

government and its existing public institutions, and shall take effect immediately.

Passed the Senate April 28, 1981.

Passed the House April 28, 1981.

Approved by the Governor May 14, 1981.

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

CHAPTER 5

[Reengrossed Substitute Senate Bill No. 3206]

LIQUOR CONTROL

AN ACT Relating to intoxicating liquor; amending section 3, chapter 62, Laws of 1933 ex. sess. as last amended by section 3, chapter 140, Laws of 1980 and RCW 66.04.010; amending section 71, chapter 62, Laws of 1933 ex. sess. as last amended by section 3, chapter 6, Laws of 1961 ex. sess. and RCW 66.08.024; amending section 68, chapter 62, Laws of 1933 ex. sess. and RCW 66.08.080; amending section 56, chapter 62, Laws of 1933 ex. sess. and RCW 66.08.130; amending section 77, chapter 62, Laws of 1933 ex. sess. as last amended by section 166, chapter 151, Laws of 1979 and RCW 66.08.180; amending section 7, chapter 62, Laws of 1933 ex. sess. as last amended by section 217, chapter 158, Laws of 1979 and RCW 66.16.040; amending section 4, chapter 67, Laws of 1949 as last amended by section 4, chapter 173, Laws of 1975 1st ex. sess. and RCW 66.20.190; amending section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 33, chapter ... (SHB 101), Laws of 1981 and RCW 66.24.010; amending section 23-U added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 11, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24.025; amending section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 2, chapter 204, Laws of 1973 1st ex. sess. and RCW 66.24.210; amending section 23-B added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.24.240; amending section 23-E added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.24.250; amending section 23-G added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.24.260; amending section 24, chapter 62, Laws of 1933 ex. sess. as amended by section 30, chapter 173, Laws of 1965 ex. sess. and RCW 66.24.290; amending section 2, chapter 263, Laws of 1957 as amended by section 1, chapter 112, Laws of 1969 ex. sess. and RCW 66.24.410; amending section 23-T added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 6, chapter 5, Laws of 1949 and RCW 66.24.450; amending section 1, chapter 55, Laws of 1967 as last amended by section 5, chapter 9, Laws of 1977 ex. sess. and RCW 66.24.490; amending section 52, chapter 62, Laws of 1933 ex. sess. as amended by section 7, chapter 174, Laws of 1935 and RCW 66.28.090; amending section 34, chapter 62, Laws of 1933 ex. sess. and RCW 66.44.100; amending section 93, chapter 62, Laws of 1933 ex. sess. as amended by section 16, chapter 174, Laws of 1935 and RCW 66.44.180; amending section 3, chapter 49, Laws of 1965 and RCW 66.44.292; amending section 36-A added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 245, Laws of 1943 and RCW 66.44.310; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 1, chapter 204, Laws of 1973 1st ex. sess. and RCW 82.08.150; amending section 82.08.160, chapter 15, Laws of 1961 as amended by section 12, chapter 21, Laws of 1969 ex. sess. and RCW 82.08.160; amending section 23-D added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.24.140; amending section 23-A added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.24.150; amending section 1, chapter 13, Laws of 1970 ex. sess. and RCW 66.24.160; amending section 23-C added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 1, chapter 172, Laws of 1939 and RCW 66.24.170; amending section 23-K added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 2, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.200; amending section 9, chapter 21, Laws of

1969 ex. sess. and RCW 66.24.204; amending section 10, chapter 21, Laws of 1969 ex. sess. as amended by section 13, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24-.206; amending section 23-F added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 14, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24.270; amending section 23-I added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 1, chapter 74, Laws of 1975-'76 2nd ex. sess. and RCW 66.24.310; amending section 23-M added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 1, chapter 9, Laws of 1977 ex. sess. and RCW 66.24.320; amending section 23-N added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 2, chapter 9, Laws of 1977 ex. sess. and RCW 66.24-.330; amending section 23-O added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 1, chapter ... (ESB 3057), Laws of 1981 and RCW 66.24.340; amending section 23-P added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 5, chapter 75, Laws of 1967 ex. sess. and RCW 66.24.350; amending section 23-Q added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 6, chapter 75, Laws of 1967 ex. sess. and RCW 66.24.360; amending section 23-R added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 1, chapter ... (SSB 3060), Laws of 1981 and RCW 66.24.370; amending section 23-S added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 17, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24-.380; amending section 2, chapter 245, Laws of 1975 1st ex. sess. and RCW 66.24.395; amending section 2, chapter 13, Laws of 1970 ex. sess. as last amended by section 1, chapter 87, Laws of 1979 and RCW 66.24.420; amending section 9, chapter 178, Laws of 1969 ex. sess. as amended by section 18, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24.500; amending section 12, chapter 173, Laws of 1975 1st ex. sess. and RCW 66.24.510; amending section 1, chapter 38, Laws of 1969 ex. sess. and RCW 66.44.340; adding a new section to chapter 28B.30 RCW; adding a new section to chapter 62, Laws of 1933 ex. sess. and to chapter 66.44 RCW; creating a new section; repealing section 39, chapter 62, Law of 1933 ex. sess. and RCW 66.20.130; repealing section 53, chapter 62, Laws of 1933 ex. sess. and RCW 66.20.135; repealing section 54, chapter 62, Laws of 1933 ex. sess. and RCW 66.20.137; repealing section 35, chapter 62, Laws of 1933 ex. sess. and RCW 66.44.110; providing an effective date; and declaring an emergency.

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

Section 1. Section 3, chapter 62, Laws of 1933 ex. sess. as last amended by section 3, chapter 140, Laws of 1980 and RCW 66.04.010 are each amended to read as follows:

In this title, unless the context otherwise requires:

(1) "Alcohol" is that substance known as ethyl alcohol, hydrated oxide of ethyl, or spirit of wine, which is commonly produced by the fermentation or distillation of grain, starch, molasses, or sugar, or other substances including all dilutions and mixtures of this substance. The term "alcohol" does not include alcohol in the possession of a manufacturer or distiller of alcohol fuel, as described in RCW 66.12.130, which is intended to be denatured and used as a fuel for use in motor vehicles, farm implements, and machines or implements of husbandry.

(2) "Beer" means any beverage obtained by the alcoholic fermentation of an infusion or decoction of pure hops, or pure extract of hops and pure barley malt or other wholesome grain or cereal in pure water containing not more than four percent of alcohol by weight, and not less than one-half of one percent of alcohol by volume. For the purposes of this title any such

beverage, including ale, stout and porter, containing more than four percent of alcohol by weight shall be referred to as "strong beer."

(3) "Brewer" means any person engaged in the business of manufacturing beer and malt liquor.

(4) "Board" means the liquor control board, constituted under this title.

(5) "Club" means an organization of persons, incorporated or unincorporated, operated solely for fraternal, benevolent, educational, athletic or social purposes, and not for pecuniary gain.

(6) "Consume" includes the putting of liquor to any use, whether by drinking or otherwise.

(7) "Dentist" means a practitioner of dentistry duly and regularly licensed and engaged in the practice of his profession within the state pursuant to chapter 18.32 RCW.

(8) "Distiller" means a person engaged in the business of distilling spirits.

(9) "Druggist" means any person who holds a valid certificate and is a registered pharmacist and is duly and regularly engaged in carrying on the business of pharmaceutical chemistry pursuant to chapter 18.64 RCW.

(10) "Drug store" means a place whose principal business is, the sale of drugs, medicines and pharmaceutical preparations and maintains a regular prescription department and employs a registered pharmacist during all hours the drug store is open.

(11) "Employee" means any person employed by the board, including a vendor, as hereinafter in this section defined.

(12) "Fund" means 'liquor revolving fund.'

(13) "Hotel" means every building or other structure kept, used, maintained, advertised or held out to the public to be a place where food is served and sleeping accommodations are offered for pay to transient guests, in which twenty or more rooms are used for the sleeping accommodation of such transient guests and having one or more dining rooms where meals are served to such transient guests, such sleeping accommodations and dining rooms being conducted in the same building and buildings, in connection therewith, and such structure or structures being provided, in the judgment of the board, with adequate and sanitary kitchen and dining room equipment and capacity, for preparing, cooking and serving suitable food for its guests: PROVIDED FURTHER, That in cities and towns of less than five thousand population, the board shall have authority to waive the provisions requiring twenty or more rooms.

(14) "Imprisonment" means confinement in the county jail.

(15) "Liquor" includes the four varieties of liquor herein defined (alcohol, spirits, wine and beer), and all fermented, spirituous, vinous, or malt liquor, or combinations thereof, and mixed liquor, a part of which is fermented, spirituous, vinous or malt liquor, or otherwise intoxicating; and every liquid or solid or semisolid or other substance, patented or not,

containing alcohol, spirits, wine or beer, and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption, and any liquid, semisolid, solid, or other substance, which contains more than one percent of alcohol by weight shall be conclusively deemed to be intoxicating.

(16) "Manufacturer" means a person engaged in the preparation of liquor for sale, in any form whatsoever.

(17) "Malt liquor" means beer, strong beer, ale, stout and porter.

(18) "Package" means any container or receptacle used for holding liquor.

(19) "Permit" means a permit for the purchase of liquor under this title.

