

**Summary Profile: Liquor Control Commission
Review Committee of Cognizance: General Law (GL)**

STATUTORY REFERENCE	C.G.S. Sec. 30-2
ESTABLISHED	1933: Liquor Control Commission established per Cum Suppl. Sec. 671b. The commission oversaw the activities of the Department of Liquor Control, adopted regulations, and heard and ruled on complaints. 1979: replaced by Division of Liquor Control in the new Dept. of Business Regulation, per P.A. 77-614, but commission maintained in C.G.S. Sec. 30-2 per P.A. 78-303. 1980: Dept. of Business Regulation abolished per P.A. 82-482, and Dept. of Liquor Control created. 1995: Dept. of Liquor Control repealed and functions merged into the Dept. of Consumer Protection. Liquor Control Commission further reinstated per P.A. 95-195.
ORGANIZATION LOCATION	Department of Consumer Protection
DUTIES	1. Oversees provisional permits and holds formal administrative hearings and informal hearings (compliance meetings) regarding allegations which include, but are not limited to: suitability of applicants and permit premises; obtaining liquor permits by fraud; sales to minors; sale to intoxicated persons; and unlawful activity occurring on permit premises. 2. Acts on matters delegated by the commissioner, which include but are not limited to: review and approval of final liquor permits; substitute permittee applications; patio requests and additional consumer bars; and other matters that come before the commission for consideration and adjudication
REGULATIONS ROLE	DCP, through the provisions of the state liquor control act (C.G.S. Chapter 545), currently administers more than 70 types of liquor permits with varying fees and regulatory requirements.
NUMBER OF MEETINGS	Held every Tuesday and Thursday
MEMBERSHIP	Composed of three commissioners, one of whom shall be the Commissioner of Consumer Protection, appointed by the governor in accordance with C.G.S. Sec. 4-9a.
COMPENSATION	The two appointed commissioners each earn an annual salary for working 20 hrs/week. For FY 12 total compensation for the two appointed commissioners was \$113,587.
STAFF	DCP's Liquor Control Division is the primary investigative arm of the commission. As of FY 13, the division was staffed by 25 General Fund positions to carry out inspections, investigations, and related administrative functions to ensure compliance with the state liquor control laws. The division director additionally oversees 10 liquor enforcement agents assigned to and funded by the state's two casinos.
BUDGET	DCP's Liquor Control Division budget for FY 13 is estimated at \$3.3 million.
ANNUAL REPORT	No requirement

DATA COLLECTION SHEET:
Liquor Control Commission
Review Committee of Cognizance: General Law (GL)

Part I: Statutory Compliance & Performance Activity

Questions in this part relate to compliance with the entity's statutory mandates and specific performance activity measures pertaining to the entity's primary duties.

1. Pursuant to C.G.S. Sec. 30-2, has the Liquor Control Commission met all of its statutory mandates and requirements? (see attached profile)

- Membership/composition? **YES**
- Terms? **YES**
- Meeting schedule? **YES**
- Reporting requirements? **YES**

If not, please explain.

2. Are meeting minutes, agendas and other commission materials public and accessible?

Yes. Meeting minutes, agenda, and decisions are posted as public documents on the web site of the Liquor Control Commission, Department of Consumer Protection:

<http://www.ct.gov/dcp/cwp/view.asp?a=1623&Q=276050&PM=1>

3. Does the commission have a website presence for public contact and input?

Yes. DCP's website provides the names, email addresses and phone numbers of Liquor Control contacts:

<http://www.ct.gov/dcp/cwp/view.asp?a=1629&q=274430#lc>

4. For each of the last three years, please provide commission activity data, including, but not limited to, number of licenses approved/suspended/revoked, number of formal and informal hearings, allegation category, and processing times.

The Liquor Control Commission meets on Tuesday and Thursdays throughout the calendar year (with the exception of state holidays). Minutes from each meeting are posted on their website. The minutes note the action taken by the Commission pertaining to 1) compliance meetings, 2) requests for Provisional Permits, 3) Approval of Final Permits and 4) Other actions. The minutes to every meeting over the last three years can be found via this link:

<http://www.ct.gov/dcp/cwp/view.asp?a=1623&Q=276050&PM=1>

Please see Attachment A for the number of liquor permits issued for each of the last three years.

