Notice Number: 2022-150

Rule Number: Liq 800

1. Agency Name & Address:
   NH Liquor Commission
   50 Storrs Street
   Concord, NH 03301

2. RSA Authority: Chapter 224:91-Laws of 2011

3. Federal Authority: __________

4. Type of Action:
   - Adoption ___
   - Repeal ______
   - Readoption ______
   - Readoption w/amendment ______

5. Short Title: Employee Incentive Program

6. (a) Summary of what the rule says and of any proposed amendments:

   The Liq 800 rules are a new chapter. Prior to this, the New Hampshire Liquor Commission ("NHLC") had reserved Liq 800 for future rulemaking. The intended purpose of Liq 800 is to establish a monetary incentive program for the NHLC's retail outlet store employees as authorized by Chapter 224:91-Laws of 2011, Liquor Commission; Employee Incentive Program. The incentive program allows employees to receive an incentive payment if their geographic region achieves specified increases in sales.

6. (b) Brief description of the groups affected:

   All NH liquor commission retail outlet store employees.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

<table>
<thead>
<tr>
<th>RULE</th>
<th>STATUTE</th>
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<tbody>
<tr>
<td>Liq 801</td>
<td>Chapter 224:91 - Laws of 2011</td>
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<td>Liq 802</td>
<td>Chapter 224:91 - Laws of 2011</td>
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<tr>
<td>Liq 803</td>
<td>Chapter 224:91 - Laws of 2011</td>
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<td>Liq 804</td>
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<td>Liq 805</td>
<td>Chapter 224:91 - Laws of 2011</td>
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7. Contact person for copies and questions including requests to accommodate persons with disabilities:

   Name: Janet Donnelly
   James Vara

   Title: Paralegal
   Attorney IV

   Address: 50 Storrs Street
   Concord, NH 03301

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   603-230-7073

   Fax#: janet.donnelly@liquor.nh.gov
   E-mail: james.vara@liquor.nh.gov

   TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)
8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Tuesday, September 20, 2022**

☐ Fax ✗ E-mail ☐ Other format (specify):

9. Public hearing scheduled for:

   Date and Time: **Tuesday, September 13, 2022 – 10:00 a.m. to 12:00 p.m.**

   Place: **New Hampshire Liquor Commission Headquarters**
   50 Storrs Street
   Concord, NH
   (Check in at reception desk to be directed to the hearing room)

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

    FIS #: 22:156, dated 8/3/2022

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**
   Not applicable; these are new rules.

2. **Cite the Federal mandate. Identify the impact on state funds:**
   No federal mandate, no impact on state funds.

3. **Cost and benefits of the proposed rule(s):**
   The proposed rules govern the Employee Incentive Program which provides monetary incentives to Liquor Commission employees whose efforts have resulted in increased sales and state revenue. It is anticipated that the program, authorized by Chapter 224:91, Laws of 2011, will result in increased revenue and expenditures to the Liquor Fund, however the impact is indeterminable. Any increase in revenue to the liquor fund will also increase the amount transferred to the State general fund and the alcohol abuse prevention and treatment fund. Chapter 224:91 provided that the Commission “may develop and implement an employee incentive system.” The proposed rules outline the specifics. Therefore, any costs or benefits are attributable to the proposed rules.

   A. **To State general or State special funds:**
      See #3 above.

   B. **To State citizens and political subdivisions:**
      See #3 above. There is no cost or benefit to political subdivisions.

   C. **To independently owned businesses:**
      None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

   The proposed rule does not violate Part I, Article 28-a of the NH Constitution. The proposed rule creates a new program to benefit the outlet store retail employees by providing monetary incentives to employees whose efforts have resulted in increased sales and state revenue. The rule does not mandate or assign responsibility to any political subdivision that would increase the costs the political subdivision may pay.