



2019 National Wine Retailer Summit

Chicago, IL
February 28 – March 1



The State of Retailer Wine Shipping

Tom Wark
Executive Director

February 28, 2019



[New Mexico Senate Bill 127](#)

[Corporations and Transportation Committee Hearing](#)

[February 4, 2019](#)

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HK\$ 1,000,000

USD	129,000
CNY	792,700
SGD	174,200
TWD	3,990,400
MYR	467,600
GBP	86,500
EUR	118,400
JPY	15,495,500
THB	4,180,700
IDR	1,674,331,100

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A Typical Wine Retailer Bill Hearing

- Bill scheduled for hearing the day before the hearing
- Testimony only by proponents of the bill.
- Bill was heard with no opposition in the room
- Key arguments presented for restricting retailer shipping
 1. Minors Access
 2. Unfair Competition
 3. No Taxes Paid

Bill Passed out of the Committee on a 5-2 Vote.



What NAWR CAN DO

1. Press Release stating, “Bill Stopping Wine Shipments to Consumers Benefits Middlemen”



For Immediate Release: February 12, 2019

Bill Stopping Wine Shipments to New Mexico Consumers Benefits Middlemen

—National Association of Wine Retailers Oppose Anti-Consumer Legislation—

(Albuquerque, NEW MEXICO) The National Association of Wine Retailers (NAWR) has announced its opposition to, and astonishment with, a bill moving through the New Mexico legislature that would remove consumers' right to receive wine shipments from out-of-state wine stores.

Currently and for quite some time New Mexico law has allowed wine lovers to receive shipments of wine from out-of-state wine stores, as well as wineries. If [Senate Bill 127](#) becomes law, New Mexico wine lovers will no longer have access to wine shipments from out-of-state wine stores and retailers. What this means is that wine lovers will no longer be able to receive any shipments of French wines and other imported wines only sold by retailers, collectible wines from auction houses, hard to find wines not available in New Mexico, Israeli-made kosher wines, or wines from wine-of-the-month club—all of which are only sold in the United States by retailers.

Protection for Middlemen at the Expense of New Mexico Consumers

“Senate Bill 127 is a purely protectionist and anti-consumer bill that strips New Mexico consumers of a right they have enjoyed for many years to obtain wine from out-of-state wine retailers that they can't find locally,” said Tom Wark, executive director of NAWR. “The bill is meant to protect the deep pockets of billion-dollar, wholesaler middlemen that want protection from competition.”

Currently, New Mexico law allows shipments from out-of-state retailers on a reciprocal basis, meaning if a given state allows New Mexico wine retailers ship in, then retailers in that state may ship to consumers in New Mexico. Unlike shipments from wineries, shipments from out-of-state retailers are not taxed nor are reports filed by out-of-state retailers. A far better legislative approach would be to regulate wine shipments from out-of-state retailers in the same way as shipments from out-of-state wineries. Out-of-state retailers ought to be required to obtain permits, to remit taxes to the state and to file reports on how much wine was shipped to New Mexico consumers.

“This legislation does nothing to support New Mexico consumers or to fill the tax coffers of the state,” noted Wark. “However, it does a great deal to reward deep-pocketed New Mexico wine middlemen and campaign contributors who seek protection from competition at the expense of New Mexico consumers and the state.”

About the National Association of Wine Retailers


NAWR is a trade association representing wine retailers, wine auction houses and wine-of-the-month club nationwide. It advocates on behalf of its members on issues of free trade and a fair regulatory environment. For more information see www.nawr.org.

###

CONTACT:


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National Association of Wine Retailers
(971) 332-5057 • tom@nawr.org

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Wine Association Opposes NM Wine Bill

Posted on February 13, 2019

A SENATE BILL CIRCULATING AT THE LEGISLATURE IN SANTA FE WOULD BAN CERTAIN OUT-OF-STATE COMPANIES FROM SHIPPING WINE TO NEW MEXICO. THAT HAS THE NATIONAL ASSOCIATION OF WINE RETAILERS SPEAKING OUT AGAINST THE MEASURE. THE ALBUQUERQUE JOURNAL REPORTS THE ASSOCIATION SAYS IF THE BILL IS PASSED AND SIGNED INTO LAW, IT WOULD MEAN WE NO LONGER HAVE ACCESS TO WINES SOLD BY OTHER RETAILERS OR WINE-OF-THE-MONTH CLUBS. THE GROUP CALLS THE BILL "PROTECTIONIST AND ANTI-CONSUMER."

SENATE PRESIDENT PRO TEM MARY KAY PAPEN ... A LAS CRUCES DEMOCRAT ... SPONSORED THE BILL, WHICH WAS APPROVED BY A SENATE COMMITTEE AND IS NOW IN THE SENATE JUDICIARY COMMITTEE.

Filed Under: [720 News](#)



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ALBUQUERQUE JOURNAL

measure would curb wine shipments

Albuquerque Journal 13 Feb 2019 +1 more Dan Boyd Dan Boyd: dboyd@abqjournal.com

SANTA FE — Hands off the Beaujolais. A national wine retail group is coming out swinging against a Senate bill that would bar certain out-of-state companies from shipping wine into New Mexico.

The National Association of Wine Retailers said in a Tuesday statement that if Senate Bill 127 were to be enacted, New Mexicans would no longer have access to wine-of-the-month clubs or other wines sold only by retailers.

That's because the bill would only allow licensed wineries to make such shipments.

"(The measure) is a purely protectionist and anti-consumer bill that strips New Mexico consumers of a right they have enjoyed for many years to obtain wine from out-ofstate wine retailers that they can't find locally," said Tom Wark, the group's executive director.

Senate President Pro Tem Mary Kay Papen, D-Las Cruces, is the legislation's sponsor. The bill already passed one Senate committee and is now pending in the

Senate Judiciary Committee.

DIAPER DUTY: A bill that would move New Mexico toward a day in which dads would have no excuse not to participate in diaper-changing duties is on the move at the Roundhouse.

Members of the House Consumer and Public Affairs Committee voted 5-0 Tuesday to advance House Bill 205, which is aimed at having diaperchanging facilities in both men's and women's bathrooms in stores, libraries and other public places.

This year's legislation has been scaled back from previous proposals that generated questions about the possible cost burden on businesses.

In its current form, the bill would not apply to existing bathrooms — it would affect only public restrooms built in future years.

Rep. G. Andrés Romero, D-Albuquerque, the legislation's sponsor, says it's an inconvenience for parents with young children not to have easily accessible baby-changing facilities. →

Get Consumers Involved

WINE FREEDOM

SUPPORTING CONSUMER ACTION
FOR WINE FREEDOM EVERYWHERE



KEEP WINE SHIPMENTS TO NEW MEXICO LEGAL!

