

Joint Legislative Workgroup

OLCC Main Office
9079 SE McLoughlin Blvd.
Milwaukie, Oregon

REVISED MINUTES

January 11, 2010
2-4 PM

Held at Oregon Liquor Control Commission
9079 SE McLoughlin Blvd
Portland, OR
Room 103A

Minutes by: Austene Schneider

COMMITTEE MEMBERS IN ATTENDANCE:

Paul Cosgrove, Judy Craine, Judy Cushing, Chris Girard, Michael Iwai, Theresa Marchetti, Steve Moore, Jay Nelson, Martha Pellagrino, Bill Perry, Jeff Ruscoe, Joanie Svennbjornsson, Kara Thallon, Charlie Thorpe, Andrea Tyler, Scott Winkels

OLCC MEMBERS IN ATTENDANCE: Tom Erwin

ADMINISTRATIVE STAFF IN ATTENDANCE:

Austene Schneider

INTRODUCTIONS AND EXPECTATIONS: Introductions made by each committee member as there are new faces at the table.

APPROVAL OF LAST MEETING MINUTES:

Motion made by Judy Craine to accept the November 23, 2009 minutes as written. Motion seconded by Charlie Thorpe. The minutes from the November 23, 2009 approved as written.

DISCUSSION OF MASTERLIST:

- **Narrative Reports:** Tom gave an overview of the narrative reports. There is a narrative report for each of the issues listed on the workgroups masterlist. The narrative report provides some history of discussions revolving around that issue. Most of the Joint Legislative workgroup items were received from the annual open house held every year at OLCC and were not originally received into the legislative workgroup. Most of the items were worked in other workgroups, server education, enforcement, etc. and as a

APPROVED MINUTES

conclusion of the discussions held within those workgroups, the item was referred to the legislative workgroup. Martha Pellagrino, who pointed out she is attending the Joint Legislative workgroup meeting for the first time, wanted to know what the relationship is between the issues the workgroup is discussing today and the 2010 session and how does what this group discusses inform what will be submitted to the governor for the legislative concepts for the 2011 session. Tom responded that the agency does not have it's own initiatives for 2010, we do have some bills the agency will be working on but are being brought forward by other representatives, senators and associations. This meeting isn't going to be discussing any legislative concepts as the agency doesn't know what they will be presenting yet. Internal communication has been sent to all divisions requesting their legislative concepts (LC's) and policy option packages (POP's). Some have responded, but the agency has not begun putting it list together. The agency will present all agency LC's and POP's to the board of commissioners at the April in-person commission meeting. Some committee members were under the understanding that the items listed on the 2009-10 Legislative workgroup list were actual legislative concepts that the agency would not be able to introduce into legislation until 2013. Many of the items on the list are not actual LC's, more simply are operational, internal issues that may require some type of legislative action. Some items could be resolved via administrative rule changes, and handled by OLCC and not legislation. Paul Cosgrove pointed out the all agency LC's and POP's should be listed on the Joint Legislative Workgroup agenda, not just the items from Business and Public Safety Partners Steering Committees. Tom informed the committee that OLCC should have a draft of all LC's and POP's available for committee review at the March meeting. These LC's and POP's are for the 2011 session. Some of the items on the workgroups list, may rise to the level that are included in the LC's for 2011. Committee member asked there be more transparency with the agency's LC's and POP's in order for the agency and the steering committees to work together and as more of an advisory committee. Tom pointed out that there is one bill that OLCC will be working on, Human Trafficking. OLCC has been asked to join forces with a national non-profit organization that assists with getting out of the binds of Human Trafficking and OLCC has agreed to include in all licensee renewal packets, information regarding and a window decal about human trafficking. Bill Perry asked if Tom could send an email updating the committee whenever a bill is being considered by OLCC. Scott Winkels suggested that the police chiefs, counties, sheriffs offices, district attorneys, need to be brought into this conversation as well. It was pointed out that all district attorneys, sheriff's offices, police chiefs, judges, college campus and universities are always invited to the annual open house and participation has been minimal from those organizations. Scott said he has a list of folks that would commit to participating in the open house and committee. Austene will contact Scott for the list of names and contact information. In essence of time Tom redirected the group back to the agenda items and said he will send out the LC's and POP's in advance of the March workgroup meeting. At the March meeting, the workgroup will discuss the LC's and POP's at length.

- **Possible meeting regarding saturation:** If you are interested in participating in a meeting that will address saturation issues, please email Tom Erwin and let him know. Tom's email address is Tom.Erwin@state.or.us

APPROVED MINUTES

- **Additional issues: 30/194/195 and 170:** Paul Cosgrove wanted to discuss item 170: American Disability Act – OLCC needs to look at rules and interpretation of the ADA and familiarize with understanding the relationship between alcoholism (Janice Krem). Paul Cosgrove suggested this item be closed. It was not clear if this item pertains to service permittees or licensing purposes. Judy Craine suggested Tom Erwin contact Janice Krem to gather more specific details regarding this issue, and let her know that we plan to close this item if more clarification is not provided.
- **Item 195:** Mentoring/coaching for openings of new businesses: Steve Moore brought up item 195: Mentoring/coaching for openings of new businesses, and wanted to know how this was a legislation issue. Theresa Marchetti pointed out that it is more of a resources issue and it would require legislation to get the funding in order to begin a mentoring program. Tom Erwin pointed out that Deputy Director Rudy Williams is working with local licensees and is more of a voluntary program and does not require legislation. Item 195 closed
- **Item 252:** Every new business should have conditional temporary license before being issued a permanent license. Demonstrate ability to run the business. (Katherine Anderson) Charlie Thorpe recommended closing item 252 as it is the same as item 194. Item 252 closed.
- **Item 250 and 253:** Tom Erwin asked Theresa Marchetti to follow-up with Celeste Carey and see if she can provide more details. Theresa also needs to see if Celeste is ok with combining items 250 and 253.
- **Item 259:** What information needs to be given to OLCC to help them make their decision to approve or deny a licensee application? Theresa Marchetti and Martha Pellagrino will do some homework and will get back to the workgroup regarding this item.
- **Items 182:** Stiffer sanctions against establishments that serve VIPS and **Item 185:** Impose stiffer sanction on licensee when employee sells to VIPS (gives licensee incentive to train better and to get rid of poor employees): are very similar and the workgroup suggested eliminating one. Martha Pellagrino suggested follow-up on these items before they are closed. Martha said she will be some follow-up on these issues and will update at the next meeting.
- **Item 183:** Bring “visibly intoxicated” and “visibly impaired” standards into alignment and have the same training, closed.
- **Item 301:** How to close problem premises within two years (Mark Friedman); Martha Pellagrino to follow-up with Theresa Marchetti and City of Portland for more clarification.

NEXT STEPS:

- **Next Meeting** – Austene will send an email to all committee members to see what date and time will work best for them. Hoping to schedule a meeting in December or January.