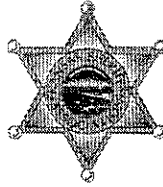




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**Testimony to the House Federal and State Affairs Committee
In Support of HB2088
February 3, 2015**

Chairman Brunk and Committee Members,

This bill comes to you to correct a problem in the statute pointed out in an Appellate Court decision last year. Fixing this issue is absolutely essential to proper enforcement of the alcohol regulations. We are not challenging the court's technical interpretation of the current statute, but we also believe the current statute does not reflect how the legislature wants us to assure compliance with the alcohol laws and regulations.

The state clearly cannot afford to have enough ABC enforcement agents to effectively monitor and enforce the regulations and statutes governing licensees. The state must rely on local law enforcement to assist in that enforcement. It is the local law enforcement beat officer that is in a position to better monitor the activities around the licensee premises. It is also local law enforcement who receives the calls to deal with the issues of peace and order around these establishments.

The process the amendments will set in place is what we have been doing for many, many years. It has been effective in the handling of the violations while allowing the ABC to verify the information provided in the local law enforcement report supports the alleged regulation violation and to make the final decision on whether to issue the formal citation and notice. The 30 day limit for the ABC to file the formal complaint is reasonable and avoids unnecessary and unreasonable delay while allowing adequate time for the reports to flow to the ABC from local law enforcement and the appropriate review by the ABC.

We urge you to recommend HB2088 favorably and restore the local law enforcement ability to report violations we find to the ABC.

Ed Klumpp
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