



ILCC News

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Summit convened to address college-age drinking concerns

Approximately 125 government, university, law enforcement, and local municipal officials from throughout the State of Illinois gathered on September 22 in the Governor’s Mansion for *College Town Summit '09: Controlling College-Age Alcohol Use*.

Reducing illegal college-age alcohol use has been a priority for the Illinois Liquor Control Commission (ILCC), which served as host for this inaugural summit. “There was progress at today’s meeting. By agreeing that all of us thrive when we meet our responsibilities to keep our kids safe, we can move on to ways to accomplish that goal,” says ILCC Commissioner Stephen Schnorf. “We rolled up our sleeves and talked frankly about how to work together to reduce underage drinking and over-consumption of alcohol for this at-risk age group.”

In attendance to provide opening remarks at the summit were Illinois Secretary of State Jesse White, Commander Luis Tigera (who will serve as second-in-command at the Illinois State Police), and Director Michael Stout of the Illinois Department of Transportation’s Division of Traffic Safety. Others speaking at the summit included mayors, university administrators, college students, liquor industry executives, and law enforcement personnel at all levels of government.

Among those speaking during the summit’s panel discussions were (from left to right) Champaign County State’s Attorney Julia Rietz, Macomb Mayor Mick Wisslead, DeKalb Mayor Kris Povlsen, and Carbondale Mayor Brad Cole.



The meeting’s format was designed to encourage a lively exchange of ideas. Interactive panel discussions featured local and state officials sharing their experiences, which created a dialogue for attendees to delve further into issues that directly affected their community’s safety and college learning environment.



The formal setting of the Governor’s Mansion created the right atmosphere to discuss the important issue of college-age alcohol use.

continued on page 3

IMPORTANT INSERTS ENCLOSED

ILCC Chairman Koppel (1920-2009)



Irving J. Koppel, Chairman of the Illinois Liquor Control Commission (ILCC), passed away October 13 at the age of 89. His dedication to the people of Illinois is legendary.

“(Mr.) Koppel exemplified the old-fashioned concept of community service during more than 25 years with the Illinois Liquor Control Commission,” says Illinois Governor Pat Quinn. “As commission chairman for the last six years, Koppel had championed the fight against underage drinking. Under his leadership, the Liquor Control Commission focused its enforcement efforts on assuring that liquor retailers took seriously their responsibility not to serve minors and not to over serve their patrons.”

A past president of the National Conference of State Liquor Administrators (NCSLA), Chairman Koppel’s lifetime commitment to state and national liquor regulation was honored at last year’s NCSLA Annual Conference. Paying tribute were a variety of well-known figures, including Chicago Mayor Richard M. Daley and former Illinois Governor James R. Thompson.

“Family was very important to my father,” says his daughter, Amy. “He was especially caring and protective of the younger ones in our extended family, reminding them often of the consequences underage drinking can have on their young minds and bodies.”

Adds Koppel’s son, Joshua: “My father believed family was one of the cornerstones to leading a successful life, which he called the four ‘F’s’—If you have *family, friends, and faith*, you can have *fulfillment*. My father lived by those words.”

In addition to serving the people of Illinois as a liquor commissioner, Mr. Koppel worked as an executive with the Helene Curtis Company for 45 years.



Former Governor Thompson with Irv Koppel and his daughter, Amy, at last year’s national tribute to the ILCC’s late chairman.

New Commissioners named

The Illinois Liquor Control Commission is pleased to welcome **Martin Mulcahey** and **Donald O’Connell** as new members of the Board of Liquor Commissioners.

A principal member of the Great River International consulting group, Mr. Mulcahey is a strong supporter of the American Red Cross, having served as their board chair and currently volunteering as the Government Relations Manager for the group’s Northwest Illinois Chapter. He previously worked for the Illinois Secretary of State’s Office where, under Secretary Jesse White’s leadership, he served on a team that helped usher ethics back into the Secretary of State’s office.

Mr. O’Connell has over thirty years of administrative and management experience in education, the court system, and health care. Among his career highlights are serving as Deputy Hospital Director at Stroger Hospital of Cook County, Associate Clerk for Public Policy at the Circuit Court of Cook County, Director of Economic Development at Olive-Harvey College, and Executive Director of the Austin Business Council (a chamber of commerce and industry on Chicago’s West Side).

ILCC News Article suggestions are welcome!

The Commission welcomes your input to enhance the *ILCC News* publication. If you have a suggestion for an article topic or a helpful hint to share with other licensees, please contact the Commission’s Chicago Office.

