, promoting the products of the beverage industry. The provisions of RSA 178:22, I,
23 III, and IV shall apply to any license issued under this section. The sales and services of alcoholic
24 beverages shall be in a clearly defined area. Applications for a license under this section shall be
25 filed with the commission 15 working days before the date on which the license is needed.

26 II. For purposes of regulation, any person issued a license under paragraph I shall be
27 subject to all applicable statutory provisions and rules adopted under this title, except as directed by

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- Page 2 -

1 this section. Any violations committed by a supplemental licensee shall be considered violations
2 against the applicant's annual or seasonal license.

3 III. No alcohol other than beverages, *specialty beverages*, and specialty beer shall be
4 served under this license.

5 IV. Holders of a license issued under paragraph I may temporarily register beverages,
6 *specialty beverages*, and specialty beer not currently registered for sale in New Hampshire.
7 Registration shall be on forms provided by the commission. Registration forms shall be filed with
8 the commission and an administration fee of \$10 per brand registered shall be assessed. Temporary
9 registration of beverages, *specialty beverages*, and specialty beer shall not be allowed once a
10 registration form is filed with the commission. Any temporary registration filed under this
11 paragraph shall expire upon the termination of the event or shall not exceed 3 consecutive days,
12 whichever is longer.

13 V. Beverages, *specialty beverages*, and *specialty beer* registered with the commission
14 under paragraph IV shall be purchased by the holder of the license. Additionally, fees of \$.30 per
15 gallon of beverages or specialty beer, *or a fee of 5 percent of the wholesale price per case of any*
16 *specialty beverage*, purchased under this paragraph shall be paid to the commission by the licensee
17 within 10 business days of the expiration of the license. Payment shall be accompanied by any forms
18 and documentation required by the commission.

19 VI. Beverages, *specialty beverages*, and *specialty beer* purchased under paragraph V
20 which are partially consumed or not consumed shall be returned to the supplier for credit or shall be
21 destroyed.

22 VII. Notwithstanding any other provision of this chapter, holders of beverage manufacturer,
23 beverage vendor, wholesaler, and brew pub licenses or any other industry member not licensed in
24 New Hampshire may furnish draft beer equipment and/or representatives to dispense and promote
25 their beverages, *specialty beverages*, and *specialty beer* at licensed beer festivals.

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

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

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

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

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

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- Page 3 -

1 IX. 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.

4 254:4 Fees; Beer and Specialty Beverage Festival. Amend RSA 178:29, I, Beer Festival by
5 replacing it with the following:

6 Beer *and Specialty Beverage* Festival

7 One-day \$ 250

8 Two-day \$ 300

9 Three-day \$ 350

10 254:5 Direct to Consumer Shipments of Alcohol to New Hampshire Residents. Amend RSA
11 178:27-b, I to read as follows:

12 I.(a) Notwithstanding any other provision of law to the contrary, any business licensed
13 under this chapter as a beverage manufacturer, nano brewery, brew pub, wine manufacturer, liquor
14 manufacturer or beverage distributor may apply for a direct to consumer shipping permit from the
15 commission. The permit shall authorize the holder to sell and deliver [~~alcohol~~] *alcoholic* beverages
16 to consumers 21 years of age or older located within the state of New Hampshire and businesses
17 licensed by the commission for on-sale and off-sale of alcoholic beverages. *The permit shall also*
18 *authorize the licensee to deliver alcohol manufactured or distributed under their license to*
19 *consumers 21 years of age or older residing in New Hampshire by means of vehicles*
20 *registered to the New Hampshire licensee and holding a carrier license under RSA 178:14.*

21 There shall be no fee to obtain a shipping permit under this section. *Nothing in this paragraph*
22 *shall relieve the licensee of their obligation to comply with the record keeping and*
23 *reporting requirements of this section when shipping products directly to legal age New*
24 *Hampshire consumers by means of a third party holding a carrier license under RSA*
25 *178:14. Direct to consumer permittees or carriers shall not ship into areas of the state*
26 *where alcoholic beverages may not be lawfully sold. Shipments of any other products shall*
27 *be considered unlicensed shipments under the provisions of RSA 178:1, I.*

