

WILL LEAVITT APPOINT ANOTHER DRINKER TO STATE LIQUOR PANEL? LEAVITT TO FILL 2 SEATS ON LIQUOR PANEL

Tony Semerad

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One year after Utah Gov. Mike Leavitt broke with recent history and put a drinker on the state Alcoholic Beverage Control Commission, he is poised to fill two more spots on the powerful panel.

Four-year terms of commission chairman Jerry Fenn and vice chairman Nicholas Hales expire July 1, and Leavitt already is screening candidates for the posts, his staff says.

The Republican governor does not intend to affect any major shifts in state liquor policy with the appointments, said Leavitt press secretary Vicki Varela. He has the option of reappointing Fenn and Hales.

The five-member commission, Varela said, "is balanced and he wants to keep it balanced."

Hales, an Ogden attorney, would not comment on whether he wants a second term, saying he had yet to be contacted by Leavitt. Fenn, a lawyer from Salt Lake City, met with Leavitt Tuesday, but did not return calls seeking comment.

Already, some are lobbying for more drinkers to be placed on the quasi-judicial panel, which controls all alcohol sales, pricing, retail-outlet licensing and other liquor-law enforcement in Utah.

Stating last July that the commission needed more diversity, Leavitt chose Ogden real-estate executive and self-described "social drinker" Vickie McCall to fill one of two vacancies. The appointment made her the sole imbibor, female and non-Mormon on the board.

The other position went to Provo attorney A. Dean Jeffs, a former state senator and chairman of the Citizens Council on Alcoholic Beverage Control, a state group reviewing liquor-control policy.

"We got one consumer, which was certainly a step in the right direction," said Col. Jack E. Daniels, a Salt Lake City wine devotee and president of the Utah Wine Coalition. "The board regulates the consumer, so it makes sense that consumers should have more of a voice."

Commission members themselves claim most Utahns have an exaggerated view of their influence. It is state legislators -- not commission members -- who set Utah's alcohol policy, they note.

"We serve like a board of directors for a business," says Hales. "But it's easier to look at these five people and say, 'They're causing the problems,' and ignore the Legislature."

The panel also drafts and recommends legislation, with bills usually having little chance of passing without commission endorsement. Panelists enjoy significant sway on how liquor laws are implemented.

Duties of the Alcoholic Beverage Control Commission include granting or revoking licenses, determining the locale and, to a lesser extent, number of state liquor stores, as well as setting prices and imposing fines and other penalties for violations.

The agency has full authority over licenses for nearly 1,136 liquor-serving restaurants, taverns and private clubs across Utah. Yet before last July, all panelists were male, nondrinkers and members of The Church of Jesus Christ of Latter-day Saints. The church considers drinking alcohol a sin.

Daniels said Utah needs to re-examine its restrictive liquor policies, in light of the state being chosen to host hundreds of thousands of international visitors for the 2002 Winter Olympics.

Worldly tourists, he said, will be put off by the state's strict drinking hours, limits on per-drink alcohol content, and the intricate service and membership rules for private clubs.

But a leading supporter of past changes in state liquor laws disagrees. Fred Ball, president of the Salt Lake Area Chamber of Commerce and member of a chamber task force on liquor laws, said the group is not seeking further reform.

Chamber officials were instrumental in getting use of minibottles eliminated in 1989. And with repeal in the 1995 Legislature of the state's cash-only policy on alcohol purchases, "we decided we've got what we needed," said Ball.

Utah's 35 liquor stores saw some \$647,000 in sales on credit in May, the first month that state-run outlets began accepting checks and credit cards for the first time in state history.

"The consensus of our board of directors is that the status quo is excellent," he said. Ball warned against use of the Olympics to bolster the political agenda of those seeking liberal drinking laws.

Added state Sen. David Buhler, who sponsored the booze-on-credit bill: "We won the Olympics with the laws we have now. We don't really need any real big shift."