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HOUSE BILL 2849

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State of Washington

56th Legislature

2000 Regular Session

By Representatives Hurst, Clements, Rockefeller, DeBolt, Dunshee, Eickmeyer, Campbell, Conway, Stensen, Ericksen, Ruderman, Mitchell, McIntire and Haigh

Read first time 01/21/2000. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to state certification and training for liquor  
2 control board officers; amending RCW 66.44.010 and 43.101.010; and  
3 adding a new section to chapter 43.101 RCW.

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

5 **Sec. 1.** RCW 66.44.010 and 1998 c 18 s 1 are each amended to read  
6 as follows:

7 (1) All county and municipal peace officers are hereby charged with  
8 the duty of investigating and prosecuting all violations of this title,  
9 and the penal laws of this state relating to the manufacture,  
10 importation, transportation, possession, distribution and sale of  
11 liquor, and all fines imposed for violations of this title and the  
12 penal laws of this state relating to the manufacture, importation,  
13 transportation, possession, distribution and sale of liquor shall  
14 belong to the county, city or town wherein the court imposing the fine  
15 is located, and shall be placed in the general fund for payment of the  
16 salaries of those engaged in the enforcement of the provisions of this  
17 title and the penal laws of this state relating to the manufacture,  
18 importation, transportation, possession, distribution and sale of  
19 liquor: PROVIDED, That all fees, fines, forfeitures and penalties

1 collected or assessed by a district court because of the violation of  
2 a state law shall be remitted as provided in chapter 3.62 RCW as now  
3 exists or is later amended.

4 (2) In addition to any and all other powers granted, the board  
5 shall have the power to enforce the penal provisions of this title and  
6 the penal laws of this state relating to the manufacture, importation,  
7 transportation, possession, distribution and sale of liquor.

8 (3) In addition to the other duties under this section, the board  
9 shall enforce chapters 82.24 and 82.26 RCW.

10 (4) The board may appoint and employ, assign to duty and fix the  
11 compensation of, officers to be designated as liquor enforcement  
12 officers. Such liquor enforcement officers shall have the power, under  
13 the supervision of the board, to enforce the penal provisions of this  
14 title and the penal laws of this state relating to the manufacture,  
15 importation, transportation, possession, distribution and sale of  
16 liquor. Once certified by the criminal justice training commission  
17 under subsection (5) of this section and section 3 of this act, they  
18 shall have the power and authority to serve and execute all warrants  
19 and process of law issued by the courts in enforcing the penal  
20 provisions of this title or of any penal law of this state ((relating  
21 to—the—manufacture,—importation,—transportation,—possession,  
22 distribution and sale of liquor, and the provisions of chapters 82.24  
23 and 82.26 RCW)). They shall have the power to arrest without a warrant  
24 any person or persons found in the act of violating any of the penal  
25 provisions of this title or of any penal law of this state ((relating  
26 to—the—manufacture,—importation,—transportation,—possession,  
27 distribution and sale of liquor, and the provisions of chapters 82.24  
28 and 82.26 RCW)).

29 (5)(a) All liquor enforcement officers employed on or after the  
30 effective date of this act shall, as a condition of continued  
31 employment, engage in basic law enforcement officer training provided  
32 by the criminal justice training commission. An officer employed on or  
33 after the effective date of this act shall not engage in any  
34 enforcement duties until the officer has been certified as having  
35 successfully completed the training.

36 (b) Liquor enforcement officers employed prior to the effective  
37 date of this act shall attend and successfully complete an equivalency  
38 basic law enforcement training program developed by the criminal  
39 justice training commission under section 3 of this act. Law

1 enforcement training for liquor enforcement officers employed prior to  
2 the effective date of this act shall be phased in over time. The  
3 liquor control board shall adopt a policy specifying the number of  
4 officers who shall attend basic law enforcement training per year, and  
5 the procedure for selecting the order and timing of officers sent to  
6 the training.

7 **Sec. 2.** RCW 43.101.010 and 1981 c 132 s 2 are each amended to read  
8 as follows:

9 When used in this chapter:

10 (1) (~~The term~~) "Commission" means the Washington state criminal  
11 justice training commission.

12 (2) (~~The term~~) "Boards" means the education and training  
13 standards boards, the establishment of which are authorized by this  
14 chapter.

15 (3) (~~The term~~) "Criminal justice personnel" means any person who  
16 serves in a county, city, state, or port commission agency engaged in  
17 crime prevention, crime reduction, or enforcement of the criminal law.

18 (4) (~~The term~~) "Law enforcement personnel" means any public  
19 employee or volunteer having as a primary function the enforcement of  
20 criminal laws in general or any employee or volunteer of, or any  
21 individual commissioned by, any municipal, county, state, or  
22 combination thereof, agency having as its primary function the  
23 enforcement of criminal laws in general as distinguished from an agency  
24 possessing peace officer powers, the primary function of which is the  
25 implementation of specialized subject matter areas. For the purposes  
26 of this subsection "primary function" means that function to which the  
27 greater allocation of resources is made.

28 (5) (~~The term~~) "Correctional personnel" means any employee or  
29 volunteer who by state, county, municipal, or combination thereof,  
30 statute has the responsibility for the confinement, care, management,  
31 training, treatment, education, supervision, or counseling of those  
32 individuals whose civil rights have been limited in some way by legal  
33 sanction.

34 (6) "Liquor enforcement officer" means an officer employed or  
35 appointed by the liquor control board under RCW 66.44.010.

36 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.101 RCW  
37 to read as follows:

1 (1) The commission shall provide basic law enforcement training to  
2 all liquor enforcement officers initially employed on or after the  
3 effective date of this act. The commission shall certify that the  
4 liquor enforcement officer has successfully completed the training  
5 before the liquor enforcement officer engages in any enforcement  
6 activities.

7 (2) The commission shall provide an equivalency basic law  
8 enforcement training program for liquor enforcement officers employed  
9 prior to the effective date of this act. The commission shall develop  
10 an equivalency training program of no more than one hundred sixty hours  
11 taking into consideration the types of experiences of and training  
12 received by experienced liquor enforcement officers.

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