



Alcohol and Drug Policy Commission Meeting

January 27, 2011

Oregon Partnership  
5100 SW Macadam Avenue, Suite  
Portland, OR 97239

Minutes

**Members**

x	Ann Lininger		Heather Crow-Martinez	x	Max Williams
	Anthony Biglan		Jack Costello	x	Mickey Lansing
x	Bruce Goldberg		Janet Holcomb	T*	Randy Schoen
x	Carolyn Tomei	x	John King	x	Sarah Goforth
	Dennis Dotson	x	John Kroger	x	Steve Pharo
x	Dennis McCarty	x	Judith Cushing		Susan Castillo
x	Erin Hubert	x	Lane Borg		Timothy Hartnett
	George Brown	x	Laurie Monnes Anderson	T*	Timothy Thompson
					*Problems with phone

**Others Present**

Karen Wheeler, AMH; Rick Cady, AMH; Mary Ellen Glynn, ADPC; Debbie Runciman, Rep. Carolyn Tomei's Office; Jonathan Eames, OPERA; Miriam Widman, The Lund Report; Leah Craft, AMH; Karynn Fish, OHA; Ashley Parkinson, PSU; Jean Kjellstrand, ORI; Judith A. Lile, ADPC; Evonne Alderete, DHS Director's Office; Shannon Sivell, DOJ; Mike Niemeyer, DOJ; Valerie Chambers, DOJ

**Agenda Item**

**Lead(s)**

**Welcome and Call to Order**

Chair Kroger

Meeting was called to order 2:02p.m. Roll Call. There was a quorum. Announced that meeting was being audio recorded to assist in accurately taking the minutes.

**Approval of Minutes**

Chair Kroger

Chair Kroger entertained a motion to accept minutes for December as presented. Motion from Lane Borg, and a second from Dennis McCarty. All members present voted affirmatively for the motion. Minutes adopted.

**Update from Chair**

Chair Kroger

Draft of the LC 3035 was circulated. Mary Ellen will walk through the changes and the commission will vote on it today. It is tentatively looking good for funding for at least 2 of the prevention pilots in the governors budget. Chair Kroger and Mary Ellen have started scheduling meetings with nonprofit grant making entities.

<b>Legislative Logistics</b>	Mary Ellen Glynn
<p>Mary Ellen will be distributing a paper laying out the commission's positions on alcohol and drug funding. It will be sent out to commissioners before the next meeting so that they have time to review it. If approved it will be given to legislature. Please contact Mary Ellen if anyone is willing to do any lobbying or testifying in front of committees.</p>	
<b>Discussion and vote on LC 3035 relating to ADPC</b>	Mary Ellen Glynn
<p>Discussion on differences between last draft and current draft of LC 3035. One difference gives the commission power to set budget and policy priorities. Gives the commission the ability to write rules, but not a requirement. The commission will help put in place a uniform system for data collection. There is a meeting on data collection next week. Changes also require periodic reporting of cost and effectiveness. It also allows commission to establish pilot prevention projects. This will probably be put through in identical bills in the senate and the house. There will probably be at least one amendment involving technical changes.</p> <p>Chair Kroger entertains motion to endorse the bill as drafted. Motion from Bruce Goldberg, and a second from Judith Cushing. Motion passed, see attached vote log.</p>	
<b>Other Legislative Concepts</b>	Mary Ellen Glynn
<p><a href="#">Handout: 2011 PRE-SESSION LEGISLATION</a></p> <p>This is a list of everything that involves alcohol or drugs in some way. The Commission is not in support of all of these on the list, rather these are the ones involving drugs and alcohol. House Bills discussed were HB 2717 which is the expansion of the OLCC commission members to include public safety and public health. HB 2151 is being dropped. HB 2716 is replacing it. HB 2716 pertains to retail outlet density and allows local jurisdictions to set limits on the number of retail outlets. This is being modified. The part saying the OLCC would be responsible for the tracking is being removed. HB 2716 is not on the handout list. HB 2718 and HB 2149 deal with fees; application fees and license fees. The goal is to research other states and set a fee in the middle. HB 2829-Prohibits selling alcohol through the U-scans. Steve Pharo commented on SB 36. This would impose local recommendations onto the OLCC. Steve wants it to be clear that there has to be a legitimate reason for an unfavorable recommendation rather than just an upset neighbor. Judy Cushing brings attention to SB 181- Suspends for the 2011-2013 biennium requirements for school districts to provide alcohol and drug prevention programs. Discussion on what this is. SB 183 is nearly identical; both are sponsored by Senator Kruse, presession filed. This also allows them to use non-certified teaches for the programs, it appears this is to free them up from educational mandates under the state board of education due to budget cuts. Senator</p>	