(20) "Person" means an individual, copartnership, association, or corporation.

(21) "Physician" means a medical practitioner duly and regularly licensed and engaged in the practice of his profession within the state pursuant to chapter 18.71 RCW.

(22) "Prescription" means a memorandum signed by a physician and given by him to a patient for the obtaining of liquor pursuant to this title for medicinal purposes.

(23) "Public place" includes streets and alleys of incorporated cities and towns; state or county or township highways or roads; buildings and grounds used for school purposes; public dance halls and grounds adjacent thereto; those parts of establishments where beer may be sold under this title, soft drink establishments, public buildings, public meeting halls, lobbies, halls and dining rooms of hotels, restaurants, theatres, stores, garages and filling stations which are open to and are generally used by the public and to which the public is permitted to have unrestricted access; railroad trains, stages, and other public conveyances of all kinds and character, and the depots and waiting rooms used in conjunction therewith which are open to unrestricted use and access by the public; publicly owned bathing beaches, parks, and/or playgrounds; and all other places of like or similar nature to which the general public has unrestricted right of access, and which are generally used by the public.

(24) "Regulations" means regulations made by the board under the powers conferred by this title.

(25) "Restaurant" means any establishment provided with special space and accommodations where, in consideration of payment, food, without lodgings, is habitually furnished to the public, not including drug stores and soda fountains.

(26) "Sale" and "sell" include exchange, barter, and traffic; and also include the selling or supplying or distributing, by any means whatsoever, of liquor, or of any liquid known or described as beer or by any name whatever commonly used to describe malt or brewed liquor or of wine, by any person to any person; and also include a sale or selling within the state to a foreign consignee or his agent in the state.

(27) "Soda fountain" means a place especially equipped with apparatus for the purpose of dispensing soft drinks, whether mixed or otherwise.

(28) "Spirits" means any beverage which contains alcohol obtained by distillation, including wines exceeding ~~((seventeen))~~ twenty-four percent of alcohol by ~~((weight))~~ volume.

(29) "Store" means a state liquor store established under this title.

(30) "Tavern" means any establishment with special space and accommodation for sale by the glass and for consumption on the premises, of beer, as herein defined.

(31) "Vendor" means a person employed by the board as a store manager under this title.

(32) "Winery" means a business conducted by any person for the manufacture of wine for sale, other than a domestic winery.

(33) "Domestic winery" means a place where wines are manufactured or produced within the state of Washington.

(34) "Wine" means any alcoholic beverage obtained by fermentation of fruits (grapes, berries, apples, et cetera) or other agricultural product containing sugar, to which any saccharine substances may have been added before, during or after fermentation, and containing not more than ~~((seventeen))~~ twenty-four percent of alcohol by ~~((weight))~~ volume, including sweet wines fortified with wine spirits, such as port, sherry, muscatel and angelica, not exceeding ~~((seventeen))~~ twenty-four percent of alcohol by ~~((weight))~~ volume.

(35) "Beer wholesaler" means a person who buys beer from a brewer or brewery located either within or beyond the boundaries of the state for the purpose of selling the same pursuant to this title, or who represents such brewer or brewery as agent.

(36) "Wine wholesaler" means a person who buys wine from a vintner or winery located either within or beyond the boundaries of the state for the purpose of selling the same not in violation of this title, or who represents such vintner or winery as agent.

Sec. 2. Section 71, chapter 62, Laws of 1933 ex. sess. as last amended by section 3, chapter 6, Laws of 1961 ex. sess. and RCW 66.08.024 are each amended to read as follows:

The state auditor shall audit the books, records, and affairs of the board annually: PROVIDED, That the total annual cost of such audit shall not exceed the sum of ~~((ten))~~ thirty thousand dollars. The board shall pay to the state treasurer for the credit of the state auditor, out of the liquor revolving fund, the sum of ~~((ten))~~ thirty thousand dollars a year, or so much thereof as is necessary, to defray the costs of such audits. The board may provide for additional audits by certified public accountants ~~((the total annual cost of which shall not exceed the sum of five thousand dollars))~~. All such audits shall be public records of the state. The payment of the audits

provided for in this section shall be paid as provided in RCW 66.08.026 for other administrative expenses.

Sec. 3. Section 68, chapter 62, Laws of 1933 ex. sess. and RCW 66.08-.080 are each amended to read as follows:

Except as provided by chapter 42.18 RCW, no member of the board and no employee of the board shall have any interest, directly or indirectly, in the manufacture of liquor or in any liquor sold under this title, or derive any profit or remuneration from the sale of liquor, other than the salary or wages payable to him in respect of his office or position, and shall receive no gratuity from any person in connection with such business.

Sec. 4. Section 56, chapter 62, Laws of 1933 ex. sess. and RCW 66.08-.130 are each amended to read as follows:

For the purpose of obtaining information concerning any matter relating to the administration or enforcement of this title, the board, or any person appointed by it in writing for the purpose, may inspect the books and records of

- (1) any manufacturer;
- (2) any license holder;
- (3) any drug store holding a permit to sell on prescriptions;
- (4) the freight and express books and records and all waybills, bills of lading, receipts and documents in the possession of any common carrier doing business within the state, containing any information or record relating to any goods shipped or carried, or consigned or received for shipment or carriage within the state. Every manufacturer, license holder, drug store holding a permit to sell on prescriptions, and common carrier, and every owner or officer or employee of ((such common carrier)) the foregoing, who neglects or refuses to produce and submit for inspection any book, record or document referred to in this section when requested to do so by the board or by a person so appointed by it shall be guilty of a violation of this title.

NEW SECTION. Sec. 5. Marked increases in state and national consumption make it evident that our developing wine grape industry has a bright future. To help assure its success the legislature concludes that Washington State University should provide a sound research, extension, and resident instruction base for both wine grape production and the processing aspects of the wine industry.

Sec. 6. Section 77, chapter 62, Laws of 1933 ex. sess. as last amended by section 166, chapter 151, Laws of 1979 and RCW 66.08.180 are each amended to read as follows:

Moneys in the liquor revolving fund shall be distributed by the board at least once every three months in accordance with RCW 66.08.190, 66.08-.200 and 66.08.210: **PROVIDED**, That the board shall reserve from distribution such amount not exceeding five hundred thousand dollars as may be necessary for the proper administration of this title: **AND PROVIDED**

FURTHER, That all license fees, penalties and forfeitures derived under this act from class H licenses or class H licensees shall every three months be disbursed by the board to the University of Washington and to Washington State University for medical and biological research only, in such proportions as shall be determined by the board after consultation with the heads of said state institutions: AND PROVIDED FURTHER, That when the allocations in any biennium to the University of Washington and Washington State University shall amount to a total of one million dollars, the entire allocation for the remainder of the biennium shall be transferred to the general fund to be used by the department of social and health services solely to carry out the purposes of RCW 70.96.085, as now or hereafter amended: AND PROVIDED FURTHER, That twenty percent of the total amount derived from license fees pursuant to RCW 66.24.320, 66.24.330, 66.24.340, 66.24.350, 66.24.360, and 66.24.370, as such sections are now or hereafter amended, shall be transferred to the general fund to be used by the department of social and health services solely to carry out the purposes of RCW 70.96.085, as now or hereafter amended: AND PROVIDED FURTHER, That one-fourth cent per liter of the tax imposed by RCW 66.24.210 shall every three months be disbursed by the board to Washington State University solely for wine and wine grape research, extension programs related to wine and wine grape research, and resident instruction in both wine grape production and the processing aspects of the wine industry in accordance with section 7 of this 1981 act. The director of financial management shall prescribe suitable accounting procedure to insure that the funds transferred to the general fund to be used by the department of social and health services and appropriated are separately accounted for.

NEW SECTION. Sec. 7. There is added to chapter 28B.30 RCW a new section to read as follows:

Revenues received from RCW 66.08.180 for wine and wine grape research, extension programs related to wine and wine grape research, and resident instruction in both wine grape production and the processing aspects of the wine industry by Washington State University shall be administered by the College of Agriculture. When formulating or changing plans for programs and research, the College of Agriculture shall confer with representatives of the Washington Wine Society.

Sec. 8. Section 7, chapter 62, Laws of 1933 ex. sess. as last amended by section 217, chapter 158, Laws of 1979 and RCW 66.16.040 are each amended to read as follows:

Except as otherwise provided by law, an employee in a state liquor store or agency may sell liquor to any person of legal age to purchase alcoholic beverages and may also sell to holders of permits such liquor as may be purchased under such permits.

Where there may be a question of a person's right to purchase liquor by reason of ((his)) age, such person shall be required to present any one of the following officially issued cards of identification which shows his/her correct age and bears his/her signature and photograph:

(1) Liquor control authority card of identification of any state or province of Canada.

(2) Driver's license, instruction permit or identification card of any state or province of Canada, or "identocard" issued by the Washington state department of licensing pursuant to RCW 46.20.117.

(3) United States active duty military identification.

(4) Passport.

(5) Merchant Marine identification card issued by the United States Coast Guard.

The board may adopt such regulations as it deems proper covering the acceptance of such cards of identification.

No liquor sold under this section shall be delivered until the purchaser has paid for the liquor in cash.