If New Mexico Senate Bill 127 passes, state middleman wholesalers will get their way and cut off your ability to receive wine shipments from out-of-state wine stores, Internet wine retailers, wine auction houses and wine-of-the-month clubs. This means no more shipments of French, Italian, Spanish, Austrian, German or any other imported wines that are only sold in the U.S. by wine retailers. The bill is protectionist, anti-free trade and designed specifically to harm you, the wine consumer.

Currently, the bill is in the Senate Judiciary Committee. Members of that committee need to hear from New Mexico wine consumers. They need to know that the people who this bill will most impact OPPOSE being stripped of their right to obtain shipments of wines they can't find locally.

Take 30 seconds to fill out your address and send members of the Senate Judiciary Committee an email asking them to support New Mexico wine consumers by OPPOSING SB 127.. Unless they hear from consumers like you and not just from those who want protection from competition, lawmakers will never have your back. They'll just keep ignoring your needs and keep protecting those who dole out campaign contributions and who whisper in their ear.

Make your opinion known. Take 30 seconds to fill out your name and address below, click send, and we will make sure the message below goes straight to the members of the Judiciary committee.

You can use the message below as written, edit the message or insert additional thoughts. But whatever you do, please ACT NOW to stop SB 127 by sending an email to committee members.

PLEASE FILL OUT AND SUBMIT THE FORM BELOW.

Subject:

Message:

Your Prefix:

Your First Name: Your Last Name:

Your Email Address:

Your Address Line 1:
(Physical address only. Do not enter a P.O. Box.)



Reach Out to NAWR Members

Dear NAWR Members:

New Mexico wholesalers are attempting to pass a bill that would remove the reciprocal wine shipping law in that state. The bill is [SB 127](#). It currently is in the Senate Judiciary Committee. Due to the reciprocal nature of the New Mexico law, retailers in 13 states may now ship to wine consumers there. However, if this law goes away, it will mean retailers in any other state we successfully open for wine shipping will not be able to ship to New Mexico.

IT'S TIME TO ENLIST THE HELP OF NEW MEXICO CONSUMERS.

Below is copy that can be sent in an email to your customers and clients in New Mexico. It includes a link the consumer can click to go to a page that easily allows them send an email to every member of the Senate Judiciary committee all in one stroke. We want to encourage as many New Mexico wine consumers as possible to use this easy email service. To do that, they need first to hear from you.

Please use the copy below or change it to your liking and send an email to all your New Mexico clients asking them to contact the members of the committee. If possible let me know in an email that you've sent something to your customers in NM or cc me on the email. Please call if you have any questions.

Thank you,

Tom Wark,
Executive Director

Dear,

The New Mexico legislature is trying to pass a bill that would ban all shipments of wine to New Mexico consumers from out-of-state retailers. It is an attempt by local wholesalers to buy protection from competition and stop you from receiving any wines the wholesalers don't themselves distribute.


*The bill, SB 127, is currently in the Senate Judiciary Committee awaiting a hearing. **IT IS CRITICAL THAT MEMBERS OF THE COMMITTEE HEAR FROM YOU AND KNOW THAT YOU ARE OPPOSED TO THE RESTRICTIONS IN THE BILL.***

Please click on the link below and take 30 seconds to send emails to members of the Senate Judiciary committee where the bill will be heard.

<https://account.votility.com/enterprise/NAWR/ec/580>

Sincerely,

NAME



NAWR
NATIONAL ASSOCIATION OF WINE RETAILERS
TOM WARK, EXECUTIVE DIRECTOR
TOM@NAWR.ORG
971-332-5057_(O)
707-246-6451_(M)
www.nawr.org




150 Emails in
24 hours

From Consumers to
Committee Members

First News of
Opposition

Comes after News
Coverage



Admin User: Tom Wark
Landing Page URL: <https://account.votility.com/enterprise/NAWR>

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New Mexico Threatens Access to Wine With Anti-Wine Shipping Bill

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2019

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February

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2019

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Users


Overview: [Download CSV Export](#)

Statistic	Result	Description
Views:	495	This shows the total number of times the campaign page was viewed. A visitor may view the page more than once and each view is counted in this number.
Users Viewing:	358	This number only counts 1 view per visitor, even if the visitor views it more than once.
Form Submissions:	191	This shows the total number of times the campaign form was submitted by any user, including multiple submissions by the same user.
Users Submitting:	189	This number only counts 1 form submission per user, even if the user submitted it more than once.
Messages Sent:	2101	This shows the total number of messages actually submitted to recipients. Example: A campaign may have 4 recipients and 100 submissions which means that 400 messages were actually sent since each form submission went to 4 recipients. Messages are only sent if the recipient accepts messages based on the sending user's address. So, the number of sent messages may be different from the number of submitted messages.
Message Recipients:	11	This shows the total number of individual recipients that recieved at least 1 message. This only counts each recipient 1 time even if they received multiple messages. You can view the number of messages sent to each recipient using the "Recipients" report tab above.
Action Link Clicks:	0	This shows the total number of times that your action link was clicked by the users after they submitted the campaign form. Note: This number will always be 0 if you do not have an action link set for your campaign.

ASPEN SANTA FE BALLET FEBRUARY 23 | 7:30PM

RINGSIDE SEAT

Senate leader kills her own bill in an hour

By Milan Simonich | msimonich@sfnewmexican.com Feb 14, 2019 Updated Feb 15, 2019 



Milan Simonich

Ringside Seat

The whirlwind at the strangest place in New Mexico began at 7:25 a.m. Thursday.

Mary Kay Papen, the 86-year-old president pro tempore of the state Senate, arrived at her spacious office in the Capitol. Papen means it when she says has an open-door policy.

So I buttonholed her to ask about a controversial bill she had introduced. The measure, Senate Bill 127, would prohibit out-of-state retailers from shipping alcohol to customers in New Mexico.

What led Papen to carry this bill, targeting this particular business sector?

She said John Thompson, a lobbyist from Albuquerque, had asked her to introduce the measure.

