

Colorado Liquor Enforcement Division Liquor Rules Working Group (LRWG)

Meeting of August 17, 2016
9:00a – 12:00p

Liquor Enforcement
1881 Pierce Street #110
Lakewood, CO

Working Group Members Present:

Patrick Maroney, Co-Chair	Liquor Enforcement
Ron Kammerzell, Co-Chair	Enforcement
Donia Amick	Chief of Investigations
Lynda Atkins	Attorney General Office
Kevin Bommer	City Government
Jenny Wood.....	Community Prevention
Christopher Mallory.....	County Government
John Tipton (<i>via phone</i>).....	Liquor Attorney
Adam Stapen	Liquor Attorney
Manuel Martinez	Liquor Attorney
Jenn Penn (<i>via phone</i>).....	Brewery (Large)
Garin Vorthmann	Brewery (Large)
Laura Long.....	Brewery (Small)
Angie Baker (<i>for Jason Bassett & Grier Bailey</i>)	Convenience Store
Joan Green Turner	Distillery (National View)
Phil Hayes.....	Grocery Store
Joshua Phair.....	Grocery Store
Roger Morris	Member At Large
Pete Meersman	Member At Large
Jim Shpall	Off Premises (Independent)
Jeanne McEvoy	Off Premises (Statewide)
Mark Berzins.....	On Premises (Restaurants)
Sonia Riggs	On Premises (Restaurants)
Stephanie Fransen	On Premises (Tavern)
Heather Frayer (<i>for Mickey Petrollini</i>)	On Premises (Tavern)
Micki Hackenberger	Wholesaler
Steve Findley.....	Wholesaler
Tyler Rudd	Winery (National)
Kyle Schlachter (<i>for Doug Caskey</i>)	Winery (State)

Welcome & Introductions

Patrick Maroney opened the meeting and began by thanking the working group members for their time and the public for their attendance. Each working group member and the public introduced themselves.

Housekeeping Items

Liquor Enforcement will have two more rule working group meetings: September 8th and 21st. They will get the draft rules to everyone prior to the next meeting for their review. The LRWG will complete their recommendations at the September 21st meeting.

Yesterday LED had their first SB16-197 Training. It went well. Everyone was asked to notify and encourage their association members to attend one of the many scheduled classes around the state. The link for the training dates and submission of SB16-197 questions is on the LED webpage at www.colorado.gov/enforcement/SB16-197.

Sub-Group Reports

Powdered Alcohol (Sub-Group) | Nick Hoover reported that they waiting to get draft rules from LED to take to the group for discussion. Director Maroney noted that we have contacted the other states where PA is legal to get input on what they are doing. All the states who were contacted said that powdered alcohol will be regulated like any other distilled spirits and no additional rules were implemented.

Trade Practices (Sub-Group) | Ron Kammerzell reported that they are still discussing Give Aways, Hand Sales, Sampling, Leasing Equipment, Laid in Costs, Promotional Logo Items and hope to have a set of draft rules out shortly.

The next meeting for Trade Practices is August 31st at 1:30PM (1881 Pierce - 110).

SB16-197 (Sub-Group) | Patrick Maroney reported that they have had three meetings so far. Many new rules were drafted and had consensus, however three main issues still exist:

- LDS have to be open to the public (understand that there are two sides to this issue).
- LDS cannot sell a product to the public at less than what it cost them – how to define this.
- Transfers of Retail Licenses – Ensuring Wholesalers have been paid when there is a lapse time in the transfer or when the wholesaler is not responsive.

Rule Review (Sub-Group) | Donia Amick reported that there will be basic changes to the rules given new legislation. They reviewed 47-600 through 47-904 and have a few language changes, typos et.al. to clean up. LED employees have submitted a list of Rules they would like to be reviewed as well. Patrick Maroney added the following submissions for rule making:

- Entertainment Districts & Common Consumption: Will propose a rule to ensure that at least two license premises of a common consumption area are open in order to have extended hours.
- Clarify Summary Suspensions: How they are handled (APA & Law)
- Prohibit Marijuana in Liquor Licensed establishments: To be added to the conduct of establishment (having knowingly allowed or turned a blind eye to and/or participated in the sale of marijuana).

Take Aways

A request was made to separate the on-premises and off-premises issues during next years' working groups. They are both extensive on their own and need enough time to be reviewed separately. This idea will be looked at next year.

Public Comments

None.

LRWG Meeting Dates:

- September 8th at 1:00pm (Location - Axiom Strategies Inc. – 1600 Broadway, Suite 1350 - Denver) Hosted by Micki Hackenberger.
- September 21st at 1:00pm (1881 Pierce – Room 110)

The meeting was adjourned 10:01AM.