



Notice of Permanent Rules for Sports Entertainment Facility Licenses

This explanatory statement concerns the Washington State Liquor Control Board's adoption of the revisions to rules for Sports Entertainment Facility Licenses - WAC 314-02-057 and WAC 314-02-058.

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 Control Board will file the amended rules with the Office of the Code Reviser. These rule changes will become effective 31 days after filing (approximately September 26, 2015).

The Liquor Control 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@liq.wa.gov.

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

A petition for rulemaking was submitted by stakeholders to broaden the alcohol service area within a sport's entertainment facility venue.

Summary of all public comments received on this rule proposal.

One comment was received at the public hearing held on August 12, 2015, from Dave Malone, representing First & Goal, Inc. and Seattle Sportservice, Inc. Two written comments were received from the following stakeholders:

Dave Malone, representing First & Goal, Inc. and Seattle Sportservice, Inc.

Comments: Supports the two beverage maximum per transaction, the use of distinguishable containers for alcoholic beverages, and generally support broadcast TV or videos not qualifying as live entertainment.

Support with concerns:

MAST requirement for all staff working at a SEF.

LCB response: MAST training is only required for all staff who serve, regulate, or supervise the service of alcohol.



Washington State Liquor and Cannabis Board

Attendee to MAST staff ratio of 50:1. Century Link field currently meets or exceeds the proposed ratio but a one-size fits all ration may not be feasible for smaller facilities.

LCB response: All SEF facilities are required to meet the same ratio. The size of the venue will determine the number of MAST staff required.

Additional changes suggested:

Extension of a responsible vendor program (RVP) to SEF licensees.

LCB response: The responsible vendor program was created for off-premises retail licensees because there was no mandatory alcohol server training for off-premises licensees. The board may look into a creating a RVP for SEF licensees at a later date. Standardized operating plans. The board should modify its existing SEF operating plan requirement to mirror the standardized operating plan agreement currently applicable to theater licenses.

LCB response: The theater operating plan does not cover all of the areas of concern for a SEF license. The two licenses are very different and distinct and require their own operating plans.

Allow spirits, beer, and wine consumption throughout the seating areas.

LCB response: The new rules were revised to allow spirits, beer, and wine in the club seating areas as well as the lounges, restaurants, beer gardens, temporary lounges, private suites, and club rooms. Spirits sales and consumption is not allowed throughout the seating areas.

Alcohol service at trade shows. SEF licensees would like to have walk around alcohol service at trade shows rather than alcohol consumption being limited to beer gardens.

LCB response: SEF licensees may request walk around alcohol consumption at trade shows on a case-by-case basis. Approval will be based on the type of event and the number of minors expected in attendance.

Adam Smith, Vice President, Distilled Spirits Council of the United States

Support: Allowing spirits, beer, and wine to be served and consumed in the club seats during professional sporting events.

Suggested changes: Allow spirits, beer, and wine throughout the seating areas and allow spirits to be sold by roving servers.

LCB response: The new rules were revised to allow spirits, beer, and wine in the club seating areas as well as the lounges, restaurants, beer gardens, temporary lounges, private suites, and club rooms. Spirits sales and consumption is not allowed throughout the seating areas.

Attendee to MAST staff ratio of 50:1. Century Link field currently meets or exceeds the proposed ratio but a one-size fits all ration may not be feasible for smaller facilities.

LCB response: All SEF facilities are required to meet the same ratio. The size of the venue will determine the number of MAST staff required.

Increase the limit of two alcoholic beverages to be sold to one individual during one transaction. This would allow a person to purchase drinks for a group of friends.

LCB response: The board feels the two drink limit per transaction is reasonable and a deterrent to overconsumption.



Washington State Liquor and Cannabis Board

Change the requirement that alcohol products must be in significantly different containers than non-alcoholic products.

LCB response: Significantly different means a different color or type of container. Currently all SEF licensees are meeting this requirement in all of the operating plans on file with the board.

Alcohol service at trade shows. The board should remove the requirement for prior approval for special events. SEF licensees would like to have walk around alcohol service at trade shows rather than alcohol consumption being limited to beer gardens.

LCB response: SEF licensees may request walk around alcohol consumption at trade shows on a case-by-case basis. Approval will be based on the type of event and the number of minors expected in attendance.

WAC Changes

See attachment.