

OREGON LIQUOR CONTROL COMMISSION
MINUTES
March 16, 2011

Wednesday, March 16, 2011

9:30 A.M.

The Commissioners present were Alex Duarte, Bob Rice, Ron Roome, and Chairman Phil Lang. Others present were Executive Director Steve Pharo, Deputy Director Rudy Williams, Deputy Director Merle Lindsey and members of staff.

Minutes – Commissioner Rice moved to approve the minutes of the February 18, 2011 commission meetings.

Passed 4/0.

PUBLIC FORUM

No one present for Public Forum.

COMPLIANCE

Kelly Routt, Administrative Policy and Process Division presented.

There were eighteen stipulated settlement agreements before the commissioners for ratification; Flying Eagle Market & Videos; Neighborhood Market; Pine Cone Tavern; Old World Deli; Wasabi Japanese Restaurant; Cozy Corner; Tark's Market; Your Break Tavern; Seven Nightclub; Macadam's Bar & Grill; Gusto Bistro & Marketplace; Diamond Concessions; Fireside Lounge; Fireside Lounge – Chris Self; Camino Real Family Mexican Restaurant; River Bend Bar & Grill; Stayton Market & Deli; Beijing House.

Commissioner Roome asked, regarding Beijing House, if the settlement agreement with the OLCC clears the licensee's previous history of serious and persistent problems. Kelly Routt responded that yes it does allow the licensee to start fresh.

Commissioner Roome also asked if the OLCC offers the same settlement agreement for all establishments that have a history of serious and persistent problems. Kelly Routt stated it depends on the circumstances of each case.

Commissioner Roome moved to ratify the eighteen settlement agreements as presented.

Passed 4/0

LICENSE MATTERS

Dan Croy, License Services Division presented.

Service Permit Refusals- There were eight service permit refusals before the Commissioners for ratification.

Commissioner Duarte moved to ratify the eight service permit refusals as presented under Tab 2A.

Passed 4/0

RETAIL SERVICES

Brian Flemming, Retail Services Director, presented.

Relocation of Agency 1049, Lakeside - Agent Ms. Heidi Heller appeared before the commission.

Commissioner Duarte commented that he was very impressed by the volume of support letters the commission received and those that were in opposition didn't necessarily address specific reasons. He continued that if it appears that the commission had little to no concern for the citizens of Lakeside, that is not correct, there is no doubt in his mind that this is the best opportunity as it exists today.

Commissioner Duarte moved to approve the proposed relocation of Agency #1049, Lakeside to 125 N. 8th Street in Lakeside Oregon.

Ms. Heller requested the opportunity to speak to the board and thank each of them for their compassion and continued support over the past several months. She continued stating that it would not have been possible without the support of the commission.

CONTESTED CASE HEARINGS – Consideration of Administrative Law Judges' recommendations on contested cases. Requests for reconsiderations of Commission decisions. Arguments may be presented by staff, licensees, or applicants taking exception to Hearings' recommendations.

(Case Presenters)

Administration Policy and Process Division – Case presenter Anna Davis presented. South Salem Food & Gas - It is proposed that the May 14, 2010 Off-Premises License be cancelled and licensee be removed from the Responsible Vendor Program.

Attorney Dennis Messoline appeared before the Commission. Anna Davis informed the board that Attorney Messoline's opening statements were beyond the comments filed in this case. Chairman Lang stated the commission would only consider what is reflective of the record and nothing new. Commissioner Duarte asked Mr. Messoline if there were reasons why he or his client did not file exceptions in this matter. Mr. Messoline responded stating that due to costs, and financial means, his client chose not to file exceptions.

Recessed: 9:49 am

Reconvened: 10:05

DECISIONS ON CONTESED CASES

Commissioner Roome moved in the matter of South Salem Food & Gas to amend the proposed the order of the ALJ pursuant to the list, which will accompany the minutes and adopt the amended order as the final order.

Passed 4/0

EXECUTIVE SESSION – To consider records that are exempt from public inspection pursuant to ORS 192.660(2)(f).