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“Summit convened” continued from page 1

“To get control over the deadly problem of underage drinking, the summit brought all of the stakeholders together to find ways to meet their responsibilities that make sense for the communities and the businesses dependent on college populations,” says Lainie Krozel, Executive Director of the ILCC. “We are looking for compliance, not violations.”

To ensure a candid discussion, press was not invited inside the summit. “We wanted to create an atmosphere where attendees can be open as possible to express their views,” says ILCC Education Manager Ted Penesis. “New ideas can be scary, especially for elected officials who need to please their constituents. But one thing everyone can agree upon is that controlling college-age alcohol use is a non-partisan issue. Doing all we can do to protect our students from harm cuts across all socio-economic groups.”

It is hoped that the College Town Summit will become a yearly event at the start of each new school year. In fact, planning is already underway for *College Town Summit '10: Preventing College-Age Alcohol Abuse*.



To learn more about college-age drinking—and to order materials—please visit the ILCC’s www.DontBeSorry.org website.

College town licensees tested during “Operation Back to School”

College students were not the only ones who returned to campus this past August; they were joined by ILCC special agents, Illinois State Police troopers, sheriff’s deputies, and other local law enforcement personnel.

As part of “Operation Back to School,” minors hired by the Liquor Commission attempted to purchase alcohol during a sweep of liquor retailers in college communities throughout the state (*see results at right*). “We were able to conduct these extensive compliance check operations thanks to assistance from a variety of participating state and local law enforcement agencies,” says Tax Enforcement Administrator John Chambers of the Illinois Department of Revenue. “Hopefully, through these ongoing coordinated efforts, we will reap the ultimate reward—compliance.”

Of course, retailers in college towns are not the only ones who are continually tested for compliance. The Liquor Commission conducts regular *stings* in communities throughout the state. **Remember, those who sell to minors are subject to arrest, and the liquor establishment is subject to a fine, suspension or revocation of its license.**

Want to avoid getting *stung*? Turn to page 7 for information on the ILCC’s Beverage Alcohol Sellers/Servers Education & Training (BASSET) program. Also, visit the Liquor Commission’s home page at www.state.il.us/LCC and click on the “BASSET Program” link for more detailed information on how to properly train your staff.

OPERATION BACK TO SCHOOL 2009 Underage Compliance Checks (August-September)

University (Town)	Checked	Failed	Law Enforcement Assistance
EIU (Charleston)	20	1	Charleston Police Department
NIU (DeKalb)	19	1	DeKalb Police Department
ISU (Bloomington-Normal)	15	3	Bloomington Police Department
Univ. of Illinois (Champaign-Urbana)*	13	3	Sellers turned themselves into police
Bradley Univ. (Peoria)	16	2	Illinois State Police, Peoria Police Dept.
Northwestern Univ. (Evanston)	22	4	Evanston Police Department
SIU (Carbondale)*	14	3	Illinois State Police
WIU (Macomb)	19	3	Illinois State Police
SIUE (Edwardsville)	18	2	Edwardsville Police Department
Millikin Univ. (Decatur)	16	5	Macon County Sheriff’s Office
TOTALS:	172	27	

* Happy Hour violations also issued in Champaign (24) and Carbondale (2). See page 5 for more details on the Happy Hour Law.



“Breakage” policies detailed

In October, the Federal Alcohol and Tobacco Tax and Trade Bureau (TTB) issued an industry memorandum detailing their policy for returns of *breakage* (empty broken bottles that once contained alcoholic products). The Illinois Liquor Control Commission (ILCC) policy on the subject of returns is stated in its Trade Practice Policies.

As a general rule, it is illegal for wholesalers to accept returns of product after the retailer takes possession. Regulatory concerns about potential unlawful “of value” violations mandate these restrictions. Of course, there are exceptions. Both policies permit returns, exchanges, credits, or refunds, due to the following: Breakage at delivery, product deterioration (which result in leaking containers), and damaged labels.

The TTB and ILCC view the providing of cash, credit, or product to a retailer for breakage occurring after delivery as a

prohibited inducement. Returns of damaged products caused by the retailer, its employees, or its customers are specifically prohibited. In the case of beer, it is a violation for a retailer to hold on to damaged containers in order for them to be exchanged or returned as “out of code.”

To find links to a variety of state and federal laws and regulations, please visit the ILCC’s home page www.state.il.us/LCC and click on the “Legal Division” link on the left side of the screen.

Once there, you can view further details on the breakage policy by clicking on the “Illinois Trade Practice Policies” link (see TPP-32: Breakage; Replacement of Damaged or Defective Products). You may also click on the TTB link to review federal statutes and regulations on breakage in the following sections: 27 USC 205(b) & (d); 27 CFR 6.21(c); 27 CFR 6.41; and 27 CFR 11.32.