28 (b) *Any individual engaged in the delivery of alcoholic beverages pursuant to*
29 *this section shall be an employee who regularly receives a W-2 from the licensee and is at*
30 *least 21 years of age. During deliveries conducted under this section, the person making*
31 *the delivery shall obtain a signed receipt from the consumer. Consumers who appear*
32 *visibly intoxicated or who a reasonable and prudent person would know are intoxicated,*
33 *who do not produce identification verifying the consumer's age, or who fail to sign a*
34 *receipt shall not be entitled to his or her delivery of alcoholic beverages.*

35 (c) *No holder of a direct to consumer shipping permit shall deliver any*
36 *alcoholic beverages to any college, university, or school, whether public or private, located*

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- Page 4 -

1 *within the state. No holder of a direct to consumer shipping permit shall deliver any*
2 *alcoholic beverages to any public library, public playground, or public park.*

3 254:6 Alcoholic Beverages; Transportation of Beverages and Wine. Amend RSA 179:15, III(a)(4)
4 to read as follows:

5 (4) All beverages and wines transported pursuant to RSA 179:15, II shall be
6 transported in their original, manufactured, sealed containers [~~and shall consist of no greater than~~
7 ~~192 ounces of malt beverage or 1.5 liters of sparkling or still wine];~~

8 254:7 Repeal. RSA 178:23, IV-V, relative to fees for multi-year licenses, are repealed.

9 254:8 Effective Date.

10 I. Sections 5-6 of this act shall take effect July 1, 2022.

II. The remainder of this act shall take effect 60 days after its passage.

Approved: June 24, 2022

Effective Date:

I. Sections 5-6 effective July 1, 2022

II. Remainder effective August 23, 2022

Amendments

Amendment to HB 1039

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the definition of "beverage manufacturer retail outlet" and certain liquor
4 licenses and fees, including beer and specialty beverage festival licenses.
5

6 Amend the bill by inserting after section 2 the following and renumbering the original sections 3-4 to
7 read as 4-5, respectively:

8

9 3 Beer and Specialty Beverage Festival Licenses. Amend RSA 178:30 to read as follows:

10 178:30 Beer *and Specialty Beverage* Festival Licenses.

11 I. The commission may issue a supplemental beer *and specialty beverage* festival license
12 to the holder of a beverage manufacturer license, brew pub license, wholesale distributors license,
13 beverage vendor license, on-premises license, or off-premises license. The commission may also issue
14 a beer *and specialty beverage* festival license to a responsible person representing a voluntary
15 nonprofit group or such group's designee. Notwithstanding any other provisions of law, the holder of
16 a license under this section shall be allowed to organize, advertise, and hold an event not exceeding 3
17 days in length, promoting the products of the beverage industry. The provisions of RSA 178:22, I,
18 III, and IV shall apply to any license issued under this section. The sales and services of alcoholic
19 beverages shall be in a clearly defined area. Applications for a license under this section shall be
20 filed with the commission 15 working days before the date on which the license is needed.

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22 subject to all applicable statutory provisions and rules adopted under this title, except as directed by
23 this section. Any violations committed by a supplemental licensee shall be considered violations
24 against the applicant's annual or seasonal license.

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24 issued under paragraph I. The selectmen, city council, city manager, or town administrator may at
25 their discretion, assign police officers to the location of the event where alcoholic beverages are
26 served.

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

30 4 Fees; Beer and Specialty Beverage Festival. Amend RSA 178:29, I, Beer Festival by replacing
31 it with the following:

32 **Beer and Specialty Beverage Festival**

33 One-day	\$ 250
34 Two-day	\$ 300
35 Three-day	\$ 350

2022-1306s

AMENDED ANALYSIS

This bill:

I. Removes the production and manufacturing requirements from the definition of "beverage manufacturer retail outlet."

II. Prohibits licensed carriers from transporting any liquor, wine, or beverage from a person without a direct shipper permit at any time.

III. Repeals provisions for multi-year liquor licenses.

IV. Allows holders of a beer festival license to also sell specialty beverages.

UNAPPROVED

Amendment to HB 1039

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the definition of "beverage manufacturer retail outlet" and certain liquor
4 licenses and fees, including beer and specialty beverage festival licenses.
5

6 Amend the bill by inserting after section 2 the following and renumbering the original sections 3-4 to
7 read as 5-6, respectively:

8

9 3 Beer and Specialty Beverage Festival Licenses. Amend RSA 178:30 to read as follows:

10 178:30 Beer *and Specialty Beverage* Festival Licenses.

