

HOUSE BILL REPORT

SSB 6028

As Passed House
March 4, 1994

Title: An act relating to local option elections within cities, towns, and counties.

Brief Description: Changing provisions relating to local option elections within cities, towns, and counties.

Sponsors: Senate Committee on Government Operations
(originally sponsored by Senators Winsley and Haugen).

Brief History:

Reported by House Committee on:
Commerce & Labor, February 25, 1994, DP.
Passed House, March 4, 1994, 98-0.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 9 members:
Representatives Heavey, Chair; G. Cole, Vice Chair; Lisk,
Ranking Minority Member; Chandler, Assistant Ranking
Minority Member; Conway; Horn; King; Springer and Veloria.

Staff: Jim Kelley (786-7166).

Background: Cities and counties are preempted by the state from licensing the sale of liquor. Cities and counties do, however, have authority over whether liquor can be sold at all within their boundaries. This is accomplished by a vote of the population in a local option election unit. These units are defined by the geographical boundaries of the city or town, or in the case of a county, all unincorporated areas in the county. Cities, towns, and counties may rule by a similar vote on the narrower question of whether to allow the sale of liquor by the drink under class H licenses within the local option election unit.

When a city or county adds to its territory, the question arises as to the "wet" or "dry" status of the added territory or whether class H licenses are permitted. Local option status, once adopted, is usually considered to attach to the territory which was originally bound by the vote. The right to change the local option status in a local option election unit belongs only to the people of the unit.

Summary of Bill: It is declared in the liquor code that addition to a city or unincorporated area of a county by annexation, disincorporation, or otherwise does not extend to the added territory the city's or county's prohibition of class H liquor licenses.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill is important to the city of Fircrest. It would allow the Fircrest Golf Course, which is in the county, to be annexed into the city of Fircrest. The golf course would then be able to continue to serve drinks at the club, despite the fact that the city of Fircrest currently does not allow establishments to sell liquor within city limits.

Testimony Against: None.

Witnesses: (In favor) Senator Winsley, prime sponsor; Jill Monley, City of Fircrest; Forrest Simon, Fircrest Golf Club; and Carter Mitchell, Liquor Control Board.