New government warning sign

To provide a means for pregnant women to seek assistance for substance abuse, Governor Pat Quinn signed House Bill 1793 (Public Act 96-0387) on August 13, 2009 adding language to the required government warning sign regarding birth defects when women drink alcoholic beverages during pregnancy.

Sponsored by Representative Andre M. Thapedi and Senator Jacqueline Y. Collins, the new language reads as follows: **If you need assistance for substance abuse, please call the Office of Alcoholism and Substance Abuse (OASA) at 1.800.843.6154.**

“Everyone agrees that a mother’s alcohol use during pregnancy can have long-term negative consequences on her baby,” says Rep. Thapedi. “By providing her with the resources necessary to make a more informed choice, what at first glance appears to be a minor text change can ultimately have a huge impact on our future society.”

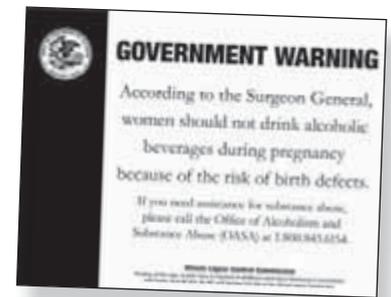
As before, the posting of the government warning sign is required in all Illinois liquor-licensed establishments. “The National Organization on Fetal Alcohol Syndrome (NOFAS-Illinois) is thrilled that the State of Illinois has recognized the need to spotlight this important issue,” says Beverage Retailers Alliance

of Illinois Executive Director Jerry Rosen, who also serves on the Board of Directors for NOFAS’ Illinois Chapter. “We also believe it is important that signs are placed in plain view of the public. Often times, these signs are located on a wall behind a bar, making it difficult to read.”

Some new locations where members of the NOFAS Illinois Advisory Committee suggest posting the new sign include:

- Exit door of the woman’s restroom.
- Hostess stand at a restaurant.
- Checkout station at a liquor store.

For your convenience, please find enclosed the revised Government Warning Sign as well as a 2010 “Proof of Age” sign for your establishment. If you need additional signs, please visit the “Latest News” section on the lower right side of the Liquor Commission’s home page www.state.il.us/LCC.



Tobacco Possession Law

By Jeff Barr, ILCC Tobacco Manager

Effective August 10, 2009, the Juvenile Court Act of 1987 and the Sale of Tobacco to Minors Act were amended resulting from the ban on possession of tobacco products by minors under 18 years of age. Since Commission activities do not include the Juvenile Court Act of 1987 we will only address the changes to the Sale of Tobacco to Minors Act. The changes listed are excerpts from Public Act 96-0179. Please refer to the entire Act for a complete interpretation of the law.

The original Act is now cited as the "Prevention of Tobacco Use by Minors Act." Previously it was illegal for any minor to buy tobacco; and illegal to sell tobacco to any minor. In addition, it is also now illegal for minors to possess tobacco in any of its forms.

However, it is not a violation if the minor purchases or possesses tobacco products when participating in an approved enforcement compliance check. If a minor is found guilty of possession they

are guilty of a petty offense and the court may impose the following:

First offense: 15 hours of community service or \$25 fine;

Second offense within 12 months of first offense: 25 hours of community service and a fine of \$50;

Third and subsequent offenses within 12 months of the first offense: 30 hours of community service and \$100;

Any second or subsequent offense not within the 12 month period of the first offense is punishable as provided by the first offense.

In addition, the court may order the minor and his or her parents/legal guardian to attend a smoker's education or youth diversion program if available. Attendance at these programs will be credited toward community service imposed and they may be required to pay a fee for the program.



April Fools?

No, it's Sticker Shock Day!

On April 1, 2010, the Illinois Liquor Control Commission (ILCC) will coordinate the **2nd Annual Sticker Shock Day**.

As part of a *Project Sticker Shock* statewide event, stickers will be placed in participating liquor establishments listing the legal consequences of buying alcohol for minor consumption. Other materials will also be available for posting by liquor retailers.

Participating in this day will be students, parents, teachers, elected officials, law enforcement personnel, health/prevention professionals, and liquor licensees from throughout the state. During the first Sticker Shock Day in April 2009, thousands of participants fanned out across fifty counties reminding

adults that *Providing Alcohol to Minors is Illegal, Unhealthy, & Unacceptable.*

It is anticipated that participation will be even



greater for the second annual event, so order your materials today before they run out! To place your order and learn more about *Project Sticker Shock*, please visit www.DontBeSorry.org.



