



OREGON LIQUOR CONTROL COMMISSION
The Commission proposes to amend the following
Oregon Administrative Rule:

OAR 845-015-0143
Sale of Related Items

PUBLIC HEARING:

Commission staff will hold a public hearing on this proposed action:

Date: August 22, 2008
Time: 10:00 am - Noon
Location: Oregon Liquor Control Commission
9079 SE McLoughlin Boulevard
Portland, OR 97222

Phone: (503) 872-5004 (toll free within Oregon 1-800-452-6522)
Fax: (503) 872-5110

Presiding Officer: Jennifer Huntsman

(Auxiliary aids for persons with disabilities are available upon advance request)

CAPTION: Amend to allow Oregon university/college logo giftware and apparel sales in exclusive liquor stores

This rule describes the items other than distilled spirits that may be sold in exclusive retail liquor stores. Based on a recommendation from the Agent Compensation Task Force, subsequent agent survey, and work group discussions, staff proposes amendment of this rule to add one additional item to the approved list of items that can be sold in an exclusive retail liquor store: Oregon university/college logo giftware and apparel.

You can obtain a copy of the proposed amendments by calling Laura Paul at 503-872-5105, or the toll-free number listed above. If you wish to give your views, arguments, or information on this matter, you may do so at the public hearing, or you can submit comments by September 5, 2008. You can also email your comments to: jennifer.huntsman@state.or.us.

Documents faxed, mailed or emailed must be received by 5:00 pm on September 5, 2008.

ORS 183.335(2)(G) requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business. That comment must also be received by 5:00 pm on September 5, 2008.

The Commission reserves the right to request and receive additional comments at any time on or before the date the Commission takes final action on the proposed rule.

Statutory Authority: ORS Chapter 471, including 471.030, 471.730(1)&(5)

Other Authority: None

Statutes Implemented: ORS 471.750(1)

Need for the Rule(s):

Based on a recommendation from the Agent Compensation Task Force, subsequent agent survey, and work group discussions, staff proposes amendment of this rule to add one additional item to the approved list of items that can be sold in an exclusive retail liquor store: Oregon university/college logo giftware and apparel.

Documents Relied Upon, and where they are available: Minutes of Advisory Committee meeting of July 9, 2008 available from the Commission's rules coordinator, Jennifer Huntsman, at 9079 SE McLoughlin Boulevard Portland, OR 97222.

Fiscal and Economic Impact, including Statement of Cost of Compliance: This statement takes into account the fiscal impact on (a) retail licensees; (b) retail liquor agents; (c) local government; (d) state agencies; and (e) the public.

(a) Retail Licensees. Because this is such a narrow product category, the Commission does not anticipate any significant negative fiscal impact on retail licensees from the proposed rule amendments.

(b) Retail Liquor Agents. While there is a slight potential for some retail liquor stores to see a positive fiscal impact from increased sales due to the proposed rule amendments, it is seen as more of a community tie-in effort for the handful of retail liquor stores that would take advantage of the change, rather than really a financial issue.

(c) Local government. The Commission does not anticipate any fiscal impact on local government from the proposed rule amendments.

(d) State agencies. The Commission does not anticipate any fiscal impact on state agencies from the proposed rule amendments.

(e) The public. The Commission does not anticipate any significant fiscal impact on the public from the proposed rule amendments. However, some stakeholders representing moderation groups and public safety expressed concern over creating any additional connection between colleges and alcohol because of the already existing problems with underage drinking and binge drinking on college campuses. This type of over-consumption leads to increased costs to society, including costs to families, and increased needs for already under funded law enforcement and treatment resources.

Cost of Compliance: There should be no costs for anyone to comply with these amendments. There are no reporting or recordkeeping requirements required for compliance. There is no requirement for equipment, supplies, labor, or administration.

Because there is not adequate information available to accurately project the fiscal impact, the Commission is unable to calculate the potential fiscal impacts.

How were small businesses involved in the development of this rule? The Commission assumes the majority of its licensees are small businesses. We invited licensees, retail sales

agents, industry representatives, and public safety representatives, including moderation groups, to the Advisory Committee meeting where this matter was discussed.

Administrative Rule Advisory Committee consulted? Yes. An Advisory Committee met on July 9, 2008. Members included industry representatives, licensees, retail sales agents, and members representing moderation and public safety concerns. The Committee assisted in writing this Fiscal Impact Statement.

(This notice mailed July 30, 2008)