



# Washington State Liquor Control Board

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## Washington State Liquor Control Board Meeting

Wednesday, January 15, 2014, 10:00 a.m.  
LCB Headquarters Building  
3000 Pacific Avenue SE, Olympia WA 98501

### Meeting Minutes

#### 1. CALL TO ORDER

Chair Sharon Foster called the regular meeting of the Washington State Liquor Control Board to order at 10:00 a.m. on Wednesday, January 15, 2014. Member Ruthann Kurose and Member Chris Marr were also present.

#### 2. APPROVAL OF MEETING MINUTES

MOTION: Member Kurose moved to approve the January 8, 2014, meeting minutes.

SECOND: Member Marr seconded.

ACTION: Motion passed unanimously.

#### 3. ACTION ITEMS (A-D)

##### **ACTION ITEM 3A - Board Approval to Open Rulemaking (CR101) for Multiple Licenses for an Entity at a Single Location**

Karen McCall, Agency Rules Coordinator, began the briefing with a packet of materials (HANDOUTS [3A] 1, 2). She provided a brief background noting that this rulemaking is to draft rules to allow multiple licenses under the same ownership at a single location. The Licensing Division received an application for a Beer and Wine (B/W) Restaurant from a winery who wanted to operate a restaurant at the address where the winery operates an additional location where six other wineries operate additional locations. A winery licensee may hold a winery license and retail licenses at their winery premises, but WAC 314-24-161 would need to be revised to allow a winery to have a retail license at their additional location.

Licensing has issued multiple licenses at a given premise including restaurants in grocery stores. Multiple licenses at a single location are possible potentially with regulatory controls depending on the types of licenses involved. It is recommended that rule making could be a resolution allowing this practice including such controls.

The public may comment on the subject of this rulemaking during the designated comment period. Notice will be sent to all who have indicated that they want to receive notice of rule changes. The notice will identify the public comment period and where comments can be sent. Based on public input received, staff will draft proposed changes for presentation to the Board at the next phase of the rule making process.

Timeline

January 15, 2014	Board is asked to approve filing the pre-proposal statement of inquiry (CR 101)
February 5, 2014	Code Reviser published notice - LCB sends notice to rules distribution list
February 15, 2014	End of written comment period
February 19, 2014	Board is asked to approve filing the proposed rules (CR 102)
March 5, 2014	Code Reviser published notice - LCB sends notice to rules distribution list
March 26, 2014	Public hearing held
March 26, 2014	End of written comment period
April 2, 2014	Board is asked to adopt rules
April 2, 2014	Agency sends notice to those who commented
April 2, 2014	Agency files adopted rules with the Code Reviser (CR 103)
March 3, 2014	Rules are effective (31 days after filing)

Ms. McCall requested approval from the Board to open rulemaking.

MOTION: Member Kurose moved to approve opening rulemaking (CR101) for Multiple Licenses for an Entity at a Single Location.

SECOND: Member Marr seconded.

ACTION: Motion passed unanimously.

**ACTION ITEM 3B - Board Adoption of (CR 103) of Theater Licenses Rules**

Karen McCall, Agency Rules Coordinator, began the briefing with a packet of materials (HANDOUTS [3B] 1, 2, 3, 4). She provided a brief background noting that this rulemaking is the result of legislation passed in the 2013:

- SHB 1001 - Beer/Wine Theater License
- ESB 5607 - Spirits/Beer/Wine Theater License

Proposed Changes

New Section: WAC 314-02-082 - What is a beer and wine theater license? Explains the requirements and conditions for a beer and wine theater license.

New Section: WAC 314-02-087 - What is a spirits, beer, and wine theater license? Explains the requirements and conditions for a spirits, beer, and wine theater license.

## Process

The Board was briefed on the rule making background and public comment for this rule making. If approved, the Rules Coordinator will send a concise explanatory statement of the rule making to stakeholders. After sending this explanation, the Rules Coordinator will file the rules with the Office of the Code Reviser. The effective date of the rules will be 31 days after filing.

Ms. McCall requested the Board adopt the rules.

Member Marr supported the adoption and requested that the Licensing Division and Enforcement provide a status report during a future Board meeting.

MOTION: Member Kurose moved to adopt (CR 103) of Theater Licenses Rules.