Illinois Happy Hour Law

In an attempt to promote responsible drinking, discourage overconsumption, and lower incidents of alcohol-related criminal behavior, the Illinois Liquor Control Commission is continuing to actively and aggressively enforce the Illinois Happy Hour Law. As a reminder, it is illegal for an on-premises liquor serving establishment to do the following:

- Serve 2 or more drinks to one person at one time
- Sell or serve an unlimited number of drinks for a fixed price
- Sell drinks at a reduced price to any person/s during part of the business day
- Increase the volume of liquor in a drink without proportionately increasing the price
- Encourage or permit drinking games or contests rewarding alcoholic beverages as prizes

Also, it is illegal to advertise any of the above mentioned illegal acts. While the Happy Hour Law does provide for exceptions to some of the rules, the ILCC very narrowly interprets the exceptions in a manner that promotes responsible drinking practices. Please contact the legal staff at the ILCC if you have any questions about the Happy Hour Law in general and whether or not your business promotional ideas conform with the law.

2009 new BASSET license holders

JANUARY

- Peotone Police Department

FEBRUARY

- Southern Wine and Spirits

MARCH

- Graham C-Stores
- Great America
- Odyssey Cruises
- Wheeling Park District
- Woodford County Health Department

APRIL

- Eco Sure, Inc.
- Target Corporation
- University of Illinois—Department of Food Science

MAY

- Colonial Pantry
- Kroger Stores

JUNE

- Bennigans
- University of Illinois Chicago

JULY (N/A)

AUGUST

- Macomb Police Department
- Walgreens

SEPTEMBER

- Aldi, Inc.
- Holiday Inn Hotel & Suites (West Loop)

OCTOBER

- MKM Oil, Inc.

Educational opportunities available

ILCC hosts regional alcohol training seminars

The Illinois Liquor Control Commission (ILCC) continues to host regional meetings for mayors, police chiefs, and other local officials. The most recent regional meeting was held in Aurora on November 19 for officials in Chicago's far western suburbs.

During this meeting, ILCC administrators addressed local officials on how they can mandate responsible alcohol service training in their communities. Also sharing their ideas on how to address illegal alcohol use were representatives from the Illinois State Police, Illinois Department of Transportation, and the Illinois Secretary of State's Office. Please call Ted Penesis at 312.814.4802 if you would like to schedule a regional meeting for your area.



Local training seminars

Mayors, local liquor commissioners, and police departments can also schedule mandatory education and training seminars for licensees in their community. The Liquor Commission conducts these seminars to explain the state laws regarding sales to minors, how to acquire seller/server training for employees, a discussion of dram shop laws, and how to prepare for a compliance check.

Other seminar topics include:

- Duties and requirements for liquor license holders and their staff.
- Information on ILCC programs and materials.
- Responsible alcohol service techniques.
- Prevention and intervention techniques.
- Identifying false identification.
- Education on liquor laws.

Contact Lee Roupas at 312.814.0773 or lee.roupas@illinois.gov to schedule an alcohol training and education seminar in your community.



ILCC BASSET Program Manager Lee Roupas conducting a town-wide education and training seminar in Woodstock, IL.

Additional opportunities available for community groups



On November 2, ILCC Education Manager Ted Penesis explored underage drinking prevention strategies with over 80 Grundy County students as part of a teen leadership workshop.

The *Don't Be Sorry* program is coming to a town near you! The ILCC's underage drinking awareness effort is designed to educate parents, teens, and liquor retailers on the consequences of underage drinking. Past events have included speaker tours, student assemblies, and a variety of other activities.

To learn more about the *Don't Be Sorry* program—and to arrange for an event in your community—please call 312.814.4802 or visit www.DontBeSorry.org.

Jewel-Osco and BASSET: Working together to protect communities

The following is one in a continuing series of articles designed to explore how liquor establishments employ Beverage Alcohol Sellers/Servers Education & Training (BASSET) to further their business goals. In this issue, we take a closer look at licensed BASSET provider Jewel-Osco Stores.

Jewel-Osco has 177 Illinois stores and employs approximately 36,000 associates. “Jewel-Osco’s first priority is to conduct business as a responsible retailer,” says Connie Zaio, who serves as the company’s liquor compliance manager.

With this in mind, Jewel-Osco mandates BASSET training in all its stores. “We consider ourselves a part of the neighborhood,” Zaio says. “As such, we safeguard our communities, customers, and associates by constantly taking measures to support our training program, as well as educate our associates in the correct handling of age-restricted products.”