Sec. 9. Section 4, chapter 67, Laws of 1949 as last amended by section 4, chapter 173, Laws of 1975 1st ex. sess. and RCW 66.20.190 are each amended to read as follows:

In addition to the presentation by the holder and verification by the licensee or store employee of such card of identification, the licensee or store employee who is still in doubt about the true age of the holder shall require the person whose age may be in question to sign a certification card and record an accurate description and serial number of his card of identification thereon. Such statement shall be upon a five-inch by eight-inch file card, which card shall be filed alphabetically by the licensee or store employee at or before the close of business on the day on which the statement is executed, in the file box containing a suitable alphabetical index and the card shall be subject to examination by any peace officer or agent or employee of the board at all times. The certification card shall also contain in bold-face type ((~~an affidavit~~)) a statement stating that the signer understands that conviction for unlawful purchase of alcoholic beverages or misuse of the certification card may result in criminal penalties including imprisonment or fine or both.

Sec. 10. Section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 33, chapter ... (SHB 101), Laws of 1981 and RCW 66.24.010 are each amended to read as follows:

(1) Every license shall be issued in the name of the applicant, and the holder thereof shall not allow any other person to use the license.

(2) For the purpose of considering any application for a license, the board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the construction and operation of the premises. For the purpose of reviewing any application for a license and for

considering the denial, suspension or revocation of any license, the liquor control board may consider any prior criminal conduct of the applicant and the provisions of RCW 9.95.240 and of chapter 9.96A RCW shall not apply to such cases. The board may, in its discretion, grant or refuse the license applied for. No retail license of any kind may be issued to:

~~(a) ((A person who is not a citizen of the United States, except when the privilege is granted by treaty;~~

~~(b)))~~ (b)) A person who has not resided in the state for at least one month prior to making application, except in cases of licenses issued to dining places on railroads, boats, or aircraft;

~~((c) A person who has been convicted of a felony within five years prior to filing his application;~~

~~(d))~~ (b) A copartnership, unless all of the members thereof are qualified to obtain a license, as provided in this section;

~~((e))~~ (c) A person whose place of business is conducted by a manager or agent, unless such manager or agent possesses the same qualifications required of the licensee;

~~((f))~~ (d) A corporation, unless ~~((all of the officers thereof are citizens of the United States))~~ it was created under the laws of the state of Washington or holds a certificate of authority to transact business in the state of Washington.

(3) The board may, in its discretion, subject to the provisions of RCW 66.08.150, suspend or cancel any license; and all rights of the licensee to keep or sell liquor thereunder shall be suspended or terminated, as the case may be. The board may request the appointment of administrative law judges under chapter 34... RCW (sections 1 through 12 of ~~((this 1981 act))~~ chapter ... (SHB 101), Laws of 1981) who shall have power to administer oaths, issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony, examine witnesses, and to receive testimony in any inquiry, investigation, hearing, or proceeding in any part of the state, under such rules and regulations as the board may adopt.

Witnesses shall be allowed fees ~~((at the rate of four dollars per day, plus ten cents per mile each way))~~ and mileage each way to and from any such inquiry, investigation, hearing, or proceeding at the rate authorized by RCW 34.04.105, as now or hereafter amended. Fees need not be paid in advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

In case of disobedience of any person to comply with the order of the board or a subpoena issued by the board, or any of its members, or administrative law judges, or on the refusal of a witness to testify to any matter regarding which he may be lawfully interrogated, the judge of the superior court of the county in which the person resides, on application of any member of the board or administrative law judge, shall compel obedience by

contempt proceedings, as in the case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(4) Upon receipt of notice of the suspension or cancellation of a license, the licensee shall forthwith deliver up the license to the board. Where the license has been suspended only, the board shall return the license to the licensee at the expiration or termination of the period of suspension, with a memorandum of the suspension written or stamped upon the face thereof in red ink. The board shall notify all vendors in the city or place where the licensee has its premises of the suspension or cancellation of the license; and no employee may allow or cause any liquor to be delivered to or for any person at the premises of that licensee.

~~(5) (Unless sooner canceled, every license issued by the board shall expire at midnight of the thirtieth day of June of the fiscal year for which it was issued. PROVIDED, That the foregoing expiration date shall not apply to class A, B, C, D, or H licenses issued for premises located on the site of any world exposition approved by the Bureau of International Expositions held in this state, and such licenses shall be valid without renewal for a period of two hundred days from and including the opening day of such exposition, or from and including such earlier date specified by the applicant.))~~
The board shall assign to each business an expiration date for all licenses or certificates of approval covered by this title. Following the assignment, unless sooner canceled, every license or certificate of approval issued by the board shall expire at midnight of the last day of the month on the twelfth month subsequent to issue.

(a) Each business shall be assigned a license or certificate of approval expiration date according to the schedule following below in this subsection. Fees for such licenses or certificates of approval shall be charged at full annual rate as outlined in chapter 66.24 RCW. The board shall prorate license or certificate of approval fees as necessary to implement the reassignment of expiration dates and to maintain the date assignment of each.

(i) New applicants; last day of the month of approval and issuance.

(ii) Existing business; distributed evenly on a monthly basis throughout the year.

(iii) New businesses; expiration date shall be adjusted as required to conform to a date simultaneous to the majority of the applicant's business branches.

(iv) Supplemental license(s); shall expire on the same date as the master.

(b) The board will consider requests from applicants for exceptions to assigned renewal dates. Approval shall be at the discretion of the board.

(c) All applications shall be submitted with a full year's fee for the type of license or certificate of approval for which the type of application is intended.

(d) All licenses or certificates of approval presently issued and covered under this title unless sooner discontinued or canceled shall be assigned not later than July 1, 1983, a license expiration date.

(e) Licenses issued under the provisions of RCW 66.24.310, as now or hereafter amended, are excluded from provisions of this subsection and unless sooner canceled shall expire at midnight of the thirtieth day of June of the fiscal year for which issued.

(6) Every license issued under this section shall be subject to all conditions and restrictions imposed by this title or by the regulations in force from time to time.

(7) Every licensee shall post and keep posted its license, or licenses, in a conspicuous place on the premises.

(8) Before the board shall issue a license to an applicant it shall give notice of such application to the chief executive officer of the incorporated city or town, if the application be for a license within an incorporated city or town, or to the county legislative authority, if the application be for a license outside the boundaries of incorporated cities or towns; and such incorporated city or town, through the official or employee selected by it, or the county legislative authority or the official or employee(;) selected by it, shall have the right to file with the board within twenty days after date of transmittal of such notice, written objections against the applicant or against the premises for which the license is asked, and shall include with such objections a statement of all facts upon which such objections are based, and in case written objections are filed, may request and the liquor control board may in its discretion hold a formal hearing subject to the applicable provisions of Title 34 RCW, as now or hereafter amended. Upon the granting of a license under this title the board shall ~~((cause))~~ send a duplicate of the license ((to be transmitted)) or written notification to the chief executive officer of the incorporated city or town in which the license is granted, or to the county legislative authority if the license is granted outside the boundaries of incorporated cities or towns.

(9) Before the board issues any license to any applicant, it shall give due consideration to the location of the business to be conducted under such license with respect to the proximity of churches, schools, and public institutions: **PROVIDED**, That the board shall issue no beer retailer license class A, B, ~~((or))~~ D, or E or wine retailer license class C or F or class H license covering any premises not now licensed, if such premises are within five hundred feet of the premises of any church, parochial, or tax-supported public elementary or secondary school measured along the most direct route over or across established public walks, streets, or other public passageway from the outer property line of the church or school grounds to the nearest public entrance of the premises proposed for license, unless the board shall receive written notice from an official representative or representatives of

the schools and/or churches within five hundred feet of said proposed licensed premises, indicating to the board that there is no objection to the issuance of such license because of proximity to a school or church. For the purpose of this section, church shall mean a building erected for and used exclusively for religious worship and schooling or other activity in connection therewith.

(10) The restrictions set forth in the preceding subsection shall not prohibit the board from authorizing the transfer of existing licenses now located within the restricted area to other persons or locations within the restricted area: PROVIDED, Such transfer shall in no case result in establishing the licensed premises closer to a church or school than it was before the transfer.

Sec. 11. Section 23-U added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 11, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24.025 are each amended to read as follows:

(1) The holder of one or more licenses may assign and transfer the same to any qualified person under such rules and regulations as the board may prescribe: PROVIDED, HOWEVER, That no such assignment and transfer shall be made which will result in both a change of licensee and change of location; the fee for such assignment and transfer shall be ~~((thirty-five))~~ seventy-five dollars: PROVIDED, FURTHER, That no fee will be charged for transfer to the surviving spouse only of a deceased licensee if the parties were maintaining a marital community and the license was issued in the names of one or both of the parties.

(2) The proposed sale of more than ten percent of the outstanding and/or issued stock of a licensed corporation or any proposed change in the officers of a licensed corporation must be reported to the board, and board approval must be obtained before such changes are made. A fee of seventy-five dollars will be charged for the processing of such change of stock ownership and/or corporate officers.

