

Senator revises liquor bill to compromise

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pg. A.06

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Concessions made to critics of a proposed massive revision of Utah's liquor laws helped state senators toast the measure with unanimous approval on Friday.

SB153, with its number of changes, survived initial Senate debate and requires one more shot of approval before it is expected to move to the House next week.

Sponsored by Senate Majority Whip John Valentine, R-Orem, the 275- page bill is intended to quash overconsumption, prevent underage drinking and be friendlier to the hospitality industry.

Among its provisions:

A new class of restaurant license for wine and beer only.

Expanded availability and use of special event permits.

Vertical drivers' licenses for minors, making them easier for alcohol venders to spot.

New restrictions on minors in bars.

The legislation also imposes a new graduated scheduling of licensing fees for alcohol purveyors, increases criminal penalties for serving to minors and grants local control to cities on how close a restaurant may locate next to churches and parks.

Touted as the first major overhaul of liquor regulations since the late '80s, the proposal immediately faced criticism that it was crafted amid a veil of secrecy and included input from officials of The Church of Jesus Christ of Latter-day Saints.

Although supported by leaders of large industry groups like the Utah Hospitality Association and the Downtown Alliance, small private club operators and business people who run small restaurants and bars complained about being left out of the discussions.

Two days of public hearings plus a committee hearing at the Legislature had opponents frothing over many of the provisions, leading Valentine to reshape the proposal.

At a Friday press conference, lawmakers detailed a half-dozen changes made as a result of public comment.

"We've tried to be flexible to the input," said Senate Minority Whip Ron Allen, D-Stansbury Park. "We've tried very diligently to listen to people in the community."

Among the changes:

The no-minors-in-bar provision has been changed to allow family members of owners and operators on the premises under certain circumstances, such as when they are employed in custodial jobs.

Minors would be allowed under certain circumstances in private clubs when food constitutes 50 percent of the business, operators obtain a special permit and if barriers are present.

Minors would be allowed in concert halls or dance clubs, again, when certain restrictions are put in play.

A "harmful effects" analysis would be required should a city grant a variance to a restaurant to locate within 600 feet of a church, school or park.

Valentine also made a number of other revisions which have now brought the Utah Beer Wholesalers Association on board as well as the Utah Restaurant Association.

Diners at fine restaurants, for example, no longer have to leave an expensive bottle of wine behind should they not finish it with their meal. Instead, the new law would include a "re-corking" provision.

The bill also had proposed a one-hour cooling down period for night clubs and bars, requiring them to stay open one hour after they stop serving alcohol.

Both Valentine and Nicholas Hales, chairman of the Alcohol Beverage and Control Commission, said the current law encourages overconsumption.

As it stands, night clubs and bars issue a "last call" and then quickly expel customers at closing time.

"We should not require patrons to immediately slam down their drinks and go out the door," Valentine said.

The new provision would have required taverns and private clubs to stay open an hour after the last drinks were served regardless of whether any customers were in the business.

That led operators to complain the provision was not cost-effective.

Valentine changed it to allow the businesses to close when they choose as long as no customers are present.

"We forgot about the problem of what if nobody is in the place," Valentine admitted.

The lawmaker said his revised bill is meant to balance the interests of the hospitality industry against law enforcement concerns regarding underage drinking and overconsumption.

"If you start taking pieces out of the bill, the groups that are supporting the bill will start dropping the bill. The support is very widespread at this point."