

1221 SW 10th Avenue
Apartment 505
Portland, Oregon 97205

May 30, 2012

Governor Victor Atiyeh
7690 SW Fairmoor
Portland, OR 97225

Dear Governor Atiyeh,

I am a patron of the Horse Brass Pub in Portland. In my retirement years, after returning to my hometown of Portland, I have become an author. With the sad passing of Don Younger, publican of the Horse Brass Pub, and with the encouragement of its regulars, I have undertaken the writing of a book to tell the story of "The Brass."

I am in the information-gathering stage and have been interviewing key people, including the first British ex-patriot barmen (Brain Dutch and Arthur Hague), Mayor Bud Clark, Jack Joyce (founder, Rogue Ales), Mike and Brian McMEnamin, Kurt and Robert Widmer, and Jay Brandon, the original owner and decorator of The Brass, 1975-76. Of course, long-time regulars and employees will be a source of rich information.

The focus of the book, which I intend to simply call *The Brass*, is to tell its story (historical evolution, if you will), to delve into just what has made The Brass what it is today, and to pepper the story with tales that can and should be told.

Long-time regulars at The Brass have told me that Don Younger, the McMEnamin brothers, the Widmer brothers, Dick Ponzi and a few important others, met at the regulars' table and formed plans to work with the Oregon State legislature to change the Oregon law that governs craft breweries and the manufacture and distribution of craft beer. The change enabled the growth of the craft beer industry in Oregon to what it is today.

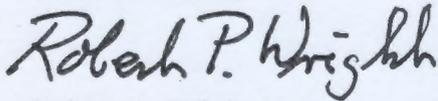
Through the Oregon State Archives I have located Oregon Law Chapter 649 based on Senate Bill 831 that you signed July 13, 1985; amending ORS 471.290. Attached are Sections 4 and 5 from that law. This law apparently provided the necessary freedom to give birth to the craft beer industry. I find Section 5 quite interesting. I am sure this is a standard legal phrase inserted whenever a law is intended to take effect upon passage. However, for "the public peace," I can just envision the beer-drinking public about to storm the State Capital with pitchforks and torches and a guillotine not far behind.

I am not writing about the craft beer industry; that would take volumes. However, Don Younger's contributions to the microbrew industry in Oregon and how The Brass contributed to and benefited from this industry should be told.

A feature story that appeared in the May 27, 1985 issue of *The Oregonian* is also attached. It reports the apparent death knell for brewpubs in Oregon. I am sure there were many interested forces at play between May 27 and July 13, 1985 that finally resulted in the law you signed into effect. I would very much like to write about how Oregon Law Chapter 649 came to be, especially the influence of Don Younger, and others.

At your convenience, I would like to interview you for the purpose of writing *The Brass*.

Sincerely,



Robert P. Wright
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Attachments (2)

1. Sections 4 and 5, Oregon Laws, Chapter 649
2. "Brewpub bill gets casual dismissal," *The Oregonian*, May 27, 1985

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

(a) To manufacture annually on the licensed 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.

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

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

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

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

SECTION 5. This Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Act takes effect on its passage.

Approved by the Governor July 13, 1985

Filed in the office of Secretary of State July 15, 1985

Brewpub bill gets casual dismissal

By RUSSELL SADLER

SALEM — Beer has become political. The beverage of Joe and Jane Six-Pack, the putative typical couple, has become the center of a legislative controversy that could stymie some exciting developments in brewing.

Oregon has a chance to reverse a 30-year trend toward centralization of the commercial beer brewing business. The big companies that brew Budweiser and Miller beers have driven many small competitors out of business. Most that remain fall all over themselves to imitate the weak-flavored brew that passes for commercial beer in this country.

Only a few commercial breweries have successfully bucked the trend. Blitz Weinhard defied conventional wisdom with Henry Weinhard's Private Reserve and produced a product with a following that has become something of a cult — a beer admired even in Europe, where people still know what real beer tastes like.

But the most exciting developments in the beer business today are coming from small local breweries recreating the European tradition of a locally brewed beer in every community.

The Pacific Northwest is on the cutting edge of this movement. Red Hook Ale from Seattle, Grant's Scottish-style Ale and Imperial Porter from Yakima, Smith and Reilly's Lager from Vancouver, Wash., Mountain Ale from Vancouver, B.C., and Bridgeport Ale and Widmer Altbier from Portland demonstrate the diversity of these microbreweries. House Bill 2284 would allow breweries to add a tavern to their facilities and sell their beer for consumption on the premises or for carrying out, promising still more diversity for Oregonians who like good beer.