Sec. 12. Section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 2, chapter 204, Laws of 1973 1st ex. sess. and RCW 66.24.210 are each amended to read as follows:

There is hereby imposed upon all wines sold to wine wholesalers and the Washington state liquor control board, within the state a tax at the rate of ~~((seventy-five))~~ twenty and one-fourth cents per ~~((wine gallon))~~ liter: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one winery to another winery shall not be subject to such ~~((gallonage))~~ tax. The tax herein provided for may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on ~~((gallonage))~~ wine purchased by wine wholesalers. Every person purchasing wine under the provisions of this section shall ~~((report all sales to~~

~~the board~~) on or before the twentieth day of each month report to the board all purchases during the preceding calendar month in such manner ~~(,at such times)~~ and upon such forms as may be prescribed by the board, and with such report shall pay the tax due from the purchases covered by such report unless the same has previously been paid. Any such purchaser of wine whose applicable tax payment is not postmarked by the twentieth day following the month of purchase will be assessed a penalty at the rate of two percent a month or fraction thereof. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel ~~(his)~~ the license until all taxes are paid.

Sec. 13. Section 23-B added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.24.240 are each amended to read as follows:

There shall be a license to brewers to manufacture malt liquors, fee per annum to be ~~((based on current fiscal year's production at the rate of fifty dollars per thousand barrels, with a minimum fee of two hundred fifty))~~ two thousand dollars, such license fee to be collected and paid under such rules and regulations as the board shall prescribe.

Sec. 14. Section 23-E added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.24.250 are each amended to read as follows:

There shall be a license to beer wholesalers to sell beer, manufactured within or without the state, to licensed wholesalers and/or to holders of beer retailer's licenses, and to export the same from the state; fee ~~((two hundred fifty))~~ five hundred dollars per annum for each distributing unit.

Sec. 15. Section 23-G added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.24.260 are each amended to read as follows:

(1) It shall be unlawful for any person, firm or corporation, to import beer into the state of Washington or to transport or cause the same to be transported into the state of Washington for sale therein, unless such person, firm or corporation, has obtained from the Washington state liquor control board and have in force a beer importer's license. The license fee for such beer importer's license shall be ~~((ten))~~ sixty dollars per annum;

(2) The beer importer's license herein provided for shall authorize the holder thereof to sell beer imported, or transported, or caused to be transported thereunder to licensed beer wholesalers within the state and to export the same from the state. Every person, firm or corporation, licensed as a beer importer, shall establish and maintain a principal office within the state, at which shall be kept proper records of all beer imported into the state, under his, their, or its license. No beer importer's license shall be granted to a nonresident of the state, nor to a corporation whose principal place of business is outside the state, until such applicant has established such principal office within the state as hereinbefore provided, and has designated a statutory agent within the state upon whom service can be made;

(3) Every beer importer's license issued under this title shall be subject to all conditions and restrictions imposed by this title, or by the rules and regulations of the board.

Sec. 16. Section 24, chapter 62, Laws of 1933 ex. sess. as amended by section 30, chapter 173, Laws of 1965 ex. sess. and RCW 66.24.290 are each amended to read as follows:

Any brewer or beer wholesaler licensed under this title may sell and deliver beer to holders of authorized licenses direct, but to no other person, other than the board; and every such brewer or beer wholesaler shall report all sales to the board monthly, pursuant to the regulations, and shall pay to the board as an added tax for the privilege of manufacturing and selling the beer within the state a tax of ~~((one))~~ two dollars and sixty cents per barrel of thirty-one gallons on sales to licensees within the state and on sales to licensees within the state of bottled and canned beer shall pay a tax computed in gallons at the rate of ~~((one))~~ two dollars and ~~((fifty))~~ sixty cents per barrel of thirty-one gallons. Any brewer or beer wholesaler whose applicable tax payment is not postmarked by the twentieth day following the month of sale will be assessed a penalty at the rate of two percent per month or fraction thereof. Each such brewer or wholesaler shall procure from the board revenue stamps representing such tax in form prescribed by the board and shall affix the same to the barrel or package in such manner and in such denominations as required by the board, and shall cancel the same prior to commencing delivery from his place of business or warehouse of such barrels or packages. Beer shall be sold by brewers and wholesalers in sealed barrels or packages. The revenue stamps herein provided for need not be affixed and canceled in the making of resales of barrels or packages already taxed by the affixation and cancellation of stamps as provided in this section.

The above tax shall not apply to "strong beer" as defined in this title.

Sec. 17. Section 2, chapter 263, Laws of 1957 as amended by section 1, chapter 112, Laws of 1969 ex. sess. and RCW 66.24.410 are each amended to read as follows:

(1) "Spirituous liquor," as used in RCW 66.24.400 to 66.24.470, as now or hereafter amended, inclusive, means "liquor" as defined in RCW 66.04.010(16), except "wine" and "beer" sold as such.

(2) "Restaurant" as used in RCW 66.24.400 to 66.24.470, as now or hereafter amended, inclusive, means an establishment provided with special space and accommodations where, in consideration of payment, food, without lodgings, is habitually furnished to the public, not including drug stores and soda fountains: PROVIDED, That such establishments shall be approved by the board and that the board shall be satisfied that such establishment is maintained in a substantial manner as a place for preparing, cooking and serving of complete meals. The service of only fry orders or such food and victuals as sandwiches, hamburgers, or salads shall not be deemed in compliance with this definition.

(3) "Hotel," "clubs," "wine" and "beer" are used in RCW 66.24.400 to 66.24.470, as now or hereafter amended, inclusive, with the meaning given in chapter 66.04 RCW: PROVIDED, That any such hotel shall be provided with special space and accommodations where, in consideration of payment, food is habitually furnished to the public: PROVIDED FURTHER, That the board shall be satisfied that such hotel is maintained in a substantial manner as a place for preparing, cooking and serving of complete meals. The service of only fry orders, sandwiches, hamburgers, or salads shall not be deemed in compliance with this definition.

Sec. 18. Section 23-T added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 6, chapter 5, Laws of 1949 and RCW 66.24.450 are each amended to read as follows:

No club shall be entitled to a class H license:

(1) ~~Unless such club ((had been in operation at least three years prior to December 2, 1948, or, the club, being thereafter formed, had))~~ has been in continuous operation for at least one year immediately prior to the date of its application for such license;

(2) Unless the club premises be constructed and equipped, conducted, managed, and operated to the satisfaction of the board and in accordance with this title and the regulations made thereunder;

(3) Unless the board shall have determined pursuant to any regulations made by it with respect to clubs, that such club is a bona fide club; it being the intent of this section that license shall not be granted to a club which is, or has been, primarily formed or activated to obtain a license to sell liquor, but solely to a bona fide club, where the sale of liquor is incidental to the main purposes of the club, as defined in RCW 66.04.010(5)((;

~~(4) Each club holding a club license under this section prior to its amendment by this act [1949 c 5 § 6] shall have a period of six months, from and after December 2, 1948, to apply for and obtain a class H license. From and after six months after December 2, 1948, each club license granted under this section prior to its amendment by this act [1949 c 5 § 6]~~

~~shall be null and void. The board shall reserve a sufficient number of class H licenses to license each club which has been in operation for one year prior to December 2, 1948: PROVIDED, That such club qualifies therefor under the provisions of this title).~~

Sec. 19. Section 1, chapter 55, Laws of 1967 as last amended by section 5, chapter 9, Laws of 1977 ex. sess. and RCW 66.24.490 are each amended to read as follows:

There shall be a retailer's license to be designated as a class I license; this shall be a special occasion license to be issued to the holder of a class H license to extend his privilege of selling and serving spirituous liquor by the individual glass, beer, and wine, at retail, for consumption on the premises, to members and guests of a society or organization on special occasions at a specified date and place when such special occasions of such groups are held on premises other than ~~((a)) the class H licensed premises and for consumption on the premises of such outside location.~~ The holder of such special occasion license shall be allowed to remove from his liquor stocks at his licensed class H premises, liquor for sale and service at such special occasion locations: ~~PROVIDED, ((That such special license shall be issued only when the facilities of class H licensees in the particular city or county are not suitable and adequate to accommodate the number of persons attending such special occasion: AND PROVIDED FURTHER,))~~ That the Washington state liquor control board may issue banquet permits when such groups prefer to provide their own liquor under such a permit rather than avail themselves of sale and service of liquor by the holder of a class I license. Such special class I license shall be issued for a specified date and place and upon payment of a fee of twenty-five dollars per day.

Sec. 20. Section 52, chapter 62, Laws of 1933 ex. sess. as amended by section 7, chapter 174, Laws of 1935 and RCW 66.28.090 are each amended to read follows:

(1) All licensed premises used in the manufacture, storage, or sale of liquor, or any premises or parts of premises used or in any way connected, physically or otherwise, with the licensed business, and/or any premises where a banquet permit has been granted, shall at all times be open to inspection by any liquor enforcement officer, inspector or peace officer.

(2) Every person, being on any such premises and having charge thereof, who refuses or fails to admit ~~((a)) a liquor enforcement officer~~, inspector or peace officer demanding to enter therein in pursuance of this section in the execution of his/her duty, or who obstructs or attempts to obstruct the entry of such liquor enforcement officer, inspector or officer of the peace, or who refuses to allow a liquor enforcement officer, and/or an inspector to examine the books of the licensee, or who refuses or neglects to make any return required by this title or the regulations, shall be guilty of a violation of this title.

