



MEASURE: HB 2008
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SUBMITTED BY: Kathryn Fingly

March 20, 2013

Chair Margaret Doherty
Members of the House Business and Labor Committee
Oregon State Capitol
Salem, OR 97301

Re: Support for HB 2008

Ladies and Gentlemen:

Please accept this written supplement to our oral testimony in support of HB 2008.

As longtime elected local government officials, we have experienced chronic frustration with the licensing and enforcement efforts of the Oregon Liquor Control Commission. The minority of licensees whose patrons create the majority of the law enforcement headaches only occasionally experience loss of a license and in many cases operate for extended periods with only token enforcement efforts. Further, in many cases the problem licensees are either moving into premises with a prior history as trouble spots or have a negative history operating in other communities. The OLCC may need more tools in its box to refuse licenses to problem establishments and enforce its standards. Or, local governments need the authority to take measures where the OLCC will not. In either case, HB2008, while not a final answer, provides some of these tools.

We are particularly in support of the following provisions of HB2008:

- It provides an option for local police agencies and city councils to address extreme situations. We are currently involved with an establishment that is routinely overcrowded, has an inadequate security staff, and has had repeated parking lot brawls and near-riots on multiple weekends. Communities should be able to act if the OLCC does not.
- It clarifies the definition of problem behaviors. We hope that doing so will allow more aggressive OLCC enforcement against licensees who allow these to occur. We also

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believe that this will more clearly communicate to current and prospective licensees what is expected of them.

- It acknowledges that prospective licensees, who have a track record of this type of behavior at other locations, or those going into locations with a prior history of trouble, deserve either a higher level of scrutiny or denial. The licensee of the problem establishment which we discuss in our oral testimony has an extensive record of problems at another location. Further, its location has had issues under several different operators. Nevertheless, it was allowed to open, although both the Woodburn City Council and the OLCC's own investigator recommended denial.
- It provides for a law enforcement professional as a member of the Commission. This is simply common sense and good practice.

We thank the Committee for its consideration.

Sincerely,

Kathryn Figley
Mayor, City of Woodburn

Peter McCallum
Council President, City of Woodburn

Cc:
Senate President Peter Courtney
Rep. Betty Komp