SECOND: Member Marr seconded.

ACTION: Motion passed unanimously.

## **ACTION ITEM 3C - Board Adoption of (CR 103) for B/W Sampling at Farmer's Market Rules**

Karen McCall, Agency Rules Coordinator, began the briefing with a packet of materials (HANDOUTS [3C] 1, 2, 3). She provided a brief background noting that this rulemaking is the result of legislation passed in the 2013:

- SB 5674 - Beer/Wine Sampling at Farmer's Markets

## Proposed Changes

New Section: WAC 314-20-018 - Farmer's market beer and wine sampling. Set up criteria and conditions for beer and wine sampling at farmer's markets.

New Section: WAC 314-24-175 - Farmer's market beer and wine sampling. Set up criteria and conditions for beer and wine sampling at farmer's markets.

## Process

The Board was briefed on the rule making background and public comment for this rule making was given during the public hearing held on January 8, 2014. Ms. McCall noted that Paul Beveridge, Family Wineries of Washington State, provided (2) comments during the January 8, 2014, Board meeting requesting revisions. She followed up with staff on both suggestions and the results are as follows:

- 1) Mr. Beveridge asked that the term "*at* the Farmer's market booths" remain in the statute language instead of "*in* the Farmer's market booths". He indicated that customers do not like being required to stand in a cramped 10x10 area while tasting.

Ms. McCall did send this revision to the Code Reviser.

- 2) Mr. Beveridge also asked if the requirement for breweries and wineries to report schedules every month could be changed to annually as their schedules are created a year in advance and it would be helpful to be able to send in the entire year instead of having to resubmit the schedule each month.

Ms. McCall asked LCB Enforcement staff if this could be allowed and they indicated that they need the schedules to be submitted monthly at this time. She said this can be addressed again in the future. The Board agreed with this approach.

If approved, the Rules Coordinator will send a concise explanatory statement of the rule making to stakeholders.

Ms. McCall requested the Board adopt the rules.

MOTION: Member Marr moved to adopt (CR 103) for B/W Sampling at Farmer's Market rules.

SECOND: Member Kurose seconded.

ACTION: Motion passed unanimously.

### **ACTION ITEM 3D - Board Adoption of (CR 103) for Alcohol Tasting for 18 to 20 Year Olds Enrolled at a Technical College**

Karen McCall, Agency Rules Coordinator, began the briefing with a packet of materials (HANDOUTS [3D] 1, 2, 3). She provided a brief background noting that this rulemaking is the result of legislation passed in the 2013:

- SSB 5774 - Alcohol Tastings for 18 to 20 year olds at Culinary School

#### Proposed Changes

New Section: WAC 314-38-060 - Special permit for technical or community colleges as authorized by RCW 66.20.010 (12) shall be called a Class 15 permit. Created a new WAC in Chapter 314-38 WAC to describe what the permit allows and the requirements to qualify for the permit.

#### Process

The Board was briefed on the rule making background and public comment for this rule making. An issue paper and text of the rule change is attached. If approved, the Rules Coordinator will send a concise explanatory statement of the rule making to stakeholders. No comments were given at the public hearing held on January 8, 2014, held in the Board's meeting room in Olympia, Washington. After sending the explanatory statement, the Rules Coordinator will file the rules with the Office of the Code Reviser. The effective date of the rules will be 31 days after filing.

Ms. McCall requested the Board adopt the rules.

MOTION: Member Name moved to adopt (CR 103) for Alcohol Tasting for 18 to 20 Year Olds Enrolled at a Technical College.

SECOND: Member Name seconded.

ACTION: Motion passed unanimously.

**NEW BUSINESS/ OLD BUSINESS**

No new business or old business was reported.

**ADJOURN**

Chair Foster adjourned the meeting at 10:20.

Minutes approved this 29~~th~~ day of January, 2014



Sharon Foster  
Board Chair



Ruthann Kurose  
Board Member



Chris Marr  
Board Member

**LCB Mission**

Promote public safety by consistent and fair administration of liquor and cannabis laws through education, voluntary compliance, responsible sales and preventing the misuse of alcohol, cannabis and tobacco.

Complete meeting packets will be available online following each meeting: <http://www.liq.wa.gov/board/board-information>