

DLC Comments on H.89

The Department has many concerns with this proposal:

1. The Department is concerned with allowing alcohol to be served in a commercial setting without a license.
 - a. This undercuts the entire licensing scheme.
 - b. DLC and the Liquor Control Board will have no regulatory control or authority over a non-licensed entity.
 - c. If they do not need a license is server training required? How will this be regulated? Since there is no license who will be responsible for the operation and service?

2. No definition of “theater for the performing arts” is provided.
 - a. I would expect many presently licensed establishments would make the claim they qualify for no license and no regulation
 - i. Higher Ground
 - ii. Any facility that has a band or music
 - iii. Movie theaters
 - iv. Any outdoor concert or festival

3. The Department is curious about that the goals and objectives of the proposed legislation are.
 - a. We presently have a number of theaters and performing arts centers that are licensed under our present law.
 - i. Big Picture in Waitsfield
 - ii. Savoy in Montpelier
 - iii. Catamount Film & Arts St. Johnsbury
 - iv. Next Stage Arts in Putney

4. While not being clear of the goals and objectives of the bill the Department has worked to determine what would be saved by allowing this.
 - a. \$115 DLC license fee
 - b. \$115 Town license fee
 - c. Possibly a Health Department License fee (\$225)
 - d. Cost of insurance should they overserve
 - e. Cost of training for staff and management

5. The total cost to the Department are unknown and difficult to determine since a clear definition of what types of entities will be covered is not provided.
6. They can presently do what is sought here by hiring a caterer to serve beverage alcohol at their events.
7. As presently drafted the Department is cannot support this bill.
8. Further, the underlying concept of the bill runs counter to the control mission of the Department as it seems to eliminate all controls over an establishment that serves beverage alcohol so it is not clear that the Department or the Board