Recessed: 10:08

Reconvened: 10:19

PETITION TO INTIATE PROCEEDING FOR DECLARATORY RULING – *Decision on US Market #300*

Judith Bracanovich presented. US Market #300, LLC. is requesting an off-premises license. On it's behalf counsel filed a petition with OLCC asking the commission to initiate proceedings for declaratory ruling to consider whether entering into and operating under document entitled "Agreement for Cooperative Advertising, Marketing, Purchasing and Accounting, Consulting", would violate certain OLCC rules. The commission is obligated to

either accept or deny the petition. The agency recommends the Commissioners to deny the petition.

Commissioner Duarte, in the matter of US Market #300, LLC. moved to deny the petition to initiate proceedings for declaratory ruling and to adopt the order denying the petition as proposed.

Passed 4/0

ADMINISTRATION

Continuation of the \$.50 surcharge on distilled spirits products – Merle Lindsey presented. Merle Lindsey addressed the current surcharge is set to sunset effective June 30, 2011. OLCC issued a press release on March 9, 2011 outlining a timeline for verbal and written comments. The Commission will hear verbal comments at the April 14-15 meeting and will accept written comments starting April 1, 2011, ending May 2, 2011.

Legislative Update and Commission Position – Tom Erwin

Priority Bills (Set #2)

Tom Erwin, Government Affairs & Communications Director, presented.

This is the second set of priority bills that staff is asking Commissioners to review for the 2011 Legislative Session. The list includes a summary from each bill, staff's recommendation as to whether OLCC should support, oppose, or take a neutral position on each, and a short explanation of the recommendations. Other bills included are for information, but staff have not recommended a position.

SB 669 Manufacturer Advertising in Large Venues

Allows manufacturer or wholesaler of alcoholic liquor to purchase advertising space and time at sports venues, amphitheatres and dance halls of certain size in connection with events held on premises.

Staff's Recommendation: Recommendation- Neutral. OLCC is working with industry to craft an amendment which will allow more large venues to receive advertising sponsorship from manufacturers at their event venues, but limits the overall number of venues that would be eligible based on capacity (3000+) or that the venue is publicly owned property.

Discussion: No further discussion.

Final Decision: No objections to the recommendation. Unanimous consent.

SB 696 County Privilege Taxes

Authorizes counties to impose taxes on malt beverages and wine. Directs Oregon Liquor Control Commission to collect taxes. Distributes tax revenues to counties imposing tax, for specified purposes relating to alcohol or drug addiction. Takes effect on 91st day following adjournment sine die.

Staff's Recommendation: Neutral, provided OLCC would receive necessary resources to implement and support the new tax structure. Preliminary estimates would require at least 7 FTE and may have an economic impact on the industry.

Discussion: No further discussion

Final Decision: No objections to the recommendation. Unanimous consent.

SB 698 City Ordered Cessation of Liquor Sales

Allows city to order cessation of alcoholic beverage sales or other operations at premises licensed for full or limited on-premises sales or as brewery-public house upon reasonable belief that continued sales or operation are immediate threat to public safety.

Staff's Recommendation: Neutral (This bill along with SB 700 are included in HB 3295)

Discussion: Commissioner Rice stated he has serious concerns taking a neutral position allowing local jurisdictions the opportunity to remove a license or restrict a license based on what they believe and not based on supportive evidence.

Commissioner Duarte echoed the comments of Commissioner Rice and shares in his concern with local municipalities having authority over licenses.

Commissioner Roome also echoed the comments of Commissioner Rice and Commissioner Duarte regarding taking a neutral position.

Commissioner Rice stated his position is not neutral at this time but feels that if the Commission has some type of tactical importance, he is comfortable delaying the commissions position until the final draft of the bill is presented.

Final Decision: The amended recommendation is to delay taking a position until the final draft bills is produced and reviewed by the commission.

SB 700 License Restrictions

Allows Oregon Liquor Control Commission to place restrictions on activities at licensed premises if commission has grounds to believe certain conditions exist. Allows commission to refuse license if commission reasonably believes granting license would pose threat to public safety. Allows commission to suspend or revoke license upon finding or having grounds for believing continued operations at licensed premises would pose threat to public safety.

