

HOUSE BILL 1232

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Cole, Heavey, Nelson, Brekke and Anderson.

Read first time January 23, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to exempting microbreweries from any rule requiring
2 the labeling of beer containers to reflect alcohol content; and
3 amending RCW 66.08.030.

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

5 **Sec. 1.** RCW 66.08.030 and 1977 ex.s. c 115 s 1 are each amended to
6 read as follows:

7 (1) For the purpose of carrying into effect the provisions of this
8 title according to their true intent or of supplying any deficiency
9 therein, the board may make such regulations not inconsistent with the
10 spirit of this title as are deemed necessary or advisable. All
11 regulations so made shall be a public record and shall be filed in the
12 office of the code reviser, and thereupon shall have the same force and
13 effect as if incorporated in this title. Such regulations, together
14 with a copy of this title, shall be published in pamphlets and shall be
15 distributed as directed by the board.

1 (2) Without thereby limiting the generality of the provisions
2 contained in subsection (1) of this section, it is declared that the
3 power of the board to make regulations in the manner set out in that
4 subsection shall extend to

5 (a) regulating the equipment and management of stores and
6 warehouses in which state liquor is sold or kept, and prescribing the
7 books and records to be kept therein and the reports to be made thereon
8 to the board;

9 (b) prescribing the duties of the employees of the board, and
10 regulating their conduct in the discharge of their duties;

11 (c) governing the purchase of liquor by the state and the
12 furnishing of liquor to stores established under this title;

13 (d) determining the classes, varieties, and brands of liquor to be
14 kept for sale at any store;

15 (e) prescribing, subject to RCW 66.16.080, the hours during which
16 the state liquor stores shall be kept open for the sale of liquor;

17 (f) providing for the issuing and distributing of price lists
18 showing the price to be paid by purchasers for each variety of liquor
19 kept for sale under this title;

20 (g) prescribing an official seal and official labels and stamps and
21 determining the manner in which they shall be attached to every package
22 of liquor sold or sealed under this title, including the prescribing of
23 different official seals or different official labels for different
24 classes of liquor. A rule requiring brewers to state the alcohol
25 content of malt beverages on individual containers shall not apply to
26 brewers of malt beverages that produce less than sixty thousand barrels
27 of malt beverages in a calendar year;

28 (h) providing for the payment by the board in whole or in part of
29 the carrying charges on liquor shipped by freight or express;

1 (i) prescribing forms to be used for purposes of this title or the
2 regulations, and the terms and conditions to be contained in permits
3 and licenses issued under this title;

4 (j) prescribing the fees payable in respect of permits and licenses
5 issued under this title for which no fees are prescribed in this title,
6 and prescribing the fees for anything done or permitted to be done
7 under the regulations;

8 (k) prescribing the kinds and quantities of liquor which may be
9 kept on hand by the holder of a special permit for the purposes named
10 in the permit, regulating the manner in which the same shall be kept
11 and disposed of, and providing for the inspection of the same at any
12 time at the instance of the board;

13 (l) regulating the sale of liquor kept by the holders of licenses
14 which entitle the holder to purchase and keep liquor for sale;

15 (m) prescribing the records of purchases or sales of liquor kept by
16 the holders of licenses, and the reports to be made thereon to the
17 board, and providing for inspection of the records so kept;

18 (n) prescribing the kinds and quantities of liquor for which a
19 prescription may be given, and the number of prescriptions which may be
20 given to the same patient within a stated period;

21 (o) prescribing the manner of giving and serving notices required
22 by this title or the regulations, where not otherwise provided for in
23 this title;

24 (p) regulating premises in which liquor is kept for export from the
25 state, or from which liquor is exported, prescribing the books and
26 records to be kept therein and the reports to be made thereon to the
27 board, and providing for the inspection of the premises and the books,
28 records and the liquor so kept;

29 (q) prescribing the conditions and qualifications requisite for the
30 obtaining of club licenses and the books and records to be kept and the

1 returns to be made by clubs, prescribing the manner of licensing clubs
2 in any municipality or other locality, and providing for the inspection
3 of clubs;

4 (r) prescribing the conditions, accommodations and qualifications
5 requisite for the obtaining of licenses to sell beer and wines, and
6 regulating the sale of beer and wines thereunder;

7 (s) specifying and regulating the time and periods when, and the
8 manner, methods and means by which manufacturers shall deliver liquor
9 within the state; and the time and periods when, and the manner,
10 methods and means by which liquor may lawfully be conveyed or carried
11 within the state;

12 (t) providing for the making of returns by brewers of their sales
13 of beer shipped within the state, or from the state, showing the gross
14 amount of such sales and providing for the inspection of brewers' books
15 and records, and for the checking of the accuracy of any such returns;

16 (u) providing for the making of returns by the wholesalers of beer
17 whose breweries are located beyond the boundaries of the state;

18 (v) providing for the making of returns by any other liquor
19 manufacturers, showing the gross amount of liquor produced or
20 purchased, the amount sold within and exported from the state, and to
21 whom so sold or exported, and providing for the inspection of the
22 premises of any such liquor manufacturers, their books and records, and
23 for the checking of any such return;

24 (w) providing for the giving of fidelity bonds by any or all of the
25 employees of the board: PROVIDED, That the premiums therefor shall be
26 paid by the board;

27 (x) providing for the shipment by mail or common carrier of liquor
28 to any person holding a permit and residing in any unit which has, by
29 election pursuant to this title, prohibited the sale of liquor therein;

1 (y) prescribing methods of manufacture, conditions of sanitation,
2 standards of ingredients, quality and identity of alcoholic beverages
3 manufactured, sold, bottled, or handled by licensees and the board; and
4 conducting from time to time, in the interest of the public health and
5 general welfare, scientific studies and research relating to alcoholic
6 beverages and the use and effect thereof;

7 (z) seizing, confiscating and destroying all alcoholic beverages
8 manufactured, sold or offered for sale within this state which do not
9 conform in all respects to the standards prescribed by this title or
10 the regulations of the board: PROVIDED, Nothing herein contained shall
11 be construed as authorizing the liquor board to prescribe, alter, limit
12 or in any way change the present law as to the quantity or percentage
13 of alcohol used in the manufacturing of wine or other alcoholic
14 beverages.