

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 5156

62nd Legislature
2011 Regular Session

Passed by the Senate April 15, 2011
YEAS 42 NAYS 6

President of the Senate

Passed by the House April 11, 2011
YEAS 91 NAYS 5

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5156** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5156

AS AMENDED BY THE HOUSE

Passed Legislature - 2011 Regular Session

State of Washington 62nd Legislature 2011 Regular Session

By Senate Labor, Commerce & Consumer Protection (originally sponsored by Senators Kohl-Welles, King, Keiser, Delvin, and Conway)

READ FIRST TIME 02/07/11.

1 AN ACT Relating to airport lounges under the alcohol beverage
2 control act; amending RCW 66.24.440, 66.20.310, 66.20.300, 66.28.290,
3 66.08.180, 66.08.220, and 68.50.107; reenacting and amending RCW
4 66.04.010; and adding a new section to chapter 66.24 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 66.24 RCW
7 to read as follows:

8 There shall be a license to allow a VIP airport lounge operator to
9 sell or otherwise provide spirits, wine, and beer solely for
10 consumption on the premises of a VIP airport lounge. The license
11 described in this section allows the VIP airport lounge operator to
12 purchase spirits from the board, and to purchase beer and wine at
13 retail outlets, or from the manufacturer or a distributor. No licensee
14 may serve liquor from a bar where patrons may sit to be served, but may
15 only serve liquor from a service bar, as approved by the board. The
16 annual fee for this license shall be two thousand dollars.

17 **Sec. 2.** RCW 66.04.010 and 2009 c 373 s 1 and 2009 c 271 s 2 are
18 each reenacted and amended to read as follows:

1 In this title, unless the context otherwise requires:

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

11 (2) "Authorized representative" means a person who:

12 (a) Is required to have a federal basic permit issued pursuant to
13 the federal alcohol administration act, 27 U.S.C. Sec. 204;

14 (b) Has its business located in the United States outside of the
15 state of Washington;

16 (c) Acquires ownership of beer or wine for transportation into and
17 resale in the state of Washington; and which beer or wine is produced
18 by a brewery or winery in the United States outside of the state of
19 Washington; and

20 (d) Is appointed by the brewery or winery referenced in (c) of this
21 subsection as its authorized representative for marketing and selling
22 its products within the United States in accordance with a written
23 agreement between the authorized representative and such brewery or
24 winery pursuant to this title.

25 (3) "Beer" means any malt beverage, flavored malt beverage, or malt
26 liquor as these terms are defined in this chapter.

27 (4) "Beer distributor" means a person who buys beer from a domestic
28 brewery, microbrewery, beer certificate of approval holder, or beer
29 importers, or who acquires foreign produced beer from a source outside
30 of the United States, for the purpose of selling the same pursuant to
31 this title, or who represents such brewer or brewery as agent.

32 (5) "Beer importer" means a person or business within Washington
33 who purchases beer from a beer certificate of approval holder or who
34 acquires foreign produced beer from a source outside of the United
35 States for the purpose of selling the same pursuant to this title.

36 (6) "Board" means the liquor control board, constituted under this
37 title.

1 (7) "Brewer" or "brewery" means any person engaged in the business
2 of manufacturing beer and malt liquor. Brewer includes a brand owner
3 of malt beverages who holds a brewer's notice with the federal bureau
4 of alcohol, tobacco, and firearms at a location outside the state and
5 whose malt beverage is contract-produced by a licensed in-state
6 brewery, and who may exercise within the state, under a domestic
7 brewery license, only the privileges of storing, selling to licensed
8 beer distributors, and exporting beer from the state.

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

12 (9) "Confection" means a preparation of sugar, honey, or other
13 natural or artificial sweeteners in combination with chocolate, fruits,
14 nuts, dairy products, or flavorings, in the form of bars, drops, or
15 pieces.

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

18 (11) "Contract liquor store" means a business that sells liquor on
19 behalf of the board through a contract with a contract liquor store
20 manager.

21 (12) "Craft distillery" means a distillery that pays the reduced
22 licensing fee under RCW 66.24.140.

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

26 (14) "Distiller" means a person engaged in the business of
27 distilling spirits.

28 (15) "Domestic brewery" means a place where beer and malt liquor
29 are manufactured or produced by a brewer within the state.