11 I. The commission may issue a supplemental beer *and specialty beverage* festival license
12 to the holder of a beverage manufacturer license, brew pub license, wholesale distributors license,
13 beverage vendor license, on-premises license, or off-premises license. The commission may also issue
14 a beer *and specialty beverage* festival license to a responsible person representing a voluntary
15 nonprofit group or such group's designee. Notwithstanding any other provisions of law, the holder of
16 a license under this section shall be allowed to organize, advertise, and hold an event not exceeding 3
17 days in length, promoting the products of the beverage industry. The provisions of RSA 178:22, I,
18 III, and IV shall apply to any license issued under this section. The sales and services of alcoholic
19 beverages shall be in a clearly defined area. Applications for a license under this section shall be
20 filed with the commission 15 working days before the date on which the license is needed.

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

25 III. No alcohol other than beverages, *specialty beverages*, and specialty beer shall be
26 served under this license.

27 IV. Holders of a license issued under paragraph I may temporarily register beverages,
28 *specialty beverages*, and specialty beer not currently registered for sale in New Hampshire.
29 Registration shall be on forms provided by the commission. Registration forms shall be filed with
30 the commission and an administration fee of \$10 per brand registered shall be assessed. Temporary
31 registration of beverages, *specialty beverages*, and specialty beer shall not be allowed once a
32 registration form is filed with the commission. Any temporary registration filed under this

1 paragraph shall expire upon the termination of the event or shall not exceed 3 consecutive days,
2 whichever is longer.

3 V. Beverages, *specialty beverages, and specialty beer* registered with the commission
4 under paragraph IV shall be purchased by the holder of the license. Additionally, fees of \$.30 per
5 gallon of beverages or specialty beer, *or a fee of 5 percent of the wholesale price per case of any*
6 *specialty beverage*, purchased under this paragraph shall be paid to the commission by the licensee
7 within 10 business days of the expiration of the license. Payment shall be accompanied by any forms
8 and documentation required by the commission.

9 VI. Beverages, *specialty beverages, and specialty beer* purchased under paragraph V
10 which are partially consumed or not consumed shall be returned to the supplier for credit or shall be
11 destroyed.

12 VII. Notwithstanding any other provision of this chapter, holders of beverage manufacturer,
13 beverage vendor, wholesaler, and brew pub licenses or any other industry member not licensed in
14 New Hampshire may furnish draft beer equipment and/or representatives to dispense and promote
15 their beverages, *specialty beverages, and specialty beer* at licensed beer festivals.

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

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

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

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

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

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

30 4 Fees; Beer and Specialty Beverage Festival. Amend RSA 178:29, I, Beer Festival by replacing
31 it with the following:

32 Beer *and Specialty Beverage* Festival

33 One-day \$ 250

34 Two-day \$ 300

35 Three-day \$ 350

2022-1799s

AMENDED ANALYSIS

This bill:

I. Removes the production and manufacturing requirements from the definition of "beverage manufacturer retail outlet."

II. Prohibits licensed carriers from transporting any liquor, wine, or beverage from a person without a direct shipper permit at any time.

III. Repeals provisions for multi-year liquor licenses.

IV. Allows holders of a beer festival license to also sell specialty beverages.

Sen. Daniels, Dist 11
May 4, 2022
2022-1946s
08/04

Floor Amendment to HB 1039

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the definition of "beverage manufacturer retail outlet," certain liquor
4 licenses and fees, including beer and specialty beverage festival licenses, relative to
5 direct to consumer shipments of alcohol.
6

7 Amend the bill by replacing all after section 4 with the following:

8

9 5 Direct to Consumer Shipments of Alcohol to New Hampshire Residents. Amend RSA 178:27-
10 b, I to read as follows:

11 I.(a) Notwithstanding any other provision of law to the contrary, any business licensed
12 under this chapter as a beverage manufacturer, nano brewery, brew pub, wine manufacturer, liquor
13 manufacturer or beverage distributor may apply for a direct to consumer shipping permit from the
14 commission. The permit shall authorize the holder to sell and deliver ~~alcohol~~ *alcoholic* beverages
15 to consumers 21 years of age or older located within the state of New Hampshire and businesses
16 licensed by the commission for on-sale and off-sale of alcoholic beverages. *The permit shall also*
17 *authorize the licensee to deliver alcohol manufactured or distributed under their license to*
18 *consumers 21 years of age or older residing in New Hampshire by means of vehicles*
19 *registered to the New Hampshire licensee and holding a carrier license under RSA 178:14.*
20 There shall be no fee to obtain a shipping permit under this section. *Nothing in this paragraph*
21 *shall relieve the licensee of their obligation to comply with the record keeping and*
22 *reporting requirements of this section when shipping products directly to legal age New*
23 *Hampshire consumers by means of a third party holding a carrier license under RSA*
24 *178:14. Direct to consumer permittees or carriers shall not ship into areas of the state*
25 *where alcoholic beverages may not be lawfully sold. Shipments of any other products shall*
26 *be considered unlicensed shipments under the provisions of RSA 178:1, I.*

