

Readopt with amendments Liq 101-103, effective 10/26/96 (Document #6363), cited and to read as follows:

CHAPTER Liq 100 ORGANIZATIONAL RULES

Statutory Authority: RSA 176:14

PART Liq 101 DEFINITIONS

Liq 101.01 Statutory Definitions Adopted. Unless otherwise indicated, all words used in these rules shall have the same meaning given them by RSA 126-K and RSA 175 - RSA 180.

Liq 101.02 Definitions. The words and phrases used in these rules shall mean and be construed as follows, except where a different meaning is clearly intended from the context:

~~(a) "Commission" means the New Hampshire liquor commission. "Listing" means the procedure of purchasing.~~

~~(b) "Chairman" means the executive director of the commission, also known as the liquor commissioner. "De-listing" means the procedure of discontinuing of purchasing.~~

~~(c) "Deputy Commissioner" means the person appointed to exercise authority over the divisions of the commission subject to the supervision of the chairman.~~

~~"Wine Vendor means a vintner, an importer, a bottler, a distributor, or any other supplier from whom the commission may purchase wines.~~

~~(d) "New Hampshire Liquor Commission Records" or "Commission Records", means governmental records as defined in RSA 91-A:1-a, III.~~

PART Liq 102 DESCRIPTION OF THE COMMISSION

Liq 102.01 General Description.

~~(a) The liquor commission is comprised of a Chairman, a Deputy Commissioner and 3 divisions. The commission regulates the manufacture, possession, sale, consumption, importation, use, storage, transportation and delivery of wine, spirits, and malt or brewed beverages in New Hampshire. The commission also restricts the use of tobacco by persons under the legal age.~~

~~Functions of Commission:~~

~~— (a) The commission is operated under the provisions of RSA 175—RSA 180.~~

~~— (b) The commission is charged by law to:~~

~~(1) Optimize the profitability of the commission;~~

~~(2) Maintain proper control over the sale, warehousing and distribution of all beverage or liquor in the state;~~

~~(3) Assume responsibility for the effective and efficient operation of the commission;~~

~~(4) Provide service to the customers of the commission, pursuant to title XIII;~~

~~(5) Operate state liquor stores;~~

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~~(6) Operate the state warehouse;~~

~~(7) Market and merchandise liquor;~~

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~~(8) Maintain data processing to assure proper fiscal and inventory control;~~

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~~(9) Maintain financial, accounting and other budgetary functions relating to the operation of the commission;
and~~

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~~(10) Enforce the laws and rules of the commission.~~

(eb) The commission has the statutory authority to issue or deny licenses for the manufacture, sale, warehousing or distribution of liquor or beverage within the state. Application forms are provided by the commission enforcement division for all licensees at <https://www.nh.gov/liquor/enforcement/>.

Liq 102.02 Division of Enforcement and Licensing. The division of enforcement and licensing is responsible for licensing businesses that sell alcohol, regulating and enforcing state law and rules governing the manufacture, distribution and sales of alcohol, and educating licensees and the community. The division is also responsible for licensing and regulating entities that sell tobacco products.

Liq 102.03 Division of Marketing, Merchandising, and Warehousing. The division of marketing, merchandising, and warehousing oversees the commission's functions related to marketing, merchandising, purchasing, store operations, warehousing, and distribution.

Liq 102.04 Division of Administration. The division of administration oversees all aspects of the commission's administrative functions including accounting, financial management, information technology, internal audit, human resources, legal, and contracting.

Liq 102.05 Location of the Commission. The commission is located at 50 Storrs Street, Concord, New Hampshire 03301.

Liq 102.06 Telephone Numbers of the Commission. The commission's telephone number is (603) 230-7015; the fax number is (603) 271-1107; and the TTY number is 1(855) 735-2964.

Liq 102.07 Commission website. The website is <https://www.nh.gov/liquor/index.shtml>.

PART Liq 103 METHODS BY WHICH THE PUBLIC MAY REQUEST OR OBTAIN INFORMATION PURSUANT TO RSA 91-A:4

~~Liq 103.01 Requests For Information Pursuant to RSA 91-A:4.~~ The public may obtain information by making submissions or requests by writing to the commission, by calling the commission offices and making an appointment to review the information in person at the commission offices, or by personal submission of said request at the commission offices. There is a nominal copy fee for requested information, pursuant to RSA 91-A:4, IV.

Liq 103.01 Access to New Hampshire Liquor Commission Records.

(a) The commission's administrative rules are available for examination at:

(1) The commission's offices at 50 Storrs Street, Concord, New Hampshire 03301;

(2) On the division of enforcement and licensing website at <https://www.nh.gov/liquor/enforcement/>; and

(3) NH.gov.

(b) Information available on the commission's website includes:

(1) Annual Reports;

(2) Monthly reports; and,

(3) Industry circulars.

Liq 103.02 Requests for New Hampshire Liquor Commission Records.

(a) Persons seeking commission records shall request the information in a manner that gives the commission notice of what records the requestor is seeking.

(b) Persons may deliver a request for commission records to the commission:

(1) In person;

(2) By U.S. mail or courier service to the commission office;

(3) By email to RightToKnow@liquor.nh.gov.

Liq 103.03 Response to Request for Records.

(a) The commission shall respond to all requests for records in accordance with RSA 91-A.

(b) When inspection of publicly available records is not immediately feasible, the requesting party and the commission shall agree upon a mutually convenient time and manner for such inspection.

(c) By agreement between the requesting party and the commission, the commission shall send copies electronically to a valid email address provided by the requesting party.

Readopt with amendments Liq 104, effective 6/14/2017 (Document #12207-A), cited and to read as follows:

PART Liq 104 GENERAL MEETING AND SPECIAL MEETING PROCEDURES

Liq 104.01 Applicability. The procedures set forth in this section shall apply to all regular and special meetings conducted by the commission and to all matters scheduled to be presented to or heard by the commission at any regular or special meeting that are not rulemaking hearings, adjudicatory hearings or other hearings addressed in Liq 2005.

Liq 104.02 Place of Meetings.

(a) All regular meetings of the commission shall be in its Concord offices.

(b) Special meetings, including meetings held to inform the public or solicit public comments, shall be in Concord or at such other places as the commission chairman shall determine based on considerations of maximizing access of interested parties to the meeting.

Liq 104.03 Scheduled Meetings.

- (a) Regular meetings of the commission shall be weekly or as reasonably practicable.
- (b) Special meetings shall be held at the call of the chairman or his or her designee.
- (c) Any regular meeting scheduled in accordance with this rule may be canceled or rescheduled.

Liq 104.04 Record of Meetings.

- (a) All regular and special meetings of the commission shall be recorded.
- (b) Minutes of the meeting shall be prepared and distributed to the ~~commission~~ chairman, deputy commissioner, ~~members~~ and applicable commission ~~headquarters staff~~ division heads.
- (c) Approved minutes shall be posted on the commission website.

Liq 104.05 Conduct of Meetings.

- (a) The chairman ~~of the liquor commission~~ or his or her designee shall be the presiding officer of all special and regular meetings.
- (b) The presiding officer shall:
 - (1) Regulate the conduct of the meeting;
 - (2) Rule on issues of procedure; and
 - (3) Take such other actions as necessary for the efficient and orderly conduct of the meeting, consistent with commission rules and state law.

APPENDIX

RULE	STATUTE
Liq 101-104	RSA 176:1, 2, and 2-a, RSA 176:14, I and III and RSA 541-A:16, I(a)