

MEMORANDUM

April 6, 2012

TO: Lawbook Holders

FROM: Jennifer Huntsman, Rules Coordinator

RE: Commission action on rules – April 2012 meeting

At the April 5, 2012 meeting, the Commissioners took the following actions on rules:

PETITION FOR RULEMAKING/POSSIBLE INITIAL ACTION

- **OAR 845-005-0329 Wine Retail Transfers**

We received a petition from the Oregon Beer & Wine Distributors Association (OBWDA). The petitioner requested to adopt a new rule which would allow a retail licensee with multiple locations to transfer up to ten cases of wine every twelve months from one of its licensed retail locations to another of its licensed retail locations.

Action: The Commission denied the petition.

INITIAL ACTION AND FINAL ACTION (TEMPORARY RULEMAKING)

- **OAR 845-005-0413 Special Events Distillery License**

This rule describes the Special Events license that is available to current Distillery licensees and also describes the application process. The 2012 legislature has passed House Bill (HB) 4092, signed by the governor on March 5, 2012, which amends ORS 471.230 to provide the additional privileges of selling their distilled spirits by the drink and by the bottle at these special events. We need to amend this rule, including on a temporary basis, to comply with the new statutory language now in effect.

Action: The Commission amended OAR 845-005-0413 on a temporary basis effective April 5, 2012 – October 1, 2012. The Commission also initiated action to amend OAR 845-005-0413 on a permanent basis. An advisory committee is scheduled for May 1, 2012. A rulemaking hearing is scheduled for July 24, 2012.

FINAL ACTION

- **OAR 845-006-0335 Age Verification; Minors on Licensed Premises**

The amendments provide additional clarity as to where minor employees & service permittees, as well as minor entertainers, are allowed on licensed premises. Staff also recommended some housekeeping amendments regarding what violations should be charged under this rule versus statute.

Action: The Commission amended OAR 845-006-0335, effective May 1, 2012.

- **OAR 845 – Division 6 – Same-Day Delivery Package**

We received a petition from Nathaniel Paschal (Restaurant Retrievers LLC). The amendments allow, with limits on amount and delivery hours, the delivery of malt beverages and wine with evening meal orders from restaurants with an Off-Premises license.

Action: The Commission amended OAR 845-006-0392 & OAR 845-006-0396, effective May 1, 2012.

I've attached copies of documents related to this rulemaking. If you have questions about these or other rules matters, please call me at 503-872-5004.

Att.