SADLER

There was no opposition to the measure in the Oregon House, which obviously thought the bill was a good idea, passing it March 4 by a vote of 56-0 — a legislative slam dunk.

A hearing April 11 before the Senate Business, Housing and Finance Committee appeared to create little controversy. Richard Ponzi, one of Oregon's pioneer winemakers and brewer of Bridgeport Ale, explained the bill and, according to hearing records, answered extensive questions from committee members.

Suddenly, during a May 9 work session on the bill, Sen. Glenn Otto, D-Troutdale, moved to postpone the bill indefinitely. That is the ultimate legislative blocked shot. The bill cannot be considered again this session. Hearing tapes record Otto and Sen. L.B. Day, R-Salem, chortling over this coy move. With Sen. Bill Frye, D-Eugene, they voted 3-1 to kill HB2284. Chairwoman Joyce Cohen, D-Lake Oswego, dissented, suggesting a simple tabling was enough.

At least six investors are prepared to launch brewpubs as soon as HB2284 is passed. The idea is a major development in the tavern business, wracked by the recession and new, tougher drunken-driving laws. The people promoting brewpubs see them as a chance for the brewing industry to compete for a share of the restaurant trade by relying on food and the atmosphere of the brewery, with less reliance on the sale of alcohol than conventional taverns.

The arbitrary dismissal of a small but important bill reveals the political power a few strategically placed legislators can have over legislation.

"Apparently, Peter Coors made the statement to the Salem Chamber of Commerce that this bill was the vehicle he would use to get Coors into Oregon," Otto said, explaining his motion to postpone the bill indefinitely. Unions and feminists are fighting to keep unpasteurized, bottled Coors beer out of Oregon because the Coors family donates a lot of money to right-wing political causes. All draft beer is unpasteurized.

State Rep. Verner Anderson, R-Roseburg, a brewpub supporter, assured Otto at the April 11 hearing there was no connection between the Coors effort and the brewpub bill. Otto was not appeased. "I've been around this shop long enough to know the games that get played at adjournment," he said.

"I don't like Coors," Day said, "but that's not why I voted to kill the bill. I have a beer distributor in my district who is a close political ally and didn't like it. He thought the bill would hurt his business."

Beer distributors have a legal monopoly on selling beer to retailers. The brewpub bill permits brewers to sell small quantities of their brew directly to retailers. The distributors want to protect their turf.

"No one lobbied me in favor of this bill," Day said. "It's not my highest priority. I had a constituent that didn't like it. I don't want to mess with it anymore — we have more important bills in this committee."

The irascible Day still insists he had heard no one support the brewpub bill, but hearing tapes clearly show Day asked questions at the April 11 hearing and received extensive answers from Ponzi.

"I don't remember," Day said.

The brewpub bill deserves more serious consideration than the casual dismissal it received. Anderson is trying to salvage the cause by amending the contents of the crippled HB2284 into some other bill in the House and sending it directly to the Senate floor, bypassing Otto and Day.

But it is very late in the session and unless a number of legislators decide to make a priority item out of undoing the arbitrary action, this effort to give economic vitality to small breweries may be dead until the Legislature meets again in 1987 — sufficient cause for quaffers to cry in their beer.

Russell Sadler is a Salem-based syndicated reporter and commentator who contributes columns to *The Oregonian*.

JUN 07 2012
Governor Atiyeh

Consent to Release Information

I voluntarily agree to participate in the writing of a book about the Horse Brass Pub, currently located at 4534 Southeast Belmont Street, Portland, Oregon, by providing background information on the pub itself, the people who made it a success and who helped make it the unique establishment it is today.

I understand that this book is being written by Robert P. Wright of Portland, Oregon, an author and patron of the pub, to tell the story of the Horse Brass Pub for readers at large.

I understand that the methods of collecting information that involve me are note taking and voice recording during interviews. I grant permission for interviews to be recorded and transcribed, to be used only by Robert P. Wright and not be given to any other person.

VICTOR ATIYEH

Printed Name of Person to be Interviewed



Signature of Person to be Interviewed

6/7/12

Date of Signature

I give permission to use my name in the Acknowledgements section intended to thank those that helped in the writing the above referenced book by providing background information.



Signature of Person to be Interviewed

6/9/12

Date of Signature