



STATE OF OKLAHOMA
ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

ABLE COMMISSION MEETING NOTES
March 25, 2022

The filing of the meeting and posting of the agenda were in accordance with the Oklahoma Open Meeting Act. Notice of the meeting was filed with the Secretary of State on October 20, 2021. The agenda was posted on March 23, 2022, on the front and back doors of the 50 Northeast 23rd Street building in Oklahoma City, the door of the ABLE Commission's Office Reception area, and the ABLE Commission website.

Chairman Graves called the meeting to order at 10:00 a.m. at the office of the Alcoholic Beverage Laws Enforcement (ABLE) Commission at 50 Northeast 23rd Street, Oklahoma City, OK 73105. The following Commission members were present: Devin Graves; James Willyard; and Matthew Crook. The others present were: Ellen Spiropoulous, Phillips Murrah Law Firm; Colin Graham, Oklahoma Restaurant Association; J.B. Jarboe, Southern Glazers Wine & Spirits of Oklahoma; Edward Tuya, Oklahoma Department of Mental Health & Substance Abuse Services; Jose Almanzar, Homeland; and Corbin McGuire, RNM Recruiting. Oklahoma ABLE Commission employees attending were: Director Keith Burt; Assistant Director Brent Fairchild; Staff Attorney Andrew Koester; Director of Management and Budget Josh Maxey; Captain Erik Smoot; and Office Assistants Shae Isaacs, Margaret Hooley, and Kimberly Yates. Also attending was Luke Simms, Attorney.

There was not a quorum, and no action was taken.

The voting for the minutes from the February 18, 2022, regular meeting and the March 4, 2022, special meeting were postponed until the next Commission meeting.

Director Burt introduced the new ABLE Staff Attorney Andrew Koester and welcomed him to the ABLE Commission.

Chairman Graves introduced Corbin McGuire from RNM Recruiting. Mr. McGuire explained his voluntary services and how he is willing to assist with the recruitment for a new ABLE Commission Director due to Director Burt's expected retirement this year.

DIRECTOR'S REPORT:

- Director Burt stated that the conversion to the new ABLE licensing system was accomplished Monday, March 14, 2022. Mr. Burt thanked Director of Management and Budget Josh Maxey and his team for their dedication and hard work in implementing the new system. A more detailed report will follow in April.
- Director Burt spoke to the Commission on the recent passing of John Maisch, who was an ABLE General Counsel from 2008-2013.
- Director Burt stated that Director's Report Item #3, "Update on Requirements for Vaping Products" will be postponed until the next Commission meeting.

- Director Burt informed the Commission of the Oklahoma Bureau of Narcotics and Dangerous Drugs Control (OBNDD) and the ABLE Commission's Interlocal Cooperation Agreement. A copy of the agreement was provided, but implementation has been delayed due to manpower issues at ABLE.
- Director Burt stated that the ABLE website will soon be upgraded. This should facilitate user navigation.
- Director Burt advised the Commission of the COVID-19 guidelines that have been implemented by the ABLE Commission.
- Director Burt stated that the next meeting of the ABLE Commission will be in 3 weeks on Friday, April 15, 2022, at 10:00am.

Assistant Director Brent Fairchild presented the following Enforcement Report to the Commissioners:

- He advised the Commission that during the month of January, ABLE agents completed 93 alcohol compliance checks and 12 additional tobacco/vaping checks compliance checks.
- ABLE agents taught basic liquor laws at the CLEET Basic Academy and the Tulsa Police Department's recruit academy.
- Agents investigated various complaints along with conducting bar compliance checks in the following counties: Payne, Hughes, Atoka, Mayes, Pittsburg, Stephens, Osage, Tulsa, Oklahoma, Okmulgee, and Wagoner.
- Agents attended meetings and trainings at the CAST Coalition, Tulsa area Safe Kids Program, Tobacco Workgroup, OPPA Alcohol Committee, Muskogee Community Anti-Drug Network, Tulsa area Safe Communities, Tulsa and Cherokee County STOP DUI Task Force, and an Alcohol Stakeholders meeting in Tulsa.
- Agents also provided assistance and made courtesy visits to the Catoosa Police Department, Tulsa Police Department, Tulsa Fire Marshal's Office, Tulsa County Health Department RPC, Broken Arrow Police Department, Pryor Police Department, Okmulgee Police Department, Okfuskee County Sheriff's Office, Wagoner County Sheriff's Department, Hughes County Sheriff's Office, Atoka County Sheriff's Office, Oklahoma Highway Patrol, Oklahoma Department of Health, and Oklahoma Department of Mental Health & Substance Abuse Services.

- Director Burt gave a fiscal summary of the state of Oklahoma and the ABLE Commission's revenue collections.

In February, Oklahoma's growth in gross production was up about 12% from February 2021. State Treasurer Randy McDaniel stated that the annual inflation rate went up ½% in January, to 7.5% as the effects of global unrest persist.

ABLE collections were up in February over 12% and are up .3% for the year, with four months left in the current fiscal year. ABLE is still on track to have its 9th consecutive year of year-over-year growth in collections.

- Staff Attorney Andrew Koester gave the legislative review for the following bills that may affect the ABLE Commission: HB2036, HB3002, HB3009, HB3415, HB3638, HB3315, HB3732, HB3868, SB1233, SB1263, SB1708, SB1714, SB1723, SB1784, SB1788, and SB1811.

Chairman Graves moved to Item #8, comments from the public.

Edward Tuya with the Oklahoma Department of Mental Health & Substance Abuse Services inquired about the possible update to the ABLE administrative fine structure.

Commissioner Willyard suggested that the Commission have a Special meeting within one week's time to converse again about replacing the Director upon his retirement.

Item #9, Discussion and Possible Action to Enter Executive Session, was continued until a quorum is met.

The meeting was then adjourned.