Sec. 21. Section 34, chapter 62, Laws of 1933 ex. sess. and RCW 66.44.100 are each amended to read as follows:

Except as permitted by this title, no person shall open the package containing liquor or consume liquor in a public place. Every person who violates any provision of this section shall be guilty of a misdemeanor, and on conviction therefor shall be fined not more than ~~((ten))~~ one hundred dollars.

Sec. 22. Section 93, chapter 62, Laws of 1933 ex. sess. as amended by section 16, chapter 174, Laws of 1935 and RCW 66.44.180 are each amended to read as follows:

Every person guilty of a violation of this title for which no penalty has been specifically provided shall be liable, on conviction, for a first offense to a penalty of not more than ~~((three))~~ five hundred dollars, or to imprisonment for not more than two months, ~~((with or without hard labor,))~~ or both; for a second offense to imprisonment for not more than six months ~~((; with or without hard labor));~~ and for a third or subsequent offense to imprisonment for not more than one year ~~((; with or without hard labor)).~~ If the offender convicted of an offense referred to in this section is a corporation, it shall for a first offense be liable to a penalty of not more than ~~((two))~~ five thousand dollars, and for a second or subsequent offense to a penalty of not more than ~~((three))~~ ten thousand dollars, or to forfeiture of its corporate license, or both.

Every justice of the peace and magistrate shall have concurrent jurisdiction with superior court judges of the state of Washington of all violations of the provisions of this title and may impose any punishment provided therefor.

Sec. 23. Section 3, chapter 49, Laws of 1965 and RCW 66.44.292 are each amended to read as follows:

The Washington state liquor control board shall furnish ~~((a certified transcript))~~ notification of any hearing or hearings held, wherein any licensee or his employee is found to have sold liquor to a minor, to the prosecuting attorney of the county in which the sale took place, upon which the prosecuting attorney may formulate charges against said minor or minors for such violation of ~~((this act))~~ RCW 66.44.290 as may appear. ~~((The transcript shall not be admissible in evidence at the trial upon any such charges, except to impeach or contradict the testimony of a witness.))~~

Sec. 24. Section 36-A added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 245, Laws of 1943 and RCW 66.44.310 are each amended to read as follows:

(1) Except as otherwise provided by RCW 66.44.316 and 66.44.350, it shall be a misdemeanor,

(a) To serve or allow to remain on the premises of any tavern, or cocktail lounge portion of any class H licensed premises, any person under the age of twenty-one years;

(b) For any person under the age of twenty-one years to enter or remain on the premises of any tavern, or cocktail lounge portion of any public class H licensed premises;

(c) For any person under the age of twenty-one years to represent his age as being twenty-one or more years for the purpose of securing admission to, or remaining on the premises of, any tavern or cocktail lounge portion of any class H licensed premises.

(2) The Washington state liquor control board shall have the power and it shall be its duty to classify the various licensees, as taverns or otherwise, within the meaning of this title, except bona fide restaurants, dining rooms and cafes serving commercial food to the public shall not be classified as taverns during the hours such food service is made available to the public.

Sec. 25. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 1, chapter 204, Laws of 1973 1st ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, or strong beer in the original package at the rate of ~~((ten))~~ fifteen percent of the selling price~~(, and the term "retail sale" as used herein shall include, in addition to the meaning ascribed thereto in chapter 82.04 RCW, any sale for resale to the holder of a class C, class F, class H or combined class C and class F license issued by the Washington state liquor control board)).~~ The tax imposed in this subsection shall apply to all such sales ~~((of spirits, or strong beer))~~ including sales by the Washington state liquor stores and agencies, ~~((including))~~ but excluding sales to class H licensees. ~~((The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales by the Washington state liquor control board stores and agencies of products subject to the tax imposed by this section.))~~

(2) There is levied and shall be collected ~~((from and after the first day of April, 1959, an additional))~~ a tax upon each ~~((retail))~~ sale of spirits, or strong beer in the original package at the rate of ~~((five))~~ ten percent of the selling price~~(, and the term "retail sale" as used herein shall include the meaning ascribed thereto in chapter 82.04 RCW. The additional tax imposed in this paragraph shall apply to the sale of spirits, or strong beer by the))~~ on sales by Washington state liquor stores and agencies~~(, excluding sales))~~ to class H licensees. ~~((The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales by the Washington state liquor control board stores and agencies of products subject to the tax imposed by this paragraph.))~~

(3) There is levied and shall be collected ~~((from and after the first day of July, 1971,))~~ an additional tax upon each retail sale of spirits in the original package at the rate of ~~((four cents per fluid ounce or fraction thereof contained in such original package, and the term "retail sale" as used herein shall include the meaning ascribed thereto in chapter 82.04~~

~~RCW)) one dollar and seventy-two cents per liter. The additional tax imposed in this ((paragraph)) subsection shall apply to ((the sale of spirits)) all such sales including sales by ((the)) Washington state liquor stores and agencies, and including sales to class H licensees. ((The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales subject to the tax imposed by this paragraph. On or before the twenty-fifth day of each month beginning with the month of July, 1961, the Washington state liquor control board shall remit to the state department of revenue, to be deposited with the state treasurer, all moneys collected by it under this paragraph during the preceding month on sales made and subject to this paragraph. Upon receipt of such moneys the state treasurer shall deposit them in the state general fund and the provisions of RCW 82.08.160 and 82.08.170, and the provisions of chapter 66.08 RCW relating to deposits, apportionment and distribution, shall have no application to the collections under this paragraph.))~~

(4) The tax imposed in RCW 82.08.020, as now or hereafter amended, shall not apply to sales of spirits or strong beer in the original package.

(5) The taxes imposed in this section shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale under this section. The taxes required by this section to be collected by the seller shall be stated separately from the selling price and for purposes of determining the tax due from the buyer to the seller, it shall be conclusively presumed that the selling price quoted in any price list does not include the taxes imposed by this section.

(6) As used in this section, the terms, "spirits," ("wine,") "strong beer," and "package" shall have the meaning ascribed to them in chapter 66.04 RCW.

Sec. 26. Section 82.08.160, chapter 15, Laws of 1961 as amended by section 12, chapter 21, Laws of 1969 ex. sess. and RCW 82.08.160 are each amended to read as follows:

~~((+)) On or before the ((fifteenth)) twenty-fifth day of each month ((beginning with the month of June, 1955, the Washington state liquor control board)), all taxes collected under RCW 82.08.150 during the preceding month shall ((remit)) be remitted to the state department of revenue, to be deposited with the state treasurer((; all moneys collected by it under this chapter during the preceding month on sales made in state liquor stores and agencies)). Upon receipt of such moneys the state treasurer shall credit sixty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) and one hundred percent of the sums collected and remitted under RCW 82.08.150(3) to the state general fund and thirty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) to a fund which is hereby created to be known as the "liquor excise tax fund."~~

~~((2) On or before the fifteenth day of each month beginning with the month of August, 1969, all moneys collected during the preceding month on sales of wine, other than that collected by the Washington state liquor control board, pursuant to subsection (1) of RCW 82.08.150, as now or hereafter amended, shall be deposited with the state treasurer and credited by him as follows: Sixty percent of the sums so deposited shall be credited to the state general fund and forty percent of the sums so deposited shall be credited to the liquor excise tax fund.))~~

NEW SECTION. Sec. 27. There is added to chapter 62, Laws of 1933 ex. sess. and to chapter 66.44 RCW a new section to read as follows:

No person shall knowingly or wilfully resist or oppose any state, county, or municipal peace officer, or liquor enforcement officer, in the discharge of his/her duties under Title 66 RCW, or aid and abet such resistance or opposition. Any person who violates this section shall be guilty of a violation of this title and subject to arrest by any such officer.

Sec. 28. Section 23-D added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.24.140 are each amended to read as follows:

There shall be a license to distillers, including blending, rectifying and bottling; fee ~~((one))~~ two thousand dollars per annum: **PROVIDED**, That the board shall license stills used and to be used solely and only by a commercial chemist for laboratory purposes, and not for the manufacture of liquor for sale, at a fee of ~~((ten))~~ twenty dollars per annum: **PROVIDED**, **FURTHER**, That the board shall license stills used and to be used solely and only for laboratory purposes in any school, college or educational institution in the state, without fee: **PROVIDED**, **FURTHER**, That the board shall license stills which shall have been duly licensed as fruit and/or wine distilleries by the federal government, used and to be used solely as fruit and/or wine distilleries in the production of fruit brandy and wine spirits, at a fee of ~~((fifty))~~ two hundred dollars per annum.

Sec. 29. Section 23-A added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.24.150 are each amended to read as follows:

There shall be a license to manufacturers of liquor, including all kinds of manufacturers except those licensed as distillers, brewers, wineries, and domestic wineries, authorizing such licensees to manufacture, import, sell, and export liquor from the state; fee ~~((two hundred fifty))~~ five hundred dollars per annum.

