

seventy-five cents per annum: PROVIDED, FURTHER, That a holder of a class A or class B license shall be entitled to the privileges permitted in this section by paying an annual fee of twelve dollars and fifty cents for each store.

Licenses under this section whose business is primarily the sale of wine at retail may provide, free or for a charge, single-serving samples of two ounces or less to customers for the purpose of sales promotion.

Sec. 2. Section 30, chapter 62, Laws of 1933 ex. sess. as last amended by section 10, chapter 173, Laws of 1975 1st ex. sess. and RCW 66.28.040 are each amended to read as follows:

No brewer, wholesaler, distiller, winery, importer, rectifier, or other manufacturer of liquor shall, within the state, by himself, his clerk, servant, or agent, give to any person any liquor; but nothing in this section nor in RCW 66.28.010 or 66.28.025 shall prevent a brewer, wholesaler, winery, or importer from furnishing samples of beer or wine to authorized licensees for the purpose of negotiating a sale, in accordance with regulations adopted by the liquor control board, provided that the samples are subject to taxes imposed by RCW 66.24.290 and 66.24.210; nothing in this section shall prevent the furnishing of samples of liquor to the board for the purpose of negotiating the sale of liquor to the state liquor control board(~~(, and)~~); nothing in this section shall prevent a brewer from serving beer without charge, on the brewery premises(~~(;)~~); and nothing in this section shall prevent a domestic winery from serving wine without charge, on the winery premises.

Passed the Senate March 10, 1981.

Passed the House April 22, 1981.

Approved by the Governor May 14, 1981.

Filed in Office of Secretary of State May 14, 1981.

CHAPTER 183

[Senate Bill No. 3062]

TRAFFIC RESTRICTION NOTICES—ADMINISTRATIVE PROCEDURE ACT, EXCLUSION

AN ACT Relating to the adoption of state traffic restrictions; and amending section 1, chapter 234, Laws of 1959 as amended by section 1, chapter 237, Laws of 1967 and RCW 34.04.010.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 1, chapter 234, Laws of 1959 as amended by section 1, chapter 237, Laws of 1967 and RCW 34.04.010 are each amended to read as follows:

(~~For the purpose of this chapter:~~) The definitions set forth in this section apply throughout this chapter, unless the context clearly requires otherwise.

(1) "Agency" means any state board, commission, department, or officer, authorized by law to make rules or to adjudicate contested cases, except those in the legislative or judicial branches.

(2) "Rule" means any agency order, directive, or regulation of general applicability (a) the violation of which subjects a person to a penalty or administrative sanction; (b) which establishes, alters, or revokes any procedure, practice, or requirement relating to agency hearings; (c) which establishes, alters, or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law; (d) which establishes, alters, or revokes any qualifications or standards for the issuance, suspension, or revocation of licenses to pursue any commercial activity, trade, or profession; or (e) which establishes, alters or revokes any mandatory standards for any product or material which must be met before distribution or sale. The term includes the amendment or repeal of a prior rule, but does not include (i) statements concerning only the internal management of an agency and not affecting private rights or procedures available to the public, (ii) declaratory rulings issued pursuant to RCW 34.04.080, as now or hereafter amended, or (iii) ~~((speed))~~ traffic restrictions for motor vehicles, bicyclists, and pedestrians established by the ~~((state highway commission))~~ secretary of transportation or his designee where notice of such restrictions is given by official traffic control devices.

(3) "Contested case" means a proceeding before an agency in which an opportunity for a hearing before such agency is required by law or constitutional right prior or subsequent to the determination by the agency of the legal rights, duties, or privileges of specific parties. Contested cases shall also include all cases of licensing and rate making in which an application for a license or rate change is denied except as limited by RCW 66.08.150, or a license is revoked, suspended, or modified, or in which the granting of an application is contested by a person having standing to contest under the law or agency rules.

(4) "License" includes the whole or part of any agency permit, certificate, approval, registration, charter, or any form of permission required by law, including agency rule, to engage in any activity, but does not include a license required solely for revenue purposes.

(5) "Licensing" includes the agency process respecting the grant, denial, renewal, revocation, suspension, annulment, withdrawal, or modification of a license.

Passed the Senate February 11, 1981.

Passed the House April 15, 1981.

Approved by the Governor May 14, 1981.

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