



## **Oregon Liquor Control Commission Government – to – Government Annual Report 2015**

Throughout 2015, the Oregon Liquor Control Commission (OLCC) continued to work with its tribal partners to promote the public interest. Agency staff continued to provide information and technical support to the tribes regarding liquor regulatory issues at licensed tribal businesses. The focus of that work has ensured that changes to licensed businesses and compliance activities performed by OLCC and tribes support the public interest and safety.

OLCC's Public Safety Program continues to connect with tribes and tribal entities through its programs. Although most of these interactions occur through licensed alcohol activity at tribal casinos, some tribes possess liquor licenses at other tribal enterprises including hotels, golf courses, travel centers and RV facilities.

### **Public Safety Program**

This agency division operates 12 offices in five regions throughout Oregon and is responsible for supporting liquor law compliance and performing enforcement duties when needed. OLCC's focus is on graduated enforcement that begins with licensee education, but may include Notices of Warnings and Notices of Violations. When these efforts are performed on tribal properties and with tribal businesses, OLCC coordinates these activities with tribal law enforcement, gaming commissions, and casino and business management. Training is also available to tribal law enforcement and tribal license holders.

When a tribal business applies for a liquor license, license investigators review the applications and work with applicants to identify and determine the appropriate rules and laws that govern the operation of proposed businesses. In processing liquor license applications, the OLCC will make a determination to approve, deny, restrict or make recommendation to agency Commissioners regarding the granting of a license. When applications are approved, the Licensing Division will collect the appropriate license fee and issue the license. If an application is denied or restricted, applicants are given the opportunity to contest the decision through the administrative hearing process.

License investigators work closely with tribal businesses when changes are made either to the management or operation of licensed businesses to ensure that these changes are consistent with liquor laws governing the sale and service of alcoholic beverages.

### **False Identification Training Course**

The Public Safety Program offers instruction to help licensees and their employees recognize false or altered identification. The course provides training that highlights steps that a licensee's employees can take to recognize false or altered identification, and what to do when a licensee's staff suspects that a patron may be using false identification. This includes how to safely confiscate identification and what facts law enforcement agencies need to follow up on the use of that identification.

### **Minor Sales Checks**

The minor decoy program is designed to reduce underage drinking, and encourages businesses to develop best practices to check identification. The OLCC's Public Safety Program uses volunteers who are between the ages of 17- 20 and who look their age to test businesses on their identification checking practices. All businesses that sell or serve alcohol are subject to a decoy visit. Typically, businesses are selected at random. This ensures, to the greatest extent possible, that each licensed business has an equal chance of being selected. Businesses may be targeted if there are documented issues with compliance with alcoholic beverage sale and service laws and rules. These issues include the failure to check, or properly check identification; allowing minors in prohibited areas; allowing minors to consume alcohol; and the sale of alcohol to minors.

When first licensed, businesses receive notice that they may be subject to minor decoy operations, and receive subsequent notices annually. Notifications include information about how to best prevent alcohol sales to minors and notifying licensees about the free ID checking course offered at all OLCC offices. OLCC also commends alcohol servers and sellers who use extra efforts to refuse to sell alcohol to minors.

The Public Safety Program cooperates with tribal governments and law enforcement in performing compliance checks on tribal land.

### **Public Safety Program Regional Office Activity**

#### **Eugene Regional Office**

The Eugene Regional Office worked with the Confederated Tribes of Siletz Indians concerning reported issues of intoxication at Chinook Winds Casino in September 2015. Eugene enforcement staff provided training to Chinook Winds staff on detecting signs of visible intoxication.

The Eugene Regional office worked with the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians to approve a remodel of the restaurant area of Three Rivers Casino in Florence in March 2015.

In April 2015, the Eugene Regional office approved a remodel of the bar area and an alcohol-free activity area at Seven Feathers Hotel and Casino Resort. In May 2015, OLCC staff worked with the General Manager at Seven Feathers Hotel and Casino Resort to clarify the requirements for physical barriers to gaming equipment to prevent access by minors.

In November 2015, Eugene Regional Office staff commended staff at Seven Feathers Hotel and Casino Resort for appropriate actions in restricting minors from prohibited areas.

### **Bend Regional Office**

The Bend Regional Office worked with the Confederated Tribes of the Warm Springs Indian Reservation to expand its license to include alcohol service outside in the village pool snack bar area at Kah Nee Ta Resort and Spa. The Bend Regional Office also worked with the Confederated Tribes of the Warm Springs Indian Reservation at the Cottonwood Restaurant at Indian Head Casino to license special events held at the location. The Pendleton office in the Bend region is working with the Confederated Tribes of the Umatilla Indian Reservation on the tribe's proposal to allow alcohol service on the casino floor at Wildhorse Resort & Casino.

### **Medford Regional Office**

In April 2015, the OLCC issued a liquor license to the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians for the Three Rivers Casino in Coos Bay. The license allows for on-premises consumption of malt beverages, wine, cider, and distilled spirits.

In May 2015, the Coos Bay office worked with the Coquille Tribe of Indians concerning reported issues of intoxication at The Mill Casino. In September and October 2015, the Coos Bay office provided several training sessions on alcohol beverage regulations to employees at The Mill Casino. OLCC staff have been forging a relationship with the Mill Casino's new Food and Beverage Director and provided approximately nine hours of training to at least 60 employees.

### **OLCC Administration Activity**

In addition to connecting with tribes on liquor regulatory issues, the OLCC participated in the following meetings:

May 2015: Representatives from Warm Springs Ventures requested a meeting to explore the tribe's interest in establishing a marijuana production facility on the Warm Springs Reservation.

July 2015: Representatives from the Confederated Tribes of the Warm Springs Reservation of Oregon, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of Siletz Indians, and the Cow Creek Band of Umpqua Tribe of Indians met with Oregon Liquor Control Commission staff at OLCC Headquarters. Commission staff provided tribal representatives with an overview of the Commission regulation and taxation of alcoholic beverages, and gave a status update on the implementation of Measure 91. Tribal representatives provided a brief summary of the functions of their tax working group, and conveyed their interest in good public policy and equitable solutions to regulatory and taxation concerns. OLCC and tribal representatives each expressed their commitment to maintain open lines of communication and provide education on their respective functions.

November 2015: OLCC staff participated in a meeting between representatives from Warm Springs Ventures, the Oregon Department of Justice and the Governor's office to further explore the tribes' interest in establishing a marijuana production facility on the Warm Springs Reservation.

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