
Public Safety Committee

HB 1876

Brief Description: Concerning the liquor control board.

Sponsors: Representatives Moscoso, Hope, Goodman, Pettigrew, Hayes and Takko.

Brief Summary of Bill

- Designates the Washington State Liquor Control Board (WSLCB) as a general authority Washington law enforcement agency.
- Exempts liquor control officers of the WSLCB from membership in the Law Enforcement Officers' and Fire Fighters' Retirement System.
- Requires the Criminal Justice Training Commission (CJTC) to provide programs and training standards for liquor control officers and to also give them equal priority for enrollment in the CJTC's Basic Law Enforcement Academy (BLEA) as any other general authority law enforcement officer.
- Prohibits the CJTC from denying a liquor control officer admission into the BLEA for any more than one quarter.
- Allows the admission of liquor control officers into the Washington State Patrol's academy.

Hearing Date: 2/19/13

Staff: Yvonne Walker (786-7841).

Background:

The Washington State Liquor Control Board (WSLCB) was formed in 1933 by the Steele Act to regulate the importation, manufacture, distribution, and sale of alcohol. The WSLCB Enforcement and Education Division is responsible for enforcing state liquor and tobacco laws and regulations. The officers also provide alcohol education to liquor-licensed businesses, communities, and local law enforcement agencies.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Liquor and tobacco enforcement officers are limited-authority, commissioned law enforcement officers. Enforcement operations include premises visits, compliance checks, undercover operations, and complaint investigations, while educational efforts include liquor law briefings, technical assistance visits, and "Responsible Alcohol and Tobacco Sales" classes.

The WSLCB employs approximately 55 officers in the field. These officers have received roughly 440 hours of training at the Criminal Justice Training Commission (CJTC) or at an academy in the state of Idaho.

Limited Authority Agency. Limited authority Washington law enforcement agencies and officers have, as one of its functions, the apprehension or detection of persons committing infractions or violating traffic or specific criminal laws relating to limited subject areas. Agencies so designated include, but are not limited to, the Department of Natural Resources, the Department of Social and Health Services, the Gambling Board, the Department of Corrections, the State Parks and Recreation Commission, and the WSLCB.

General Authority Agency. General authority Washington law enforcement agencies and officers, have as their primary function the detection and apprehension of persons committing infractions or violating the traffic or criminal laws in general of the state throughout the territorial boundaries of the state, as distinguished from a limited authority Washington law enforcement agency. It also includes any other unit of government expressly designated by statute as such an agency. The Washington State Patrol (WSP) and the Department of Fish and Wildlife (DFW) are general authority law enforcement agencies.

Law Enforcement Officers' and Fire Fighter's Retirement System. The Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF) provides retirement benefits to full-time general authority law enforcement officers and firefighters throughout Washington. The LEOFF Plan 2 permits early retirement beginning at age 50 for members with 20 years of service with a 3 percent per year reduction to their retirement allowance up until the age of 53.

Criminal Justice Training Commission's Basic Law Enforcement Academy.

The CJTC provides basic law enforcement training, and educational programs for law enforcement, corrections, and other public safety professionals in Washington.

Basic law enforcement officer training is generally required of all law enforcement officers, with the exception of volunteers, and reserve officers employed in Washington. The training consists of a 720-hour program covering a wide variety of subjects including: criminal law and procedures, traffic enforcement, cultural awareness, communication and writing skills, emergency vehicle operations, firearms, crisis intervention, patrol procedures, and criminal investigation and defensive tactics. All law enforcement personnel hired, transferred, or promoted, are required to complete the core training requirements within six months, unless the employee receives a waiver from the CJTC.

Washington State Patrol's Academy.

The WSP has a separate academy for state trooper cadets. The WSP academy consists of a 26-week basic training course and eight weeks of practical instruction with experienced training officers throughout the state.

As a condition of continuing employment as a peace officer, all Washington peace officers (including the WSPs officers) must timely obtain and retain certification as peace officers. The CJTC has the authority to issue or revoke all peace officer certifications.

Summary of Bill:

The WSLCB is designated as a general authority Washington law enforcement agency, with enforcement authority equal to that of the WSP and the DFW. The WSLCB has the authority to enforce the traffic and criminal laws of the state throughout the territorial bounds of the state. Liquor control officers vested with police powers must enforce the rules of the WSLCB and must have and exercise, throughout the state, police powers and duties as are vested in sheriffs and peace officers.

The act does not provide liquor control officers of the WSLCB with membership in the LEOFF retirement system.

The CJTC must provide programs and training standards for the training of liquor control officers. The CJTC must give the general authority peace officers of the WSLCB equal priority for enrollment in the CJTCs basic law enforcement training just as any other general authority law enforcement officer. The CJTC is prohibited from denying a liquor control officer admission into the BLEA for any more than one quarter.

The WSP academy is also open to any state patrol cadet, state patrol officer, and all liquor control officers of the WSLCB.

A liquor control officer must reimburse the WSLCB for the total cost of all basic law enforcement training that the officer received if he or she leaves employment of the WSLCB within two years of the officer's completion of basic law enforcement training.

As a condition to continued employment (similar to the requirement for all other peace officers), liquor control officers must obtain and retain basic certification as peace officers.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.