

Washington State Liquor Control Board

Issue Paper

Rule Making on Extended and Outside Liquor Service

Date: May 13, 2009

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Description of the Issue

The purpose of this issue paper is to request approval from the Liquor Control Board (LCB) to file the first stage of rule making (CR 101) addressing extended and outside liquor service by retail licensees.

Why is rule making necessary?

The Revised Code of Washington (RCW) allows bowling alleys, golf courses, and other licensed businesses to have extended and/or outside liquor service. These services have unique issues, including those of safety, and must be further addressed in the Washington Administrative Code.

Background

Concourse service, golf course service, and outside service at liquor licensed premises are not adequately covered in rule. To provide consistency in how these activities are handled, clear rules are needed. Many questions have evolved over the years and have usually been handled on a case-by-case basis. Both staff and our liquor licensees need rules that address these unique issues in a clear manner. Some issues include:

- How do we prevent youth-access?
- In the case of golf courses, do we allow service to extend beyond a public or private roadway?
- Should servers who work in extended or outside-service areas be at least 21 or older?

Process

The rule making process begins by announcing the Liquor Control Board's (LCB) 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:

May 13, 2009	Board is asked to approve filing the pre-proposal statement of inquiry (CR 101)
June 3, 2009	Code Reviser publishes notice, LCB sends notice to rules distribution list
July 3, 2009	End of first written comment period
August 5, 2009	Board is asked to approve proposed rule making (CR 102)
September 2, 2009	Public hearing (Wednesday)
September 11, 2009	End of written comment period
September 16, 2009	Board is asked to adopt rules (CR 103)
September 16, 2009	Agency sends notice to those who commented both at the public hearing and in writing.
September 16, 2009	Agency files adopted rules with the Code Reviser
October 17, 2009	Rules are effective (31 days after filing)