Sec. 30. Section 1, chapter 13, Laws of 1970 ex. sess. and RCW 66.24.160 are each amended to read as follows:

A liquor importer's license may be issued to any qualified person, firm or corporation, entitling the holder thereof to import into the state any liquor other than beer or wine; to store the same within the state, and to sell

and export the same from the state; fee (~~((three))~~) six hundred dollars per annum. Such liquor importer's license shall be subject to all conditions and restrictions imposed by this title or by the rules and regulations of the board, and shall be issued only upon such terms and conditions as may be imposed by the board. No liquor importer's license shall be required in sales to the Washington state liquor control board.

Sec. 31. Section 23-C added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 1, chapter 172, Laws of 1939 and RCW 66.24.170 are each amended to read as follows:

~~((†))~~ There shall be a license to domestic wineries; fee to be computed only on the ~~((gallonage))~~ liters manufactured: ~~((Twenty-five))~~ One hundred ~~((gallons))~~ thousand liters or less per year, ~~((fifteen))~~ one hundred dollars per year; ~~((over twenty-five hundred gallons to ten thousand gallons per year, thirty dollars per year; over ten thousand gallons to twenty-five thousand gallons per year, fifty dollars per year;))~~ over ~~((twenty-five))~~ one hundred thousand ~~((gallons))~~ liters to seven hundred fifty thousand ~~((gallons))~~ liters per year, ~~((seventy-five))~~ four hundred dollars per year; ~~((over fifty thousand gallons to one hundred thousand gallons per year, one hundred and twenty-five dollars per year; over one hundred thousand gallons to two hundred thousand gallons per year, two hundred dollars per year;))~~ and over ~~((two hundred))~~ seven hundred fifty thousand ~~((gallons to five hundred thousand gallons))~~ liters per year, ~~((two hundred and fifty))~~ eight hundred dollars per year ~~((; for each five hundred thousand gallons or fraction thereof over five hundred thousand gallons, an additional one hundred and fifty dollars per year))~~.

Any applicant for a domestic winery license shall, at the time of filing application for license, accompany such application with a license fee based upon a reasonable estimate of the amount of wine ~~((gallonage))~~ liters to be manufactured by such applicant. Persons holding domestic winery licenses shall report annually at the end of each fiscal year, at such time and in such manner as the board may prescribe, the amount of wine manufactured by them during the fiscal year. If the total amount of wine manufactured during the year exceeds the amount permitted annually by the license fee already paid the board, the licensee shall pay such additional license fee as may be unpaid in accordance with the schedule provided in this section.

~~((2))~~ There shall be a license to wineries, other than domestic wineries; fee to be computed and paid upon the same basis and subject to the same requirements as domestic wineries:)

Sec. 32. Section 23-K added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 2, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.200 are each amended to read as follows:

There shall be a license to wine wholesalers to sell wine, manufactured within or without the state, to licensed wholesalers and/or to holders of

wine retailer's licenses and to export the same from the state; fee ((two hundred fifty)) five hundred dollars per annum for each distributing unit.

Sec. 33. Section 9, chapter 21, Laws of 1969 ex. sess. and RCW 66.24-.204 are each amended to read as follows:

(1) It shall be unlawful for any person, firm or corporation, to import wine into the state of Washington or to transport or cause the same to be transported into the state of Washington for sale therein, unless such person, firm or corporation, has obtained from the Washington state liquor control board and have in force a wine importer's license. The license fee for such wine importer's license shall be ((thirty)) sixty dollars per annum;

(2) The wine importer's license herein provided for shall authorize the holder thereof to sell wine imported, or transported, or caused to be transported thereunder to licensed wine wholesalers within the state and to export the same from the state. Every person, firm or corporation, licensed as a wine importer, shall establish and maintain a principal office within the state, at which shall be kept proper records of all wine imported into the state, under his, their, or its license. No wine importer's license shall be granted to a nonresident of the state, nor to a corporation whose principal place of business is outside the state, until such applicant has established such principal office within the state as hereinbefore provided, and has designated a statutory agent within the state upon whom service can be made;

(3) Every wine importer's license issued under this title shall be subject to all conditions and restrictions imposed by this title, or by the rules and regulations of the board.

Sec. 34. Section 10, chapter 21, Laws of 1969 ex. sess. as amended by section 13, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24.206 are each amended to read as follows:

No wine wholesaler nor wine importer shall purchase any wine not manufactured within the state of Washington by a winery holding a license as a manufacturer of wine from the state of Washington, and/or transport or cause the same to be transported into the state of Washington for resale therein, unless the winery or manufacturer of such wine, or the licensed importer of wine produced outside the United States, has obtained from the Washington state liquor control board a certificate of approval, as hereinafter provided. The certificate of approval herein provided for shall not be granted unless and until such winery, manufacturer, or licensed importer of wine produced outside the United States, shall have made a written agreement with the board to furnish to the board, on or before the ((tenth)) twentieth day of each month, a report under oath, on a form to be prescribed by the board, showing the quantity of wine sold or delivered to each licensed wine importer, or imported by the licensed importer of wine produced outside the United States, during the preceding month, and shall further have agreed with the board, that such wineries, manufacturers, or

licensed importers of wine produced outside the United States, and all general sales corporations or agencies maintained by them, and all of their trade representatives and agents, shall and will faithfully comply with all laws of the state of Washington pertaining to the sale of intoxicating liquors and all rules and regulations of the Washington state liquor control board. If any such winery, manufacturer, or licensed importer of wine produced outside the United States, shall, after obtaining such certificate, fail to submit such report, or if such winery, manufacturer, or licensed importer of wine produced outside the United States, or general sales corporations or agencies maintained by them, or their trade representatives or agents, shall violate the terms of such agreement, the board shall, in its discretion, suspend or revoke such certificate: PROVIDED, HOWEVER, That such certificates of approval shall ~~((be issued))~~ only ~~((for))~~ authorize the holder thereof to ship or import into the state of Washington specifically named designated and identified types of wine which conform to the provisions of RCW 66.28.110 and for which the liquor control board has issued a certificate of label approval. The Washington state liquor control board shall not certify wines labeled with names which may be confused with other nonalcoholic beverages, whether manufactured or produced from a domestic winery or imported, nor wines which fail to meet quality standards established by the board.

The fee for the certificate of approval, issued pursuant to the provisions of this title, shall be ~~((fifty))~~ one hundred dollars per annum, which sum shall accompany the application for such certificate.

Sec. 35. Section 23-F added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 14, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24.270 are each amended to read as follows:

(1) Every person, firm or corporation, holding a license to manufacture malt liquors within the state of Washington, shall, on or before the ~~((tenth))~~ twentieth day of each month, furnish to the Washington state liquor control board, on a form to be prescribed by the board, a statement showing the quantity of malt liquors sold for resale during the preceding calendar month to each beer wholesaler within the state of Washington;

(2) No beer wholesaler nor beer importer shall purchase any beer not manufactured within the state of Washington by a brewer holding a license as a manufacturer of malt liquors from the state of Washington, and/or transport or cause the same to be transported into the state of Washington for resale therein, unless the brewer or manufacturer of such beer or the licensed importer of beer produced outside the United States has obtained from the Washington state liquor control board a certificate of approval, as hereinafter provided. The certificate of approval herein provided for shall not be granted unless and until such brewer or manufacturer of malt liquors or the licensed importer of beer produced outside the United States shall

have made a written agreement with the board to furnish to the board, on or before the ((~~tenth~~)) twentieth day of each month, a report under oath, on a form to be prescribed by the board, showing the quantity of beer sold or delivered to each licensed beer importer or imported by the licensed importer of beer produced outside the United States during the preceding month, and shall further have agreed with the board, that such brewer or manufacturer of malt liquors or the licensed importer of beer produced outside the United States and all general sales corporations or agencies maintained by such brewers or manufacturers or importers, and all trade representatives or agents of such brewer or manufacturer of malt liquors or the licensed importer of beer produced outside the United States, and of such general sales corporations and agencies, shall and will faithfully comply with all laws of the state of Washington pertaining to the sale of intoxicating liquors and all rules and regulations of the Washington state liquor control board. If any such brewer or manufacturer of malt liquors or the licensed importer of beer produced outside the United States shall, after obtaining such certificate, fail to submit such report, or if such brewer or manufacturer of malt liquors or the licensed importer of beer produced outside the United States or general sales corporation or agency maintained by such brewers or manufacturers or importers, or any representative or agent thereof, shall violate the terms of such agreement, the board shall, in its discretion, suspend or revoke such certificate;

(3) The fee for the certificate of approval, issued pursuant to the provisions of this title, shall be ((~~fifty~~)) one hundred dollars per annum, which sum shall accompany the application for such certificate.

