



2021 ANNUAL CONFERENCE

Peppermill Resort, Reno Nevada

Presents

Anna C. Hirai
Immediate Past President
Conference Organizer

Conference Host:
NCSLA Executive Committee

NCSLA Reconnect: Rethink and Redesign the Future

THURSDAY, AUGUST 26, 2021

1:00 PM – 5:00 PM Registration/Help Desk: Tuscany Hotel Registration

6:00 PM – 8:00 PM *Welcome Reception: Edge at Peppermill Resort*

8:00 PM – 1:00 AM *Hospitality Suite: Lakeview 1747*

1st DAY – FRIDAY, AUGUST 27, 2021 - General Session: Tuscany D-E-F

7:00 AM – 5:00 PM Registration/Help Desk: Tuscany Hotel Registration

7:00 AM – 8:00 AM *Breakfast: Tuscany B-C*

8:00 AM – 10:00 AM Welcome
Presentation of Flag / Pledge of Allegiance – Silver State Brigade JROTC Unit
Roll Call

10:00 AM – 10:15 AM *Morning Break: Tuscany Foyer*

10:15 AM – 11:00 AM **PANEL #1: Towards Liquor Control: Myths, Realities, and Current Relevance**

In 1933, John D. Rockefeller commissioned Raymond Fosdick and Albert Scott to study alcohol regulation. The result of the study was the seminal work, *Toward Liquor Control*, which is oft referred to and cited as the basis for the current three tier system. Although we discuss how much has changed since the publication of *Toward Liquor Control* and the repeal of prohibition, how much has really changed? What did *Toward Liquor Control* really say about the three tier system and alcohol regulation? Join our panelists for a spirited discussion of the current relevance of *Toward Liquor Control* along with the myths and realities of how *Toward Liquor Control* is used in the modern age to support or modify alcohol regulation and policies.

Moderator – MARC SORINI, General Counsel, Brewers Association

Panelists

- **ALICIA CRONBACH**, Principal, Cronbach Law Group PC, Napa, CA
- **JOHN HINMAN**, Partner, Hinman & Carmichael LLP, San Francisco, CA
- **PAUL PISANO**, Sr. VP Industry Affairs and General Counsel, National Beer Wholesalers of America (NBWA)

11:00 AM – 12:00 PM **PANEL #2: Flipped and Faked – The Rise of Secondary Markets (and Counterfeit Alcohol)**

A discussion by industry members and regulators about market challenges of sales of boutique alcohol products and collectibles, and rise of counterfeit versions in secondary markets.

Moderator – RUSSELL THOMAS, Executive Director, Tennessee Alcoholic Beverage Commission



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1st Day (cont.) FRIDAY, AUGUST 27, 2021 - General Session: Tuscany D-E-F

Panelists

- **MAUREEN DOWNEY**, Founder of Winefraud.com
- **PAMELA ERICKSON**, President/CEO, Public Action Management
- **STEVE HUMPHRESS**, Assistant Attorney General, Kentucky Office of Attorney General
- **JEFF MCKENZIE**, Partner and Beverage Alcohol Team Co-Leader, Dentons Bingham Greenebaum LLP, Louisville, KY

12:00 PM – 1:30 PM *Lunch: Tuscany B-C*

1:30 PM – 2:30 PM **PANEL #3: Responsible Drinking and Changing Social Norms**

Achieving a culture of responsible drinking requires a change in consumer behavior and social norms. During this interactive panel discussion, you will hear from experts and industry professionals who are focused on changing social norms and encouraging healthy individual behaviors. The focus of this evidence-based discussion will be on social marketing campaigns and related programming that is helping to move the social norm needle.

Moderator – JILL KIEFER, Executive Director, TEAM Coalition

Panelists

- **ASHLEY CAHILL**, Director, Corporate Social Responsibility, Anheuser-Busch Companies
- **SARA COOLEY BROSCART**, Public Health Education Liaison, Washington State Liquor and Cannabis Board
- **DOROTHY TAYLOR**, State Supervisor, Missouri Division of Alcohol & Tobacco Control

2:30 PM – 3:30 PM **PANEL #4: EMERGING BEVERAGE TRENDS: Low Alcohol, Non-Alcohol, and Alternative Adult Beverages**

Join these distinguished panelists as they examine the regulation of low/no alcohol products and new product categories (hard seltzers, kombucha, etc.). Production and who makes and regulates them (TTB/FDA), and potential implications for distribution, tax treatment and equalization will be debated. A state survey of how these products are regulated may be provided.