Staff's Recommendation: Neutral with concerns. The matrix provided in the bill could tie OLCC's hands on when restrictions could be placed. At times it might be too restrictive or if the premises did not have just the right combination of violations; or at times it may not be restrictive enough. (This bill along with SB 699 are included in HB 3295)

Discussion: No further discussion.

Final Decision: The amended recommendation is to delay taking a position until the final draft bills is produced and reviewed by the commission.

SB 764 Alcohol Impact Areas

Authorizes Oregon Liquor Control Commission to adopt rule declaring alcohol impact area upon petition by representative of municipality having population of 50,000 or more persons.

Staff's Recommendation: Support with amendments. This bill lowers the size of municipality that can request an Alcohol Impact Area (AIA) from what our rule provides, which OLCC supports. However, it also changes the reasons why an AIA can be created - it focuses on serious and persistent problems in the area such as disturbances, lewd or unlawful activities or noise. Items such as street drinking and related problems are not included, and should be, particularly in those cities where street drinking is not unlawful. In addition, this bill requires that any AIA created be reviewed every year - whereas our current rule only requires review after the first year. This could be a workload issue.

Discussion: Chairman Lang asked if staff is proposing any amendments to the bill. Tom Erwin stating that those sponsoring the bill are open to any amendments if staff chose to submit them.

Final Decision: No objections to the recommendation. Unanimous consent.

SB 878 Private Security Licensing

Extends exception to private security professional licensing requirement to person employed for purpose of controlling access at entrance of premises by licensee of Oregon Liquor Control Commission.

Staff's Recommendation: Neutral

Discussion: Linda Ignowski appeared before the commissioners. She stated that she sent this bill out to all of her staff for feedback and she received mixed comments. Staff has some concern with smaller venues that may have an employee serving in a dual role capacity, where they may be controlling access to the establishment as well as serving in a "bouncer" capacity. Larger venues typically have employees for access and different employees serving in the bouncer role.

Final Decision: No objections to the recommendation. Unanimous consent.

SB 898 Proof of Minimum Age Requirements

Allows Oregon Health Authority or local public health authority to request proof that person performing work at restaurant meets applicable minimum age requirements. Allows health authority to order person to immediately cease activity that is subject to minimum age requirement if requested proof of age not supplied. Provides that failure of restaurant licensee or manager to provide proof of age for person performing work at restaurant is prima facie evidence licensee has allowed person to perform work in violation of minimum age requirements. Allows Oregon Liquor Control Commission to request proof that person performing work at premises licensed by commission meets applicable minimum age requirements. Allows commission to order person to immediately cease activity that is subject to minimum age requirement if requested proof of age not supplied. Provides that failure of licensee or manager to provide proof of age for person performing work at premises is prima facie evidence licensee has allowed person to perform work in violation of minimum age requirements. Allows Oregon Health Authority and Oregon Liquor Control Commission to enter into interagency agreement creating agency relationship for purpose of requesting proof of age. *Sponsored by Senator Starr, Senators Devlin, Verger, Representatives Barker, Krieger, Lindsay, Tomei. Referred to Senate Business, Transportation and Economic Development Committee.*

Staff's Recommendation: Support. After a discussion with Senator Starr's staff, OLCC staff understand that this is part of an effort to address human trafficking issues at adult entertainment venues.

Discussion: No further discussion.

Final Decision: No objections to the recommendation. Unanimous consent.

SB 944 Prohibits Minimum Liquor Purchase Requirements

Prohibits Oregon Liquor Control Commission from imposing minimum amount requirements for liquor purchases.

Staff's Recommendation: Neutral. Executive Director Pharo has met with Senator Shields to discuss an amendment that would add a minimum value for the product requested.

Discussion: Executive Director Steve Pharo stated he continues to work with Senator Shields on this bill and will keep the commissioners informed of any changes. Chairman Lang explained that currently statute states for special order requests there is a requirement to order full cases only.

