



Washington State Liquor Control Board

Washington State Liquor Control Board Meeting

Wednesday, October 2, 2013, 10:00 a.m.
Headquarters Building
3000 Pacific Avenue SE, Olympia WA 98501

Meeting Minutes

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, October 2, 2013. Member Ruthann Kurose and Member Chris Marr were also present.

APPROVAL OF MINUTES

MOTION: Member Kurose moved to approve the September 25, 2013, meeting minutes as presented.

SECOND: Member Marr seconded.

ACTION: Motion passed unanimously.

ACTION ITEM

Board Adoption (CR 103) of Rules to Define "Trade Area":

Karen McCall, Agency Rules Coordinator, began the briefing with the issue paper including:

Description of the Issue

The purpose of this issue paper is to recommend that the Washington State Liquor Control Board (WSLCB) proceed with final rule making and adopt the rule to define "trade area" in RCW 66.24.630.

Why is this rule making necessary?

Permanent rules are needed to define "trade area" in RCW 66.24.630 which was created with the passing of Initiative 1183. A definition is needed to determine if a location for a spirits retail license in a premises with less than 10,000 square feet of retail space meets the requirements for the license.

Public Comment

There was one comment at the public hearing held September 25, 2013, supporting the elimination of the tribal exemption and requesting the 20 travel miles be changed to 15 travel miles.

Nine written comments were received on the 2nd supplemental CR 102 including:

- Two comments in support of the proposed rule language;
- Five comments opposing the 20 travel miles - requested a change to everything from 2 blocks to 10 travel miles;
- One comment was received requesting an exception for stores subject to the regulatory jurisdiction of a federally recognized Indian tribe; and
- One comment was received opposing the removal of the exception for Indian tribes.

What changes are being proposed?

New Section. WAC 314-02-1071 What is "trade area"? A new section was created in WAC 314-02 to define trade area. "Trade area" as used in 66.24.630 RCW means an area where there is no spirits retail license or auction title holder within a twenty mile travel time at the time of licensure. An exception has been included for a location where the significant mode of travel is other than by automobile.

Ms. McCall recommended that the Board approve the final rulemaking (CR 103) to define "trade area".

If approved, the Rules Coordinator will send an explanation of the rule making to all persons who submitted comments. 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.

MOTION: Member Marr moved to approve Adoption (CR 103) of Rules to Define "Trade Area"

SECOND: Member Kurose seconded.

DISCUSSION: The Board had a brief discussion regarding the exception of stores on tribal land and how this is an unfortunate restriction but the definition is positive.

Member Kurose expressed concern about the rule conflicting with tribal sovereignty but she supports the overall definition.

ACTION: Motion passed unanimously.

NEW BUSINESS

No new business reported.

OLD BUSINESS

No old business reported.

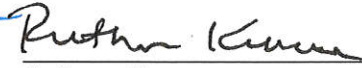
ADJOURN

Chair Foster adjourned the meeting at 10:10.

Minutes approved this 16 day of October, 2013



Sharon Foster
Board Chair



Ruthann Kurose
Board Member



Chris Marr
Board Member