



MEMORANDUM

Prepared for: Oregon State Senate
Date: October 26, 2021
By: Leslie Porter, LPRO Analyst
Re: Legislative Review of Executive Appointments

LPRO: LEGISLATIVE POLICY AND RESEARCH OFFICE

OREGON LIQUOR AND CANNABIS COMMISSION

The Governor has appointed the following individual to the Oregon Liquor and Cannabis Commission subject to Senate confirmation.¹

Appointees

Dennis Doherty of Sisters; New Appointment
Fay Gyapong of Wilsonville; New Appointment

Term

Doherty: November 19, 2023 – March, 31, 2024
Gyapong: November 19, 2021 – March 31, 2025

Appointment/Confirmation Authority

[ORS 471.705 \(2019\)](#)

Statement of Economic Interest²

Required.

Statutory Requirements³

The commission consists of seven commissioners appointed by the Governor and subject to confirmation by the Senate.⁴

- One commissioner must be from among the residents of each congressional district of this state (CURRIN (CD2), FLOYD (CD3), **GYAPONG (CD5)**, RE'VOAL (CD4), and ROSENBAUM (CD1).
- One additional commissioner must be from eastern Oregon (**DOHERTY**).
- One additional commissioner must be from western Oregon (MALETIS).
- One commissioner must be from the food and alcoholic beverage retail industry.
- Not more than four commissioners may be of the same political party.

Each commissioner at the time of appointment must be a resident of this state and must have resided in this state for at least five years next preceding appointment and qualification. Each

¹ See [Or. Const. art. III sect. 4](#), [ORS 171.562 \(2019\)](#), [ORS 171.565 \(2019\)](#).

² See [ORS 244.050 \(2019\)](#).

³ See [ORS 182.100 \(2019\)](#) for affirmative action policy and [ORS 236.115 \(2019\)](#) for diversity criteria.

⁴ [ORS 471.705 \(2019\)](#).

commissioner must be an elector in this state and may not be less than 30 years of age. Other than the commissioner appointed from the food and alcoholic beverage industry, no commissioner may be appointed who has financial interest, or whose household or immediate family has financial interest, in the manufacture of alcoholic beverages in this state.⁵ The term of office of a commissioner terminates if the commissioner ceases to possess the residency or industry qualification for appointment. The Governor may remove any commissioner for inefficiency, neglect of duty, or misconduct in office, after providing charges made and an opportunity for hearing.

Commissioners serve four-year terms from the time of appointment and qualification and until a successor qualifies for appointment. The terms of the commissioners commence April 1. Each commissioner is eligible for reappointment, but an individual is not eligible to serve for more than two full terms.

The Governor designates one commissioner to be chairperson of the commission. The member from the food and alcoholic beverage retail industry may not serve as chairperson. The chairperson presides at all meetings.⁶ The commission meets at such times and places within this state as it determines. A majority of the commissioners constitutes a quorum for the transaction of any business, for the performance of any duty, or for the exercise of any power of the commission.

Duties and Authority

The commission is the agency responsible for regulating the sale and service of alcoholic beverages in Oregon by administering the state's Liquor Control Act and regulating the production, processing, and sale of recreational marijuana in Oregon through the Control, Regulation and Taxation of Marijuana and Industrial Hemp Act.⁷ The agency also regulates the production, processing, and sale of medical products sold to Oregon Medical Marijuana Program (OMMP) cardholders in OLCC licensed marijuana retail shops.

The commission must:⁸

- appoint an administrator who: serves at the discretion of the commission; is subject to policy direction of the commissioners; is the secretary of the commission; is the custodian of commission records; manages the commission; administer the laws; and appoints, assigns, and coordinates the personnel of the commission;
- administer the Liquor Control Act, including regulation of the manufacture, distribution, sale, purchase, and service of alcoholic beverages in this state;
- administer the Control, Regulation and Taxation of Marijuana and Industrial Hemp Act and portions of the Oregon Medical Marijuana Act, including regulation of the

⁵ [ORS 471.710 \(2019\)](#).

⁶ [ORS 471.715 \(2019\)](#).

⁷ Oregon Liquor Control Commission, *About Us*, https://www.oregon.gov/olcc/Pages/About_Us.aspx (last visited July 20, 2020).

⁸ ORS chapters [471](#), [473](#), [474](#), [475B](#) (2019).

production, processing, transportation, delivery, sale, and purchase of marijuana in this state;

- collect specified taxes and fees and maintain specified funds;
- adopt rules for the administration of the commission's statutory provisions;
- report specified information to the Legislative Assembly each biennium;
- consult and coordinate with specified state agencies and units of local government; and
- establish and consult with specified advisory committees.

The commission may:⁹

- issue, renew, suspend, revoke, or deny licenses and permits administered by the commission;
- issue subpoenas, compel the attendance of witnesses, administer oaths, certify to official acts, take depositions within or without this state, as provided by law, and compel the production of pertinent books, payrolls, accounts, papers, records, documents, and testimony;
- exercise all powers incidental, convenient, or necessary to enable the commission to administer or carry out its statutory duties;
- purchase, possess, seize, transfer to a licensee or dispose of regulated product as necessary to ensure compliance with the laws administered by the commission;
- for the purpose of requesting a state or nationwide criminal records check, require the fingerprints of specified individuals;
- investigate any potential violation of laws administered by the commission and act upon proof of violation, including the imposition of civil penalties; and
- inspect premises of specified licensees.

⁹ ORS chapters [471](#), [473](#), [474](#), [475B](#) (2019).

Executive Appointments Board Roster

Liquor & Cannabis Commission, Oregon

Agency: Oregon Liquor Control Commission

Authorization: ORS 471.705; SB 1057

Members: Min: 7 Max: 7

Term Length: 4 years Limit: 2

Senate confirmation required? Yes

Policy Area: Public Safety

Board Contact:

Steve Marks

9079 SE McLoughlin Blvd

Portland, OR 97222-7355

503-872-5062

Fax: 503-872-5266

steven.marks@oregon.gov

laura.paul@oregon.gov

Current Appointments:

Member Name and Address (Alphabetical)

Jennifer E Currin

CD2

Position Number: 7

Term(s): 04-01-2021 - 03-31-2025

09-25-2017 - 03-31-2021

Dennis D Doherty

East of the Cascades

Position Number: 2

Term(s): 11-19-2021 - 03-31-2024

Kiauna K Floyd

CD3

Position Number: 3

Term(s): 04-01-2021 - 03-31-2025

03-01-2019 - 03-31-2021

Fay Gyapong

CD 5

Position Number: 5

Term(s): 11-19-2021 - 03-31-2025

11-19-2021 - 03-31-2025

Fay Gyapong

CD 5

Position Number: 5

Term(s): 11-19-2021 - 03-31-2025

11-19-2021 - 03-31-2025

Michael E Harper

CD 5

Position Number: 5

Term(s): 04-01-2015 - 03-31-2019

06-09-2011 - 03-31-2015

Matt Maletis

West of the Cascades

Position Number: 1

Term(s): 04-01-2021 - 03-31-2025

11-17-2017 - 03-31-2021

Executive Appointments Board Roster

Liquor & Cannabis Commission, Oregon

Member Name and Address (Alphabetical)

Policy Area: Public Safety

Marvin D Re'voal CD 4 Term(s): 04-01-2017 - 03-31-2021 11-22-2013 - 03-31-2017	Position Number: 4
Paul A Rosenbaum CD1 Term(s): 04-01-2021 - 03-31-2025 09-25-2017 - 03-31-2021	Position Number: 6