

MEMORANDUM

October 27, 2011

TO: Lawbook Holders

FROM: Jennifer Huntsman, Rules Coordinator

RE: Commission action on rules – October 2011 meeting

At the October 27, 2011 meeting, the Commissioners took the following actions on rules:

INITIAL ACTION

- **OAR 845-006-0335 Age Verification; Minors on Licensed Premises**

The proposed amendments would provide additional clarity as to where minor employees & service permittees, as well as minor entertainers, are allowed on licensed premises. Staff is also recommending some housekeeping amendments regarding what violations should be charged under this rule versus statute.

Action: The Commission initiated action to amend OAR 845-006-0335. An advisory committee meeting is scheduled for December 6, 2011. A rulemaking hearing is scheduled for February 23, 2012.

FINAL ACTION

- **OAR 845-009-0140 Age Verification Equipment**

The amendments expand the requirements that age verification equipment (AVE) must fulfill in order to meet minimum operating standards, as well as remove the requirement that licensees purchase a piece of equipment for each point of sale.

Action: The Commission amended OAR 845-009-0140, effective November 1, 2011.

- **OAR 845-006-0345(9) Prohibited Conduct (Good Faith Effort)**

With the passage of HB 2361, section (9) of this rule needed to be amended to bring it into compliance with new statutory language effective January 1, 2012. HB 2361 removes the “knowingly” standard from the violation of allowing a visibly intoxicated person to consume.

Action: The Commission amended OAR 845-006-0345, effective January 1, 2012.

- **OAR 845-013-0070 Services of Nominal Value**

The amendments make the temporary rule amendments adopted December 3, 2010 permanent. These amendments allow suppliers to exchange products containing adulterated ingredients for other equivalent products.

Action: The Commission amended OAR 845-013-0070, effective November 1, 2011.

I've attached copies of documents related to this rulemaking. If you have questions about these or other rules matters, please call me at 503-872-5004.

Att.