Moderator – ROBERT J. O'HARA, President, Flaherty & O'Hara, Pittsburgh, PA

Panelists

- **CHRIS BECKER**, Founder, Better Rhodes
- **SUSAN EVANS**, Director, Office of Industry and State Outreach, Alcohol & Tobacco Tax and Trade Bureau (TTB)
- **MIKE MADIGAN**, President and Legal Counsel, Minnesota Beer Wholesalers Association
- **STEVE MARKS**, Executive Director, Oregon Liquor Control Commission

3:30 PM – 3:45 PM *Afternoon Break: Tuscany Foyer*



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3:45 PM – 4:45 PM **PANEL #5: E-Commerce Innovation/Alcohol Business Perspectives**

Discussion of new advertising, omnichannel purchasing, headless commerce, AI on consumer purchasing behavior, and me-commerce. Also includes a discussion of what business persons want regulators to know.

Moderator – JO MOAK, Sr. VP and General Counsel, Wine & Spirits Wholesalers of America

Panelists

- **TRACY ARIAIL**, SVP, eCommerce and Digital, Republic National Distributing Co.
- **DORA CZECZOTKA**, Associate Digital Content Manager, Infinium Spirits
- **ERNEST LEGIER**, Commissioner, Louisiana Department of Revenue – Office of Alcohol and Tobacco Control
- **RANDY ORNSTEIN**, Senior Director of Beverages, goPuff

7:00 PM – 1:00 AM *Hospitality Suite: Lakeview 1747*

2nd Day – SATURDAY, AUGUST 28, 2021 - General Session: Tuscany D-E-F

7:00 AM – 5:00 PM Registration/Help Desk: Tuscany Hotel Registration

7:30 AM – 8:30 AM *Breakfast: Tuscany B-C*

8:30 AM – 9:00 AM **PANEL #6: Covidnomics**

This panel will dissect the impact of COVID-19 on the consumer landscape of the alcohol industry. Presenters will illustrate how consumption patterns have changed since phrases like “social distancing” and “take out only” quickly became part of every-day American life since the pandemic began in March 2020. Are these consumption pattern changes here to stay? How should regulators and industry players at every level adjust accordingly?

Moderator - LESTER JONES, Chief Economist, National Beer Wholesalers Association -

Panelists

- **STEVE GROSS**, Vice President, State Relations, Wine Institute
- **DAVID OZGO**, SVP, Economic & Strategic Analysis, Distilled Spirits Council of the United States

9:00 AM – 10:30 AM **PANEL #7: COVID Mash Up**

Join us for a lively discussion of how the pandemic impacted, and is continuing to impact, the alcohol beverage industry. Among other things, our panelists will discuss issues such as the status of temporary relief including what relief was made permanent, to-go privileges, deliveries and curbside pickups, enforcement issues and more. We will continue to refine and amend topics to ensure that we are providing you with the most relevant information.



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2nd Day (cont.) SATURDAY, AUGUST 28, 2021 - General Session: Tuscany D-E-F

Moderator – CARRIE BONNINGTON, Managing Partner, Pillsbury Law, Sacramento, CA

Panelists

- **STEVEN BARKER**, Deputy Director and General Counsel, Oklahoma Alcoholic Beverage Laws Enforcement (ABLE) Commission
- **ROBERT BUDOFF**, Senior Vice President for State Regulatory Affairs, Distilled Spirits Council Of The United States (DISCUS)
- **ROD DIAZ**, Chief Counsel, Pennsylvania Liquor Control Board
- **ERIC HIRATA**, Director, California Alcoholic Beverage Control
- **STEPHANIE STRAUSS**, Government Relations Officer, Iowa Alcoholic Beverages Division

10:30 AM – 10:45 AM *Morning Break: Tuscany Foyer*

10:45 AM – 11:45 AM **PANEL #8: Coupons and Rebates**

A discussion regarding coupons and rebates (IRC, not mail in) between restrictive states and permissive states, including debate over the reasons and policies for allowing or prohibiting coupons or rebates.

Federal law and the law of some states permit suppliers to pay retailers for bar code scan promotions or for an array of paper/digital coupons presented to the retailer by the consumer at point of sale. Some states prohibit all forms of coupons and rebates for which the supplier reimburses the retailer.

The panel will analyze the benefits of strict controls or prohibitions of supplier to retailer coupon/rebate reimbursements vs the benefits to tier members and consumers for freely allowing all forms of supplier to retailer coupon or rebate payments.

Should a state strictly control supplier to retailer coupon reimbursements in order to avoid the trade practice violation slippery slope; discrimination against small box retailers; a race to the bottom on pricing; or to promote temperance by supporting higher prices?

Should a state permit all forms of supplier to retailer coupon/rebate reimbursements in order to promote better price competition; provide better product marketing opportunities; ensure lower prices for consumers; provide a legal and legitimate benefit to the retail tier?

