

I oppose SB 587; due to the inconsistency of “inspection” norms of using Oregon Health Authority [OHA] in the enforcement of premises inspection of licensees’ and issuing fines, confiscating product and equipment. This is inconsistent with federal inspection where ATF use of U.S. Marshall as part of the inspection process.

Legislative Assembly continues to expand the quantity of two (2) or more agencies and is wasteful of State Revenue for enforcement as proposed by this legislative Bill. SB 587 indicates that Department of Revenue will review applications and issue licenses’. In turn, the legislative assembly assigns the OHA to inspect licensed retailers of tobacco products for the Department of Revenue [DOR]. In turn, OHA hires state police [active first, then retired] to act as policing security to the OHA inspectors. Whereas, active state police will cost more overall than retired state police.

The Legislative Assembly assigns each separate OHA branch to set fees for licenses according to local ordinances and rules, expenses of inspection and enforcement according to each OHA locality, board of director’s passes policy and fee management of tobacco (nicotine) retailer’s license. SB 587 text indicates that fees will be determined by costs incurred and reasonably calculated, by the standard of DOR. I hope not one Oregonian will buy into this runaway train system for setting license fees. Just like any other mandated licensing law for business in this state there is a floor and/or ceiling or at least a progressive set of license fees to yearly business income.

SECTION 5 (4) “The department (DOR) may share application with DOJ, OHA, or local public health authority” which I oppose. DOR should only release application under DOR/OHA appeal and/or civil action.

SECTION 5 (5) Owner information of a privately held company should not be published, that includes name of each person license been issued, premise address, and any other information the department (DOR) determines relevant to public. This is a Consumer and Business Services sector for business owners: DBA, INC, LLC...

The grand idea of SB 587 (violations) civil penalty of sections 1-14 will be deposited back to the Oregon General Fund instead back to OHA to offset tobacco licensing inspection and police security of these inspections. This is without thought by the Legislative Assembly, should offset the above and the cost of OHA nicotine quit tobacco hotline and/or cessation products and youth-young adult education to deter nicotine addiction.

The grand idea is that DOR being the maker, distributor and collector of revenue of the nicotine (tobacco) stamps issued to the wholesale distributors of nicotine products and the collector of proposed license (SB 587) fees- *of unknown dollars*’. DOR should not put upon OHA to enforce, fine and confiscate at retail tobacco licensees’ place of business. This is comparable to and just as uncommon as OLCC requiring OHA to inspect establishments holding a liquor license. FYI, OLCC license fees are by business category and sales of the liquor dispensing establishment.

Do Not Repeal ORS 431A.180, new violation fines overreaching and will narrow the field of retail establishments of the mixture of both small and large establishments to only include those of large grocery store chain corporations.

Moreover, SB 587 has no Revenue Impact Statement, Fiscal Impact Statement, Budget Report or Staff Measure Summary. Is there really a cause to increase the inspection, fine, confiscating model and move far and above ORS 431A.180? Is there overwhelming State violations on illegal sales/no tax stamp activity happening at retail tobacco [nicotine] establishments? If not, what is the legislative purpose of this Bill? Is the reasoning the production and collection of Oregon Revenue for the General Fund, DOR, and OHA and the strong possibility of expansion of Oregon State employee workforce for administration of SB 587?