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

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

36 (18) "Druggist" means any person who holds a valid certificate and
37 is a registered pharmacist and is duly and regularly engaged in

1 carrying on the business of pharmaceutical chemistry pursuant to
2 chapter 18.64 RCW.

3 (19) "Employee" means any person employed by the board.

4 (20) "Flavored malt beverage" means:

5 (a) A malt beverage containing six percent or less alcohol by
6 volume to which flavoring or other added nonbeverage ingredients are
7 added that contain distilled spirits of not more than forty-nine
8 percent of the beverage's overall alcohol content; or

9 (b) A malt beverage containing more than six percent alcohol by
10 volume to which flavoring or other added nonbeverage ingredients are
11 added that contain distilled spirits of not more than one and one-half
12 percent of the beverage's overall alcohol content.

13 (21) "Fund" means 'liquor revolving fund.'

14 (22) "Hotel" means buildings, structures, and grounds, having
15 facilities for preparing, cooking, and serving food, that are kept,
16 used, maintained, advertised, or held out to the public to be a place
17 where food is served and sleeping accommodations are offered for pay to
18 transient guests, in which twenty or more rooms are used for the
19 sleeping accommodation of such transient guests. The buildings,
20 structures, and grounds must be located on adjacent property either
21 owned or leased by the same person or persons.

22 (23) "Importer" means a person who buys distilled spirits from a
23 distillery outside the state of Washington and imports such spirituous
24 liquor into the state for sale to the board or for export.

25 (24) "Imprisonment" means confinement in the county jail.

26 (25) "Liquor" includes the four varieties of liquor herein defined
27 (alcohol, spirits, wine and beer), and all fermented, spirituous,
28 vinous, or malt liquor, or combinations thereof, and mixed liquor, a
29 part of which is fermented, spirituous, vinous or malt liquor, or
30 otherwise intoxicating; and every liquid or solid or semisolid or other
31 substance, patented or not, containing alcohol, spirits, wine or beer,
32 and all drinks or drinkable liquids and all preparations or mixtures
33 capable of human consumption, and any liquid, semisolid, solid, or
34 other substance, which contains more than one percent of alcohol by
35 weight shall be conclusively deemed to be intoxicating. Liquor does
36 not include confections or food products that contain one percent or
37 less of alcohol by weight.

1 (26) "Malt beverage" or "malt liquor" means any beverage such as
2 beer, ale, lager beer, stout, and porter obtained by the alcoholic
3 fermentation of an infusion or decoction of pure hops, or pure extract
4 of hops and pure barley malt or other wholesome grain or cereal in pure
5 water containing not more than eight percent of alcohol by weight, and
6 not less than one-half of one percent of alcohol by volume. For the
7 purposes of this title, any such beverage containing more than eight
8 percent of alcohol by weight shall be referred to as "strong beer."

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

11 (28) "Nightclub" means an establishment that provides entertainment
12 and has as its primary source of revenue (a) the sale of alcohol for
13 consumption on the premises, (b) cover charges, or (c) both, and has an
14 occupancy load of one hundred or more.

15 (29) "Package" means any container or receptacle used for holding
16 liquor.

17 (30) "Passenger vessel" means any boat, ship, vessel, barge, or
18 other floating craft of any kind carrying passengers for compensation.

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

21 (32) "Person" means an individual, copartnership, association, or
22 corporation.

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

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

29 (35) "Public place" includes streets and alleys of incorporated
30 cities and towns; state or county or township highways or roads;
31 buildings and grounds used for school purposes; public dance halls and
32 grounds adjacent thereto; those parts of establishments where beer may
33 be sold under this title, soft drink establishments, public buildings,
34 public meeting halls, lobbies, halls and dining rooms of hotels,
35 restaurants, theatres, stores, garages and filling stations which are
36 open to and are generally used by the public and to which the public is
37 permitted to have unrestricted access; railroad trains, stages, and
38 other public conveyances of all kinds and character, and the depots and

1 waiting rooms used in conjunction therewith which are open to
2 unrestricted use and access by the public; publicly owned bathing
3 beaches, parks, and/or playgrounds; and all other places of like or
4 similar nature to which the general public has unrestricted right of
5 access, and which are generally used by the public.

