

WHAT IS THE PURPOSE OF MINOR POSTING RULE?

1. Keep minors out of areas not suitable for minors.

This could be an entire premises or a room(s) or an area(s) within a premises. The rule keeps minors out of areas where one or more of the following apply:

- a. Events or entertainment not appropriate for minors;
- b. A drinking environment that is not minimized; or
- c. Drinking alcohol predominates

2. Allow minors in areas that are suitable for minors.

Minors are allowed only if, at all times and in all areas where minors are allowed:

- If there are events or entertainment, it is appropriate for minors;
- Drinking alcohol is never the predominant activity; and
- Either there is no drinking environment or the drinking environment is minimized. One example of minimizing the drinking environment is requiring that eating food predominate during all times that minors are allowed. If eating food will not predominate, the fewer of the factors that contribute to a drinking environment that are present, and the less those factors contribute to the overall environment of the premises, room, or area, the more likely it is that the OLCC will determine that the minors' exposure to the drinking environment is minimized.

HOW DOES THE RULE KEEP MINORS OUT OF AREAS NOT SUITABLE FOR MINORS AND ALLOW THEM IN AREAS THAT ARE SUITABLE FOR MINORS?

The rule does this with the 7 minor postings.

WHAT ARE THE 7 MINOR POSTINGS AND HOW DO THEY WORK?

1. The first is the #1 minor posting. It is assigned to an entire premises and prohibits minors from the entire premises. Examples include a typical tavern or one-room bar.
2. The second is the #2 minor posting. It is assigned to a part of a premises; and prohibits minors from that part of the premises. Other parts of the premises must have a posting that allows minors (otherwise, if all parts of the premises prohibited minors the assigned minor posting would be #1). An example is the lounge portion of a premises.

3. The third is the #3 minor posting. It is assigned to an entire premises or a part of a premises. There is never a drinking environment in the #3 posted area. Minors are always allowed. An example is a restaurant.
4. The fourth is the #3A. It is assigned to an entire premises or a part of a premises. Minors are allowed during times when eating predominates and there is not a drinking environment, but prohibited when more people are drinking alcohol than eating meals. Minors are prohibited after 9 pm. An example is a pizza parlor that focuses on food service and karaoke prior to 9 pm, but after 9 pm the environment focuses more on drinking.
5. The fifth is the #4. It is assigned to an entire premises or a part of a premises. The area has a drinking environment, but minors are allowed during the times when eating predominates. An example is the lounge part of a premises that would normally be posted #2; however, there is a focus on food service for a specific time period. Minors are allowed only during the time when eating predominates and only for the purpose of consuming food.
6. The sixth is the #5. It is assigned to an entire premises or a part of a premises. Minors are allowed only with a parent or spouse age 21 or over. It is meant for tasting rooms at a winery.
7. The seventh is the “unposted but controlled with a plan.” It is assigned to an entire premises or parts of a premises that do not fit within the #1 through #5 postings described above. Some examples include movie theaters, sports arenas, wine shops, fairgrounds, and multi-purpose facilities.

WHAT ARE THE PRIMARY REVISIONS THAT ARE NEEDED?

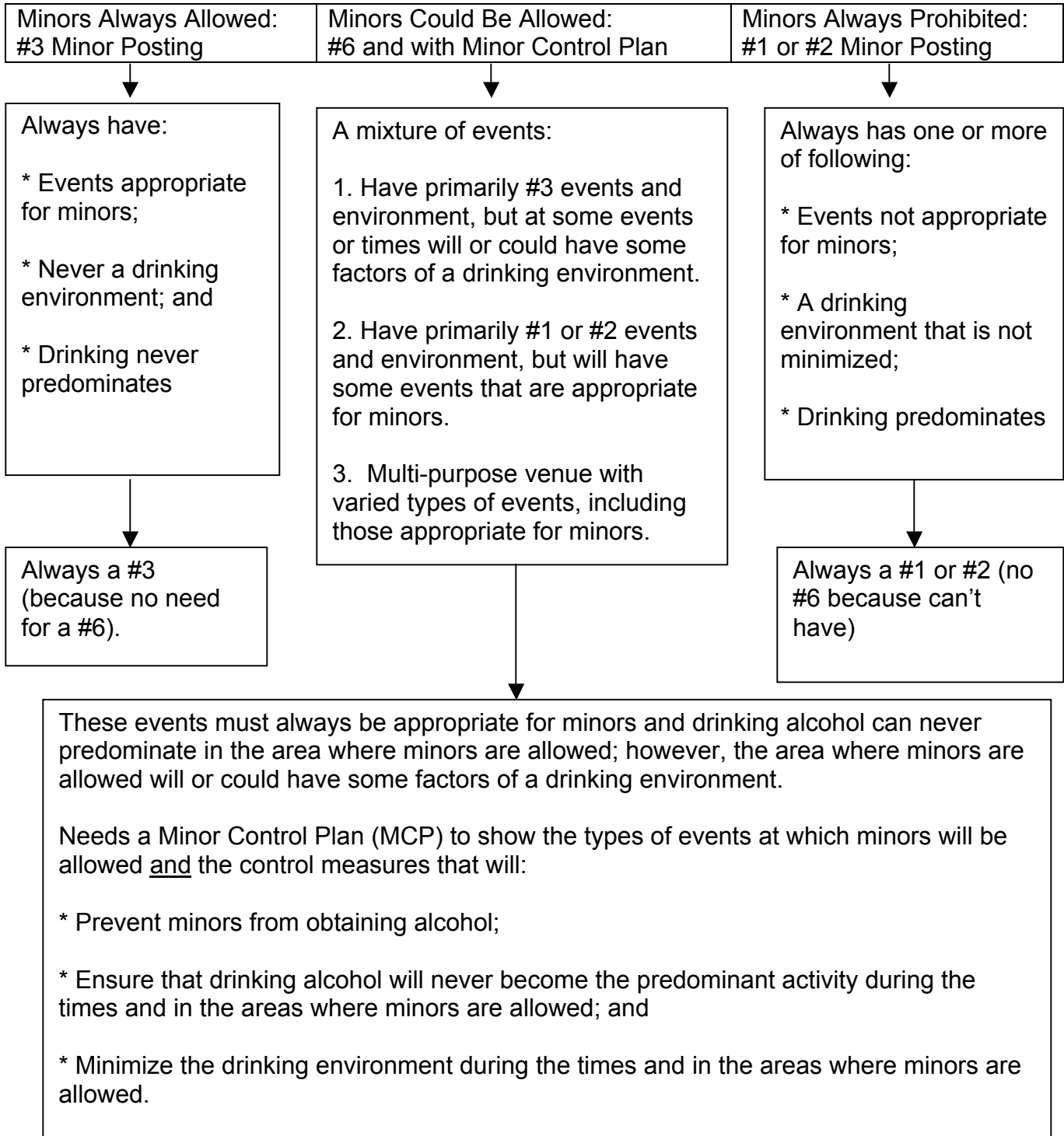
1. We continue to see more changing business models with operations that no longer fit into the standard #1 through #5 minor postings described above. These business models target a wide range of events and audiences in order to be economically successful. A #6 minor posting would give us one posting designed to be flexible enough to address these situations.
2. The current “unposted but controlled with a plan” minor posting has some distinct categories of premises, including concert halls and performing arts centers (from 2b of rule), dance halls (from 2c of rule), and a catch all category that includes, for example, movie theaters; sports arenas; wine shops; fairgrounds; and multi-purpose facilities (from 2j of rule).

