

Appendix 3: Liquor Advisory Group Charter

**Liquor Advisory Group
To the Colorado Department of Revenue
DRAFT
Governance Charter
12/07/2022**

I. Purpose and Scope of the Liquor Advisory Group

The Liquor Advisory Group (LAG) offers a broad range of perspectives and experience to develop recommendations aimed at creating a clear, logical, and transparent alcohol regulatory framework that allows for understandable regulations and enforcement, fosters a strong industry, and supports public safety. The LAG will receive information provided by Colorado Department of Revenue (DOR) and the Liquor Enforcement Division, and will provide input to DOR in a special report, by December 1, 2023, that consists of recommendations on how to modernize, clarify, and harmonize the statutes that regulate alcohol beverages and the alcohol beverage marketplace in Colorado.

II. Governance

This document constitutes the LAG's governance charter. The charter is approved and may be amended by the DOR Executive Director ("DOR Director"), including with consideration of input from the LAG.

III. Powers and Duties

The LAG serves in an advisory capacity to the DOR Director, offering non-binding input to develop recommendations for a special report pursuant to the July 8, 2022 letter from the Governor. The contracted facilitator is responsible for drafting and finalizing the special report, subject to final review by the DOR Director. While the LAG is not a decision-making body and has no authority on liquor laws and licensing, its input is essential to ensuring the special report accounts for the diverse perspectives of stakeholders.

IV. Operating principles and responsibilities

Operating principles and responsibilities of members include:

- a. Compliance with all aspects of this governance charter.
- b. LAG members have been selected for diversity in demographics, backgrounds, perspectives, and knowledge of the alcohol industry marketplace in Colorado and representative of the entire state of Colorado in both rural and urban communities in order to constitute a vibrant and diverse collection of stakeholder voices. Members will demonstrate composure and respect when working with those with different experiences, backgrounds and perspectives.
- c. Members will demonstrate the ability to engage productively and in good faith in the LAG's business and provide timely input.
- d. Members will demonstrate willingness and preparedness to engage LAG meetings.
- e. Members will demonstrate focus on the scope and charge of the group.

V. Membership and Participation

a. Members

Members of the LAG are appointed by the DOR Director.

Within the LAG, there are 33 voting members of the LAG and 1 non-voting, ex-officio member. Non-voting members include the State Licensing Authority or their designees.

The DOR Director may adjust membership composition due to the passage of future legislation or other circumstances impacting the LAG’s purpose.

b. Resignation of LAG Members

Any member who is no longer able to participate on the LAG shall notify the DOR Director as soon as practicable.

c. Removal of LAG Members

A member may be removed from the LAG at the discretion of the DOR Director based on conduct or lack of participation.

d. Vacancies

If a vacancy occurs on the LAG, the DOR Director may appoint a member to fill the vacant position.

e. Quorum

When conducting a final assessment of the level of agreement on a proposed recommendation, option or idea, each member will indicate whether they can support or abide by it, and do not object; if no participants object, then consensus exists and will be recorded, along with a summary of rationale and perspectives as relevant. If any participant objects, then there is not consensus, and a vote will be taken.

Informal assessment of consensus: When informally assessing level of agreement during the course of LAG discussions, the table below may be utilized to assess perspectives on a draft recommendation, option or idea. As relevant, the group will discuss whether, and if so how, the recommendation, option or idea could be improved and/or how concerns could potentially be better addressed. Informal assessment of support for a recommendation or alternative may be conducted iteratively throughout the process and will not be recorded.

	Consensus exists if ALL participants are at level 1-3:
1	I enthusiastically support this recommendation, option or idea.
2	I support this recommendation, option or idea.
3	I do not fully agree with the decision; however, I can abide by or live with this recommendation, option, or idea; I do not object.
4	I object to this recommendation, option or idea.
5	I strongly object to this recommendation, option or idea; I cannot support, live with or abide by it.

b. Voting

Where consensus does not exist on a final recommendation, option, or idea, a vote shall be taken and the votes of individual members will be recorded along with a summary of the rationale for supportive and dissenting views. A quorum must be present, as defined above. Total vote counts, the votes of individual members, and the summary of rationale and views will be included in the special report to DOR. Virtual voting is permitted.

c. Proxies

No member shall be permitted to vote by proxy or delegate.

d. Reports

A final assessment of the LAG’s level of support for a recommendation, option, or idea will be conducted publicly and recorded in the special report. The assessment will reflect the recommendations or options considered, level of agreement for each recommendation or option, and a summary of the rationale for both supportive and

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DOR shall establish a schedule for LAG meetings in consultation with the facilitator . The LAG shall meet once a month on average. Additional meetings will be called as necessary by DOR.

b. Working Groups

The LAG may form working groups to consider topics selected by the LAG and to make recommendations to the LAG. Working groups shall operate under the same policies and procedures in this charter. The consensus and voting provisions of Article VI shall apply to working groups.

c. Facilitation

The DOR has a contract facilitator to facilitate the work of the LAG. DOR staff person(s) will be appointed to coordinate with the facilitator in the development of schedules, agendas, materials, and processes for the LAG.

d. Conduct of Meetings

The facilitator will manage meetings of the LAG in the most informal manner possible. LAG votes will be conducted formally by roll call of the LAG.

e. Public Meetings

The LAG is a state public body that is subject to the Open Meetings Law (24-6-401, C.R.S.) As such, members must observe the requirements of that law. LAG meetings and proceedings will also follow Open Meetings guidelines.

f. Public Comment

Public comment opportunities will be offered at LAG meetings. DOR shall determine when opportunities for public comment will be offered, and in what format.

g. Meeting Documentation

Documentation of meeting outcomes and any voting results shall be kept of all LAG meetings and shall include at least names of all LAG members present, the location of the meeting (physical location or virtual meeting), an outline of the issues or matters discussed, topical summaries of public comments received, and the outcome of any formal votes taken; including the vote of individual LAG members when a vote is called. Meeting minutes will be provided at each successive session for LAG amendments or approval.

h. Open Records

Any records generated or received by the LAG, its members, and/or DOR in connection with the work of the LAG may be subject to the Colorado Open Records Act.

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LAG members are free to discuss the LAG's work with any interested party but in so doing must clarify they are speaking for themselves, and not the LAG, and must abide by the requirements of the Open Meetings law. LAG members are urged to use discretion when discussing the group. Consistent with operating principles, member comments should be in good faith and refrain from communications that are disruptive to the charge and progress of the group.

IX. Compensation

Members of the LAG are uncompensated for their time and travel expenses incurred in the performance of their duties.