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

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

12 (38) "Sale" and "sell" include exchange, barter, and traffic; and
13 also include the selling or supplying or distributing, by any means
14 whatsoever, of liquor, or of any liquid known or described as beer or
15 by any name whatever commonly used to describe malt or brewed liquor or
16 of wine, by any person to any person; and also include a sale or
17 selling within the state to a foreign consignee or his agent in the
18 state. "Sale" and "sell" shall not include the giving, at no charge,
19 of a reasonable amount of liquor by a person not licensed by the board
20 to a person not licensed by the board, for personal use only. "Sale"
21 and "sell" also does not include a raffle authorized under RCW
22 9.46.0315: PROVIDED, That the nonprofit organization conducting the
23 raffle has obtained the appropriate permit from the board.

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

27 (40) "Spirits" means any beverage which contains alcohol obtained
28 by distillation, except flavored malt beverages, but including wines
29 exceeding twenty-four percent of alcohol by volume.

30 (41) "Store" means a state liquor store established under this
31 title.

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

35 (43)(a) "Wine" means any alcoholic beverage obtained by
36 fermentation of fruits (grapes, berries, apples, et cetera) or other
37 agricultural product containing sugar, to which any saccharine
38 substances may have been added before, during or after fermentation,

1 and containing not more than twenty-four percent of alcohol by volume,
2 including sweet wines fortified with wine spirits, such as port,
3 sherry, muscatel and angelica, not exceeding twenty-four percent of
4 alcohol by volume and not less than one-half of one percent of alcohol
5 by volume. For purposes of this title, any beverage containing no more
6 than fourteen percent of alcohol by volume when bottled or packaged by
7 the manufacturer shall be referred to as "table wine," and any beverage
8 containing alcohol in an amount more than fourteen percent by volume
9 when bottled or packaged by the manufacturer shall be referred to as
10 "fortified wine." However, "fortified wine" shall not include: (i)
11 Wines that are both sealed or capped by cork closure and aged two years
12 or more; and (ii) wines that contain more than fourteen percent alcohol
13 by volume solely as a result of the natural fermentation process and
14 that have not been produced with the addition of wine spirits, brandy,
15 or alcohol.

16 (b) This subsection shall not be interpreted to require that any
17 wine be labeled with the designation "table wine" or "fortified wine."

18 (44) "Wine distributor" means a person who buys wine from a
19 domestic winery, wine certificate of approval holder, or wine importer,
20 or who acquires foreign produced wine from a source outside of the
21 United States, for the purpose of selling the same not in violation of
22 this title, or who represents such vintner or winery as agent.

23 (45) "Wine importer" means a person or business within Washington
24 who purchases wine from a wine certificate of approval holder or who
25 acquires foreign produced wine from a source outside of the United
26 States for the purpose of selling the same pursuant to this title.

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

29 (47) "VIP airport lounge" means an establishment within an
30 international airport located beyond security checkpoints that provides
31 a special space to sit, relax, read, work, and enjoy beverages where
32 access is controlled by the VIP airport lounge operator and is
33 generally limited to the following classifications of persons:

34 (a) Airline passengers of any age whose admission is based on a
35 first-class, executive, or business class ticket;

36 (b) Airline passengers of any age who are qualified members or
37 allowed guests of certain frequent flyer or other loyalty incentive

1 programs maintained by airlines that have agreements describing the
2 conditions for access to the VIP airport lounge;

3 (c) Airline passengers of any age who are qualified members or
4 allowed guests of certain enhanced amenities programs maintained by
5 companies that have agreements describing the conditions for access to
6 the VIP airport lounge;

7 (d) Airport and airline employees, government officials, foreign
8 dignitaries, and other attendees of functions held by the airport
9 authority or airlines related to the promotion of business objectives
10 such as increasing international air traffic and enhancing foreign
11 trade where access to the VIP airport lounge will be controlled by the
12 VIP airport lounge operator; and

13 (e) Airline passengers of any age or airline employees whose
14 admission is based on a pass issued or permission given by the airline
15 for access to the VIP airport lounge.

16 (48) "VIP airport lounge operator" means an airline, port district,
17 or other entity operating a VIP airport lounge that: Is accountable
18 for compliance with the alcohol beverage control act under Title 66
19 RCW; holds the license under chapter 66.24 RCW issued to the VIP
20 airport lounge; and provides a point of contact for addressing any
21 licensing and enforcement by the board.

