

SENATE BILL REPORT

SSB 5776

AS PASSED SENATE, MARCH 18, 1991

Brief Description: Regulating alcoholic beverages.

SPONSORS: Senate Committee on Commerce & Labor (originally sponsored by Senator McMullen).

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: That Substitute Senate Bill No. 5776 be substituted therefor, and the substitute bill do pass.

Signed by Senators Matson, Chairman; Anderson, Vice Chairman; Bluechel, McCaslin, McDonald, McMullen, Moore, and Murray.

Staff: Traci Anderson (786-7452)

Hearing Dates: February 27, 1991; March 6, 1991

HOUSE COMMITTEE ON COMMERCE & LABOR

BACKGROUND:

It is unlawful to sell liquor without a license or permit from the Liquor Control Board. "Sell" is defined broadly to include supplying or distributing liquor by any means whatsoever. Therefore, it is technically unlawful for an individual to give liquor as a gift to another individual.

State law currently defines table wine as any beverage containing less than 14 percent alcohol by volume. Fortified or dessert wine is defined as any beverage fortified with wine spirits such as port, sherry, muscatel and angelica, containing equal to or more than 14 but not greater than 24 percent of alcohol by volume. Federal law currently defines table wine as any beverage containing no more than 14 percent of alcohol by volume. Fortified or dessert wine is defined as any beverage fortified with wine spirits containing more than 14 but not greater than 24 percent of alcohol by volume.

Domestic wineries that have shipped wine to out-of-state wholesalers may not have its unsold wine returned for possible sale within the state.

Under the current policy of the Liquor Control Board, domestic wineries desiring to make "sparkling wines" are allowed to ship wine out of the state to complete the process of making "sparkling wine." The wine may then be shipped back to be sold by the domestic winery. A domestic winery is not required to obtain a separate license for the purpose of conducting such activity.

SUMMARY:

An individual not licensed by the Liquor Control Board may give liquor to another individual, also not licensed by the board, for personal use only.

Table wine is defined as any beverage containing no more than 14 percent of alcohol by volume. Fortified wine is defined as any wine containing more than 14 but not greater than 24 percent of alcohol by volume. These changes make the state's definitions of table wine and fortified wine consistent with federal law.

Domestic wineries are allowed to have its unsold wine returned for possible sale within the state.

The Liquor Control Board's current policy allowing domestic wineries to ship wine out-of-state for the purposes of making "sparkling wine" is codified.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

This bill addresses a number of longstanding concerns of the wineries. The bill codifies several existing policies of the Liquor Control Board.

TESTIMONY AGAINST: None

TESTIFIED: PRO: Vicki Chiechi, Washington Wine Institute; Carter Mitchell, Liquor Control Board

HOUSE AMENDMENT(S):

Nonprofit charitable and nonprofit organizations are allowed to provide unopened containers of beverages containing alcohol as prizes at raffles if the appropriate permit has been obtained from the Liquor Control Board.