27 (b) *Any individual engaged in the delivery of alcoholic beverages pursuant to*
28 *this section shall be an employee who regularly receives a W-2 from the licensee and is at*
29 *least 21 years of age. During deliveries conducted under this section, the person making*
30 *the delivery shall obtain a signed receipt from the consumer. Consumers who appear*
31 *visibly intoxicated or who a reasonable and prudent person would know are intoxicated,*
32 *who do not produce identification verifying the consumer's age, or who fail to sign a*
33 *receipt shall not be entitled to his or her delivery of alcoholic beverages.*

1 (c) *No holder of a direct to consumer shipping permit shall deliver any*
2 *alcoholic beverages to any college, university, or school, whether public or private, located*
3 *within the state. No holder of a direct to consumer shipping permit shall deliver any*
4 *alcoholic beverages to any public library, public playground, or public park.*

5 6 Alcoholic Beverages; Transportation of Beverages and Wine. Amend RSA 179:15, III(a)(4) to
6 read as follows:

7 (4) All beverages and wines transported pursuant to RSA 179:15, II shall be
8 transported in their original, manufactured, sealed containers [~~and shall consist of no greater than~~
9 ~~192 ounces of malt beverage or 1.5 liters of sparkling or still wine~~];

10 7 Repeal. RSA 178:23, IV-V, relative to fees for multi-year licenses, are repealed.

11 8 Effective Date.

12 I. Sections 5-6 of this act shall take effect July 1, 2022.

13 II. The remainder of this act shall take effect 60 days after its passage.

2022-1946s

AMENDED ANALYSIS

This bill:

I. Removes the production and manufacturing requirements from the definition of "beverage manufacturer retail outlet."

II. Prohibits licensed carriers from transporting any liquor, wine, or beverage from a person without a direct shipper permit at any time.

III. Repeals provisions for multi-year liquor licenses.

IV. Allows holders of a beer festival license to also sell specialty beverages.

V. Allows the delivery of alcohol to consumers by means of vehicles registered to a New Hampshire licensee who holds a carrier license.

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: March 23, 2022

HEARINGS

Tuesday	03/29/2022	
(Day)	(Date)	
Commerce	State House 100	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.	HB 1039	relative to the definition of "beverage manufacturer retail outlet" and certain liquor licenses and fees.
9:10 a.m.	HB 1558	relative to insurance holding companies.
9:20 a.m.	HB 1559	relative to laws administered by the insurance department.
9:30 a.m.	HB 1583-FN	relative to days of operation of state liquor stores.
9:40 a.m.	HB 1613-FN	relative to certain liquor manufacturers.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 1039

Rep. Hunt

HB 1558

Rep. Hunt

HB 1559

Rep. Bartlett

Rep. Hunt

Rep. Potucek

HB 1583-FN

Rep. Horrigan

HB 1613-FN

Rep. Post

Rep. Harvey-Bolia

Rep. Deshaies

Aaron Jones 271-4063

Harold F. French
Chairman

Senate Commerce Committee

Aaron Jones 271-4063

HB 1039, relative to the definition of "beverage manufacturer retail outlet" and certain liquor licenses and fees.

Hearing Date: March 29, 2022

Time Opened: 9:04 a.m.

Time Closed: 9:09 a.m.

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

Members of the Committee Absent : None

Bill Analysis: This bill:

I. Removes the production and manufacturing requirements from the definition of "beverage manufacturer retail outlet."

II. Prohibits licensed carriers from transporting any liquor, wine, or beverage from a person without a direct shipper permit at any time.

III. Repeals provisions for multi-year liquor licenses.

Sponsors:

Rep. Hunt

Who supports the bill: 110 people signed up in support of the bill. Full sign in sheets available upon request.