22 (49) "Service bar" means a fixed or portable table, counter, cart,
23 or similar work station primarily used to prepare, mix, serve, and sell
24 alcohol that is picked up by employees or customers. Customers may not
25 be seated or allowed to consume food or alcohol at a service bar.

26 **Sec. 3.** RCW 66.24.440 and 2009 c 271 s 8 are each amended to read
27 as follows:

28 Each spirits, beer, and wine restaurant, spirits, beer, and wine
29 private club, hotel, spirits, beer, and wine nightclub, (~~and~~) sports
30 entertainment facility licensee, and VIP airport lounge licensee shall
31 be entitled to purchase any spirituous liquor items salable under such
32 license from the board at a discount of not less than fifteen percent
33 from the retail price fixed by the board, together with all taxes.

34 **Sec. 4.** RCW 66.20.310 and 2010 c 141 s 2 are each amended to read
35 as follows:

1 (1)(a) There shall be an alcohol server permit, known as a class 12
2 permit, for a manager or bartender selling or mixing alcohol, spirits,
3 wines, or beer for consumption at an on-premises licensed facility.

4 (b) There shall be an alcohol server permit, known as a class 13
5 permit, for a person who only serves alcohol, spirits, wines, or beer
6 for consumption at an on-premises licensed facility.

7 (c) As provided by rule by the board, a class 13 permit holder may
8 be allowed to act as a bartender without holding a class 12 permit.

9 (2)(a) Effective January 1, 1997, except as provided in (d) of this
10 subsection, every alcohol server employed, under contract or otherwise,
11 at a retail licensed premise shall be issued a class 12 or class 13
12 permit.

13 (b) Every class 12 and class 13 permit issued shall be issued in
14 the name of the applicant and no other person may use the permit of
15 another permit holder. The holder shall present the permit upon
16 request to inspection by a representative of the board or a peace
17 officer. The class 12 or class 13 permit shall be valid for employment
18 at any retail licensed premises described in (a) of this subsection.

19 (c) Except as provided in (d) of this subsection, no licensee
20 holding a license as authorized by RCW 66.24.320, 66.24.330, 66.24.350,
21 66.24.400, 66.24.425, 66.24.450, 66.24.570, ~~((and))~~ 66.24.600, and
22 section 1 of this act may employ or accept the services of any person
23 without the person first having a valid class 12 or class 13 permit.

24 (d) Within sixty days of initial employment, every person whose
25 duties include the compounding, sale, service, or handling of liquor
26 shall have a class 12 or class 13 permit.

27 (e) No person may perform duties that include the sale or service
28 of alcoholic beverages on a retail licensed premises without possessing
29 a valid alcohol server permit.

30 (3) A permit issued by a training entity under this section is
31 valid for employment at any retail licensed premises described in
32 subsection (2)(a) of this section for a period of five years unless
33 suspended by the board.

34 (4) The board may suspend or revoke an existing permit if any of
35 the following occur:

36 (a) The applicant or permittee has been convicted of violating any
37 of the state or local intoxicating liquor laws of this state or has
38 been convicted at any time of a felony; or

1 (b) The permittee has performed or permitted any act that
2 constitutes a violation of this title or of any rule of the board.

3 (5) The suspension or revocation of a permit under this section
4 does not relieve a licensee from responsibility for any act of the
5 employee or agent while employed upon the retail licensed premises.
6 The board may, as appropriate, revoke or suspend either the permit of
7 the employee who committed the violation or the license of the licensee
8 upon whose premises the violation occurred, or both the permit and the
9 license.

10 (6)(a) After January 1, 1997, it is a violation of this title for
11 any retail licensee or agent of a retail licensee as described in
12 subsection (2)(a) of this section to employ in the sale or service of
13 alcoholic beverages, any person who does not have a valid alcohol
14 server permit or whose permit has been revoked, suspended, or denied.

15 (b) It is a violation of this title for a person whose alcohol
16 server permit has been denied, suspended, or revoked to accept
17 employment in the sale or service of alcoholic beverages.