Final Decision: No objections to the recommendation. Unanimous consent.

HB 3012 Interagency Compliance Network

Includes Oregon Liquor Control Commission in Interagency Compliance Network.

Staff's Recommendation: Support. Representative Smith has spoken with Chairman Lang and Executive Director Pharo about his intent behind including OLCC in this Network.

Discussion: No further discussion.

Final Decision: No objections to the recommendation. Unanimous consent.

HB 3145 Bottle Bill Expansion

Changes definition of "beverage." Allows beverage distributors or importers to establish distributor cooperative for certain purposes. Provides that dealer that uses distributor cooperative is not required to return beverage containers to distributor or importer that does not participate in distributor cooperative. Requires distributor cooperative and distributors and importers that do not participate in distributor cooperative to provide Oregon Liquor Control Commission with report on beverage container return rate each calendar year. Increases refund value for beverage containers. Requires local governments to allow citing of redemption center in certain cases.

Staff's Recommendation: Support with changes. The list of included beverages is unclear as to whether dairy products or alcoholic beverages in addition to beer are also included. Raising the redemption rate to 10 cents may also increase compliance efforts as the added value could lead to increased violations of the law. OLCC would like to have more options in enforcing compliance. Currently the only option available is license suspension for licensees and a criminal sanction for an entity which does not hold a liquor license.

Discussion: No further discussion.

Final Decision: No objections to the recommendation. Unanimous consent.

HB 3177 Small Vintner Exceptions

Subjects certain small vintners to wine taxation by limiting exemption to smallest vintners. Applies to wine tax reporting periods beginning on or after January 1, 2012. Takes effect on 91st day following adjournment sine die.

Staff's Recommendation: Neutral. This would increase number of wineries required to report sales for tax purposes. May require additional FTE to process increased volume of sales reports.

Discussion: Commissioner Duarte asked what does the current law state regarding the exceptions for small vintners and how do we determine the new breaking point and what is the reasoning behind that. Commissioner Duarte also asked what the expected revenue impact would be. Tom Erwin stated that information was not available at this time but would be available at the conclusion of the meeting.

Final Decision: No objections to the recommendation. Unanimous consent.

HB 3219 Small Vintner Production Exemption

Exempts certain small vintners from payment of wine privilege tax by expanding exemption to include calendar years in which vintner engages only in wine production activities other than fermentation. Applies to wine tax reporting periods beginning on or after January 1, 2012.

Staff's Recommendation: Neutral. OLCC staff is concerned that this new standard may make it impossible for us to determine who should receive the exemption and it is inconsistent with TTB standards.

Discussion: Debby Amsberry appeared before the Commission. Chairman Lang asked if there has been a hearing on this bill. Tom Erwin stated he is not aware of any hearing scheduled at this time. Tom continued stating he will follow up with Commissioners if a hearing is scheduled. Chairman Lang suggested Tom speak with Representative Schauffler regarding this bill.

Final Decision: No objections to the recommendation. Unanimous consent.

HB 3295 Restrictions and City Ordered Cessation of Alcohol Sales

Allows city to order cessation of alcoholic beverage sales or other operations at premises licensed for full or limited on-premises sales or as brewery-public house upon reasonable belief that continued sales or operation are immediate threat to public safety. Allows Oregon Liquor Control Commission to place restrictions on activities at licensed premises if commission has grounds to believe certain conditions exist. Allows commission to refuse license if commission reasonably believes granting license would pose threat to public safety. Allows commission to suspend or revoke license upon finding or having grounds for believing continued operations at licensed premises would pose threat to public safety. Requires that one member of Oregon Liquor Control Commission have expertise in law enforcement or public safety.

Staff's Recommendation: Neutral with concerns. Matrix provided in bill would tie OLCC's hands on when restrictions could be placed. At times it could be too restrictive or not if the premises did not have just the right combination of violations. (This bill has the includes elements of SB 699 and SB 700)

Discussion: No further discussion.

Final Decision: No objections to the recommendation. Unanimous consent.