Who opposes the bill: No one

Who is neutral on the bill: No one

Summary of testimony presented in support:

Representative John Hunt

- This bill would make several changes.
 - Section 1 would clarify that beverage manufacturers do not need to produce beer at their extra location. A second location, for example, might be a shopping mall.

- While the Attorney General has already addressed this issue, Representative Hunt said the legislation was necessary to ensure that the statute was clear.
- Section 2 would remove “within a 90-day period” from RSA 178:14, III to clarify that a license is suspended until the Commission has decided differently.
 - Representative Hunt said the existing language has been confusing and some violators felt they only had to wait 90 days before they could start shipping again.
- Section 3 would repeal statutory language that allowed some licensees to pay for multi-year licenses.
 - Auditors found that no one has ever taken advantage of this statute.

Mark Armaganian, Chief & Director of the Division of Enforcement & Licensing, New Hampshire Liquor Commission

- Chief Armaganian said this was a “clean-up” bill.
- Over the past 5 years, the Division has worked to streamline and create more efficiencies.
 - As Representative Hunt stated, for example, the multi-year license was something that could be removed from statute because no one has used it for years.
- Chief Armaganian said they supported the other provisions of the bill as well.

Summary of testimony presented in opposition: None

Neutral Information Presented: None

AJ
Date Hearing Report completed: March 30, 2022

Speakers

Senate Remote Testify

Commerce Committee Testify List for Bill HB1039 on 2022-03-29

Support: 107 Oppose: 0

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Provencher, Andrew	A Lobbyist	New Hampshire Brewers Association (NHBA)	Support
Shackett, Jon	A Member of the Public	Myself	Support
Moe, Erol	A Member of the Public	Myself	Support
Clark, Judi	A Member of the Public	Myself	Support
Levine, Robert	A Member of the Public	Myself	Support
George, Nicholas	A Member of the Public	Myself	Support
Olivier, Brandon	A Member of the Public	Myself	Support
Rosenfeld, Erika	A Member of the Public	Post & Beam Brewing	Support
OSHANA, RJ	A Member of the Public	Harvest Tuns Brewing, Haverhill, NH	Support
Booth, Randy	A Member of the Public	Twin Barns Brewing Co., Meredith	Support
Deutsch, Elizabeth	A Member of the Public	Myself	Support
Frain, Jeff	A Member of the Public	Myself	Support
Towns, Duane	A Member of the Public	Myself	Support
Drewniak, Glen	A Member of the Public	Myself	Support
MacDonald, Ian	A Member of the Public	Myself	Support
MacDonald, Jennifer	A Member of the Public	Myself	Support
Gyles, Geoffrey	A Member of the Public	Myself	Support
Manley, Robert	A Member of the Public	Myself	Support
Fusco, Michael	A Member of the Public	Woodstacker Beer Co., Derry, NH	Support
Estey, Ashley	A Member of the Public	Myself	Support
Courville, Michael	A Member of the Public	Myself	Support
Prost, Christopher	A Member of the Public	Myself	Support
Santangelo, Mariano	A Member of the Public	Myself	Support
Hardcastle, Ken	A Member of the Public	Myself	Support
O'Brien, Steve	A Member of the Public	Myself	Support
Kiley, Patrick	A Member of the Public	Myself	Support
Holland, Michael	A Member of the Public	Myself	Support
Sarette, James	A Member of the Public	Myself	Support
Matheson, Bea	A Member of the Public	Myself	Support
Steel, Timothy	A Member of the Public	Myself	Support
Kelly, Sean	A Member of the Public	Myself	Support
DeMaria, Anne	A Member of the Public	Myself	Support
LeBlanc, Jeanine	A Member of the Public	Myself	Support
Bailey, Raymond	A Member of the Public	Myself	Support
Larsen, Diana	A Member of the Public	Myself	Support
Ciofrone, Chris	A Member of the Public	Myself	Support
Lawrence, Charles	A Member of the Public	Myself	Support
Bath, Thomas	A Member of the Public	Myself	Support
Winn, Jacob	A Member of the Public	Myself	Support
COOTS, ORLO	A Member of the Public	Myself	Support
Picarillo, David	A Member of the Public	Myself	Support
Gelinas, Robin	A Member of the Public	Myself	Support
Green, James	A Member of the Public	Myself	Support
Burgess, Stephen	A Member of the Public	Myself	Support
Kelly-LaPointe, Mary Jo	A Member of the Public	Myself	Support
Heaton, Jeff	A Member of the Public	Myself	Support
Buell, Nancy	A Member of the Public	Myself	Support