18 (7) Grocery stores licensed under RCW 66.24.360, the primary
19 commercial activity of which is the sale of grocery products and for
20 which the sale and service of beer and wine for on-premises consumption
21 with food is incidental to the primary business, and employees of such
22 establishments, are exempt from RCW 66.20.300 through 66.20.350, except
23 for employees whose duties include serving during tasting activities
24 under RCW 66.24.363.

25 **Sec. 5.** RCW 66.20.300 and 2010 c 141 s 3 are each amended to read
26 as follows:

27 Unless the context clearly requires otherwise, the definitions in
28 this section apply throughout RCW 66.20.310 through 66.20.350.

29 (1) "Alcohol" has the same meaning as "liquor" in RCW 66.04.010.

30 (2) "Alcohol server" means any person who as part of his or her
31 employment participates in the sale or service of alcoholic beverages
32 for on-premise consumption at a retail licensed premise as a regular
33 requirement of his or her employment, and includes those persons
34 eighteen years of age or older permitted by the liquor laws of this
35 state to serve alcoholic beverages with meals.

36 (3) "Board" means the Washington state liquor control board.

1 (4) "Training entity" means any liquor licensee associations,
2 independent contractors, private persons, and private or public
3 schools, that have been certified by the board.

4 (5) "Retail licensed premises" means any:

5 (a) Premises licensed to sell alcohol by the glass or by the drink,
6 or in original containers primarily for consumption on the premises as
7 authorized by RCW 66.24.320, 66.24.330, 66.24.350, 66.24.400,
8 66.24.425, 66.24.450, and 66.24.570, and section 1 of this act;

9 (b) Distillery licensed pursuant to RCW 66.24.140 that is
10 authorized to serve samples of its own production;

11 (c) Facility established by a domestic winery for serving and
12 selling wine pursuant to RCW 66.24.170(4); and

13 (d) Grocery store licensed under RCW 66.24.360, but only with
14 respect to employees whose duties include serving during tasting
15 activities under RCW 66.24.363.

16 **Sec. 6.** RCW 66.28.290 and 2009 c 506 s 3 are each amended to read
17 as follows:

18 (1) Notwithstanding any prohibitions and restrictions contained in
19 this title, it shall be lawful for an industry member or affiliate to
20 have a direct or indirect financial interest in another industry member
21 or a retailer, and for a retailer or affiliate to have a direct or
22 indirect financial interest in an industry member unless such interest
23 has resulted or is more likely than not to result in undue influence
24 over the retailer or the industry member or has resulted or is more
25 likely than not to result in an adverse impact on public health and
26 safety. The structure of any such financial interest must be
27 consistent with subsection (2) of this section.

28 (2) Subject to subsection (1) of this section and except as
29 provided in RCW 66.28.295:

30 (a) An industry member in whose name a license or certificate of
31 approval has been issued pursuant to this title may wholly own or hold
32 a financial interest in a separate legal entity licensed pursuant to
33 RCW 66.24.320 through 66.24.570 and section 1 of this act, but may not
34 have such a license issued in its name; and

35 (b) A retailer in whose name a license has been issued pursuant to
36 this title may wholly own or hold a financial interest in a separate
37 legal entity licensed or holding a certificate of approval pursuant to

1 RCW 66.24.170, 66.24.206, 66.24.240, 66.24.244, 66.24.270(2),
2 66.24.200, or 66.24.250, but may not have such a license or certificate
3 of approval issued in its name; and

4 (c) A supplier in whose name a license or certificate of approval
5 has been issued pursuant to this title may wholly own or hold a
6 financial interest in a separate legal entity licensed as a distributor
7 or importer under this title, but such supplier may not have a license
8 as a distributor or importer issued in its own name; and

9 (d) A distributor or importer in whose name a license has been
10 issued pursuant to this title may wholly own or hold a financial
11 interest in a separate legal entity licensed or holding a certificate
12 of approval as a supplier under this title, but such distributor or
13 importer may not have a license or certificate of approval as a
14 supplier issued in its own name.

15 **Sec. 7.** RCW 66.08.180 and 2009 c 271 s 3 are each amended to read
16 as follows:

17 Except as provided in RCW 66.24.290(1), moneys in the liquor
18 revolving fund shall be distributed by the board at least once every
19 three months in accordance with RCW 66.08.190, 66.08.200 and
20 66.08.210(~~(:—PROVIDED, That)~~). However, the board shall reserve from
21 distribution such amount not exceeding five hundred thousand dollars as
22 may be necessary for the proper administration of this title.