New legislation still under review

The following bills are still under review by staff. OLCC staff will bring them to the next meeting for your consideration, but wanted you to be aware of them in the meantime.

HB 3498 Enforcement Interagency Agreement with OSP

Authorizes Oregon Liquor Control Commission and Department of State Police to enter into interagency agreement for state police force members to act as agents of commission. Comments- OLCC staff are making contact with the Oregon State Police to understand how they are interpreting this legislation.

Staff's Recommendation: No recommendation at this time.

Other Legislation

The following bills are for your information and are being tracked. We are not seeking your position on this legislation. However, if you would like to take a position on any of these bills, please let me know.

HB 3199 Alcohol By Volume Information Requirements for Licensees

Requires that premises licensed for full or limited on-premises sales of alcoholic beverages provide customers with information regarding alcohol-by-volume content for types of alcoholic beverages sold at premises. Requires that premises licensed for full on-premises sales of alcoholic beverages provide customers with information regarding alcohol-by-volume content of mixed drinks served at premises to extent provision of information is required by Oregon Liquor Control Commission rules.

HB 3262 Dedicated Funds of Malt Beverage Tax

Imposes prevention, treatment and recovery tax on malt beverages. Creates Alcohol Impact Remediation Fund. Continuously appropriates moneys in fund to Department of Human Services. Distributes moneys to alcohol and drug abuse prevention, treatment and recovery services. Creates Oregon State Police Patrol Division Fund. Continuously appropriates moneys in fund to Department of State Police for carrying out patrol division functions of Oregon State Police and for related administrative costs. Applies to prevention, treatment and recovery tax reporting periods beginning on or after effective date of Act. Takes effect on 91st day following adjournment sine die.

HB 3394 State Police Patrol Fund

Establishes State Police Patrol Fund, separate and distinct from General Fund. Redirects state share of Oregon Liquor Control Commission Account surplus money distribution to State Police Patrol Fund. Continuously appropriates State Police Patrol Fund moneys for establishing, maintaining and meeting certain needs of state police patrol stations. Limits State Police Patrol Fund to amount necessary to maintain patrol officer staffing levels near national average.

Updates on OLCC's Bills

HB 2147 Electronic Proof of License

Allows applicant for wine self-distribution permit or direct shipper permit to prove license status by providing Oregon Liquor Control Commission with sufficient information for verification of license by electronic means or other means acceptable to commission.

Bill at request of OLCC. Assigned to Business and Labor Committee.

Status- A hearing was held on 2/4/11. Moved to House floor with Do pass recommendation by Representative Esquivel. Read for the Third time on 2/17. Referred to Senate Business, Transportation and Economic Development Committee on 2/22.

HB 2148 Responsible Vendor Program Expansion

Changes licensee eligibility for participation in Oregon Liquor Control Commissions responsible vendor program.

Bill at request of OLCC. Assigned to Business and Labor Committee.

Status- A hearing was held on 2/4/11. Moved to House floor with a Do-pass recommendation by Representative Esquivel. Read for the Third time on 2/17. Referred to Senate Business, Transportation and Economic Development Committee on 2/22.

HB 2149 License Application Fees

Imposes application fee on person seeking initial license from Oregon Liquor Control Commission. Creates exceptions. Changes exemptions from renewal application processing fee.

Bill at request of OLCC. Assigned to Business and Labor Committee.

Status-No hearings have been scheduled yet. We have conceptually agreed to amendments with ORLA to reduce the fee to \$400 and make the fee refundable if the license is not processed within a certain time period.

HB 2718 (sister bill of 2149) License Application Fees

Imposes fee for Oregon Liquor Control Commissions processing of application for initial license. Excludes applications for special events licenses and temporary sales licenses. Changes fee amounts for various annual licenses issued by commission.

Sponsored by Representative Tomei. Referred to Business and Labor Committee.