Doyle, Marie	A Member of the Public	Myself	Support
Crowley, Brian	A Member of the Public	Myself	Support
Duff, Garrett	A Member of the Public	Myself	Support
Frechette, Thomas	A Member of the Public	Myself	Support
Harrington, Jason	A Member of the Public	Myself	Support
judge, Kristin	A Member of the Public	Myself	Support
Young, Richard	A Member of the Public	Myself	Support
Zagami, Frank	A Member of the Public	Myself	Support
Coker, Clark	A Member of the Public	Myself	Support
Shapleigh, Zachary	A Member of the Public	Myself	Support
Dunnington, Ken	A Member of the Public	Myself	Support
Curley, Sharon	A Member of the Public	Myself	Support
Keegan, Michael	A Member of the Public	Myself	Support
Watson, Mark	A Member of the Public	Myself	Support
Levin, Alexander	A Member of the Public	Myself	Support
Burger, Melanie	A Member of the Public	Myself	Support
Watson, Patricia	A Member of the Public	Myself	Support
Maidment, Christopher	A Member of the Public	Myself	Support
Beausoleil, Mark	A Member of the Public	Myself	Support
Harvey, Tom	A Member of the Public	Myself	Support
Cleary, Christine	A Member of the Public	Myself	Support
Cleary, Robert	A Member of the Public	Myself	Support
Walsh, Joanne	A Member of the Public	Myself	Support
Nicole, Forrence	A Member of the Public	Myself	Support
Nariff, Kyle	A Member of the Public	Myself	Support
Noonan, Colleen	A Member of the Public	Myself	Support
Sullivan, Christopher	A Member of the Public	Myself	Support
Brown, Matt	A Member of the Public	Myself	Support
Leclercq, Darrin	A Member of the Public	Myself	Support
Labrie, Daniel	A Member of the Public	Myself	Support
Neves, Kirsten	A Member of the Public	Tuckerman Brewing Co, Conway, NH	Support
Russo, Joseph	A Member of the Public	Myself	Support
Bean, Kristopher	A Member of the Public	Myself	Support
Cirinna, Matthew	A Member of the Public	Myself	Support
Cirinna, Abby	A Member of the Public	Myself	Support
Rein, William	A Member of the Public	Myself	Support
Little, Tim	A Member of the Public	Myself	Support
Gerlarneau, Shelley	A Member of the Public	Myself	Support
Lee, Lauren	A Member of the Public	Myself	Support
Kriebel, Kristina	A Member of the Public	Myself	Support
Donahue, Jacob	A Member of the Public	Myself	Support
Traver, Zachary	A Member of the Public	Myself	Support
Bruning, Samantha	A Member of the Public	Myself	Support
Harrington, Margaret	A Member of the Public	Myself	Support
Cole, Ashley	A Member of the Public	Myself	Support
Westberg, Kari	A Member of the Public	Myself	Support
Tecce, Felice	A Member of the Public	Myself	Support
Gelinas, Kaleena	A Member of the Public	Myself	Support
Flood, Phylicia	A Member of the Public	Myself	Support
Letarte, Amy	A Member of the Public	Myself	Support
Grealish, Dan	A Member of the Public	Myself	Support
McSweeney, Kathleen	A Member of the Public	Myself	Support
Oeser, Michelle	A Member of the Public	Myself	Support
Molnar, Dennis	A Member of the Public	Myself	Support
Kleckner, Jacob	A Member of the Public	Myself	Support
Sewall, Chris	A Member of the Public	Myself	Support

Little, Seth
Stearns, Arienne
Wendelboe, Alisha
McCauley, William

A Member of the Public
A Member of the Public
A Member of the Public
A Member of the Public

Deep Roots Brewing Company, Epsom
Myself
Myself
Myself

Support
Support
Support
Support

Testimony

Aaron Jones

From: Mike F <thefuzzco@gmail.com>
Sent: Monday, March 28, 2022 12:42 PM
To: William Gannon; Donna Soucy; Kevin Cavanaugh; Aaron Jones; Jeb Bradley
Subject: HB1039

Hello,

My name is Michael Fusco. I started Woodstacker Beer Co. during the pandemic and have spent the last 18 months constructing a 360 sq ft brewery where I will produce my beer for self-distribution and retail sales. HB1039 is absolutely essential to my business plan and future as a business and potential employer.