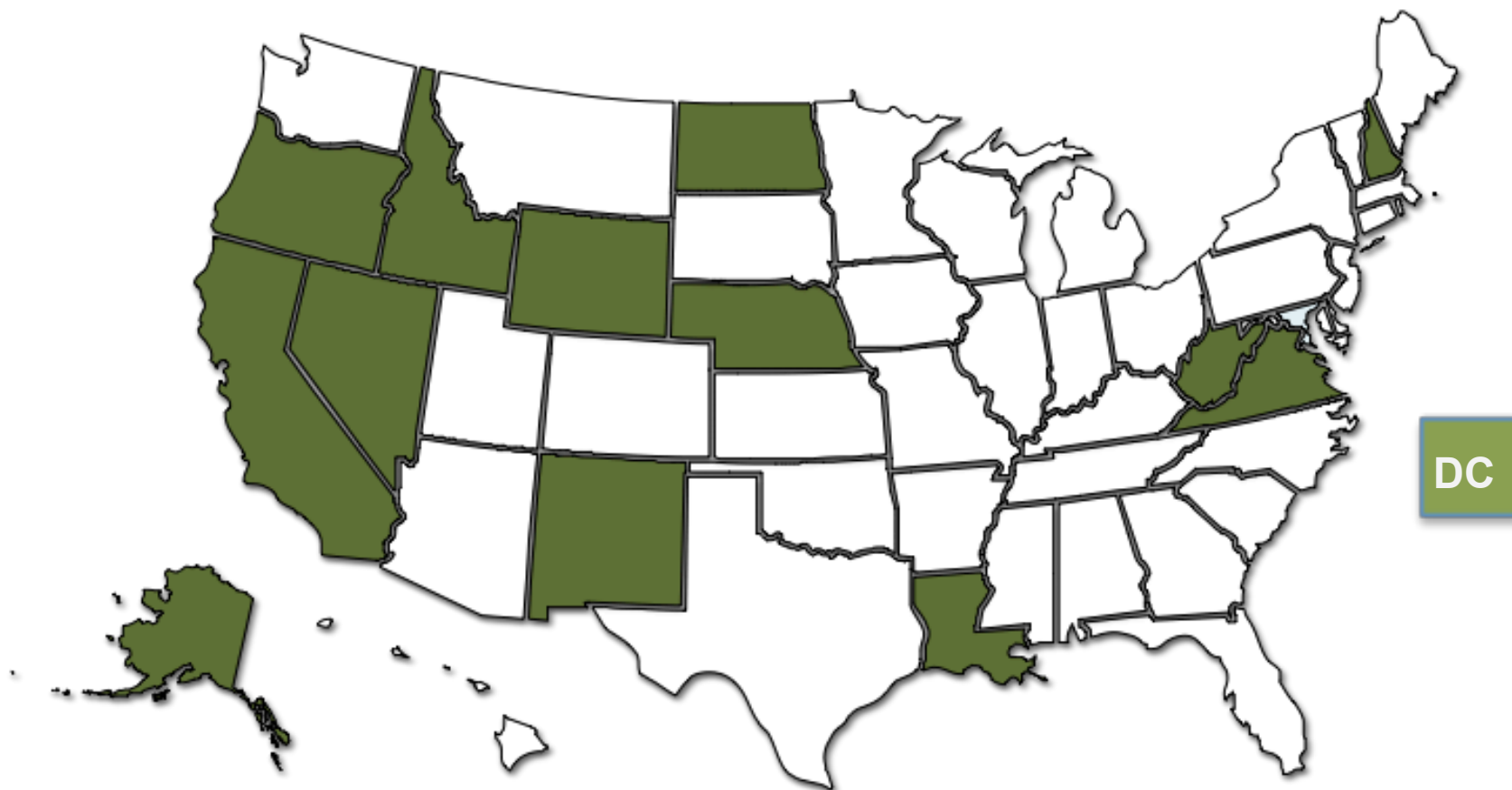


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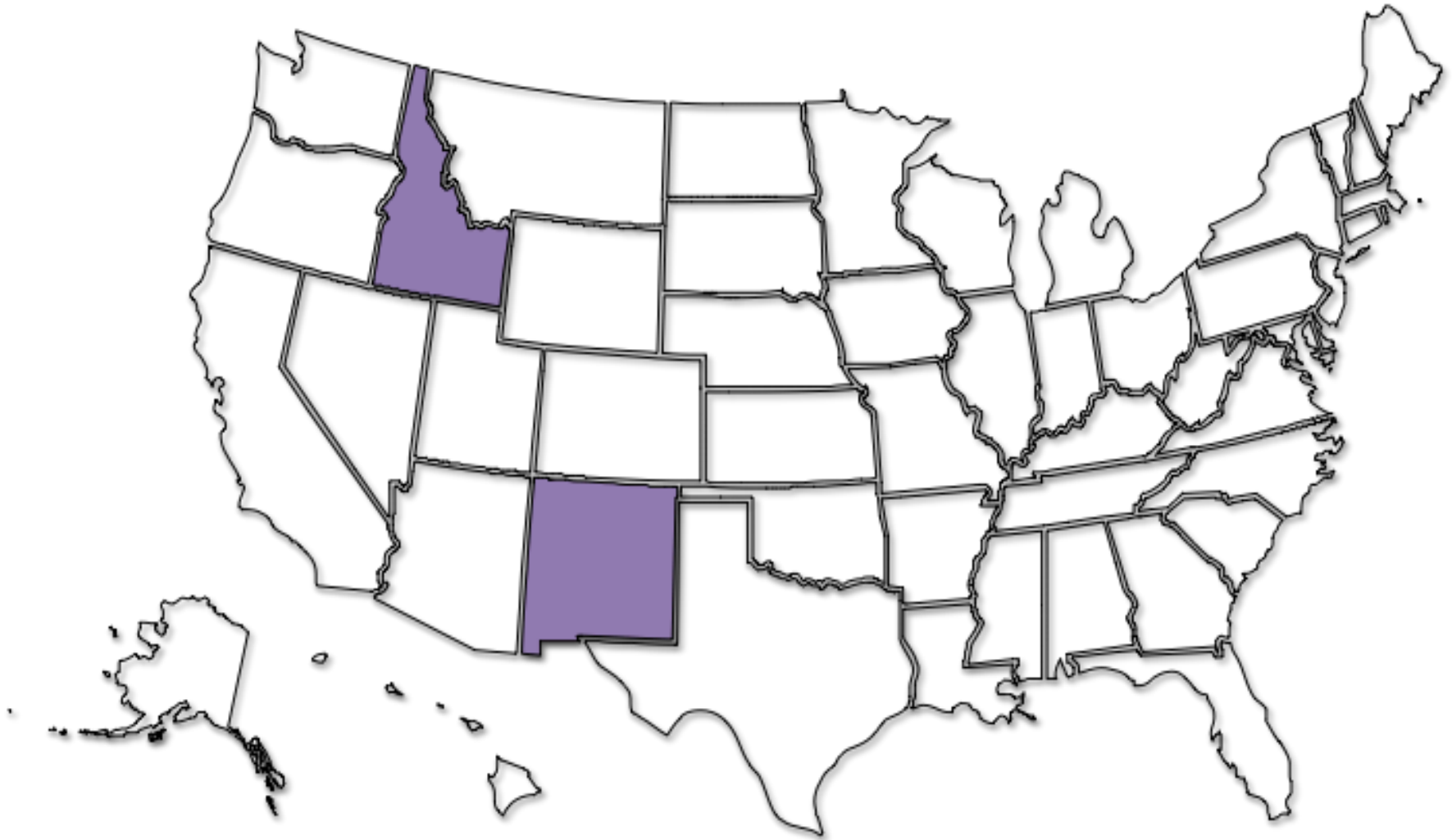
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The Retailer Shipping Map