HB 2150 Winery License

Creates winery custom crush license. Specifies powers and duties of winery custom crush licensee. Requires winery licensee to possess federal wine producer and blender permit to conduct some activities of licensee. Requires winery custom crush licensee to possess federal wine wholesaler permit to conduct some activities of licensee. Requires applicant for winery license or winery custom crush license to provide Oregon Liquor Control Commission with proof of federal permit status. Allows commission to cancel or suspend license or impose civil penalty if winery licensee or winery custom crush licensee does not maintain valid federal permit. Makes winery custom crush licensee manufacturer for purposes of tied-house prohibitions. Creates exceptions.

Bill at request of OLCC. Assigned to Business and Labor Committee.

HB 2633 (sister bill of 2150) Winery License

Requires that winery licensee possess federal permit allowing licensee to engage in certain activities. Restricts exercise of winery license privileges by winery licensee not holding federal permit to operate as producer and blender. Becomes operative January 1, 2014.

Filed by Representative Schaufler on behalf of Oregon Winegrower's Association.

Referred to Business and Labor Committee.

Status- A hearing was held on March 9 and work-session was held on March 14 to review the dash 1 consensus amendments. Chair Schaufler moved to adopt the dash 1 amendments into 2633. It was moved to the floor as amended with a do pass recommendation and will be carried by Representative Doherty.

HB 2361 'Knowing' Standard

Eliminates culpable mental state requirement for administrative sanctions against liquor licensees and service permit holders that sell to, or allow on-premises consumption of alcohol by, minors or visibly intoxicated persons. Amends 471.315.

Sponsored by House Interim Committee on Business and Labor. Referred to Judiciary Committee.

Status-This bill had a hearing on March 9th. A work-session has been scheduled for March 16th to add amendments which reflect the elements of HB 2641.

HB 2641 'Knowing' Standard

Eliminates culpable mental state element in prohibition against Oregon Liquor Control Commission licensee or permittee allowing visibly intoxicated person to consume or continue to consume alcohol. Amends 471.412.

Sponsored by Representative Schaufler. Referred to Judiciary Committee.

Updates on other legislation

Commissioners reviewed these bills at the February Commission Meeting

SB 36 Local Government Recommendations

Imposes conditions for Oregon Liquor Control Commission approval of license application following unfavorable recommendation by local government.

Sponsored by Senator Monnes Anderson. Referred to Business, Transportation, and Economic Development Committee.

Status- A hearing was held on February 17. Executive Director Pharo has been working with Senator Monnes Anderson on amendments to the bill.

SB 434 Caffeine in Alcoholic Beverages

Prohibits licensees of Oregon Liquor Control Commission from manufacturing, importing, storing, delivering, distributing or selling alcoholic beverages containing caffeine or containing other substances used for increasing energy levels.

Filed by Senator Monnes Anderson, and Edwards. Referred to Business Transportation and Economic Development Committee.

Status- A hearing was held on February 17, 2011. Executive Director Pharo has been working with Senator Monnes Anderson on further amendments to the bill.

SB 438 Warehousing by Off-Premises Licensee

Authorizes holder of off-premises sales license, under certain conditions, to store wine at licensed premises for transport to other licensed premises for sale at retail. Authorizes sale of transported wine at receiving premises on behalf of transporting holder. Declares emergency, effective on passage.

Filed by Senator Atkinson

Referred to Business Transportation and Economic Development Committee.

Status- A hearing was held on February 17, 2011.

SB 5522 OLCC Budget plus Non-limited Expenditures for Agent's Compensation and Bank Card Fees

Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by Oregon Liquor Control Commission. Authorizes specified non-limited expenditures. Declares emergency, effective July 1, 2011.

At the request of Budget and Management Division, Oregon Department of Administrative Services. Assigned to the Subcommittee on Transportation and Economic Development.

Status- Hearings were held March 1, 2 & 3rd on our budget. We are waiting to hear about a work session.

HB 2590 Optional Multi Year Renewal

Allows holder of full on-premises sales license or limited on-premises sales license for alcoholic beverages to choose biennial renewal of license, subject to condition.

Sponsored by Representative Schaufler and Matthews. Referred to Business and Labor Committee

Status- No hearings have been scheduled.

