

SENATE BILL REPORT

SB 5557

AS REPORTED BY COMMITTEE ON WAYS & MEANS, MARCH 8, 1993

Brief Description: Regulating alcohol servers.

SPONSORS: Senators Prentice, Prince, Vognild, Amondson, Bauer and Franklin

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: That Substitute Senate Bill No. 5557 be substituted therefor, and the substitute bill do pass.

Signed by Senators Moore, Chairman; Amondson, Cantu, Fraser, McAuliffe, Newhouse, Pelz, Prince, and Vognild.

Staff: Traci Ratzliff (786-7452)

Hearing Dates: February 23, 1993; February 26, 1993

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5557 as recommended by Committee on Labor & Commerce be substituted therefor, and the substitute bill do pass.

Signed by Senators Rinehart, Chairman; Spanel, Vice Chairman; Bauer, Bluechel, Cantu, Gaspard, Hargrove, Hochstatter, Jesernig, McDonald, Moyer, L. Smith, Snyder, Talmadge, and Wojahn.

Staff: Martin Chaw (786-7715)

Hearing Dates: March 8, 1993

BACKGROUND:

Under current law, individuals who participate in the sale or service of alcoholic beverages at establishments licensed to sell alcoholic beverages for on-site consumption are not required to be licensed. In addition, such individuals are not required to participate in any type of formal training in the service of alcoholic beverages, the effects of alcohol on consumers, or the state laws pertaining to the service of alcohol. The Liquor Control Board does provide, on a limited basis, voluntary training of alcohol servers for those establishments requesting such training.

It is suggested that individuals responsible for the sale or service of alcoholic beverages to consumers should be required to participate in mandatory alcohol server training programs and should be licensed by the state as a way of providing greater protection to the citizens of this state.

SUMMARY:

The original bill was not considered.

EFFECT OF PROPOSED SUBSTITUTE:

After July 1, 1994, individuals participating in the sale or service of alcoholic beverages at establishments licensed to sell such beverages for on-premise consumption are required to obtain an alcohol server's class 12 permit from the Liquor Control Board. Individuals employed by domestic wineries holding class C licenses are exempt from the permitting requirement.

Individuals required to obtain an alcohol server's class 12 permit must submit an application for a permit within 60 days of initial employment.

A retail licensed establishment is prohibited from hiring an individual to sell or serve alcohol who does not have a valid alcohol server permit or who has had a permit revoked, suspended or denied.

An individual who has had a class 12 permit denied, suspended, or revoked is prohibited from accepting employment in the sale or service of alcoholic beverages at a retail licensed establishment.

After July 1, 1994, all applicants for retail liquor licenses and the managers of such establishments, all applicants for alcohol server permits, and all renewing retail licensees must complete an approved alcohol server education program and examination in order to qualify or requalify for a license.

The conditions under which the Liquor Control Board may deny an applicant or suspend or revoke an existing class 12 permit are outlined.

The Liquor Control Board may revoke or suspend the permit of an employee who commits a violation of the act or the license of the licensee upon whose premises the violation occurred or both.

The Liquor Control Board is directed to regulate alcohol server education programs. The Liquor Control Board will provide the education program through liquor licensee associations, independent contractors, private persons, private or public schools certified by the board or any combination of such programs.

The Liquor Control Board will establish by rule fees for providing alcohol server training and for training and certifying private providers of such training. All fees collected under the act are deposited into the liquor revolving fund.

A violation of any rules developed to implement the act constitutes a misdemeanor, punishable by a fine of not more than \$250.

Appropriation: none

Revenue: yes

Fiscal Note: requested

TESTIMONY FOR (Labor & Commerce):

The industry supports the need for alcohol server training. The industry is selling a well regulated, mind-altering drug; therefore, servers should be trained regarding the service of this substance.

TESTIMONY AGAINST (Labor & Commerce):

Servers and licensees should be educated regarding the service of alcohol. However, servers should not have to pay for the training or the permit.

TESTIFIED (Labor & Commerce): Jackie Chase, Advanced Training (pro); Gary McClenaghan, TAM; Ron Sellar, Licensed Beverage Association (pro); Steven Aldrich, Hospitality Employees, Restaurant Employees

TESTIMONY FOR (Ways & Means):

The bill is needed to improve the awareness of alcohol and its effects on consumers. Employees will pay for the training. In most cases, the employers will pay the employees while in training. This bill will apply only to "on premise" establishments (e.g., taverns, restaurants). Several other technical operational questions were answered.

TESTIMONY AGAINST (Ways & Means): None

TESTIFIED (Ways & Means): Vito Chiechi, Washington State Liquor and Beverage Association; Carter Mitchell, Liquor Control Board