

SENATE BILL REPORT

SB 6035

As Reported by Senate Committee On:
Labor & Commerce, January 23, 2020

Title: An act relating to instruction for liquor license employees.

Brief Description: Concerning liquor license employees.

Sponsors: Senators Keiser, King, Conway and Stanford.

Brief History:

Committee Activity: Labor & Commerce: 1/21/20, 1/23/20 [DPS].

Brief Summary of First Substitute Bill

- Requires employees of certain liquor licensees to be considered to be on-duty for the purposes of compensation when attending employer sponsored educational programs.
- Sets new conditions under which licensees and their employees may sample products.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: That Substitute Senate Bill No. 6035 be substituted therefor, and the substitute bill do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun, Saldaña, Schoesler, Stanford, Walsh and Wellman.

Staff: Richard Rodger (786-7461)

Background: Several categories of retail liquor licensees are authorized to conduct educational programs for their employees regarding products served by the licensee. The holders of the following licenses may offer the programs:

- beer and/or wine restaurant license;
- spirits, beer, and wine restaurant license;
- tavern license; and
- hotel license.

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.

The instruction may include the history, nature, values, and characteristics of liquor products, the use of wine lists, and the methods of presenting, serving, storing, and handling the products. The employees may participate in sampling the products.

Domestic breweries, microbreweries, domestic wineries, distilleries, distributors, certificate of approval holders may also conduct similar educational programs for their employees.

Summary of Bill (First Substitute): If a liquor licensee conducts an educational program regarding products served by the licensee, the participating employees are considered to be on duty for the purposes of compensation. Licensees and their employees are prohibited from sampling products in areas where the public is served, while engaged in serving alcohol to the public at the same time, or if the licensee or employee is or becomes apparently intoxicated.

EFFECT OF CHANGES MADE BY LABOR & COMMERCE COMMITTEE (First Substitute):

- Provides that licensees and their employees may not: sample products in areas where the public is served; be engaged in serving alcohol to the public at the same time; or sample products if the licensee or employee is or becomes apparently intoxicated.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: We see this bill as an opportunity to clarify inconsistencies between the statutes and rules of the Department of Labor and Industries and those of the Liquor and Cannabis Board. The employees should be paid while participating in these educational activities. We would appreciate including a definition for the term of "on-duty," to clarify that it does not include time when the employee is serving the public.

Persons Testifying: PRO: Senator Karen Keiser, Prime Sponsor; Katie Doyle, Washington Hospitality Association.

Persons Signed In To Testify But Not Testifying: No one.