Zaio believes Jewel-Osco’s comprehensive alcohol compliance program is a key component to responsible retailing. “It is our company policy that all associates must be 21 years of age to sell alcoholic beverages,” she states. “Associates review and acknowledge an alcohol/tobacco policy statement when they are hired—and twice a year thereafter—explaining our stringent policies for handling age-restricted products.”

All Jewel-Osco associates must successfully complete the BASSET training program prior to being able to handle alcoholic beverages. Once training is completed, an in-house web form for BASSET card requests is e-mailed directly to the Illinois Liquor Control Commission (ILCC). Then, the BASSET cards are created and issued by ILCC staff and sent to the respective store location.

To reduce the time frame between BASSET course completion and card issuance, the ILCC worked closely with Jewel-Osco staff to modify their card request system. The new system, implemented this fall, not only achieved the ultimate goal of streamlining the

card request process, but also resulted in considerable employee time and cost savings for the State of Illinois.

“None of this would have been possible without the cooperation we received from Jewel-Osco staff,” says ILCC Education Manager Ted Penesis. “We greatly appreciate the time and effort they put into this initiative.

As an added bonus, we now

have a system in place that can be easily replicated as other large corporate retailers follow Jewel-Osco’s lead in mandating alcohol training for their employees.”

Jewel-Osco’s commitment to “responsible retailing” extends beyond employee alcohol training. For example, all cash registers have age verification software requiring cashiers to enter the birth date before continuing with an alcohol or tobacco transaction. They also participate in several third-party programs—including the ILCC’s *Project Sticker Shock* campaign (see page 5 for more details)—and utilize paycheck inserts and in-house compliance checks to further remind employees of their important obligations to the general public.

“We will continue to cooperate with local police, government agencies, and the community to be a responsible provider of adult beverages,” adds Jewel-Osco’s Zaio. “And we encourage all retailers to create an alcohol compliance program to ensure their associates are properly trained to handle liquor transactions.”

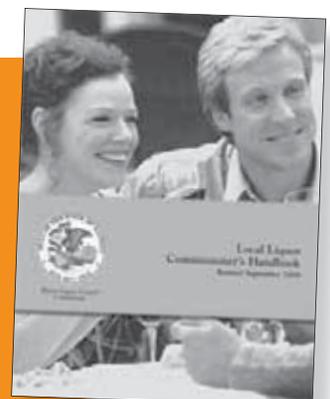
To learn more about how BASSET training can benefit your business, please visit the web at www.state.il.us/LCC and click on the “BASSET Program” link located on the left side of the screen.



Store Manager Paul Olson consults with Jewel-Osco Liquor Compliance Manager Connie Zaio.

Updated Handbook available

The *Local Liquor Commissioner's Handbook* has been updated and is available to all local officials—including mayors, police chiefs, sheriffs, city managers, village trustees, and county chairs. To order this FREE book, visit the web at www.state.il.us/LCC/LLhandbook.asp.



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Order your FREE ILCC materials today!

The following FREE Liquor Commission materials are available to all licensees by visiting our home page www.state.il.us/LCC and clicking on the "Industry Education Materials" link, located on the right side of the screen:

- "Overview of the ILCC" and "Industry Education Guide"
- Illinois Liquor Control Act and ILCC/BASSET Rules and Regulations
- "Happy Hour Law" and "Just the Facts" fliers
- Alcohol "Proof of Age" and Government Warning "Pregnancy" signs
- BASSET Program Brochure and "Quick Guide for Servers"

Do you have workers' compensation insurance?

If you have employees, you need to carry workers' compensation insurance. There are a few exceptions, but overall, it is estimated that 91 percent of Illinois employees are covered under the Illinois Workers' Compensation Act.

Employers that fail to comply enjoy an unfair competitive advantage over law-abiding companies, while leaving their employees vulnerable if accidents should occur. Failure to obtain workers' compensation insurance may result in penalties, work-stop orders, and/or felony criminal charges. Each year, employers pay over \$1 million in fines for noncompliance, and in 2009 the first employer was shut down for failure to carry workers' compensation insurance.

You can check our online database of employers' carriers for workers' comp insurance at www.iwcc.il.gov/coverage.htm. You must also post a notice in every workplace that lists basic information on workers' compensation and includes contact information for your carrier. This notice is available at www.iwcc.il.gov/forms.htm (click on "Other forms").

For more information, please contact your attorney or insurance agent, or go to the Illinois Workers' Compensation Commission's website at www.iwcc.il.gov/insurance.htm.



Illinois Workers' Compensation Commission on the web: www.iwcc.il.gov