

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to  
3 which was referred House Bill No. 571 entitled “An act relating to creating the  
4 Department of Liquor and Lottery and the Board of Liquor and Lottery”  
5 respectfully reports that it has considered the same and recommends that the  
6 Senate propose to the House that the bill be amended as follows:

7 First: In Sec. 28, 7 V.S.A. § 205, before subsection (b) by striking out the  
8 ellipsis and inserting in lieu thereof the following:

9 (a) All permits, licenses, and certificates shall expire at midnight, April 30,  
10 of each year one year after the last day of the calendar quarter in which they  
11 are issued or renewed.

12 Second: In Sec. 63, 7 V.S.A. § 278, by striking out subsection (a) in its  
13 entirety and inserting in lieu thereof the following:

14 (a) A manufacturer or rectifier of vinous beverages that is licensed in ~~state~~  
15 the State or ~~out-of-state~~ outside the State and holds valid state and federal  
16 permits and operates a winery in the United States may apply for a retail  
17 shipping license by filing with the ~~Department~~ Division of Liquor Control an  
18 application in a form required by the Commissioner accompanied by a copy of  
19 its in-state or out-of-state license and the fee provided in section 204 of this  
20 title.

1           Third: In Sec. 82, 7 V.S.A. § 1002, by striking out Sec. 82 in its entirety  
2 and inserting in lieu thereof a new Sec. 82 to read:

3           Sec. 82. 7 V.S.A. § 1002 is amended to read:

4           § 1002. LICENSE REQUIRED; APPLICATION; FEE; ISSUANCE

5           (a)(1) No person shall engage in the retail sale of tobacco products, tobacco  
6 substitutes, or tobacco paraphernalia in his or her place of business without a  
7 tobacco license obtained from the ~~Department~~ Division of Liquor Control.

8           (2) No person shall engage in the retail sale of tobacco substitutes  
9 without also obtaining a tobacco substitute endorsement from the ~~Department~~  
10 Division of Liquor Control.

11           (3) Tobacco licenses and tobacco substitute endorsements shall expire at  
12 midnight, ~~April 30, of each year~~ one year after the last day of the calendar  
13 quarter in which they are issued or renewed.

14   \* \* \*

15           (d)(1) For a license or endorsement required under this section, a person  
16 shall apply to the legislative body of the municipality and shall pay the  
17 following fees:

18           (A) to the ~~Department~~ Division of Liquor Control, the applicable  
19 liquor license fee provided in section 204 of this title for a liquor license and,  
20 to the legislative body of the municipality, a fee of \$110.00 for a tobacco  
21 license;

1 (B) to the legislative body of the municipality, a fee of \$110.00 for a  
2 tobacco license or renewal; and

3 (C) to the legislative body of the municipality, a fee of \$50.00 for a  
4 tobacco substitute endorsement as provided in subdivision (a)(2) of this  
5 section.

6 (2) The municipal clerk shall forward the application to the ~~Department~~  
7 Division, and the ~~Department~~ Division shall issue the tobacco license and the  
8 tobacco substitute endorsement, as applicable, and shall forward all fees to the  
9 Commissioner for deposit in the Liquor Control Enterprise Fund.

10 \* \* \*

11 Fourth: In Sec. 90, 31 V.S.A. § 654a, redesignated § 652, in subdivision  
12 (2)(C), after the words “A procedure adopted pursuant to this section shall” by  
13 inserting the following: have the force of law and

14 Fifth: In Sec. 94, 31 V.S.A. § 650, redesignated § 656, in subsection (b), in  
15 the second sentence before the second occurrence of the phrase “percent of  
16 gross receipts,” by striking out the number “1” and inserting in lieu thereof the  
17 following: ~~±~~ one



1           (B) A nonprofit organization, as defined in 31 V.S.A. § 1201(5), may  
2           organize and execute, and a member of that organization may participate in,  
3           lotteries, raffles, or other games of chance in which all of the proceeds are  
4           awarded as prizes to the members who participated. An individual who is not  
5           a member of the nonprofit organization shall not be allowed to participate in a  
6           lottery, raffle, or other game of chance organized under this subdivision (B).

7           (2) Except as provided in subsection (d) of this section, gambling  
8           machines and other mechanical devices described in section 2135 of this title  
9           shall not be ~~utilized~~ used under authority of this section.

10   \* \* \*

11           (d) Casino events shall be limited as follows:

12   \* \* \*

13           (4) As used in this subsection, “casino event” means an event held  
14           during any 24-hour period at which ~~any game of chance is~~ a card tournament  
15           or casino table games, such as baccarat, blackjack, craps, poker, or roulette, or  
16           both are conducted except those. Games of chance prohibited by subdivision  
17           2135(a)(1) or (2) of this title: shall not be permitted at a “casino event.” A  
18           “casino event” shall not include a fair, bazaar, field days, agricultural  
19           exposition, or similar event that ~~utilizes~~ uses a wheel of fortune, chuck-a-luck,  
20           or other ~~such~~ games commonly conducted at such events, or break-open  
21           tickets, bingo, a lottery, or a raffle. “Card tournament” means an event during

1 which participants, as individual players or members of a team, pay a fixed  
2 entry fee to play a series of card games, with the tournament winners  
3 determined based on the cumulative results of the games and the winners’  
4 prizes determined as a portion of the proceeds from the entry fees.

5 (e) Games of chance shall be limited as follows:

6 (1) ~~All~~ Except as otherwise provided pursuant to subdivision (a)(1)(B)  
7 of this section, all proceeds raised by a game of chance shall be used  
8 exclusively for charitable, religious, educational, and civic undertakings after  
9 deducting:

10 \* \* \*

11 Sec. 114. EDUCATION AND OUTREACH

12 On or before November 15, 2018, the Attorney General shall update the  
13 gambling page on the Attorney General’s website to include the amendments  
14 to 13 V.S.A. § 2143 made pursuant to this act.

15 and by renumbering the remaining section to be numerically correct.

16

17

18 (Committee vote: \_\_\_\_\_)

19

20

21

\_\_\_\_\_

Senator \_\_\_\_\_

FOR THE COMMITTEE