I do not have space for a tasting room. The tasting room is the highest margin opportunity for breweries. This bill would ensure that I would still have the option to provide a retail purchase location at optimal margins even if it is not at my physical brewery. HB1039 is the best of both worlds and a common-sense win for the state and for the brewing community and its patrons.

Entrepreneurs like myself rely on changes like HB1039 to ensure a competitive landscape. I am starting my business on \$150,000 and trying to compete with companies that started with 10x that amount. I feel this bill gives me a fighting chance to do that. It is absolutely a force multiplier for tiny operations like myself.

I hope you will consider companies like Woodstacker Beer Co. and vote yes on HB1039.

Thank you,
Mike Fusco
Woodstacker Beer Co.
Derry, NH



Support of HB 1039

March 28, 2022

Chairman French and Members of the Senate Commerce Committee:

My name is CJ Haines and I'm the Executive Director of the New Hampshire Brewers Association (NHBA). The NHBA represents 86 independent craft breweries in New Hampshire, many of which are small and family-owned business.

We are writing today in **support of HB 1039**.

Last year, the successful passage of Sen. Gannon's SB 125 served as a crucial first step towards helping NH breweries move towards greater parity with our neighbors while also enhancing our vital economic sector which has an over a \$500 million dollar impact to our state.

One important piece of Senate Bill 125 allowed for Beverage Manufactures to pay a fee to maintain one, secondary, non-production retail storefront per license. This was a right already offered to NH wineries and brewers in neighboring states.

For example, this "retail outlet" / satellite location allows for a North Country brewer to open one retail storefront in a more densely populated area of the state, less effected by seasonal fluctuations, and sell their products and offer tastings.

It is also allows for smaller brewers, who may not have enough space in their production facility to have a tasting room, to choose to have a small storefront location where customers can purchase or sample their products.

HB 1039 helps to clarify that there is in fact no production component needed at these beverage manufacturer retail outlets, ensuring parity between NH breweries, NH wineries and brewers in neighboring states. Eliminating this ambiguity also allows for greater clarity for NH brewers who are in the planning stages of a retail outlet.

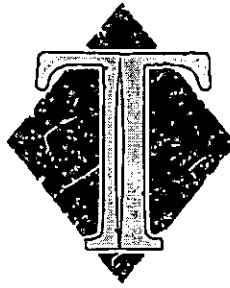
Thank you for the opportunity to submit this testimony and our membership is more than happy to answer any questions that you might have.

Thank you,

CJ Haines
Executive Director
New Hampshire Brewers Association

PO Box 2216
Concord, NH 03302

[334-603-BEER \(2337\)](tel:334-603-BEER) • info@nhbrewers.org



TUCKERMAN BREWING
CONWAY, NH

28 March 2022

State of NH
House of Representatives
Senate Commerce Committee

Chairman French and Members of the Senate 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 1039**.

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.

Last year, legislation was passed that allowed Beverage Manufacturers the ability to open a satellite tasting room. Our brewery is located off the beaten path in an industrial park several turns off of Rt 16 in Conway. Customers who visit us now either seek us out or are told about it through word of mouth from people who have visited our brewery. Opening a satellite tasting room in a populated area in a busy retail location will allow us to reach a whole new group of customers and will help us offset the seasonal fluctuations of our area.

HB1039 establishes that beverage manufacturers aren't required to brew beer at the satellite tasting room. This will give us parity with NH wineries and breweries in surrounding states. That is also important because we will be able to transport beer from our main brewery and not be forced to invest in needless brewing equipment and staffing to operate a "pilot" brewhouse at the satellite location.

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

Voting Sheets

Senate Commerce Committee
EXECUTIVE SESSION RECORD
2021-2022 Session

Bill # HB 1039

Hearing date: 3/29/22

Executive Session date: 4/26/22

Motion of: OTP-A Vote: 5-0

Committee Member	Made by	Second	Yes	No
Sen. French, Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input checked="" type="checkbox"/>	<input checked="" 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 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: Amendment (1306s) Vote: 5-0

Committee Member	Made by	Second	Yes	No
Sen. French, Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input checked="" type="checkbox"/>	<input checked="" 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 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: Amendment Vote: 5-0

