



Notice of Permanent Rules to Implement 2016 Liquor Legislation

This explanatory statement concerns the Washington State Liquor and Cannabis Board's adoption of rules to implement 2016 liquor legislation.

The Administrative Procedure Act (RCW 34.05.325(6)) requires agencies to complete a concise explanatory statement before filing adopted rules with the Office of the Code Reviser. This statement must be provided to anyone who gave comment about the proposed rulemaking.

Once persons who gave comment during this rulemaking have had a chance to receive this document, the Liquor and Cannabis Board will file the amended rules with the Office of the Code Reviser. These rule changes will become effective 31 days after filing (approximately May 6, 2017).

The Liquor and Cannabis Board appreciates your involvement in this rule making process. If you have any questions, please contact Karen McCall, Rules Coordinator, at (360) 664-1631 or e-mail at rules@lcb.wa.gov.

What are the agency's reasons for adopting this rule?

The rules were adopted to implement 2016 liquor legislation.

Summary of all public comments received on this rule proposal.

Two comments were received at the public hearing held September 7, 2016. Two written comments were received:

Annie McGrath – Executive Director – Washington Brewers Guild:

Comment: Concerned with the removal of the language “the activities of the event are limited to the activities allowed on the winery premises” in the winery rules.

LCB response: The language was removed so wineries would not produce wine at an event. Wineries and breweries can provide tastings of their product and sell their product at these events.

Josh McDonald – Executive Director – Washington Wine Institute:

Comment: Concerned with the removal of the language “the activities of the event are limited to the activities allowed on the winery premises” in the winery rules. Wineries at a special occasion licensed event should not have to notify the board. The special occasion licensee should be required to notify the board.



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LCB response: The language was removed so wineries would not produce wine at an event. Wineries and breweries can provide tastings of their product and sell their product at these events. A supplemental CR102 was filed requiring the special occasion licensee to notify the board if a domestic winery will be taking orders and accepting payment for their own products at a special occasion event.

One comment was received at the public hearing held on January 11, 2017. Two written comments were received:

Holly Chisa – Northwest Grocer’s Association:

Comment: The language in WAC 314-02-103 that limits sales of wine to an on-premises licensee to one sale per day needs to be removed per Thurston County Superior Court decision.

LCB comment: The language was removed and a Supplemental CR 102 was filed on January 25, 2017.

Cindy Zehnder – Vice President – Gordon Tomas Honeywell – GA

Comment: Beer/wine specialty shop licensees should not be required to install barriers around tasting areas. This has not been required in the past and there doesn’t appear to be a public safety risk with the tastings in this type of business.

LCB response: The requirement for barriers around a tasting area in a beer/wine specialty shop were removed. A Supplemental CR 102 was filed on January 25, 2017.

One comment was received at the public hearing held on March 22, 2017, in support of the proposed rule on beer/wine specialty shops (WAC 314-02-103).

WAC Changes

See attachment.