Sec. 36. Section 23-I added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 1, chapter 74, Laws of 1975-'76 2nd ex. sess. and RCW 66.24.310 are each amended to read as follows:

(1) No person shall canvass for, solicit, receive, or take orders for the purchase or sale of liquor, nor contact any licensees of the board in goodwill activities, unless such person shall be the accredited representative of a person, firm, or corporation holding a certificate of approval issued pursuant to RCW 66.24.270 or 66.24.206, a beer wholesaler's license, a brewer's license, a beer importer's license, a domestic winery license, a wine importer's license, or a wine wholesaler's license within the state of Washington, or the accredited representative of a distiller, manufacturer, importer, or distributor of spiritous liquor, or foreign produced beer or wine, and shall have applied for and received an agent's license: PROVIDED, HOWEVER, That the provisions of this section shall not apply to drivers who deliver beer or wine;

(2) Every agent's license issued under this title shall be subject to all conditions and restrictions imposed by this title or by the rules and regulations of the board; the board, for the purpose of maintaining an orderly

market, may limit the number of agent's licenses issued for representation of specific classes of eligible employers;

(3) Every application for an agent's license must be approved by a holder of a certificate of approval issued pursuant to RCW 66.24.270 or 66.24.206, a licensed beer wholesaler, a licensed brewer, a licensed beer importer, a licensed domestic winery, a licensed wine importer, a licensed wine wholesaler, or by a distiller, manufacturer, importer, or distributor of spiritous liquor, or foreign produced beer or wine, as the rules and regulations of the board shall require;

(4) The fee for an agent's license shall be ~~((fifteen))~~ twenty-five dollars per annum;

(5) An accredited representative of a distiller, manufacturer, importer, or distributor of spiritous liquor may, after he has applied for and received an agent's license, contact retail licensees of the board only in goodwill activities pertaining to spiritous liquor products.

Sec. 37. Section 23-M added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 1, chapter 9, Laws of 1977 ex. sess. and RCW 66.24.320 are each amended to read as follows:

There shall be a beer retailer's license to be designated as a class A license to sell beer at retail, for consumption on the premises and to sell unpasteurized beer for consumption off the premises: PROVIDED, HOWEVER, That unpasteurized beer so sold must be in original sealed packages of the manufacturer or bottler of not less than seven and three-fourths gallons: AND PROVIDED FURTHER, That unpasteurized beer may be sold to a purchaser in a sanitary container brought to the premises by the purchaser and filled at the tap by the retailer at the time of sale; such license to be issued only to hotels, restaurants, drug stores or soda fountains, dining places on boats and airplanes, to clubs, and at sports arenas or race tracks during recognized professional athletic events. The annual fee for said license, if issued in cities and towns, shall be graduated according to the population thereof as follows:

~~((Cities and towns of less than 10,000; fee \$62.50;
 Cities and towns of 10,000 and less than 100,000; fee \$125.00;
 Cities and towns of 100,000 or over; fee \$187.50;))~~

<u>Cities and towns</u>	<u>Fee</u>
<u>Less than 20,000</u>	<u>\$150</u>
<u>20,000 or over</u>	<u>\$300</u>

The annual fee for such license, if issued outside of cities and towns, shall be ~~((sixty-two))~~ one hundred fifty dollars ~~((and fifty cents))~~: PROVIDED, HOWEVER, That ~~((where dancing is permitted on the premises, the fee shall be one hundred eighty-seven dollars and fifty cents;))~~ the annual license fee for such license, if issued to dining places on vessels not exceeding one thousand gross tons, plying on inland waters of the state of

Washington on regular schedules, shall be ~~((sixty-two))~~ one hundred fifty dollars ~~((and fifty cents))~~.

Sec. 38. Section 23-N added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 2, chapter 9, Laws of 1977 ex. sess. and RCW 66.24.330 are each amended to read as follows:

There shall be a beer retailer's license to be designated as a class B license to sell beer at retail, for consumption on the premises and to sell unpasteurized beer for consumption off the premises: PROVIDED, HOWEVER, That unpasteurized beer so sold must be in original sealed packages of the manufacturer or bottler of not less than seven and three-fourths gallons: AND PROVIDED FURTHER, That unpasteurized beer may be sold to a purchaser in a sanitary container brought to the premises by the purchaser and filled at the tap by the retailer at the time of sale; such license to be issued only to a person operating a tavern. The annual fee for said license, if issued in cities and towns, shall be graduated according to the population thereof as follows:

~~((Cities and towns of less than 10,000; fee \$62.50;
 Cities and towns of 10,000 and less than 100,000; fee \$125.00;
 Cities and towns of 100,000 or over; fee \$187.50;))~~

<u>Cities and towns</u>	<u>Fees</u>
<u>Less than 20,000</u>	<u>\$150</u>
<u>20,000 or over</u>	<u>\$300</u>

The annual fee for such license, if issued outside of cities and towns, shall be ~~((sixty-two))~~ one hundred fifty dollars ~~((and fifty cents: PROVIDED, HOWEVER, That where dancing is permitted on the premises, the fee shall be one hundred eighty-seven dollars and fifty cents))~~.

Sec. 39. Section 23-O added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 1, chapter ... (ESB 3057), Laws of 1981 and RCW 66.24.340 are each amended to read as follows:

There shall be a wine retailer's license to be designated as a class C license to sell wine at retail, for consumption on the premises only: PROVIDED, That a patron of a hotel, restaurant, or club licensed under this section may remove from the premises recorked or recapped in its original container any portion of wine which was purchased for consumption with a meal; such license to be issued to hotels, restaurants, dining places on boats and airplanes, clubs, and to taverns. The annual fee for said license, when issued in cities and towns, shall be graduated according to the population thereof as follows:

~~((Cities and towns of less than 10,000; fee \$47.00;
 Cities and towns of 10,000 and less than 100,000; fee \$93.75;
 Cities and towns of 100,000 or over; fee \$140.50;))~~

<u>Cities and towns</u>	<u>Fees</u>
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<u>Less than 20,000</u>	<u>\$150</u>
<u>20,000 or over</u>	<u>\$300</u>

The annual fee, when issued outside of the limits of cities and towns, shall be ~~((forty-seven))~~ one hundred fifty dollars: PROVIDED, HOWEVER, That ~~((where dancing is permitted on the premises, the fee shall be one hundred forty dollars and fifty cents;))~~ the annual license fee for such license, if issued to dining places on vessels not exceeding one thousand gross tons plying only on inland waters of the state of Washington on regular schedules, shall be ~~((forty-seven))~~ one hundred fifty dollars.

Sec. 40. Section 23-P added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 5, chapter 75, Laws of 1967 ex. sess. and RCW 66.24.350 are each amended to read as follows:

There shall be a beer retailer's license to be designated as class D license to sell pasteurized beer by the opened bottle at retail, for consumption upon the premises only, such license to be issued to hotels, restaurants, dining places on boats and aeroplanes, clubs, drug stores, or soda fountains, and such other places where the sale of beer is not the principal business conducted; fee ~~((sixty-two))~~ one hundred twenty-five dollars ~~((and fifty cents))~~ per annum.

Sec. 41. Section 23-Q added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 6, chapter 75, Laws of 1967 ex. sess. and RCW 66.24.360 are each amended to read as follows:

There shall be a beer retailer's license to be designated as class E license to sell pasteurized beer at retail in bottles and original packages, not to be consumed upon the premises where sold, at any store other than the state liquor stores; fee ~~((thirty-one))~~ seventy-five dollars ~~((and twenty-five cents))~~ per annum for each store: PROVIDED, That a holder of a class A or a class B license shall be entitled to the privileges permitted in this section by paying an annual fee of ~~((twelve))~~ twenty-five dollars ~~((and fifty cents))~~ for each store.

Sec. 42. Section 23-R added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 1, chapter ... (SSB 3060), Laws of 1981 and RCW 66.24.370 are each amended to read as follows:

There shall be a wine retailer's license to be designated as class F license to sell wine in bottles and original packages, not to be consumed on the premises where sold, at any store other than the state liquor stores: PROVIDED, Such licensee shall pay to the state liquor stores for wines purchased from such stores the current retail price; fee ~~((forty-three))~~ seventy-five dollars ~~((and 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))~~ twenty-five 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. 43. Section 23-S added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 17, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24.380 are each amended to read as follows:

There shall be a beer retailer's license to be designated as class G; a special license to a society or organization to sell beer at picnics or other special occasions at a specified date and place; fee ~~((ten))~~ twenty dollars per day. Sale, service, and consumption of beer is to be confined to specified premises or designated areas only.

Sec. 44. Section 2, chapter 245, Laws of 1975 1st ex. sess. and RCW 66.24.395 are each amended to read as follows:

(1) (a) There shall be a license that may be issued to corporations, associations, or persons operating as federally licensed commercial common passenger carriers engaged in interstate commerce, in or over territorial limits of the state of Washington on passenger trains, vessels, or airplanes. Such license shall permit the sale of spirituous liquor, wine, and beer at retail for passenger consumption within the state upon one such train passenger car, vessel, or airplane, while in or over the territorial limits of the state. Such license shall include the privilege of transporting into and storing within the state such liquor for subsequent retail sale to passengers in passenger train cars, vessels or airplanes. The fees for such master license shall be ~~((six hundred))~~ seven hundred fifty dollars per annum (class CCI-1): PROVIDED, That where the sale and/or service of alcoholic beverages by such federally licensed common passenger carrier does not include spirituous liquor, the fee shall be two hundred fifty dollars per annum (class CCI-2): PROVIDED, FURTHER, That upon payment of an additional sum of five dollars per annum per car, or vessel, or airplane, the privileges authorized by such license classes shall extend to additional cars, or vessels, or airplanes operated by the same licensee within the state, and a duplicate license for each additional car, or vessel, or airplane shall be issued: PROVIDED, FURTHER, That such licensee may make such sales and/or service upon cars, or vessels, or airplanes in emergency for not more than five consecutive days without such license: AND PROVIDED, FURTHER, That such license shall be valid only while such cars, or vessels, or airplanes are actively operated as common carriers for hire in interstate commerce and not while they are out of such common carrier service.

