

Larry Hogan  
Governor

Boyd K. Rutherford  
Lt. Governor

Jeffrey A. Kelly  
Executive Director



Alan Silverstein, Chairman  
Barbara Wahl, Vice-Chair  
Robert Poole, Secretary  
Eric Morrissette, Commissioner  
Betty Buck, Commissioner  
Dennis Schrader, Secretary of Health  
Col. Woodrow W. Jones III, Secretary of State Police

## MARYLAND ALCOHOL AND TOBACCO COMMISSION

### June 2022 Minutes

DATE: June 16th, 2022

TIME: 3:00 P.M.

PLACE: Maryland Alcohol and Tobacco Commission Headquarters  
(Meeting conducted via Microsoft Teams, recorded for replay)

PRESENT: Chair Alan Silverstein  
Commissioner Elizabeth (Betty) Buck  
Commissioner Eric Morrissette  
Commissioner Robert Poole  
Deputy Director Dana Moncrief, Maryland Department of Health  
Chief of Staff James Hock, Maryland State Police

ABSENT: Vice-Chair Barbara Wahl  
Jeffrey Kelly, Executive Director, Alcohol and Tobacco Commission

OTHERS: William George, Director, Field Enforcement Division  
Thomas R. Akras, Esq., Director, Legal and Legislative Division

#### **CALL TO ORDER**

Chair Alan Silverstein called the meeting of the Maryland Alcohol and Tobacco Commission to order at 3:00 p.m.

#### **APPROVAL OF THE MINUTES**

Chair Alan Silverstein called for a motion to approve the meeting minutes for May 19th, 2022. Commissioner Buck made a motion to approve the minutes, to which Commissioner Morrissette seconded. All members present voted in favor and unanimously approved the previous meeting's minutes.

#### **EXECUTIVE DIRECTOR REPORT**

Director George reported the activity of the Field Enforcement Division since the last meeting.



a. Enforcement Activity

- The ATC's Field Operations Bureau conducted enforcement activities that included fourteen incidents, which resulted in fifteen individuals being charged.
- As a result of its enforcement activity, the ATC charged alcohol and tobacco related violations in the following jurisdictions:
  - Baltimore City, Baltimore, Garrett, Montgomery, and Prince George's County.
- The ATC seized the following items related to their enforcement efforts:
  - 55,714 sticks of OTP and 294 unstamped cigarettes were seized in tobacco-related incidents.
  - 166 containers of infused distilled spirits with fruit juice or jello, 7 containers of distilled spirits, and 1,703 containers of beers, were seized in alcohol-related incidents.

b. Regulatory and Administrative Services activity

- The Regulatory Administrative Service Bureau's Licensing Unit issued 187 licenses and permits since our last meeting.
- The Unit drafted a new application for the Remote Tobacco Sellers License (RTSL). The Comptroller's Forms Group is reviewing the application in preparation for publication on its website. The inaugural license cycle of the RTSL began on July 1, 2022.

c. Feasibility Study- Alcohol Awareness Database

- The Research and Administrative Support unit has prepared a feasibility study to the Governor's Office and Maryland General Assembly. This study assesses the feasibility of maintaining a state-wide database of individuals trained in alcohol awareness in accordance with HB1052.
- The publication of the study was delayed due to staffing related issues.
- The final version will be completed soon for review by the Commission and submission to the Governor's Office and General Assembly.

## **LEGAL AND LEGISLATIVE DIRECTOR REPORT**

Director Akras reported the activity of the Legal and Legislative Division since the last meeting.

a. ATC and MMCC Meetings – HB837

- As per HB837, the ATC and MMCC was instructed to produce recommendations concerning the structure of a joint agency under the authority of the Office of the Executive Director of the ATC to oversee the regulation of Alcohol, Tobacco, and Cannabis by December 31, 2022.



- The recommendations are to focus on the transition of personnel from the MMCC to the ATC for the purposes of operational efficiency.
- The ATC and MMCC have met on various occasions since HB837 became law. The agencies are in the process of drafting recommendations for review by their respective Commissions prior their issuance.

b. Rules and Regulations Update

- The ATC and Comptroller completed the preliminary recodification of the regulations currently in the name of the Comptroller, which are being transitioned to the ATC. The recodification draft shall then be submitted to the Division of State Documents for publication in the Maryland Register for public comment.
- The ATC envisions approval and final publication of its recodified regulations prior to the 2023 Maryland General Assembly session.

b. Shelf Stocking - Application to Beer Products

- PowerPoint presentation regarding the issue of shelf-stocking raised by Commissioner E. Morrisette. The PowerPoint presentation touched on:
  - Relationships between Wholesalers & Retailers
  - Services to Retailers
  - Shelf Management
  - Shelf Stocking and Product Rotation
  - Exceptions to Shelf Stocking and Rotation

**NEW BUSINESS**

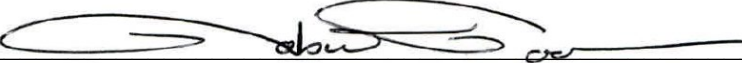
Chair Alan Silverstein called for a motion to approve the Memorandum of Understanding (MOU) between the Comptroller and the ATC for FY23, Commissioner Buck made a motion to approve the MOU, to which Commissioner Morrisette seconded. All members present voted in favor and unanimously approved the MOU for FY23.

**ADJOURNMENT**

Chair Alan Silverstein called for a motion to adjourn the meeting. Commissioner Morrisette made a motion to adjourn the meeting, to which Commissioner Buck seconded. All members present voted in favor of the motion to adjourn the meeting. The meeting was then adjourned at 3:36 p.m.

*\*Next regular meeting date is July 21<sup>st</sup>, 2022, at 3:00 p.m.*

I certify that the foregoing minutes represent the minutes of the Alcohol and Tobacco Commission meeting on June 16<sup>th</sup>, 2022.



Robert Poole, Secretary

07/21/2022

Date