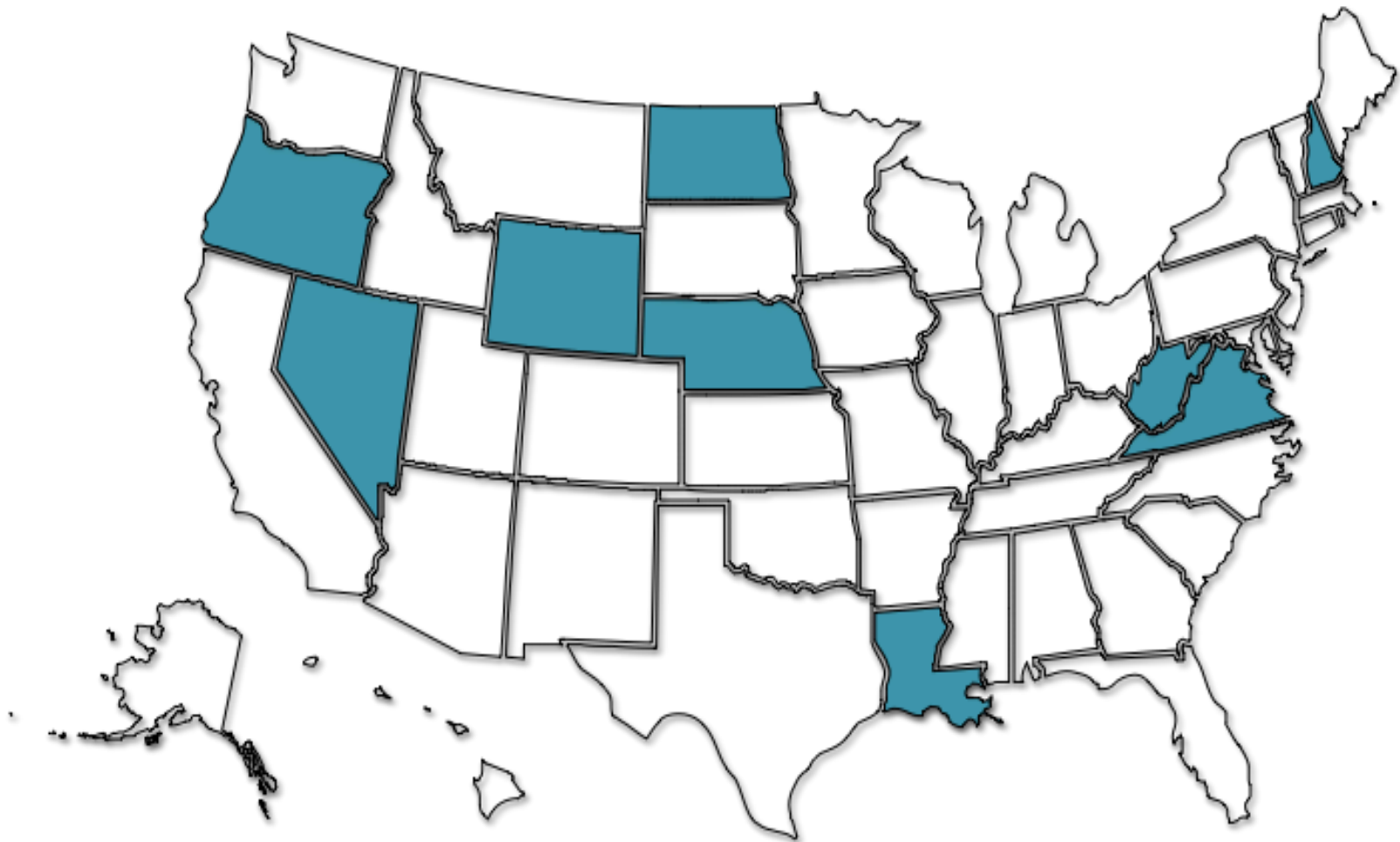
Retailer Reciprocal States



No Permit Needed to Ship

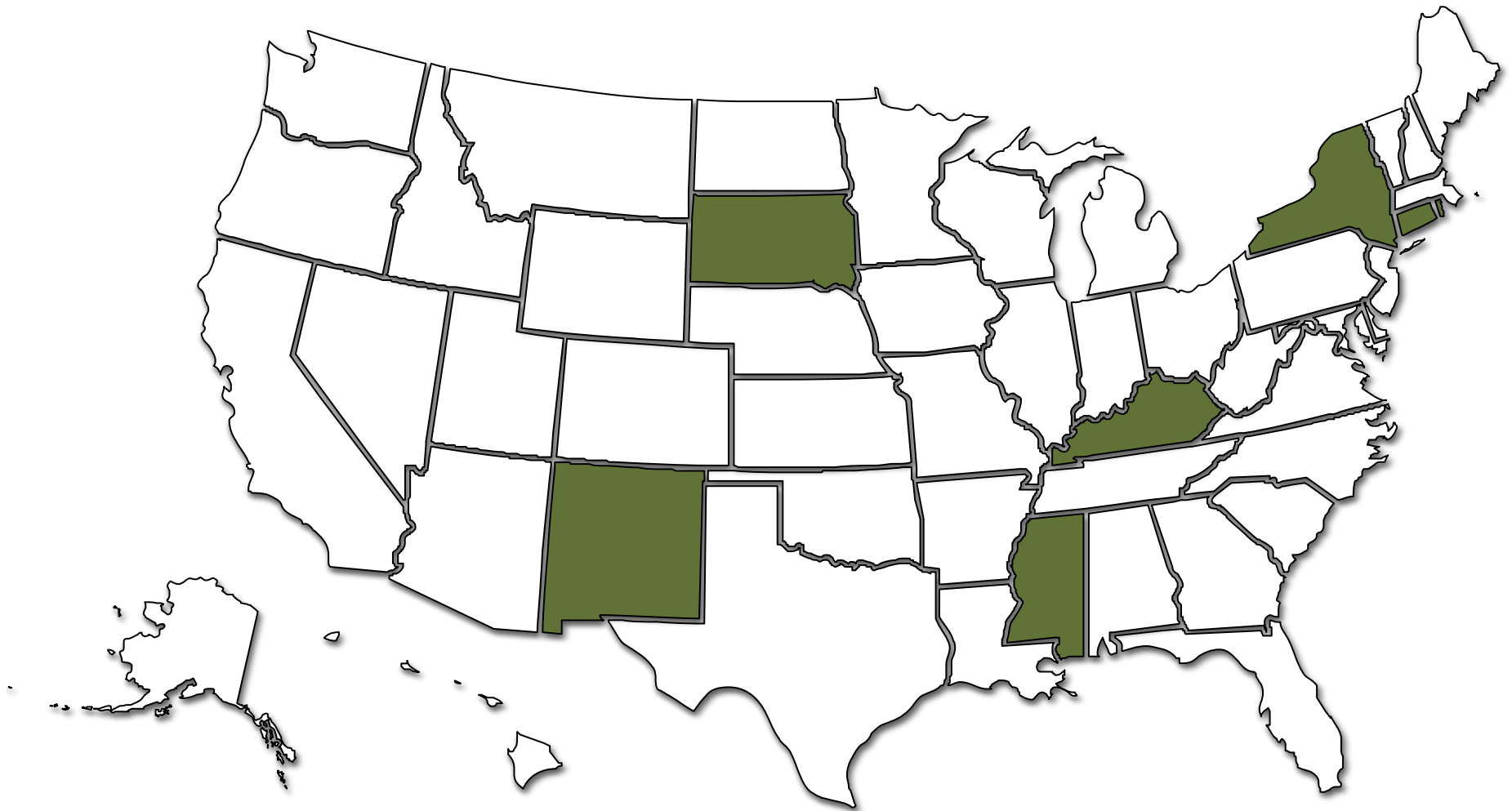


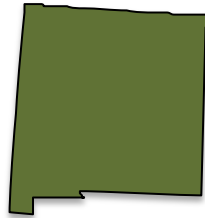