Moderator – RICK HAYMAKER, Legal Counsel, Illinois Liquor Control Commission

Panelists

- **DIMITRIOS CHRISTOPOULOS**, Principal, Christopoulos Law Group, LLC, Chicago, IL
- **JIM FARRELL**, President & CEO, BMI Brand Services, Mesa, AZ
- **JOSHUA HARRISON**, Prosecutor, Indiana Alcohol & Tobacco Commission
- **ELKE HOFMANN**, Managing Member, Elke A. Hofmann Law, PLLC, New York, NY



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11:45 AM – 12:45 PM **PANEL #9: Legal Update**

Courts have been active since the NCSLA's virtual annual conference of 2020, with important decisions impacting America's alcohol regulators and industry members from the U.S. Supreme Court, numerous state supreme courts, and plenty of appellate courts from across the country. Legislatures have been busy as well. *Think you already know all there is to know?* Well it has been quite a year and this presentation will help make sense of the past year. Don't miss the sampling of cases to be covered!

Presenter – RICHARD BLAU, Chair, Alcohol Beverage and Food Department, GrayRobinson, P.A., Tampa, FL

12:45 PM – 2:00 PM *Lunch: Tuscany B-C*

5:00 PM – 6:00 PM *NCSLA Ex-President's Reception (Invitation only): Sierra 1748*

6:30 PM – 7:30 PM *NCSLA Reception: Edge at Peppermill Resort*

7:30 PM – 11:30 PM *NCSLA Banquet & Awards Ceremony: Tuscany B-C*

9:00 PM – 1:00 AM *Hospitality Suite: Lakeview 1747*

3rd Day – SUNDAY, AUGUST 29, 2021 - General Session: Tuscany D-E-F

8:00 AM – 1:00 PM Registration/Help Desk: Tuscany Hotel Registration

8:00 AM – 9:30 AM *Breakfast: Tuscany B-C*

9:00 AM – 10:00 AM **PANEL #10: Direct to Consumer Shipping by Businesses Other than Wineries**

This panel will examine the latest in interstate direct-to-consumer shipping by producers of distilled spirits and beer, and by retailers. Our topics will include: when and where such shipping is lawful, the permitting required, common models that businesses employ to engage in DTC shipping; and the use of the 21st Amendment Enforcement Act by states in connection with direct shipping.

Moderator – KIMBERLY FROST, Martin, Frost & Hill, Austin, TX

Panelists

- **JEFF CARROLL**, General Manager, Beverage Alcohol, Avalara
- **TRAVIS HILL**, Chief Executive Officer, Virginia Alcoholic Beverage Control Authority
- **ERIN KELLEHER**, Partner, Hinman & Carmichael, San Francisco, CA



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3rd Day (cont.) SUNDAY, AUGUST 29, 2021 - General Session: Tuscany D-E-F

10:00 AM – 11:00 AM **PANEL #11: Hear No Evil, Speak No Evil, See No Evil – Maintaining Client Confidentiality in the New Normal**

An engaging panel about managing and maintaining client confidentiality in the new “work from home” landscape. How do we ensure client confidentiality is maintained and personal information is protected when we are working from home, sometimes on personal devices? Tips and best practices for practitioners and regulators alike.

Moderator – CAROLINE O’CONNELL, Attorney, Caroline O’Connell Law, LLC, Boxford, MA

Panelists

- **MATTHEW BOTTING**, General Counsel, California Alcoholic Beverage Control
- **DEWEY BRACKIN**, Partner, BrackinSchwartz & Associates, Austin, TX
- **LINDA PHAM-KOKINOS**, Attorney, Louisiana Office of Alcohol and Tobacco Control
- **RACHELE WINNINGHAM**, Partner, Buchman Law Firm, San Francisco, CA

11:00 AM – 11:15 AM *Morning Break: Tuscany Foyer*

11:15 AM – 12:15 PM **PANEL #12: The “Ins and Outs” of Private Label Products**

Ever pulled that house-branded bottle of vodka from your shelf, and wondered how it cleared Tied House hurdles? This presentation will discuss how to bring a private labeled product to market, focusing on the regulatory considerations.

Moderator – EMILY GANT, Shareholder, Foster Garvey, PC, Seattle, WA

Panelists

- **MICHAEL BREWER**, President, Alcoholic Beverage Consulting Service, Murrieta, CA
- **KRISTINA DICKENS**, Partner, Christopoulos Law Group, LLC, Chicago, IL
- **MICHAEL MARTINEZ**, Senior Counsel, Greenspoon Marder LLP, Tallahassee, FL

CONFERENCE CONCLUDES – SEE YOU NEXT YEAR!