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S.138

Senator Westman moves that the Report of the Committee on Finance be amended in Sec. 50, 7 V.S.A. § 2, by striking out the section in its entirety and inserting in lieu thereof a new Sec. 50 to read:

Sec. 50. 7 V.S.A. § 2 is amended to read:

§ 2. DEFINITIONS

The following words as used in this title, unless a contrary meaning is required by the context, shall have the following meaning:

* * *

(15) “Manufacturer’s or rectifier’s license”: a license granted by the Liquor Control Board that permits the holder to manufacture or rectify ~~spirituous liquors~~ spirits or fortified wines for export and sale to the Liquor Control Board, or malt beverages and vinous beverages for export and sale to bottlers or wholesale dealers. This license permits a manufacturer of vinous beverages or fortified wines to receive from another manufacturer licensed in or outside this ~~state~~ State bulk shipments of vinous beverages to rectify with the licensee’s own product, provided that the vinous beverages or fortified wines produced by a Vermont manufacturer may contain no more than 25 percent imported vinous beverage. The Liquor Control Board may grant to a licensed manufacturer or rectifier a first-class restaurant or cabaret license or first- and third-class restaurant or cabaret license permitting the licensee to sell

1 alcoholic beverages to the public only at the manufacturer's premises, which,
2 for the purposes of a manufacturer of malt beverages, includes up to two
3 licensed establishments that are located on the contiguous real estate of the
4 holder of the manufacturer's license, provided the manufacturer owns or has
5 direct control over those establishments. A manufacturer of malt beverages
6 who also holds a first-class restaurant or cabaret license may serve to a
7 customer malt beverage by the glass, not to exceed eight glasses at one time
8 and not to exceed four ounces in each glass. The Liquor Control Board may
9 grant to a licensed manufacturer or a rectifier of malt beverages a second-class
10 license permitting the licensee to sell alcoholic beverages to the public
11 anywhere on the manufacturer's or rectifier's premises. A licensed
12 manufacturer or rectifier of vinous beverages may serve, with or without
13 charge, at an event held on premises of the licensee or the vineyard property,
14 spirits and vinous beverages and malt beverages, provided the licensee gives
15 the Department written notice of the event, including details required by the
16 Department, at least five days before the event. Any beverages not
17 manufactured by the licensee and served at the event shall be purchased on
18 invoice from a licensed manufacturer or wholesale dealer or the Liquor Control
19 Board.

20 * * *

1 (19) “Second-class license”: a license granted by the control
2 commissioners permitting the licensee to export malt or vinous beverages and
3 to sell malt beverages or vinous beverages to the public for consumption off
4 the premises for which the license is granted. The Liquor Control Board may
5 grant a second-class licensee a fortified wine permit that permits the licensee to
6 export and to sell fortified wines to the public for consumption off the licensed
7 premises.

8 (20) “Spirits” or “spirituous liquors”: beverages that contain more than
9 one percent of alcohol obtained by distillation, by chemical synthesis, or
10 through concentration by freezing; ~~and~~ vinous beverages containing more than
11 ~~16~~ 23 percent of alcohol; and ~~all vermouths of any alcohol content; malt~~
12 beverages containing more than 16 percent of alcohol or more than six percent
13 of alcohol if the terminal specific gravity thereof is less than 1.009; in each
14 case measured by volume at 60 degrees Fahrenheit.

15 * * *

16 (22) “Third-class license”: a license granted by the Liquor Control
17 Board permitting the licensee to sell ~~spirituous liquors~~ spirits and fortified
18 wines for consumption only on the premises for which the license is granted.

19 (23) “Vinous beverages”: all fermented beverages of any name or
20 description manufactured or obtained for sale from the natural sugar content of
21 fruits; or other agricultural product, containing sugar, the alcoholic content of

1 which is not less than one percent nor more than 16 percent by volume at 60
2 degrees Fahrenheit, ~~except that all vermouths shall be purchased and retailed~~
3 ~~by and through the Liquor Control Board as authorized in chapters 5 and 7 of~~
4 ~~this title.~~

5 * * *

6 (27) “Special events permit”: a permit granted by the Liquor Control
7 Board permitting a person holding a manufacturer’s or rectifier’s license to sell
8 by the glass or by unopened bottle spirits, fortified wines, malt beverages, or
9 vinous beverages manufactured or rectified by the license holder at an event
10 open to the public that has been approved by the local licensing authority. For
11 the purposes of tasting only, the permit holder may distribute, with or without
12 charge, beverages manufactured by the permit holder by the glass no more than
13 two ounces per product and eight ounces total of malt beverages or vinous
14 beverages and no more than one ounce in total of spirits or fortified wines to
15 each individual. No more than ~~36~~ 104 special events permits may be issued to
16 a holder of a manufacturer’s or rectifier’s license during a year. A special
17 event permit shall be valid for the duration of each public event or four days,
18 whichever is shorter. Requests for a special events permit, accompanied by the
19 fee as required by subdivision 231(13) of this title, shall be submitted to the
20 Department of Liquor Control at least five days prior to the date of the event.
21 Each manufacturer or rectifier planning to attend a single special event under

1 this permit may be listed on a single permit. However, each attendance at a
2 special event shall count toward the manufacturer's or rectifier's ~~36~~ 104
3 special-event-permit limitation.

4 (28) "Fourth-class license" or "farmers' market license": the license
5 granted by the Liquor Control Board permitting a manufacturer or rectifier of
6 malt ~~or~~ beverages, vinous beverages, fortified wines, or spirits to sell by the
7 unopened container and distribute; by the glass, with or without charge,
8 beverages manufactured by the licensee. No more than a combined total of ten
9 fourth-class and farmers' market licenses may be granted to a licensed
10 manufacturer or rectifier. At only one fourth-class license location, a
11 manufacturer or rectifier of vinous beverages, malt beverages, fortified wines,
12 or spirits may sell by the unopened container and distribute by the glass, with
13 or without charge, vinous beverages, malt beverages, fortified wines, or spirits
14 produced by no more than five additional manufacturers or rectifiers, provided
15 these beverages are purchased on invoice from the manufacturer or rectifier. A
16 manufacturer or rectifier of vinous beverages, malt beverages, fortified wines,
17 or spirits may sell its product to no more than five additional manufacturers or
18 rectifiers. A fourth-class licensee may distribute by the glass no more than two
19 ounces of malt beverages or vinous beverage with a total of eight ounces to
20 each retail customer and no more than one-quarter ounce of spirits or fortified
21 wine with a total of one ounce to each retail customer for consumption on the

1 manufacturer's premises or at a farmers' market. A fourth class licensee may
2 distribute by the glass up to four mixed drinks containing a combined total of
3 no more than one ounce of spirits or fortified wine to each retail customer for
4 consumption only on the manufacturer's premises. A farmers' market license
5 is valid for all dates of operation for a specific farmers' market location.

6 * * *

7 (38) "Fortified wines": vinous beverages, including those to which
8 spirits have been added during manufacture, containing at least 16 percent
9 alcohol but no more than 23 percent alcohol by volume at 60 degrees
10 Fahrenheit, and all vermouths containing no more than 23 percent alcohol by
11 volume at 60 degrees Fahrenheit.