

Listing of Legislative Records in the  
Oregon State Archives pertaining to:

SENATE BILL 813, 1985  
(At the request of Edinburgh  
Lodge Bed and Breakfast; RE  
alcoholic liquor...)

See 1985 HB 2284 - RE: Malt  
Beverages

SENATE BUSINESS, HOUSING & FINANCE COMMITTEE MINUTES:

May 14: p. 3

(Also on Cassette 92, Side A, 060 - 308)

HOUSE CONSUMER & BUSINESS AFFAIRS COMMITTEE MINUTES:

NOTE: May 30 hearing listed in Journal but measure not mentioned in minutes.

Jun 4: p. 2

(Also on Cassette 204, 037 - 191)

Exhibit file contains:

1. EXH B of 6/4: Proposed amendments submitted by Rep. Anderson. 2 pages.

JOINT CONFERENCE COMMITTEE ON SB 813 MINUTES:

Jun 17: p. 1 & 2

(Also on Cassette 1, Side A, 003 - 090)

Compiled by James Clark,  
Reference Archivist

11 August 1987

VOTE: In a roll call vote the motion carries with all members present voting AYE; Sen. Otto excused.

TAPE 92, SIDE A

SB 813-Relating to alcoholic liquor

060 SEN. LENN HANNON discusses Bed and Breakfast licensing and the considerations involoving the OLCC.

080 REP. NANCY PETERSON asks to be placed on the bill as a sponsor. She also clarifies some of the particulars of a Bed and Breakfast, such as the limitations of who is served in a Bed and Breakfast and when it would be most appropriate to stay at a Bed and Breakfast.

135 JOHN GERVAIS, Unique Northwest Country Inns, adds further explanation of the Bed and Breakfast.

144 SEN. OTTO asks if the Bed and Breakfast must comply with the local Hotel/Motel taxes. MR. GERVAIS responds that they already are subject to these.

175 DEAN SMITH, Administrator OLCC, states that anyone can give away wine, but if you pay an administration price or an entry fee where wine is given away there must be a liquor license. Also the Bed and Breakfast must serve food in order to have liquor.

258 CHAIR COHEN asks why they don't get a liquor license. MR. SMITH the cost of a liquor license is more expensive than the amount of wine that they give away.

SEN. FRYE leaves.

288 MOTION: SEN. DAY moves SB 813 to the floor with a do pass recommendation, with the addition of Rep. Peterson added to the sponsorship.

VOTE: In a roll call vote the motion carries with all members present voting AYE; Sen. Frye excused.

SB 356-Relating to public employes' retirement

308 SEN. DAY presents amendments, EXHIBIT C, to be included in Thursdays meeting. CHAIR COHEN moves SB 356 to the Thursday May 16, 1985 hearing.

SB 709-Relating to public employes' retirement

MOTION: SEN. DAY moves to table SB 709

VOTE: In a roll call vote the motion carries with all members present voting AYE; Sen. Frye excused.

**PUBLIC HEARING & WORK SESSION: SB 884 - relating to credit unions; creating new provisions; and amending ORS 723.002, 723.152, 723.296 and others.**

010 TOM AUGUSTINE, President, Oregon Credit Unions, submitted written testimony in support of SB 884 9 (Exhibit A).

026 **MOTION:** REP. SIDES moved to send SB 884 to the floor with a 'do pass' recommendation. There were no objections to the motion. Rep. Lindquist and Rijken excused. Rep Sides to carry the bill.

**PUBLIC HEARING AND WORK SESSION: SB 813A - relating to alcoholic liquor; creating new provisions; and amending ORS 471.290.**

037 SEN. LEN HANNON, District 26, informed the committee that a group of legislators introduced SB 813 at the request of the Edinburg Lodge in Ashland. He explained that the bill establishes a Bed and Breakfast, Wine and Beer license at an annual fee of \$5 per guest unit.

050 JOHN GERVAIS, Unique NW Country Inns, testified in support of SB 813. He said that under present law a Bed & Breakfast cannot offer beer or wine unless they get a full blown tavern license.

062 DEAN SMITH, OLCC, announced that he had no opposition to the bill.

065 REP. ANDERSON submitted proposed amendments to SB 813A which would include the micor brewies (Exhibit B).

076 **MOTION:** REP. ANDERSON moved to amend SB 813 to include the amendments dated 6/4/85. He also noted a small change in the amendments and asked that an emergency clause be attached to the bill. Discussion on the emergency clause followed. There were no objections to the motion.