Shipping Allowed With Permit





2019 Retailer Shipping Legislation

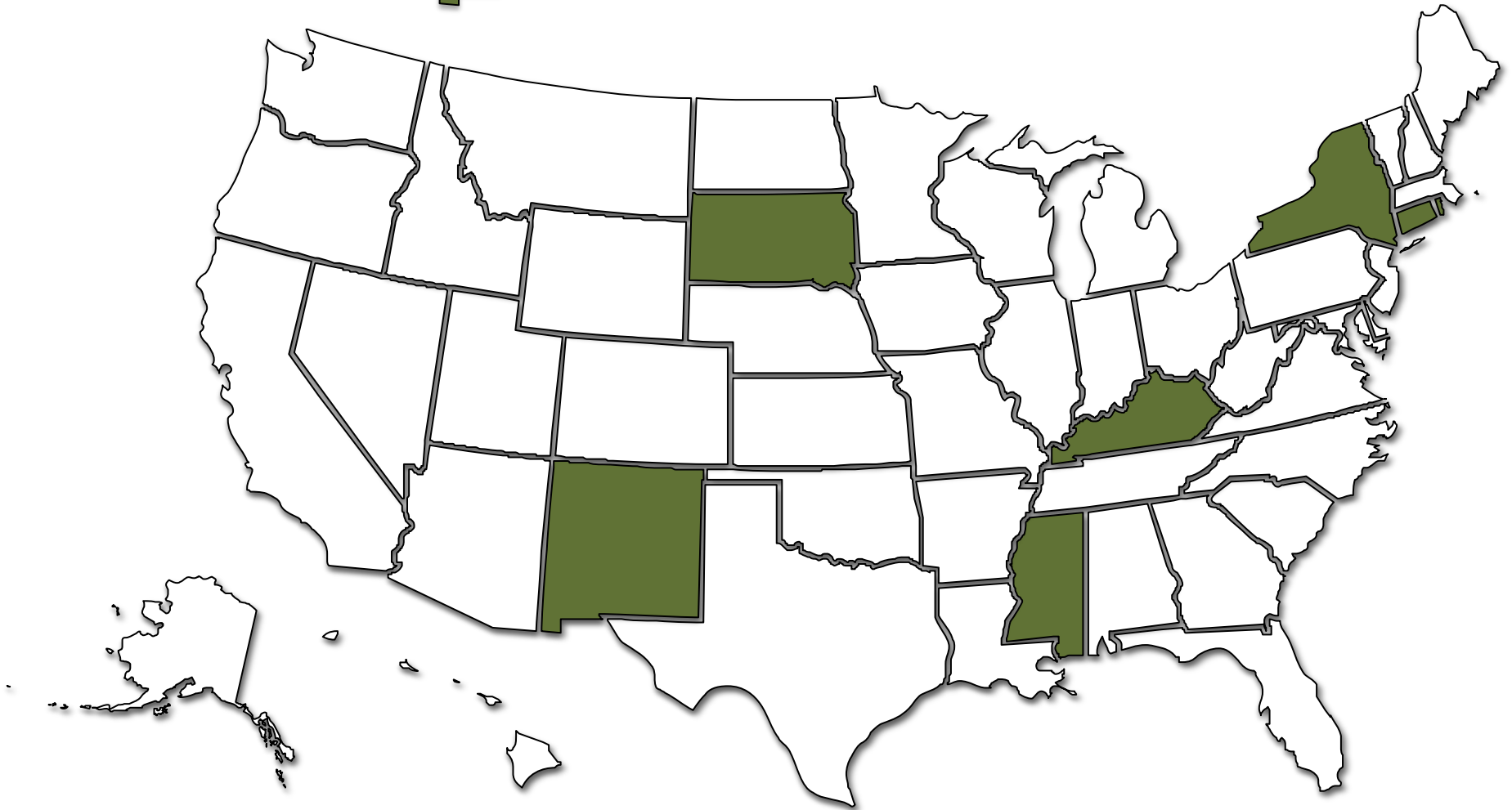




New Mexico — SB 127

Rescinds Retailer Shipping into State

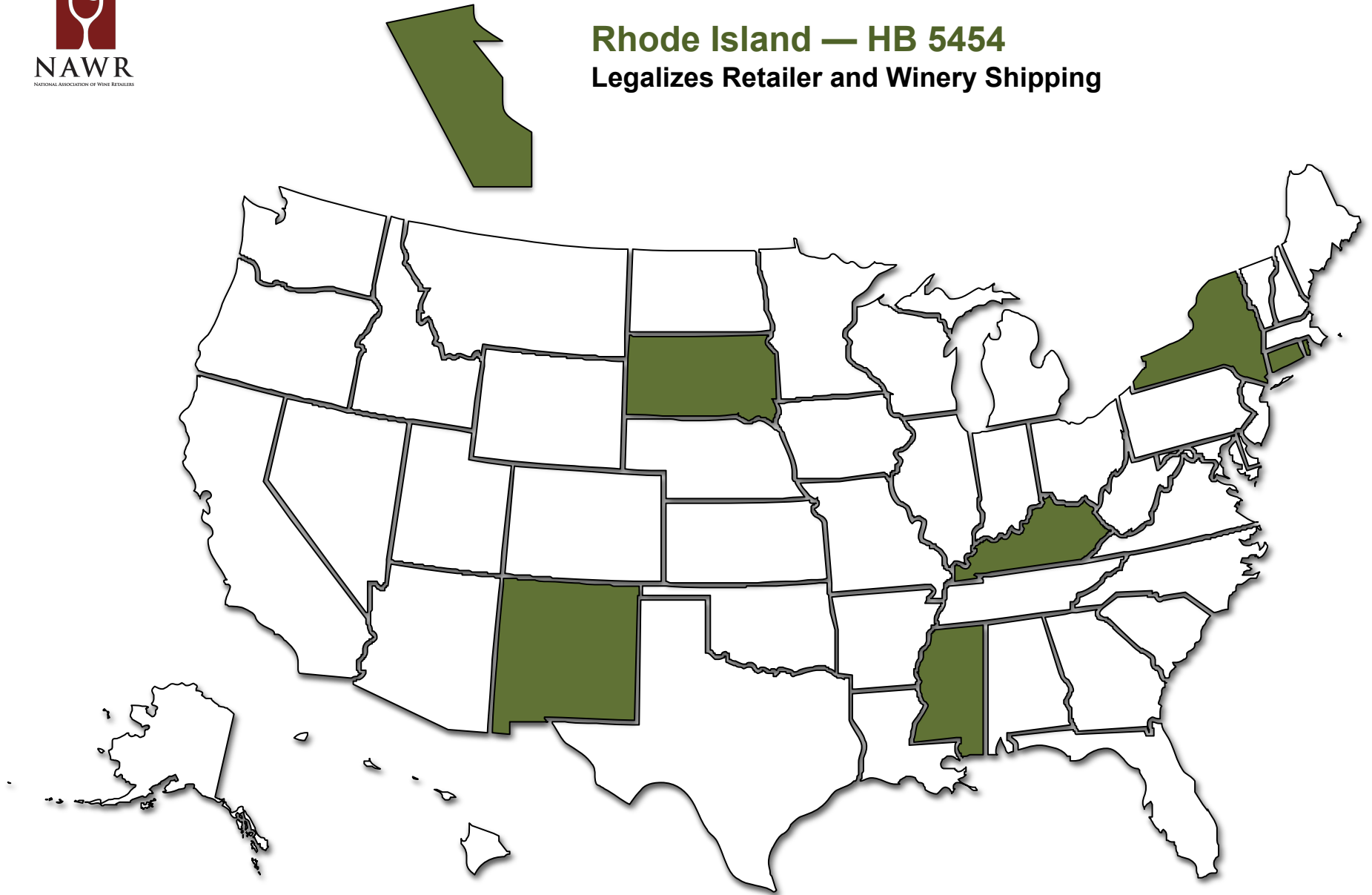
