

**OFFICE OF THE
WASHINGTON STATE LIQUOR CONTROL BOARD
Board Meeting Minutes – October 12, 2011**

Chair Foster called the regular meeting of the Washington State Liquor Control Board to order at 10:00 a.m., on Wednesday, October 12, 2011 in the Boardroom, 3000 Pacific Avenue SE, Olympia, Washington. Member Kurose and Member Marr were also present.

Approval of Minutes

The minutes from the October 5, 2011 meeting were approved.

**Rule Making Issue Paper – Amendment of WAC 314-11-015 – Entertainers Drinking While Performing
Board Approval to File CR 101 – Liquor Hours of Service
Board Approval to File CR 102 – Licensed Agents**

Karen McCall, Rules Coordinator, requested approval to file proposed rule changes to implement legislation regarding What are my responsibilities as a liquor licensee?, Liquor Hours of Service, and Licensed Agents.

WAC 314-11-015 - Entertainers Drinking While Performing: 55 from the public, 25 from entertainers, and 2 from licensees everyone in support of this rule change. One letter of opposition was received from a musician that stated that he felt the entertainer should get the ticket if they were intoxicated and that the licensee should not be held accountable. Karen McCall shared with him that licensee would be held accountable just like the patrons. Member Kurose thanked Karen McCall for her work to ensure public safety and update the rule. Chair Foster announced Julia Clark from the Washington Restaurant Association will testify; Ms. Clark stated that they were present today in strong support of the proposal and extended a very warm thank you to staff specifically Karen McCall and Chief Nordhorn for their work on this issue. Ms. Clark also thanked the Board for their continued willingness to adopt the practices as they feel it's a reasonable and rational approach. No other testimony was given.

Chair Foster acknowledged that the Board Meeting minutes from October 5, 2011, need to be approved. Member Kurose made a motion to approve the minutes. Member Marr seconded. All in favor.

Approval for filing proposed rule CR 102 to implement WAC 314-44-005 – Licensed Agents

Karen McCall stated the bill was passed from 2011 legislation with new language added. There is an exception for domestic wineries drivers to hold a representatives license, employees must have identification to show that they work for the winery. If recognized by the Board Karen McCall would publish with the code reviser on November 2, 2011, accept written comment until November 27, 2011, schedule a public hearing on November 30, 2011, and come back to the Board to adopt the rules on December 7, 2011. Karen McCall stated that they worked with Jean Leonard of the Washington Wine Institute on the language. Chair Foster acknowledged Jean Leonard's arrival and asked if she had any comments. Ms. Leonard stated that she appreciated the Board working with them and that they discovered that a lot of wineries didn't understand that their employees were formally required to have an agent's license. Ms. Leonard stated that she appreciated the Boards work on this issue. Chair Foster thanked Ms. Leonard. No other comments were made. Member Kurose moved that the Board approve the proposed WAC. Member Marr seconded. All in favor.

WAC 314-11-070 – Liquor Hours of Service: Karen McCall asked the Board for approval to file the CR 101. A petition was received from the City of Seattle for the Board to open the WAC for rule making and consider extended hours in local jurisdiction to create an area within that jurisdiction to extend service hours beyond 2:00 a.m. The city cited that they feel a well planned and managed nightlife will have a positive impact in the City of Seattle and other local areas, have a positive impact on their economy, direct tax revenues and growing public funds through increase property values, revitalize business districts and increase tourism. It would be a critical component of the broader night life initiative filed in July. If we opened the rule making it would be for the entire state not just Seattle. Seattle sent draft language that the Board will review and the Board will work closely with local jurisdictions and law enforcement, LCB Enforcement. Karen McCall stated that this rule would have an impact on communities. If the Board chooses to open this today the tentative schedule would be the code reviser would publish the notice on

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November 7, 2011, will take comments or draft language until December 1, 2011, tentatively the Board will be asked to approve the proposed rules on December 7, 2011, the code reviser will publish that notice on December 21, 2011, a public hearing would be held on January 12, 2011, and on January 25, 2011 we would ask the Board to adopt the rules, but because of the controversy it could take longer. Chair Foster thanked Karen. Chair Foster made a motion to approve filing or not to approve filing. Member Kurose motioned that they approve the filing. Member Marr seconded. All in favor.

A letter to the Mayor will be sent.

New Business

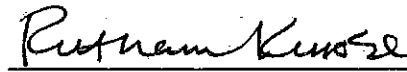
There was no new business.

Old Business:

There was no old business.

The Board Meeting was adjourned at 10:18 a.m.


Sharon Foster, Chair


Ruthann Kurose, Board Member


Chris Marr, Board Member