

Washington State Liquor Control Board

## Issue Paper

# Rule Making to Implement Legislation for Cigarette and Tobacco Licensing

Date: June 3, 2009

Presented by: Karen McCall, Agency Rules Coordinator

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### Description of the Issue

The purpose of this issue paper is to request approval from the Board to file the first stage of rule making (CR 101) to create rules to implement **SHB 1435**.

### Why is rule making necessary?

SHB 1435 passed in the 2009 legislative session, gives the Liquor Control Board the administrative authority to approve, deny, suspend, or revoke retail, wholesale, or distributor cigarette and tobacco products licenses. Rules are needed to further clarify the application process and requirements.

### Process

The rule making process begins by announcing Liquor Control Board's intent to change existing rules and propose new rules by filing a CR 101 form. This allows staff and stakeholders to begin discussing necessary changes and new rules. No proposed language is offered at this stage. The public may comment 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. A tentative timeline for the rule making process is outlined below:

June 3, 2009	Board is asked to approve filing the pre-proposal statement of inquiry (CR 101)
June 17, 2009	Code Reviser publishes notice, LCB sends notice to rules distribution list
July 20, 2009	End of written comment period
August 19, 2009	Board is asked to approve proposed rule making (CR 102 filing). LCB sends notice to rules distribution list.
September 2, 2009	Code Reviser publishes notice.
September 30, 2009	Public hearing held.
October 7, 2009	End of written comment period
October 14, 2009	Board is asked to adopt rules (CR 103).
October 14, 2009	Agency sends notice to those who commented both at the public hearing and in writing.
October 14, 2009	Agency files adopted rules with the Code Reviser
November 15, 2009	Rules are effective