

**Liquor Enforcement Division
2015 Colorado Liquor Rules Working Group
Meeting #2**

**Meeting of October 28, 2015
1:00 pm**

**Colorado Department of Revenue
1881 Pierce Street, Room 110
Lakewood, CO 80214**

Working Group Members Present:

Ron Kammerzell, Co-Chair
Patrick Maroney, Co-Chair
Donia Amick
Lynda Atkins
Carl Terry
Cheryl Aragon
Garin Vorthmann
Andrew Lemley
Joan Green Turner
Stephen Gould
Jeanne McEvoy
Dave Reitz for Mark Berzins
Sonia Riggs
Mickey Petrollini
Micki Hackenberger
Doug Caskey
Cory Tipton for John Tipton
Fern O'Brien
Pete Meersman
Jenn Penn

Welcome and Introductions

Patrick Maroney, Director, 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. Director Maroney stated that only working group members are allowed to participate in this discussion and that public comment will be allowed at the end of the meeting.

Director Maroney explained the guidelines of this meeting will be to review rules and regulations that the Division wants to put forth before the State Licensing authority to gain approval to submit to the Office of the Secretary of State by October 31.

Discussion Review of Proposed Regulations the Liquor Division Received

Director Maroney stated that some of the rules to review listed on the last agenda are not on this agenda. This is due to the progress of the review. The rules include the list below and will be grouped in those that will be discussed at today's meeting and those that will not be discussed.

To be discussed in further detail today:

- Container Size
- Displays
- Hand Sales

- Homebrew - Transportation
- Importers/Out of State Reps

Not to be discussed and will not go forward as a rule change at this time:

- Media Definitions:
- Cumulative Discounts

Review of Regulations

Director Maroney presented proposed revisions to the rules and discussed the changes and why they were included. Discussions were had as each rule, as listed below, was reviewed:

- 47-100. Definitions.
- 47-302. Changing, Altering, or Modifying Licensed Premises.
- 47-303. License Renewal.
- 47-304. Transfer of Ownership and Changes in Licensed Entities.
- 47-316. Advertising Practices.
- 47-322. Unfair Trade Practices and Competition.
- 47-323. Lawful Extension of Credit.
- 47-400. Licensed Breweries.
- 47-408. Purchases by Retailers.
- 47-412. Wholesale Warehouse or Branch Houses.
- 47-418. Restaurants.
- 47-424. Engaging in Business.
- 47-426. Delivery of Alcohol Beverages.
- 47-428. Manufacturer Sales Rooms.
- 47-500. Excise Tax Audits.
- 47-902. Sanitary Requirements.
- 47-904. Product Labeling, Substitution, Sampling and Analysis.
- 47-908. Automatic and Electronic Dispensing Systems.
- 47-940. Powdered Alcohol – Packaging and Labeling.
- 47-942. Powdered Alcohol Regulation.
- 47-1016. Special Event Permittee - Purchase and Storage of Alcohol Beverages.
- 47-1020. Alcohol Beverage Donations.

Review of Proposed Regulations the Liquor Division Received

The Working Group discussed rule changes to the above referenced and determined that the Division will draft proposed rules for the following:

- Container Size
- Displays
- Hand Sales

- Homebrew – Transportation

Mickey Hackenberger, will draft rules for consideration at a later date, not with this rulemaking:

- Importers/Out of State Manufacturer Reps

It was decided to change the minimum amount of container size to be changed from 750 ml to 375 ml.

Displays – Since a consensus could be reached, Director Maroney suggested the October 30, 2013 letter from the former Director be rescinded and the industry go back to the original method of having a photo of the display to be given away in the liquor establishment. Several industry members request additional time to review the possibilities to address all concerns. Director Maroney decided to allow the current practice to occur (with a few minor modifications), which will allow the industry and the Division to work together in attempts to draft rules addressing all concerns in 2016.

Hand Sales – Since a consensus could not be reached, Director Maroney suggested all hand sales be conducted using an instant redeemable coupon (IRC). Several industry members request additional time to review the possibilities to address all concerns. Director Maroney decided to allow the current practice to occur, which will allow the industry and the Division to work together in attempts to draft rules addressing all concerns in 2016.

Home Brew – discussion ensued about how a regulation could be drafted to provide rules concerning some issues with home brew, especially concerning the transportation of home brew products to legal events. The Division will attempt to draft a rule addressing this issue, but will probably not submit it for recommendation this year since there not been a chance to vet the rule with the industry.

Public Comment

Michael Hassler, Colorado Craft Winery, came forward to request a rule change to be able to sell his product in retail liquor stores. It was determined the packaging needs to be different to enable it to be sold in retail liquor stores and Director Maroney will meet with Mr. Hassler to discuss in further detail.

Next Steps

The Division will distribute draft rules on Friday. The Working Group Members are tasked with review of the rules and submit their comments as soon as possible.

The meeting was adjourned.