The Liquor Control Commission held numerous administrative hearings during this three year period: In 2013, the LCC rendered 20 Memoranda of Decisions; in 2012, it rendered 25; in 2011 it rendered 28. A complete listing of each decision can be found via this link:

<http://www.ct.gov/dcp/cwp/view.asp?a=1623&q=321100>

5. Please provide the current and previous year's budget expenditures for the Liquor Control Commission.

For Calendar year 2011: \$108,365; 2012: \$113,587; 2013: \$109,513

6. What is the current and previous year's staffing level for DCP's Liquor Control Division (the primary investigative arm of the commission)?

The Liquor Control Division's staff in 2011 was 33; in 2012 it was 31; in 2013 it was 30 employees.

Part II: Statutorily-Based Sunset Questions

Questions in this part pertain to the statutorily-based sunset criteria. This includes the sunset criteria for determining public need (C.G.S. Sec. 2c-7) and the sunset criteria for determining whether a regulatory entity or program served the general public (C.G.S. Sec. 2c-8). (N/A means the criterion is not applicable to the entity under review due to the nature of its functions or characteristics (e.g., if the entity does not hire employees, affirmative action requirements do not appear to be applicable).

1. Would termination of the Liquor Control Commission significantly endanger the public health, safety or welfare? **YES.** Please explain.

The Liquor Control Commission has responsibilities that affect the public health, safety and welfare of Connecticut's citizens in regard to the highly regulated liquor industry. Their duties include holding formal administrative hearings and informal hearings (referred to as compliance meetings) regarding allegations of liquor permit holders such as sales to minors, sales to intoxicated persons, suitability of applicants, suitability of proposed locations, attempting to obtain a permit by fraud, and unlawful activity and/or unsanitary conditions on permit premises. As such, the termination of the LCC would jeopardize the state's ability to ensure compliance with the requirements of the Liquor Control Act.

2. Would the termination of the commission's primary activity significantly endanger public health, safety, or welfare? **YES.** Please explain.

The primary activity is to safeguard the health and safety of Connecticut citizens by regulating all person and firms involved in distributing, selling and dispensing alcoholic liquor in order to prevent sales to minors and intoxicated persons, as well as to maintain product integrity and to ensure that permit premises are safe and sanitary. It is therefore clear that the termination of the commission's primary activity would significantly endanger public health, safety and welfare.

3. Could the public be adequately protected by another statute, office, or program, or by a less restrictive method of regulation such as absence of the Liquor Control Commission?

No. An alternative statute, office or program, or a less restrict method would not adequately protect the citizens of our state.

4. Does the commission have the effect of increasing the costs of goods or services to the public either directly or indirectly? Is there data to demonstrate this effect? If so, do the benefits to the public outweigh this additional cost?

No. The commission does not have the effect of increasing the costs of goods or services to the public.

5. Is the effectiveness of the commission's operation impeded by existing statutes, regulations or policies, including budgetary and personnel policies? If yes, please explain. *No.*
6. To what extent have qualified applicants been permitted to engage in any profession, occupation, trade or activity regulated by the Liquor Control Commission?

All applicants for a liquor permit are instructed to complete a formal application and are advised that an investigation into their background will commence. If it is determined by the Commission that an applicant is qualified to receive a permit, the request for said permit will in all cases be granted.

7. (N/A) To what extent has the commission complied with federal and state affirmative action requirements?
8. To what extent has the Liquor Control Commission recommended statutory changes which would benefit the public as opposed to the persons regulated? Please provide examples.

The Commission in consultation with the Commissioner has made numerous recommendations in recent years that would in the opinion of the Commission benefit the public (as opposed to the persons regulated). Recent examples include support of Governor Malloy's 2012 proposal, "An Act Concerning Competitive Alcoholic Liquor Pricing and Hours of Operation for Permittees." Additionally, the Commission has been a strong proponent of legislation that would ban the sale of distilled liquor by the bottle at on-premises consumption establishments. Passage of this law would benefit the public by working to reduce consumption of alcohol by intoxicated persons and/or minors.

9. To what extent has the commission encouraged public participation in the formulation of its regulations and policies?

The Commissioners are known to encourage the public to share their concerns and ideas for improved laws and/or regulations with the LCC, the Department, the Governor or their legislators.

10. Explain the manner in which the commission has processed and resolved public complaints concerning persons subject to commission regulation. Please provide data on any complaints and outcomes for each of the past three years.