Monnes Anderson asks the Commissions stand on caffeine in alcoholic beverages. Steve Pharo adds that they want to be careful on the wording as to limit caffeine being added to alcohol, not on caffeine naturally occurring in the brewing/fermenting process, Kahlua for example which is derived from coffee has a natural amount of caffeine which would be ok. The concern is over the additives, like added caffeine or taurine etc. There is also concern over the high level of alcohol added into products like Four Loko. Four Loko removed the caffeine but it is still 24% alcohol. There is a difference between a microbrew that that has a high alcohol level by brewing and one that has a high level of alcohol due to adding it. Mary Ellen to get together with Senator, Steve and Judy to come up with legislative language to reflect this. HB 2178- Expands definition of schools to include pre-schools in the rules governing controlled substance offenses within 1000 ft of a school. Discussion about lack of clarity of knowing when you are within 1000 feet of a pre-school versus a regular school which is quite obvious. Mary Ellen to contact Rob about his opinion and to circulate his answer to the commission members. Big fiscal impact in downtown Portland where many buildings offer onsite day care. Very difficult to not be within 1000ft which would increase felony delivery charges. HB 2704- Allows OLCC to have their inspectors covered by Department of Public Safety Standards and Training. SB 499-deals with doing away with the commission. Senator Monnes Anderson and Representative Tomei request that the commission brings to their attention any bills they want them to support or not support so they can review them.

Possibly will not have a regular commission meeting in February, but instead doing an ad hoc meeting via telephone if needed.

HB 2924-Removes limitations on alcohol content, minimum amount, source and place of consumption for malt beverages sold by breweries.

There currently is not a bill on raising the beer and wine tax. There actually are a few bills that have been drafted but not dropped yet by Representative Cannon. Mary Ellen will contact the chairs to see if there will be a hearing scheduled. If there will be a hearing Mary Ellen will let them know that some of the commission members will be willing to testify. If there is not going to be a hearing, the commission will be requesting one. The commission wants to get the experts most knowledgeable to testify so that the house is not looking only at the political and fiscal impact of a tax, but the public health and public safety aspect. There was a suggestion that if we can't get a straight beer tax, the commission may want to try to get a tax on higher alcohol leveled malt beverages.

HB 2103 and 2104 relate to helping DUII offenders that are either indigent or on Oregon Health Plan or that have private insurance us those benefits to pay for treatment. Karen

Wheeler asks for commission support on those bills so that more people can have access to treatment. The commission will hold a vote when they meet next.

LC 64 from Jackson County-Amends the current marijuana laws to have medical marijuana be treated more like medicine. Includes further defining what a physician is, reduces the number of plants, and number of ounces that can be held. Bruce recommends Chief Schoen touches base with Grant Higginson the Public Health Department. Grant is responsible for Oregon Medical Marijuana Card Program. Medical Marijuana in many European countries is treated like a medicine. It is actually prescribed and dispensed by pharmacies. It is not grown in peoples homes, it is treated like any other prescription drug. It is tested for purity and grown by botanical manufactures. If it is a medicine Oregon should treat it like a medicine.

Mary Ellen to distribute LC 64 to commission to review to see if they want to support it.

Chair Kroger announces that Governor Kitzhaber supports the Oregon DOJ's defending the constitutionality of the National Health Care Bill. Added California and New York to the coalition.

<b>Prescription Drug Abuse Update</b>	Dr. Bruce Goldberg
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There was a Prescription Drug Abuse Summit was in November. Prescription drug abuse is a growing problem. Prescription drug abuse now counts for more deaths than motor vehicle accidents. Brandeis University has been reviewing Oregon's monitoring programs, and statutes on prescription drugs and feels there are some changes that need to be made to the rules governing the programs as well as to the statute over all. Let Mary Ellen know if anyone is interested in being a part of this.

Judy adds that there will be 3 regional summits over the course of this year replicating on a smaller scale the summit that was held in November. They will be in Eastern Oregon in either Pendleton or La Grande, Southern Oregon in Medford, and Washington County for the Portland Metro Area.

Bruce will get information to commission, and to Representative Tomie and Senator Monnes Anderson once it has a bill number. Information on the summit available at <http://www.oregonrxsummit.com>

<b>WITS Update</b>	Karen Wheeler
<p>Project update. Access to Recovery in Pendleton had their first client using the WITS system. It went off without a hitch using the voucher management system. There is a contract in place with FEI, which is the organization that manages WITS. WITS stands for Web Infrastructure for Treatment Services. It is essentially a web based health record system with other components like the voucher system, and there is also a drug court component so the judges can see the information. What they are using now is the voucher management system. Another project being implemented is a fully electronic health records WITS. This is a bigger project. The first phase is to find 10-20 providers; they will be doing training February 10<sup>th</sup> and 11<sup>th</sup>.</p>	
<b>Public Comment</b>	
No Public Comment	
<b>Adjournment</b>	
Bruce Goldberg adjourned at 3:13 p.m.	

DRAFT