

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass and Be Referred to the Committee on Ways and Means by Prior Reference
Vote:	8 - 0 - 0
Yeas:	Conger, Doherty, Esquivel, Hoyle, Johnson, Matthews, Kennemer, Schaufler
Nays:	0
Exc.:	0
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	2/28, 3/9

WHAT THE MEASURE DOES: Establishes a licensure system for intermittent temporary restaurants, seasonal temporary restaurants, and single event temporary restaurants.

ISSUES DISCUSSED:

- Measure’s provisions were developed via a stakeholder workgroup
- Examples of amount of license fees currently paid by food booth owners
- Measure would significantly reduce license fees for vendors

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Over the past few years, there has been tremendous growth in the number of temporary restaurants at locations such as farmers’ markets and amateur sporting events. However, current statutes that regulate these types of restaurants do not reflect how many of them operate. For instance, a restaurant booth that is located at a farmers market often operates in more than one market per week. Current statute requires the owner to obtain a temporary license every 30 days for every market in which they participate. Further complicating the matter, some of the statutes have been interpreted differently from county to county.

House Bill 2868 is the result of a workgroup consisting of local government and state health officials, representatives from farmers markets, the Department of Agriculture, and other stakeholders. The measure establishes a licensure system for two types of temporary restaurants: intermittent (same event on an intermittent basis, with the same menu at the same location) and seasonal (same location and same menu, but for different events), and a single event temporary license (operates in connection with a single public gathering, entertainment event, food product promotion or other event). The operational period for an intermittent temporary restaurant license is 30 days, compared to 90 days for a seasonal temporary restaurant license. House Bill 2868 requires an inspection by a local health department prior to a license being issued, and allows for at least one inspection of the restaurant per the licensure period. Either license can be revoked if the location of the restaurant changes, or if the menu is substantially altered as defined by authority rules. For a single event temporary license, an inspection can take place at least once during the operation of the restaurant.

The measure exempts establishments where food is prepared and served by a fraternal, social or religious organization only to its own members and guests, approved school lunchrooms in which food is prepared and served for school and community activities and the preparation and service are under the direction of the school lunchroom supervisor, food product promotions in which only food samples are offered to demonstrate its characteristics, and private residences issued an Oregon Liquor Control Commission temporary sales license for a one-day period. House Bill 2868 also allows benevolent organizations to obtain single event temporary licenses without restricting the number of licenses allowed.

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