The Commission encourages the public to inform the Division of any and all complaints of liquor permitted establishments. When received, all complaints are investigated, whether they be by named-complainant or anonymous. Once investigated, if a violation is alleged, it is brought before the Commission for adjudication. These actions are then a matter of public record. Additionally, if a member of the public seeks the disapproval or revocation of a permitted premise, they are informed of the process by which the commission may grant that request. Known as a Remonstrance, the Commission may conduct an administration hearing to determine if the evidence received warrants a refusal or revocation of the permit. Additional information on the Remonstrance procedure, as well as recent decisions is available to the public via this link:

Part III: Standard RBA Questions

This part contains the eight standard results-based accountability questions adopted by the Appropriations Committee for all programs.

1. What is the quality of life result to which the Liquor Control Commission makes the most important contribution?

The Liquor Control Commission safeguards the health and safety of Connecticut citizens by regulating all persons and firms involved in distributing, selling and dispensing alcoholic liquor to prevent sales to minors and intoxicated person, maintain product integrity, and ensure that licensed premises are safe and sanitary.

2. How does the commission contribute to the result?

The LCC works to ensure compliance by permit holders with the provisions of the Liquor Control Act, thus safeguarding public health and safety. It does so by holding both formal administrative hearings and informal compliance meetings regarding allegations including the sale of alcohol to minors and/or intoxicated persons, suitability of the permit holder and/or the premise, and unlawful and/or unsanitary conditions on the premise.

3. Who are the commission's major customers?

The Commission's major customers are members of the public and liquor-permit holders.

4. What measures are used to tell if the Liquor Control Commission is delivering its services well? How is the commission doing on the most important of those measures? Provide data to support this assessment.

Collaboration with our partners and educating our customers are steps required in order to deliver our services well in our mission of safeguarding the public. To that end, Outreach and Training efforts are important and their frequency is measured. Please see Attachment B for a list of Outreach and Training appearances conducted over the last three calendar years.

5. What measures are used to tell if the commission's customers are better off? How is the commission doing on the most important of those measures? Provide data to support this assessment

At the top of the Commission's priority is to see a reduction in the instances of sales of alcohol to minors. In collaboration with our partners, the Division conducts frequent unannounced compliance checks on retail establishments to determine if they are complying with the law. Data is maintained on the number of establishments that pass & fail compliance checks. The goal being to reduce the percentage of establishments failing, thereby improving the quality of life for our customers---the public.

Alcohol Compliance Checks

<u>Calendar Year</u>	<u># Premises Tested</u>	<u># Premises Passed</u>	<u># Premises Failed</u>	<u>% Premises Failed</u>
2011	563	434	129	22.9%
2012	788	625	163	20.7%
2013	498	416	82	16.5%

6. Who are the partners with a major role to play in improving performance?

Partners include: The Governor's Prevention Partnership, State & Local Police Departments, Municipal officials, Connecticut Police Chiefs Association, State Prosecutors and Regional Action Councils.

7. What works, what could work, to do better, or to do the least harm in a difficult financial climate?

Collaboration between the Liquor Control Commission, the Division, and the partners (see above), has been an effective way to improve the quality of life and safeguard the public from dangerous and unlawful activity involving liquor-permitted establishments. In general, the laws and regulations contained in the Liquor Control Act provide adequate and significant provisions to safeguard our fellow citizens.

8. What specific actions or changes, if any, are proposed to take over the next two years?

Although there are no major actions or changes anticipated over the next two years at this time, the Commission and DCP will look for ways to increase our outreach to our partners and to the public for increased collaboration and education as we strive for improvements in the delivery of our mission.

Attachment A

Calendar Year 2011 through 2013

Type of Permit	Number of Permits Issued in Calendar Year 2011	Number of Permits Issued in Calendar Year 2012	Number of Permits Issued in Calendar Year 2013
Airport Bar	2	0	0
Bowling Establishment Liquor	1	3	2
Bowling Establishment Beer & Wine	1	0	1
Café Liquor	94	118	101
Connecticut Out of State Shipper Beer	2	1	3
Connecticut Out of State Shipper Liquor	3	2	6
Coliseum Concession Beer	0	0	2
Concession	2	1	2
Coliseum	0	1	2
Caterer	37	34	25
Special Sporting Facility Bar Liquor	1	0	2
Special Sporting Facility Guest Liquor	0	0	1
Farmers' Market Wine	1	7	1
Special Sporting Facility Bar Liquor	1	0	1
Special Sporting Facility Concession Liquor	0	0	1
Farm Winery Liquor	3	2	2
Grocery Beer	90	97	90
Boat Liquor	1	0	0
Club Liquor	2	5	0
Druggist Liquor	1	1	0
Hotel Liquor	8	17	11
Package Store	119	88	101