HB 2716 Local Government Option

Allows city or county to adopt limits on number or density of premises within city or county, or within specific areas of city or county, that Oregon Liquor Control Commission may license for full or limited on-premises sales or off-premises sales of alcoholic beverages or as brewery-public house.

Sponsored by Representative Tomei. Referred to Business and Labor Committee.

Status- No hearings have been scheduled.

HB 2599 Food Requirements for Cigar Bars

Allows cigar bar to hold full on-premises sales license for alcoholic beverages without serving meals. *Sponsored by Representative Schaufler. Referred to Business and Labor Committee.*

Status- No hearings have been scheduled

HB 2704 OLCC Inspectors

Authorizes Department of Public Safety Standards and Training to certify inspectors and investigators employed by Oregon Liquor Control Commission. Modifies crimes of assaulting public safety officer and aggravated harassment to include conduct committed against inspector or investigator employed by Oregon Liquor Control Commission.

Declares emergency, effective on passage.

Sponsored by House Interim Committee on Judiciary for American Federation of State, County and Municipal Employees. Referred to Judiciary Committee.

Status- A hearing was held on 3/2/11. Amendments are being drafted to exempt inspectors who have already taken the DPSST certified training from needing to take the new training and also to remove investigators from the bill.

HB 2717 OLCC Commission Membership

Expands membership of Oregon Liquor Control Commission. Requires that one member be from public safety community and one from public health community.

Filed by Representative Tomei. Referred to Business and Labor Committee.

Status- No hearing has been scheduled.

SB 699 OLCC Commission Membership

Requires that one member of Oregon Liquor Control Commission have expertise in law enforcement or public safety.

Sponsored by Senator Dingfelder and Representative Kotek, Senators Monnes Anderson & Monroe.

Status- No hearing has been scheduled.

HB 2924 Brewery License Expansion

Removes limitations on alcohol content, minimum amount, source and place of consumption for malt beverages sold by brewery. Allows brewery to sell malt beverages at retail at one premises other than premises where manufacture occurs. Allows brewery to obtain special events license.

Filed by Representative Holvey and Senator Prozanski. Referred to General Government and Consumer Protection Committee.

Status- A hearing was held on March 10. Paul Romain offered an amendment which narrows the scope of the original bill.

SB 444

Expands exemption of homemade beer, wine and fermented fruit juice from Liquor Control Act. Allows storage at licensed premises of malt beverages and wine made on premises by unlicensed person and storage of homemade beer, wine and fermented fruit juice. Allows licensee to conduct organized judging, tasting, exhibition, contest or competition of unlicensed malt beverages and wine or homemade beer, wine or fermented fruit juice at licensed premises subject to Oregon Liquor Control Commission restrictions. Declares emergency, effective on passage.

Sponsored by Senator Prozanski; Senators Bates, Beyer, Bonamici, Boquist, Burdick, Devlin, Dingfelder, Edwards, Hass, Johnson, Monnes Anderson, Nelson, Rosenbaum, Starr, Whitsett, Winters, Representatives Barnhart, Berger, Beyer, Gelser, Holvey, Hoyle, Hunt, Nathanson, Roblan at the request of the Oregon Homebrewers Alliance, former Senator Rick Metsger, former Senator Bill Morrisette

Status- A hearing was held on March 9. It was moved to the house floor with a do pass recommendation. A second reading occurred on March 10.

Chairman Lang asked what the deadline is for movement of a bill. Tom Erwin responded April 17, 2011 .

Commissioner Duarte asked if the dates for the April meeting could be changed. Chairman Lang asked fellow commissioners to review their calendars and supply available dates in April.

Adjourned: 11:04 a.m.

NOTE: The next Commission Meeting is an in-person meeting on April 14-15, 2011 in Portland.

For more information, please telephone Toll Free 1-800-452-6522 or Portland 503-872-5006

Phil Lang, Chairman

Alex Duarte, Commissioner

Bob Rice, Commissioner

Ron Roome, Commissioner

Cassandra SkinnerLopata, Commissioner

Stephen A. Pharo, Executive Director
and Secretary to the Commissioners