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

Reported out by: _____

Notes: Flip over →

Senate Commerce Committee
EXECUTIVE SESSION RECORD
2021-2022 Session

Bill # HB 1039

Hearing date: 3/29/22

Executive Session date: 4/26/22

Motion of: CONSENT 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"/>

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. Bradley

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Tuesday, April 26, 2022

THE COMMITTEE ON Commerce

to which was referred **HB 1039**

AN ACT

relative to the definition of "beverage manufacturer
retail outlet" and certain liquor licenses and fees.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1799s

Senator Jeb Bradley
For the Committee

This bill would make modifications to various liquor-related statutes. First, it would clarify that beverage manufacturers do not need to produce beer at their extra location. Second, the phrase "within a 90-day period" would be removed from RSA 178:14, III to clarify that a license is suspended until the Liquor Commission has decided otherwise. Finally, the statutory language in RSA 178:23, IV-V that permitted some licensees to pay for multi-year licenses would be repealed. At the request of the industry, the Committee Amendment included specialty beverages in the statute related to beer festival licenses.

Aaron Jones 271-4063

FOR THE CONSENT CALENDAR

COMMERCE

HB 1039, relative to the definition of "beverage manufacturer retail outlet" and certain liquor licenses and fees.

Ought to Pass with Amendment, Vote 5-0.

Senator Jeb Bradley for the committee.

This bill would make modifications to various liquor-related statutes. First, it would clarify that beverage manufacturers do not need to produce beer at their extra location. Second, the phrase "within a 90-day period" would be removed from RSA 178:14, III to clarify that a license is suspended until the Liquor Commission has decided otherwise. Finally, the statutory language in RSA 178:23, IV-V that permitted some licensees to pay for multi-year licenses would be repealed. At the request of the industry, the Committee Amendment included specialty beverages in the statute related to beer festival licenses.

Docket of HB1039

Docket Abbreviations

Bill Title: (Third New Title) relative to the definition of "beverage manufacturer retail outlet," certain liquor licenses and fees, including beer and specialty beverage festival licenses, relative to direct to consumer shipments of alcohol.

Official Docket of HB1039.:

Date	Body	Description
11/2/2021	H	Introduced 01/05/2022 and referred to Commerce and Consumer Affairs
1/12/2022	H	Public Hearing: 01/12/2022 10:00 a.m. LOB302-304
2/15/2022	H	Subcommittee Work Session: 02/24/2022 01:15 pm LOB 302-304
2/23/2022	H	==CANCELLED== Subcommittee Work Session: 03/02/2022 01:15 pm LOB 302-304
3/3/2022	H	Executive Session: 03/03/2022 1:15 p.m. LOB302-304
3/9/2022	H	Committee Report: Ought to Pass with Amendment #2022-0284h (NT) (Vote 18-0; CC)
3/15/2022	H	Ought to Pass with Amendment 2022-0284h: MA VV 03/15/2022 HJ 6
3/22/2022	S	Introduced 03/17/2022 and Referred to Commerce; SJ 6
3/23/2022	S	Hearing: 03/29/2022, Room 100, SH, 09:00 am; SC 13
4/26/2022	S	Committee Report: Ought to Pass with Amendment #2022-1799s , 05/05/2022; Vote 5-0; CC; SC 18
5/5/2022	S	Sen. Bradley Moved to Remove HB 1039 from the Consent Calendar; 05/05/2022; SJ 11
5/5/2022	S	Committee Amendment #2022-1799s , AA, VV; 05/05/2022; SJ 11
5/5/2022	S	Sen. Daniels Floor Amendment #2022-1946s , AA, VV; 05/05/2022; SJ 11
5/5/2022	S	Ought to Pass with Amendments 2022-1799s and 2022-1946s, MA, VV; OT3rdg; 05/05/2022; SJ 11
5/12/2022	H	House Concurs with Senate Amendment (Rep. Hunt): MA VV 05/12/2022 HJ 13
6/14/2022	S	Enrolled Adopted, VV, (In recess 05/26/2022); SJ 13
6/14/2022	H	Enrolled (in recess of) 05/26/2022 HJ 14
6/29/2022	H	Signed by Governor Sununu 06/24/2022; Chapter 254; I. Sec 5-6 eff. 7/01/2022 II. Rem eff. 8/23/2022 HJ 14

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 1039

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 # 1306S ___ - amendment # ___

- amendment # 1799S ___ - 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 # 1946 ___ - 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

7/7/22
Date

Senate Clerk's Office AK