Restaurant Liquor	201	236	195
Tavern Liquor	11	14	4
Wholesale Liquor	4	6	13
Manufacturer Apple Brandy	0	1	0
Manufacturer Beer	0	5	6
Manufacturer Cider-Liquor	0	1	1
Manufacturer Liquor	2	1	4
Manufacturer for Beer and Brew Pub	N/A	1	4
Special Outing Facility Liquor	1	1	0
Non Profit Club Liquor	0	1	3
Non Profit Public Art Liquor	1	0	0
Restaurant Beer	4	5	7
Restaurant Caterer	6	4	5
Racquetball Facility Liquor	0	1	0
Restaurant Wine & Beer	82	69	90
Out of State Shipper Beer	15	26	20
Out of State Shipper Liquor	63	31	61
Out of State Winery	71	67	85
Non Profit Theatre	2	1	0
Wholesaler Beer	1	1	0
Transporter Liquor	12	7	7
Sale of Wine with Gift Basket	1	8	8

Suspensions and Revocations Calendar Years 2011-2013

Year	Number of Suspensions	Number of Revocations
Calendar Year 2011	218	8
Calendar Year 2012	250	2
Calendar Year 2013	239	3

Informal and Formal Hearings

Year	Number of Informal Hearings	Number of Formal Hearings
Calendar Year 2011	452	99
Calendar Year 2012	362	57
Calendar Year 2013	318	39
Total	1032	195

Attachment B

2013 Outreach / Training

Jan. 15 Police Training -- Bridgeport Police Academy
Jan. 24 Police Training -- Meriden Police Academy
Jan. 25 American Legion Mid-Winter Conference
March 15 Police Training -- New Haven Police Academy
April 3 Hamden – Law Enforcement Conference – 40 participants
April 22 East Haven Retail Forum Training
April 25 Fairfield County Bar Association: LIQUOR PERMITS - FROM APPLICATION TO REVOCATION 15 attorney participants
May 7 Milford Retail Forum Training
May 16 Police Training -- Meriden Police Academy
July 15 Police Training -- Meriden Police Academy
Sept. 4 Police Training -- Waterbury Police Academy
Sept. 26 Police Training -- Milford Police Academy
Oct. 2 Police Training -- New Britain Academy
Oct. 9 Retail Forum Training, North Haven

2012 Outreach / Training

Jan. 19 Retail training for license holders and their employees. Held at Guilford PD. Reviewed different types of permits, purpose of compliance checks, discussed the violations of sale to minors/intoxicated persons, how to detect fake/tampered IDs. Approx. 30 participants.
Jan. 20 Training @ the American Legion Mid-winter conference. Discussed statutes and regulations directly related to private clubs, i.e., guest books, record keeping, sale to intoxicated person(s), conduct of permit premises(gambling). Approx. 35 participants.
Feb 1 CT Association of Zoning Enforcement Officials presentation: "Wine in Gift Baskets" legislation (P.A. 11-250). Approximately 60 zoning officials in attendance.
Feb. 15 Police recertification training – West Haven Police Dept. -- 15 officers
March 11 9am-5pm Northeast Floral Expo, CT Florists Association, Presentation: "Sale of Wine with Gift Baskets, P.A. 11-250"
May 17 Police recertification training -- West Haven Police Dept. – 15 officers

2011 Outreach / Training

April 25 Glastonbury Retailer Education Training Program—Glastonbury PD
April 29 Basic Police Recruit Training Program -- Municipal Police Academy, Meriden
Sept. 23 Police Training- Meriden Police Academy -- 16 officers
Dec. 9 Meriden Police Academy - instructed police recruits on the liquor control act, common permits, police referrals, fake identification (approx 40 cadets)
Dec. 27 Meriden Police Academy -- instructed police recruits on the liquor control acts, common permits, police referrals, fake identification (approx. 40 cadets)