These categories can have different control plan requirements. A #6 minor posting would eliminate the confusion for business that do not fit precisely into any one category (such as a concert hall that also allows dancing) and would apply uniform criteria to allow for more equitable treatment of all.
3. The current concept of “unposted” is not the same as an actual assigned posting. Having a specific #6 minor posting rather than an “unposted” designation would provide notice to the

public as to what the minor posting is for the area. It would also allow us to treat it as the other standard postings are treated now; including changing the posting if necessary.

4. Make minor control plans enforceable. To do this, we would like to make it a requirement to follow the minor control plan and provide for sanctions if a plan is not followed.

WHO CAN GET A #6 MINOR POSTING?



EXAMPLES OF OPERATIONS UNDER THE CURRENT RULE AND THE NEW RULE

Concert Halls/Performing Arts Centers (Schnitzer/Keller)—

Current rule: Premises is unposted. Alcohol has been limited to lobby or foyer before event and at intermission. Rule was recently amended to allow alcohol in seating areas also.

New rule: Eligible for #VI posting. Alcohol could be allowed in lobby and in seating areas in accordance with approved control plan. Control plan must show how licensee will ensure minors will not obtain alcohol and drinking will not predominate during events.

Dance Halls (McMenamin's Crystal Ballroom)

Current rule: Unposted. Minors allowed if drinking is minimal and drinking is only in areas prohibited to minors; requires visual separation and substantial barriers (separate room or monitored "moat") between minors and alcohol consumption areas.

New rule: Eligible for #VI posting. Minors can be allowed if licensee has approved control plan. Anticipate that control plans will be consistent with current conditions for allowing minors (including minors separated from alcohol areas, substantial barriers, etc.)

Multi-Use Facilities (conference, banquet, special event venues, Someday Lounge)

Current rule: Unposted. Minors allowed for some events if Executive Director approves control plan. For concerts, entertainment events—minors must be separated from alcohol areas. No drinking environment in area where minors allowed. Current requirements may include substantial barriers between minors and alcohol and other controls such as ID checking, security, drink containers, times minors allowed before and after performances.

New rule: May be eligible for #VI posting. Minors would be allowed at events only with adequate control plan approved by OLCC. Anticipate that control plans will be consistent with current conditions for allowing minors.

Movie Theaters (McMenamin's Bagdad Theater, Avalon)

Current rule: Unposted. Minors allowed if licensee has control plan approved by Executive Director. No nationally owned "multi-plex" theaters currently approved. Control plans limit minors to attending shows before 9:00, require over 21 parent/guardian with minor, require adequate lighting, monitoring.

New rule: Eligible for #VI posting. Minors allowed if licensee has commission approved control plan. Anticipate that control plans will be consistent with current conditions for allowing minors.

Bars, Lounges (Dixie Tavern)

Current rule: May have #I - #IV posting - minors are generally prohibited except when eating predominates, and then only if there are not other factors that would prohibit minors - such as video lottery, nude or adult entertainment.

New rule: Typical bar/lounge operation where drinking predominates during all hours would not be eligible for #VI minor posting. Minors still can be allowed during times when eating predominates. If licensee uses space for a variety of events and drinking is not predominant during some events, minors may be allowed for those events if licensee has approved control plan. (Note: minors never allowed in a premises, room or area if there are other factors that would prohibit minors - such as video lottery, nude or adult entertainment.)

Adult Entertainment venues (Stars Cabaret, Acropolis)

No change. Would not qualify for minor patronage under proposed rule.