(b) Alcoholic beverages sold and/or served for consumption by such interstate common carriers while within or over the territorial limits of this state shall be subject to such board markup and state liquor taxes in an

amount to approximate the revenue that would have been realized from such markup and taxes had the alcoholic beverages been purchased in Washington: PROVIDED, That the board's markup shall be applied on spirituous liquor only. Such common carriers shall report such sales and/or service and pay such markup and taxes in accordance with procedures prescribed by the board.

(2) Where such an interstate federally licensed common carrier does not sell spirituous liquor, wine, or beer at retail for passenger consumption while within or over the territorial limits of this state, but the business operation of the interstate common carrier requires the bringing in and storing of liquor within the state the license fee shall be ~~((four))~~ five hundred dollars per annum (class CCI-3): PROVIDED, That where such transporting and/or storage of alcoholic beverages by such common carrier does not include spirituous liquor, the license fee shall be one hundred twenty-five dollars per annum (class CCI-4).

(3) Alcoholic beverages sold and delivered in this state to interstate common carriers for use under the provisions of this section shall be considered exported from the state, subject to the conditions provided in subsection (1)(b). The storage facilities for liquor within the state by common carriers licensed under this section shall be subject to written approval by the board.

Sec. 45. Section 2, chapter 13, Laws of 1970 ex. sess. as last amended by section 1, chapter 87, Laws of 1979 and RCW 66.24.420 are each amended to read as follows:

(1) The class H license shall be issued in accordance with the following schedule of annual fees:

(a) The annual fee for said license, if issued to a club, whether inside or outside of incorporated cities and towns, shall be ~~((three hundred thirty))~~ seven hundred dollars.

(b) The annual fee for said license, if issued to any other class H licensee in incorporated cities and towns, shall be graduated according to the population thereof as follows:

~~((Incorporated cities and towns of less than 10,000 population; fee \$550.00;~~

~~Incorporated cities and towns of 10,000 and less than 100,000 population; fee \$825.00;~~

~~Incorporated cities and towns of 100,000 population and over; fee \$1,100.00.))~~

<u>Incorporated</u>	
<u>Cities and towns</u>	
<u>Less than 20,000</u>	<u>Fees</u>
<u>20,000 or over</u>	<u>\$1,200</u>
	<u>\$2,000</u>

(c) The annual fee for said license when issued to any other class H licensee outside of incorporated cities and towns shall be: ~~((one thousand one~~

hundred)) Two thousand dollars; this fee shall be prorated according to the calendar ((~~months~~) quarters, or ((~~major~~) portion thereof, during which the licensee is open for business, except in case of suspension or revocation of the license.

(d) Where the license shall be issued to any corporation, association or person operating a bona fide restaurant in an airport terminal facility providing service to transient passengers with more than one place where liquor is to be dispensed and sold, such license shall be issued upon the payment of the annual fee, which shall be a master license and shall permit such sale within and from one such place. Such license may be extended to additional places on the premises at the discretion of the board and a duplicate license may be issued for each such additional place: **PROVIDED**, That the holder of a master license for a restaurant in an airport terminal facility shall be required to maintain in a substantial manner at least one place on the premises for preparing, cooking and serving of complete meals, and such food service shall be available on request in other licensed places on the premises: **PROVIDED, FURTHER**, That an additional license fee of twenty-five percent of the annual master license fee shall be required for such duplicate licenses.

(e) Where the license shall be issued to any corporation, association, or person operating dining places at publicly owned civic centers with facilities for sports, entertainment, and conventions, with more than one place where liquor is to be dispensed and sold, such license shall be issued upon the payment of the annual fee, which shall be a master license and shall permit such sale within and from one such place. Such license may be extended to additional places on the premises at the discretion of the board and a duplicate license may be issued for each such additional place: **PROVIDED**, That the holder of a master license for a dining place at such a publicly owned civic center shall be required to maintain in a substantial manner at least one place on the premises for preparing, cooking and serving of complete meals, and food service shall be available on request in other licensed places on the premises: **PROVIDED FURTHER**, That an additional license fee of ten dollars shall be required for such duplicate licenses.

(f) Where the license shall be issued to any corporation, association or person operating more than one building containing dining places at privately owned facilities which are open to the public and where there is a continuity of ownership of all adjacent property, such license shall be issued upon the payment of an annual fee which shall be a master license and shall permit such sale within and from one such place. Such license may be extended to the additional dining places on the property at the discretion of the board and a duplicate license may be issued for each additional place: **PROVIDED**, That the holder of the master license for the dining place shall not offer alcoholic beverages for sale, service, and consumption at the additional place unless food service is available at both the location of the

master license and the duplicate license: PROVIDED FURTHER, That an additional license fee of twenty dollars shall be required for such duplicate licenses.

(2) The board, so far as in its judgment is reasonably possible, shall confine class H licenses to the business districts of cities and towns and other communities, and not grant such licenses in residential districts, nor within the immediate vicinity of schools, without being limited in the administration of this subsection to any specific distance requirements.

(3) The board shall have discretion to issue class H licenses outside of cities and towns in the state of Washington. The purpose of this subsection is to enable the board, in its discretion, to license in areas outside of cities and towns and other communities, establishments which are operated and maintained primarily for the benefit of tourists, vacationers and travelers, and also golf and country clubs, and common carriers operating dining, club and buffet cars, or boats.

(4) The total number of class H licenses issued in the state of Washington by the board, not including those class H licenses issued to clubs, shall not in the aggregate at any time exceed one license for each fifteen hundred of population in the state, determined according to the yearly population determination developed by the office of financial management pursuant to RCW 43.62.030.

(5) Notwithstanding the provisions of subsection (4) of this section, the board shall refuse a class H license to any applicant if in the opinion of the board the class H licenses already granted for the particular locality are adequate for the reasonable needs of the community.

Sec. 46. Section 9, chapter 178, Laws of 1969 ex. sess. as amended by section 18, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24.500 are each amended to read as follows:

There shall be a wine retailer's license to be designated as class J; a special license to a society or organization to sell wine at special occasions at a specified date and place; fee ~~((ten))~~ twenty dollars per day. Sale, service, and consumption of wine is to be confined to specified premises or designated areas only.

Sec. 47. Section 12, chapter 173, Laws of 1975 1st ex. sess. and RCW 66.24.510 are each amended to read as follows:

There shall be a spirituous liquor retailer's license to be designated as class K; a special license to a nonprofit organization to sell spirituous liquor as defined in RCW 66.24.410 by the glass, including mixed drinks and cocktails compounded or mixed on the premises only, to their members and invited guests at special occasions at a specified date and place when said special occasion is not open to the general public; fee ~~((twenty-five))~~ thirty-five dollars per day. Sale, service, and consumption of spirituous liquor is to be confined to specified premises or designated areas only. Spirituous liquor so sold shall be purchased at a state liquor store or agency without discount

at retail prices including all taxes. No more than two such licenses may be issued to any one nonprofit organization during a calendar year.

Sec. 48. Section 1, chapter 38, Laws of 1969 ex. sess. and RCW 66.44-.340 are each amended to read as follows:

Employers holding class E and/or F licenses exclusively are permitted to allow their employees, between the ages of eighteen and twenty-one years, to sell beer or wine in, on or about any establishment holding a class E and/or class F license exclusively: PROVIDED, That there is ~~((direct supervision by))~~ an adult twenty-one years of age or older ~~((in an adjacent check stand))~~ on duty supervising the sale of liquor at the licensed premises: PROVIDED, That minor employees may make deliveries of beer and/or wine purchased from licensees holding class E and/or class F licenses exclusively, when delivery is made to cars of customers adjacent to such licensed premises but only, however, when the minor employee is accompanied by the purchaser.

NEW SECTION. Sec. 49. The following acts or parts of acts are each hereby repealed:

- (1) Section 39, chapter 62, Law of 1933 ex. sess. and RCW 66.20.130;
 - (2) Section 53, chapter 62, Laws of 1933 ex. sess. and RCW 66.20.135;
 - (3) Section 54, chapter 62, Laws of 1933 ex. sess. and RCW 66.20.137;
- and
- (4) Section 35, chapter 62, Laws of 1933 ex. sess. and RCW 66.44.110.

NEW SECTION. Sec. 50. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 51. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1981.

Passed the Senate April 28, 1981.

Passed the House April 28, 1981.

Approved by the Governor May 18, 1981.

Filed in Office of Secretary of State May 18, 1981.

CHAPTER 6

[Reengrossed Substitute Senate Bill No. 4299]
SOCIAL AND HEALTH SERVICES

AN ACT Relating to social and health services; reenacting and amending section 74.04.005, chapter 26, Laws of 1959 as last amended by section 1, chapter 8, Laws of 1981 and RCW 74.04.005; amending section 74.04.015, chapter 26, Laws of 1959 as last amended by section 2, chapter 8, Laws of 1981 and RCW 74.04.015; amending section 74.04.050, chapter 26, Laws of 1959 as last amended by section 3, chapter 8, Laws of 1981 and