175 **MOTION:** REP. ANDERSON moved SB 813A, as amended, to the floor with a 'do pass' recommendation. The motion passed unanimously. Rep. Rijken excused. Rep. Anderson will carry the bill on the floor.

**PUBLIC HEARING AND WORK SESSION: SB 804 - relating to regulation of real estate licenses; creating new provisions; amending ORS 293.701; appropriating money; and declaring an emergency.**

191 BRAD MORRIS, Oregon Association of Realtors, submitted written testimony in support of SB 804 and a section by section analysis of the bill (Exhibits C & D)).

PROPOSED AMENDMENTS TO SENATE BILL 813

On page 2 of the printed bill, line 2, after the first  
"license" insert "<sup>HOUSE 909</sup>", a brewery-public license".

On page 3, after line 8, insert:  
"Brewery-Public House, ..... 250 \$1,000  
including certificate of approval."

After line 9, insert:

"SECTION 3. Section 4 of this Act is added to and made a part  
of ORS chapter 471.

"SECTION 4. (1) A brewery-public house license shall allow the  
licensee:

"(a) To manufacture annually on the license premises, store,  
transport, sell to wholesale malt beverage and wine licensees of  
the commission and export no more than 10,000 barrels of malt  
beverages containing not more than eight percent of alcohol by  
weight;

"(b) To sell malt beverages manufactured on or off the licensed  
premises at retail for consumption on the premises;

"(c) To sell malt beverages in brewery-sealed packages at  
retail directly to the consumer for consumption off the premises;

"(d) To sell on the licensed premises at retail malt beverages  
manufactured on the licensed premises in unpasteurized form  
directly to the consumer for consumption off the premises, delivery

of which may be made in a container supplied by the consumer; and

"(e) To conduct the activities described in paragraphs (b) to  
(d) of this subsection at one location other than the premises  
where the manufacturing occurs.

1       "(2) A brewery-public house licensee, or any person having an  
2 interest in the licensee, is not eligible for a brewery license  
3 authorized by ORS 471.220 or a wholesale malt beverage and wine  
4 license authorized by ORS 471.235.

5       "(3) A brewery-public house licensee, or any person having an  
6 interest in the license, may also hold a winery license authorized  
7 by ORS 471.223.

8       "(4) A brewery-public house licensee is eligible for a retail  
9 malt beverage license and for special one-day retail beer licenses.  
10 All sales and delivery of malt beverage to the retail malt beverage  
11 licensed premise must be made only through a wholesale malt  
12 beverage and wine licensee.

13       "(5) For purposes of ORS chapter 473, a brewery-public house  
14 licensee shall be considered to be a manufacturer."

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## CONFERENCE COMMITTEE

ON

SB 813

June 17, 1985

Hearing Room S 226

Tape 1

State Capitol

## MEMBERS PRESENT:

SENATOR COHEN

SENATOR L. B. DAY

REPRESENTATIVE TOM MASON

REPRESENTATIVE VERNER ANDERSON

## STAFF PRESENT:

BRAD HIGBEE, Administrator

CAROL PARSONS, Assistant

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TAPE 1 - Side A

SB 813

003 SENATOR COHEN called the meeting to order at 4:50 p.m. She asked the House members tell what they have done to change the bill since it left the Senate.

008 REPRESENTATIVE ANDERSON referred to HB 2284, which was the first one sent over. He explained the amendments and noted that the unpasteurized is only in lines 28 and 29, to sell on the licensed premises at retail malt beverages, manufactured on the premises only. He also pointed out that the bill does not allow this type of license to apply for any other type of brewery license.

043 SENATOR DAY asked about page 3, line 21, which allows them to export and wondered why this was being done. REPRESENTATIVE ANDERSON understood it meant export to the wholesaler, who takes the 32-gallon barrels to other taverns, who have micro-breweries on tap. SENATOR DAY said he understood, when the bill was first heard, that it was to accommodate a small tavern so they could retail on their own premises the beer they made.

065 SENATOR COHEN pointed out that they couldn't sell that much themselves, so they have to sell wholesale to others.

070 REPRESENTATIVE MASON detailed the microbreweries that came to their committee and that they wanted to do essentially what a winery can do. SENATOR DAY understood the need and, if the establishment wants to be in both, they have to be licensed.

083 MOTION: SENATOR DAY moved that the Senate concur in the House amendments to SB 813 and repass the bill.

VOTE: The motion carried with all members  
of the Conference Committee voting aye.

090 The Conference Committee on SB 813 adjourned at 4:55 p.m.

Respectfully submitted,

Carol Parsons, Assistant  
Typed by: Joann Ertsgaard