

**CONFIDENTIAL**  
**LEGISLATIVE BILL REVIEW FORM: 2014**

Bill Number: S299 Name of Bill: \_\_\_\_\_ Act Related to Sampler FLights \_\_\_\_\_

Agency/ Dept: Liquor Control Author of Bill Review: Michael Hogan

Date of Bill Review: 5/12/14

Status of Bill: (check one):

Upon Introduction

As passed by 1<sup>st</sup> body

As passed by both bodies

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**Recommended Position:**

Support

Oppose

Remain Neutral

Support with modifications identified in #8 below

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**Analysis of Bill**

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**1. Summary of bill and issue it addresses.** *Describe what the bill is intended to accomplish and why.*

The bill accomplishes five different things as a result of combining multiple bills into one omnibus bill. Section 1 is the purpose: it allows first and second class license holders that have received approval from their local jurisdiction, but not from the department of liquor control to conduct tastings and print menus, to make their startup easier once final approval is accomplished. Section 2 is the language for the tastings for management and staff. Section 3 is the definition for sampler flights. Section 4 allows a first and third class licensee to serve vinous, malt, and spirits for comparison purposes in a sampler flight format. Section 5 allows a second class license holder to pick up vinous beverages from a Vermont Manufacturer in the manufacturer's vehicle if those products cannot be obtained from a wholesale dealer. Section 6 is a study conducted by the Department of Liquor Control regarding the risks associated with powdered alcohol products. Section 7 is the penalties associated with possessing or selling of powdered alcohol. Section 8 is the effective date on passage.

**2. Is there a need for this bill?** Yes. It helps the licensees get ready to open their business as they await final approval. There is no loss of time once that is accomplished. Sampler flights allow the customer to try similar products and make a choice. It's a common practice in this country and throughout the world. Picking up wine from a manufacturer could reduce shipping costs and get the product to the store for sale in a more efficient manner. The study is important as we are seeing very non-traditional products entering the marketplace that are a regulatory problem for the department. Also there are risks associated with powdered alcohol that youth could try and have negative consequences. *Please explain why or why not.*

**3. What are likely to be the fiscal and programmatic implications of this bill for this Department?** None that we are aware of.

**4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?** DOH is assisting in the study and I believe they support our position in finding out more information on powdered alcohol and its negative effects on our society.

*Please return this bill review as a Microsoft Word or PDF document to [laura.gray@state.vt.us](mailto:laura.gray@state.vt.us)*

**5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** *(for example, public, municipalities, organizations, business, regulated entities, etc)*

Licensees will support the changes on helping new licensees be ready to open once they get final approval. Also the sampler flights are good for businesses especially tourists. Vinous Manufacturers will also support change.

**6. Other Stakeholders:**

**6.1 Who else is likely to support the proposal and why?** Prevention groups and coalitions will support the powdered alcohol study. This is a product that could cause potential harm to youth and those of legal drinking age

**6.2 Who else is likely to oppose the proposal and why?** None that we are aware of.

**7. Rationale for recommendation:** *Justify recommendation stated above.*

The bill makes some good changes that immediately help the licensee with business growth. The study will be a proactive step on a controversial and dangerous "alcohol" product.

**8. Specific modifications that would be needed to recommend support of this bill:** *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

**Secretary/Commissioner has reviewed this document:**       Yes       **Date:**   5/12/2014