Bill died in Committee





Rhode Island — HB 5454

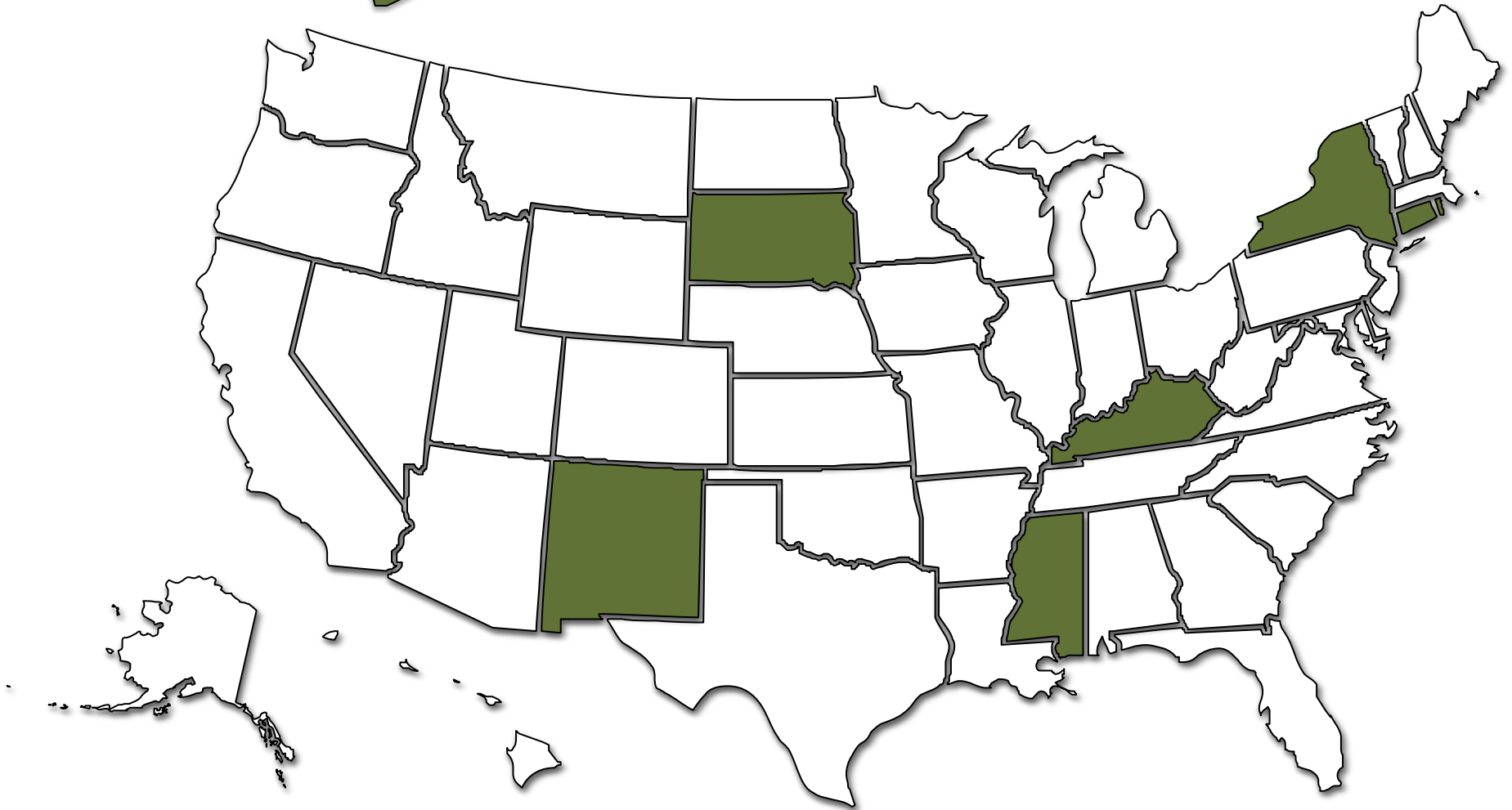
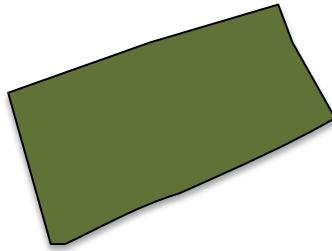
Legalizes Retailer and Winery Shipping





