

**REVENUE: No revenue impact**

**FISCAL: No fiscal impact**

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	7 - 0 - 0
<b>Yeas:</b>	Berger, Edwards C., Esquivel, Holvey, Rosenbaum, Smith P., Schaufler
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Theresa Van Winkle, Administrator
<b>Meeting Dates:</b>	1/22, 2/19, 4/18

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**WHAT THE MEASURE DOES:** Modifies the fee for a temporary sales license issued by the Oregon Liquor Control Commission from \$25 for events lasting 5 hours or less and \$25 for each additional period of five hours or less to a flat fee of \$50 per day. Requires that applicants of a temporary sales license who are not exempted under ORS 471.190 submit a plan approved by the Commission which details how minor patrons will be prevented from gaining access to alcoholic beverages and gaining access to area posted/identified as being prohibited to minors. Allows a temporary sales license to be issued to a winery trade association. Prohibits a raffle of alcoholic beverages by temporary sales license holders.

**ISSUES DISCUSSED:**

- Provisions of the measure

**EFFECT OF COMMITTEE AMENDMENT:** Allows a temporary sales license to be issued to a winery trade association.

**BACKGROUND:** HB 2168 A standardizes the fee for a temporary sales license (TSL) issued by the Oregon Liquor Control Commission (OLCC) to a flat fee of \$50 per day. The current fee structure is based upon a five hour period, which can be confusing and can lead to a delay in issuing the license if the fee is miscalculated. According to the OLCC, the average timeframe of an event is 8 ½ hours. Based upon those figures, a licensee holding an average event will pay the same fee that they are currently paying.

Current statute limits the eligibility of who can apply for a TSL. If the applicant is not a governmental or nonprofit entity, the only way to qualify for a TSL is if the applicant shows that the entire event is appropriate for minors to attend during its duration. Organizations that are issued this type of license cannot designate an alcohol-only area, such as a beer garden. This oversight is corrected by allowing TSL applicants to have an alcohol-only area if their plan for controlling a minor's access to alcohol is approved by the OLCC prior to the event. It also gives eligibility to a winery trade association in order to hold tastings and similar events.

ORS 471.190(3) allows any person with a TSL to sell alcohol by a raffle, but ORS 471.408 says that only a charitable, nonprofit organization may only sell wine by a raffle. HB 2168 fixes the conflict between these statutes regarding raffles by removing the enabling language in ORS 471.190(3).

4/27/2007 4:09:00 PM

***This summary has not been adopted or officially endorsed by action of the committee.***