23 (1) All license fees, penalties, and forfeitures derived under
24 chapter 13, Laws of 1935 from spirits, beer, and wine restaurant;
25 spirits, beer, and wine private club; hotel; spirits, beer, and wine
26 nightclub; spirits, beer, and wine VIP airport lounge; and sports
27 entertainment facility licenses shall every three months be disbursed
28 by the board as follows:

29 (a) Three hundred thousand dollars per biennium, to the death
30 investigations account for the state toxicology program pursuant to RCW
31 68.50.107; and

32 (b) Of the remaining funds:

33 (i) 6.06 percent to the University of Washington and 4.04 percent
34 to Washington State University for alcoholism and drug abuse research
35 and for the dissemination of such research; and

36 (ii) 89.9 percent to the general fund to be used by the department

1 of social and health services solely to carry out the purposes of RCW
2 70.96A.050;

3 (2) The first fifty-five dollars per license fee provided in RCW
4 66.24.320 and 66.24.330 up to a maximum of one hundred fifty thousand
5 dollars annually shall be disbursed every three months by the board to
6 the general fund to be used for juvenile alcohol and drug prevention
7 programs for kindergarten through third grade to be administered by the
8 superintendent of public instruction;

9 (3) Twenty percent of the remaining total amount derived from
10 license fees pursuant to RCW 66.24.320, 66.24.330, 66.24.350, and
11 66.24.360, shall be transferred to the general fund to be used by the
12 department of social and health services solely to carry out the
13 purposes of RCW 70.96A.050; and

14 (4) One-fourth cent per liter of the tax imposed by RCW 66.24.210
15 shall every three months be disbursed by the board to Washington State
16 University solely for wine and wine grape research, extension programs
17 related to wine and wine grape research, and resident instruction in
18 both wine grape production and the processing aspects of the wine
19 industry in accordance with RCW 28B.30.068. The director of financial
20 management shall prescribe suitable accounting procedures to ensure
21 that the funds transferred to the general fund to be used by the
22 department of social and health services and appropriated are
23 separately accounted for.

24 **Sec. 8.** RCW 66.08.220 and 2009 c 271 s 4 are each amended to read
25 as follows:

26 The board shall set aside in a separate account in the liquor
27 revolving fund an amount equal to ten percent of its gross sales of
28 liquor to spirits, beer, and wine restaurant; spirits, beer, and wine
29 private club; spirits, beer, and wine nightclub; hotel; spirits, beer,
30 and wine VIP airport lounge; and sports entertainment facility
31 licensees collected from these licensees pursuant to the provisions of
32 RCW 82.08.150, less the fifteen percent discount provided for in RCW
33 66.24.440; and the moneys in said separate account shall be distributed
34 in accordance with the provisions of RCW 66.08.190, 66.08.200 and
35 66.08.210. No election unit in which the sale of liquor under spirits,
36 beer, and wine restaurant; spirits, beer, and wine private club;

1 spirits, beer, and wine nightclub; and sports entertainment facility
2 licenses is unlawful shall be entitled to share in the distribution of
3 moneys from such separate account.

4 **Sec. 9.** RCW 68.50.107 and 2009 c 271 s 11 are each amended to read
5 as follows:

6 There shall be established in conjunction with the chief of the
7 Washington state patrol and under the authority of the state forensic
8 investigations council a state toxicological laboratory under the
9 direction of the state toxicologist whose duty it will be to perform
10 all necessary toxicologic procedures requested by all coroners, medical
11 examiners, and prosecuting attorneys. The state forensic
12 investigations council, after consulting with the chief of the
13 Washington state patrol and director of the bureau of forensic
14 laboratory services, shall appoint a toxicologist as state
15 toxicologist, who shall report to the director of the bureau of
16 forensic laboratory services and the office of the chief of the
17 Washington state patrol. Toxicological services shall be funded by
18 disbursement from the spirits, beer, and wine restaurant; spirits,
19 beer, and wine private club; spirits, beer, and wine nightclub;
20 spirits, beer, and wine VIP airport lounge; and sports entertainment
21 facility license fees as provided in RCW 66.08.180 and by appropriation
22 from the death investigations account as provided in RCW 43.79.445.

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