

Draft Fee Bill Language from Administration
Department of Liquor Control

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* * *Liquor Control* * *

* * *Licensing* * *

Sec. 41. 7 VSA§ 231 is amended to read:

(a) The following fees shall be paid:

- (1) For a manufacturer's or rectifier's license to manufacture or rectify malt beverages and vinous beverages or to manufacture or rectify spirituous liquors, ~~\$285.00~~ \$310.00 for either license.
- (2) For a bottler's license, ~~\$1,705.00~~ \$1,865.00.
- (3) For a wholesale dealer's license, ~~\$1,140.00~~ \$1245.00 for each location.
- (4) For a first-class license, ~~\$230.00~~ \$250.00.
- (5) For a second-class license, ~~\$140.00~~ \$155.00.
- (6) For a third-class license, ~~\$1,000.00~~ \$1,095.00 for an annual license and \$500.00 for a six-month license.
- (7) For a shipping license for vinous beverages:
 - (A) In-state consumer shipping license, initial and renewal, ~~\$300.00~~ \$330.00.
 - (B) Out-of-state consumer shipping license, initial and renewal, ~~\$300.00~~ \$330.00.
 - (C) Retail shipping license, ~~\$230.00~~ \$250.00.
- (8)(A) For a caterer's license, ~~\$230.00~~ \$220.00.
 - (B) For a commercial catering license, ~~\$200.00~~ \$220.00.
 - (C) For a request to cater permit, \$20.00.
- (9) [Repealed.]

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- (10) [Repealed.]
- (11) For up to ten fourth-class vinous licenses, ~~\$65.00~~ \$70.00.
- (12) For an industrial alcohol distributors license, ~~\$200.00~~ \$220.00.
- (13) For a special events permit, ~~\$35.00~~ \$40.00.
- (14) For a festival permit, ~~\$115.00~~ \$125.00.
- (15) For a wine tasting permit, \$25.00.
- (16) For an educational sampling event permit, ~~\$230.00~~ \$250.00.
- (17) For an outside consumption permit, \$20.00.
- (18) For a certificate of approval:
 - (A) For malt beverages, ~~\$2,275.00~~ \$2,485.00.
 - (B) For vinous beverages, ~~\$900.00~~ \$985.00.
- (19) For a solicitor's license, ~~\$65.00~~ \$70.00.
- (20) For a vinous beverages storage license, ~~\$215.00~~ \$235.00.
- (21) For a promotional tasting permit for a railroad, \$20.00.
- (22) For an art gallery or bookstore permit, \$20.00.

* * *LIQUOR LICENSE* * *

Sec. 42. 7 V.S.A. § 239 is amended to read:

Licensee education and fees

(a) A new first-class, second-class, third-class, fourth-class/ ~~or~~ farmer's market license or manufacturer license shall not be granted until the applicant has ~~met with a liquor~~

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~~control investigator or training specialist~~ attended a Department of Liquor Control in-person seminar or completed the appropriate Department of Liquor Control online training program for the purpose of being informed of the Vermont liquor laws, rules, and regulations pertaining to the purchase, storage, and sale of alcohol beverages. A corporation, partnership, or association shall designate a director, partner, or manager who shall comply with the terms of this subsection.

(b) Every first-class, second-class, third-class, fourth-class~~;~~ ~~or~~ farmer's market licensee and every holder of a manufacturer's license shall complete the Department of Liquor Control in-person licensee training seminar or the appropriate Department of Liquor Control online training program at least once every two years. A corporation, partnership, or association shall designate a director, partner, or manager who shall comply with the terms of this subsection. A first-class, second-class, third-class, fourth-class~~;~~ ~~or~~ /farmer's market license or manufacturer's license shall not be renewed unless the records of the Department of Liquor Control show that the licensee has complied with the terms of this subsection.

(c) Each licensee shall ensure that every employee who is involved in the sale or serving of alcohol beverages completes a training program approved by the Department of Liquor Control before the employee begins serving or selling alcoholic beverages and at least once every 24 months thereafter. Each licensee shall maintain written documentation, signed by each employee trained, of each training program conducted. A licensee may comply with this requirement by ~~conducting its own training program on its~~

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~~premises~~, using information ~~and materials furnished or~~ approved by the Department of Liquor Control. A licensee who fails to comply with the requirements of this subsection shall be subject to a suspension of no less than one day of the license issued under this title.

(d) The following fees for Department of Liquor Control in-person or online seminars will be paid:

(1) For a First Class or First and Third Class Licensee Seminar either in person or online, \$25.00 per person.

(2) For a Second Class Licensee Seminar either in-person or online, \$25.00 per person.