Connecticut — HB 7184

Legalizes Retailer Wine Shipping





New York— A 494

**Legalizes Retailer Wine Shipping
On Reciprocal Basis**

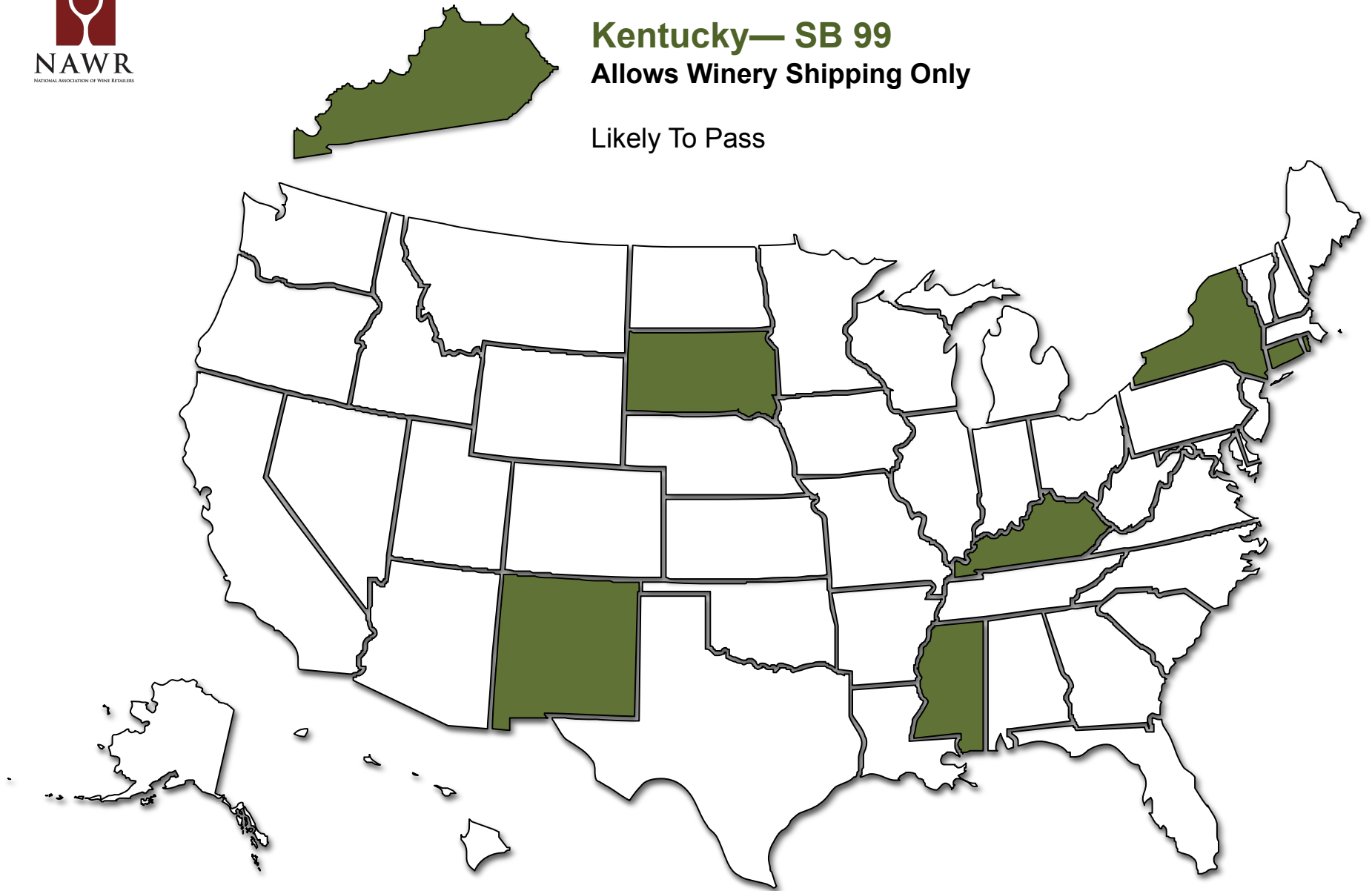




Kentucky— SB 99

Allows Winery Shipping Only

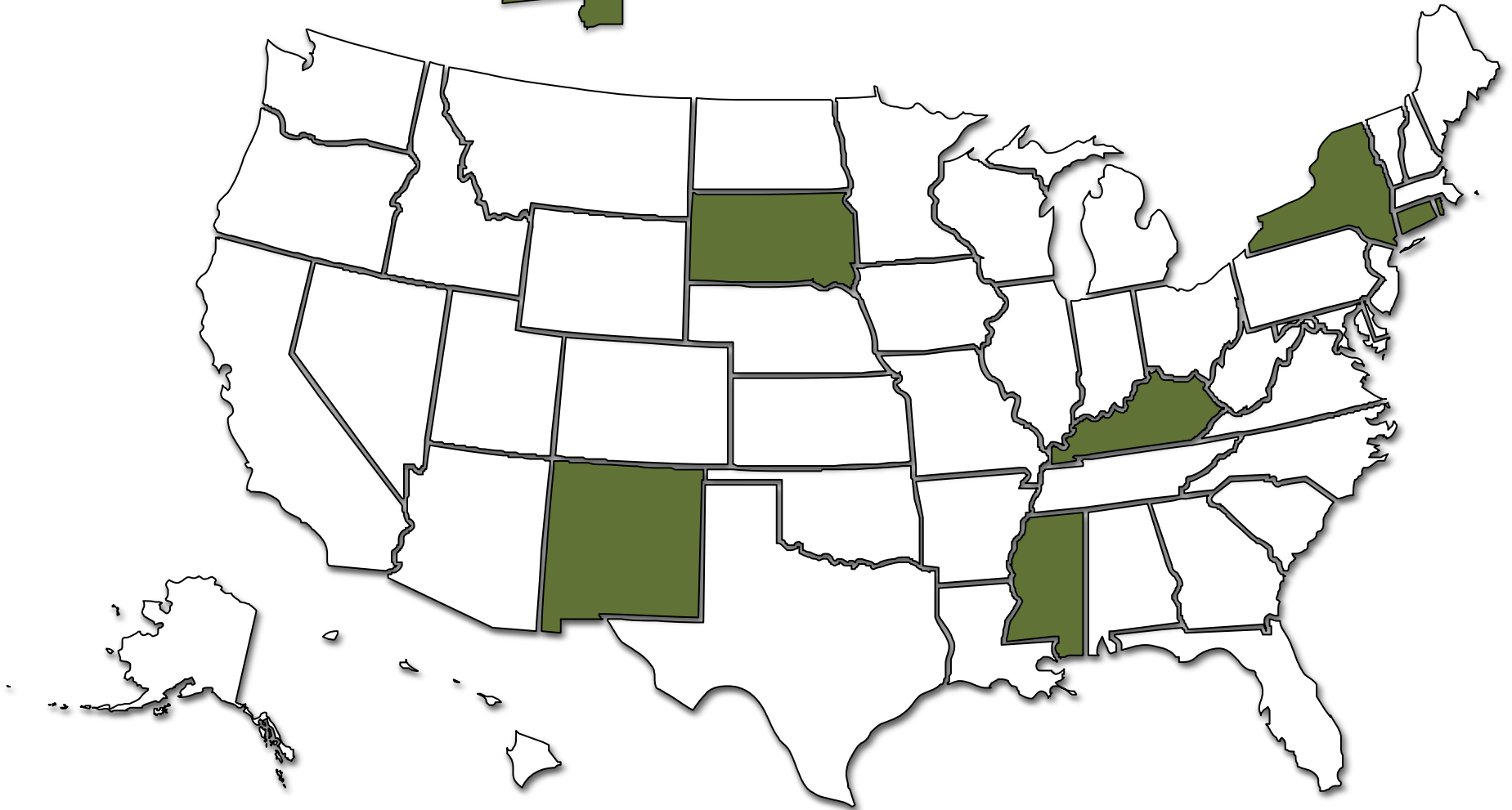
Likely To Pass

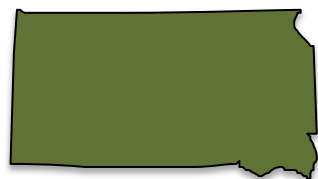




Mississippi— HB 708
Allows Retailer and Winery Shipping

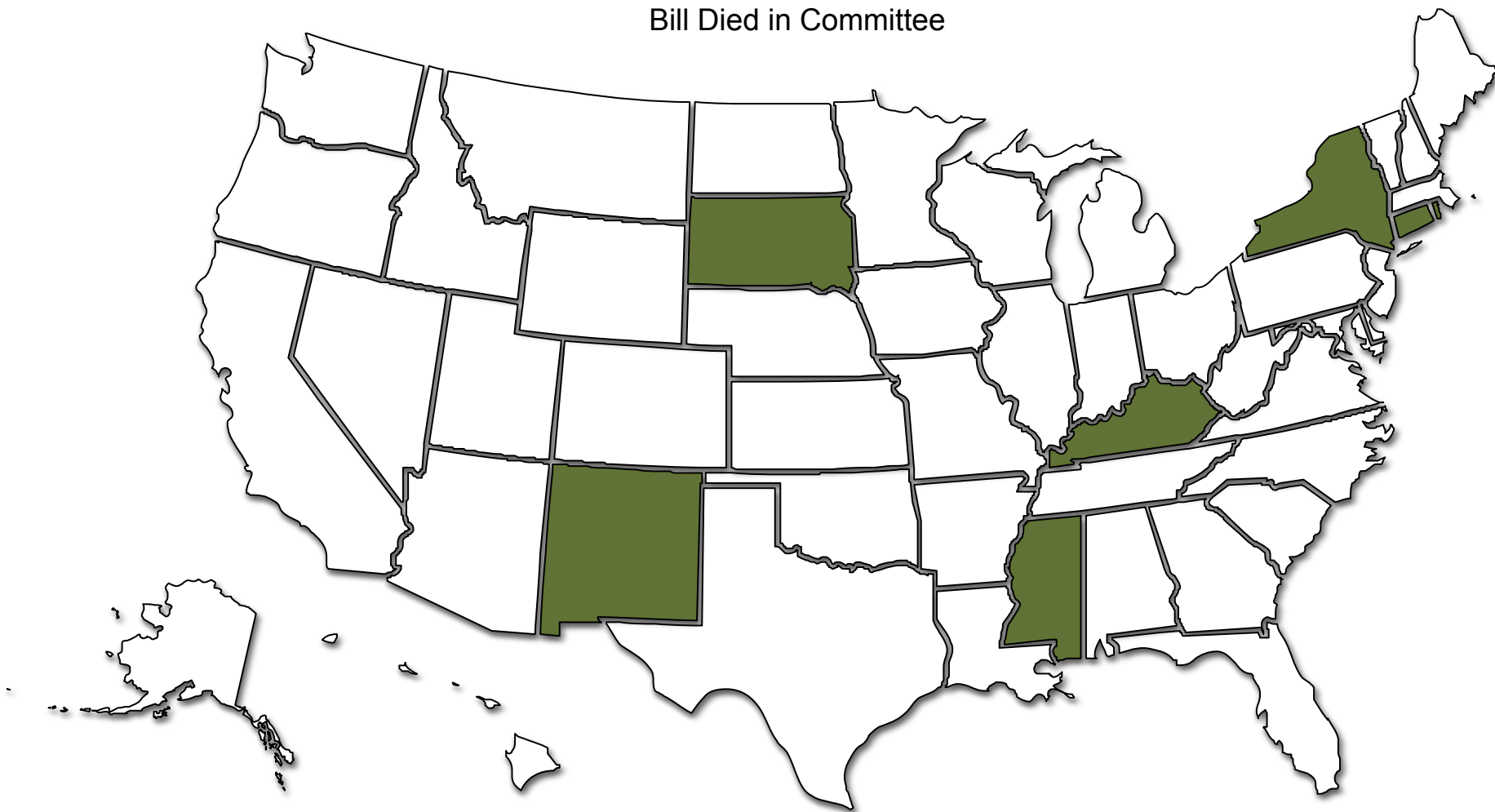
Died In Committee





South Dakota— HB 1210
Allows Non Profit Wine Clubs To ship

The NRA Wine Club Bill
Bill Died in Committee





Formula For NAWR Legislative Success

1. Know Your Enemies

Wholesalers, Retailers, Wineries, Regulators

2. Know Your Allies

Consumers, Media, Free Traders

3. Motivating Consumer Outreach on a Specific Bill

4. Lobbyists

5. Members and Funding



Questions & Discussion

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