

OREGON LIQUOR CONTROL COMMISSION

Rulemaking - The Petition Process

The process of developing or modifying regulations is called rulemaking. Although rulemaking is often initiated by OLCC staff, individuals or groups may also petition the agency to develop, change, or rescind one of its rules.

Rulemaking by state agencies (including petitions) is governed by the Administrative Procedures Act (ORS Chapter 183) and the Attorney General's administrative rules (OAR 137-001-0007 through OAR 137-001-0100).

1) Rulemaking petition filed with agency

To be accepted the petition must contain certain legally required sections (ORS 183.390 & OAR 137-001-0070). Some of these include the facts and arguments supporting the rule proposal, comments on the complexity of the rule, how technology and economic factors may have changed, and a draft of the proposed rule language.

2) OLCC accepts and initiates rulemaking, or denies petition

Within 90 days of the OLCC's receipt of the petition, the agency must either accept or deny it. This includes a public notice and comment period, with a report on the petition presented at an upcoming Commission meeting. If Commissioners vote to accept a rulemaking petition, then the normal rulemaking process begins (typically a six-month process). The Commission is not bound to the originally proposed language or to making any rule changes once the rulemaking process is complete.

3) Advisory Committee

A group of stakeholders representing industry, public safety, and others meet to discuss the initial rule draft(s), give suggestions, and assist with writing a Fiscal Impact Statement.

4) Final rule proposal

OLCC technical and executive staff take stakeholder input into account and decide on a "Final Staff Draft" of the proposed rule language.

5) Public notice and comment period

A notice of proposed rulemaking is filed with the Secretary of State (published in the Oregon Bulletin), a public notice is sent to the OLCC rulemaking notice list, a public hearing is held, and a written comment period is established.

6) Commissioners vote on final action

The rules coordinator gathers oral and written comments and presents a report to the Commissioners. They vote at a Commission meeting on whether or not to adopt the proposed rule amendments. If adopted, the changes are usually effective the first of the month following the meeting.



For more information contact:

Bryant Haley
Rules Coordinator

phone: 503-872-5136
toll free: 800-452-6522
email: bryant.haley@state.or.us



The mission of the OLCC is to promote the public interest through the responsible sale and service of alcoholic beverages.

9079 SE McLoughlin Blvd.
Portland, OR 97222
Phone: 503-872-5000
Fax: 503-872-5180
Toll free: 800-452-OLCC

www.oregon.gov/OLCC