(3) For a combination First Class, First and Third Class and Second Class Licensee Seminar either in-person or online, \$25.00 per person.

(4) For a Manufacturer, Fourth Class/Farmers Market Licensee Seminar either in-person or online, \$10.00 per person.

(5) For common carrier seminars either in-person or online, \$10.00 per person.

(6) For all Special Event, Festival, Educational Sampling, Art Gallery, Bookstore, Museum and Library permit holders for either in-person or online seminar, \$10.00 per person.

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(e) Fees for all seminars listed in this section and under other sections of this Title with regards to in-person or online training shall be deposited directly to the Liquor Control Enterprise Fund.

Sec. 43. 7 V.S.A. § 1002 is amended to read:

TOBACCO LICENSE

(a) An applicant for a tobacco license that does not hold a liquor license issued under this title shall be granted a tobacco license pursuant to section 1002 of this title only after the applicant has ~~met with a liquor control investigator~~ attended a Department of Liquor Control in-person seminar or completed the appropriate Department of Liquor Control online training program for the purpose of being informed about the Vermont tobacco laws pertaining to the purchase, storage and sale of tobacco products. A corporation, partnership or association shall designate a director, partner or manager to comply with the requirements of this subsection.

(b) The holder of a tobacco license that does not also hold a liquor license issued pursuant to this title for the same premises shall:

(1) Complete the department's in-person or online enforcement seminar at least once every ~~three~~ two years. A corporation, partnership or association shall designate a director, partner or manager to comply with this subdivision.

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(2) Ensure that every employee involved in the sale of tobacco products completes a Department of Liquor Control in-person or online training program or other training programs approved by the department ~~of liquor control~~ before the employee begins selling or providing tobacco products, and at least once every 24 months thereafter. ~~A licensee may comply with this subdivision by conducting its own training program on its premises using information and materials furnished by the department of liquor control.~~ A licensee who fails to comply with the requirements of this subsection shall be subject to suspension of the tobacco license for no less than one day. (Added 2001, No. 147 (Adj. Sess.), § 2, eff. June 21, 2002.)

(3) Fees for Department of Liquor Control in-person and online seminars for Tobacco only will be \$10.00 per person.

Sec 44. 7 VSA § 1002 is amended to read:

(d) A person applying simultaneously for a tobacco license and a liquor license shall apply to the legislative body of the municipality and shall pay to the Department only the fee required to obtain the liquor license. A person applying for a tobacco license shall submit a fee of ~~\$100.00~~ \$110.00 to the legislative body of the municipality for each tobacco license or renewal. The municipal clerk shall forward the application to the Department, and the Department shall issue the tobacco license. The tobacco license fee shall be forwarded to the Commissioner for deposit in the Liquor Control Enterprise Fund

* * * Alcoholic Beverages* * *

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* * *Prohibited Acts* * *

Sec. 45. 7 V.S.A. § 66 is amended to read:

DIRECT TO CONSUMER/RETAIL SHIPPING (COMON CARRIER)

§67(f) A common carrier shall not deliver vinous beverages or malt beverages until it has complied with the training provisions in subsections 239(a), ~~and (b)~~ and(d)(5) of this title and been certified by the Department of Liquor Control. No employee of a certified common carrier may deliver vinous beverages or malt beverages until that employee completes the training provisions in subsection 239(c) of this title. A common carrier shall deliver only vinous beverages or malt beverages that have been shipped by the holder of a license issued under this section or a vinous beverage storage license issued under section 68 of this title.

* * * General Provisions* * *

Sec. 46. 7 V.S.A. § 2 is amended to read:

§2(29) "Festival permit": a permit granted by the Liquor Control Board permitting a person to conduct an event at which malt or vinous beverages, or both, are sold by the glass to the public, provided the event is approved by the local licensing authority. A festival permit holder may purchase invoiced volumes of malt or vinous beverages directly from a manufacturer or bottler, provided the manufacturer or bottler either holds a federal Basic Permit or a Brewers Notice or evidence of licensure in a foreign country,

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satisfactory to the Board, whichever applies. The invoiced volumes of malt or vinous beverages may be transported to the site and sold by the glass to the public by the permit holder or its employees and volunteers only during the event. A festival permit holder shall be subject to the provisions of this chapter, including section ~~240~~ 239 of this title, and the rules of the Board regarding the sale of the alcoholic beverages and shall pay the tax on the malt or vinous beverages as required by section 421 of this title. A person shall not be granted a festival permit more than four times in one year, and each permit shall be valid for no more than four consecutive days. A request for a festival permit shall be submitted to the Department in a form required by the Department at least 15 days prior to the festival and shall be accompanied by a permit fee as required by subdivision 231(14) of this title to be paid to the Department.