

VII. STANDING COMMITTEES**B. Finance, Audit and Facilities Committee**Adopting Proposed Amendments to WAC 478-136-041, “Alcoholic Beverage Policy”RECOMMENDED ACTION

It is the recommendation of the administration and the Finance, Audit and Facilities Committee that the Board of Regents adopt the amendments to WAC 478-136-041, “Alcoholic Beverage Policy.”

BACKGROUND

In order to sell, serve, and consume alcohol in Husky Stadium, the University of Washington must obtain an annual Washington State Liquor Control Board Sports and Entertainment License. The current UW alcoholic beverage policy does not allow for sale, service, and consumption of alcohol in the stadium pursuant to a sports and entertainment license.

The operating plan required to obtain the annual sports entertainment facility license will limit alcohol sale, service, and consumption to suite and club areas—approximately five percent of the available seating in the renovated Husky Stadium. This proposed amendment allows UW to obtain the appropriate Sports and Entertainment License in order to implement the operating plan that was approved by the Office of the President and the Board of Regents.

REVIEW AND APPROVAL

These proposed revisions have been reviewed by the Attorney General’s Office, and endorsed by the Office of the President and the Director of Intercollegiate Athletics.

Attachments

1. Hearing Officer’s Report of June 7, 2013 Public Hearing
2. Proposed Amendments to WAC 478-136-041, “Alcoholic Beverage Policy”

Rules Coordination Office

June 12, 2013

President Michael K. Young
Office of the President
University of Washington
Box 351230

Dear President Young,

Pursuant to your delegation, I served as the Hearing Officer to receive public comment on the University of Washington's proposed amendments to WAC 478-136-041, "Alcoholic Beverage Policy," at the June 7, 2013 public hearing held in Room 142 of Gerberding Hall at the University of Washington, Seattle campus. I am pleased to provide this report on the hearing and all written comments received.

As required by the Administrative Procedure Act, the University filed the following notices with the Washington State Office of the Code Reviser: a Preproposal Statement of Inquiry (published as WSR 13-06-045); and a Proposed Rule Making (published as WSR 13-10-067). Notices that a hearing would be held were published in *The Daily* and in *UW Today* on May 29, 2013. Notice of this public hearing was also included in the UW Seattle online events calendar prior to the event. The written comment period began March 20, 2013 and ended June 7, 2013.

Public Comment

One individual offered a brief written comment in support of the proposed rule, and no individuals testified at the hearing.

Analysis and Recommendation

Currently, the University's alcoholic beverage policy does not provide for licensing under a sports entertainment facility license. The proposed WAC rule amendment will make it clear that alcohol sales, service, and consumption in Husky Stadium will be governed by and must be in compliance with such a license issued by the Washington State Liquor Control Board.

The proposed revisions have been reviewed by the Attorney General's Office and endorsed by the Director of Athletics.

As there were no comments to the contrary, it is my recommendation that the Board of Regents adopt the amendments to WAC as proposed.

An audio recording of the hearing has been deposited with the Secretary of the Board of Regents.

Sincerely,



Rebecca Goodwin Deardorff
Director of Rules Coordination

cc: Ms. Joan Goldblatt
Mr. Jack Johnson
Ms. Karin Nyrop
Ms. Stephanie Rempe
Mr. Scott Woodward

AMENDATORY SECTION (Amending WSR 10-13-098, filed 6/17/10, effective 7/18/10)

WAC 478-136-041 Alcoholic beverage policy. Alcoholic beverages may be possessed, sold, served, and consumed at university facilities only if the procedures set forth in this section are followed.

(1) The appropriate permits/licenses for possession, sale, service, and consumption of alcohol must be obtained from the Washington state liquor control board.

(2) Permits/licenses must be displayed during the event and all other guidelines and restrictions established by the Washington state liquor control board must be followed.

(3) Alcoholic beverages may be possessed, sold, served, and consumed at the University of Washington club, as so designated by the university board of regents to the Washington state liquor control board, pursuant to a spirits, beer, and wine private club license issued by the Washington state liquor control board.

(4) Alcoholic beverages may be possessed, sold, served, and consumed at university facilities leased to a commercial tenant under a lease that includes authorization for the tenant to apply and hold a license issued by the Washington state liquor control board.

(5) Except as provided in subsections (3) and (4) of this section, alcoholic beverages may be possessed, sold, served, and consumed at university facilities only under permits/licenses issued by the Washington state liquor control board and only as follows:

(a) Events at which alcohol is to be sold must be approved by the appropriate committee chair for the committee on the use of university facilities and an application to the chair must be accompanied by a request for written authorization under subsection (6) of this section or proof that the seller holds an appropriate license; and

(b) Events at athletic venues at which alcohol is to be possessed, sold, served, or consumed must:

(i) Not be within the spectator viewing areas and must have restricted attendance; or

(ii) Operate under a sport entertainment facility license issued by the Washington state liquor control board; and

(c) A university unit, or an individual or organization applying for a permit/license must have obtained approval under subsection (6) of this section; and

(d) Sale, service, and consumption of alcohol is to be confined to specified room(s) or area(s) identified on the license or permit. Unopened containers may not be sold or served. No alcohol is permitted to be taken off-premises.

(6) Written authorization to apply for a special occasion

license to sell alcoholic beverages or a banquet permit to serve and consume alcoholic beverages at university facilities must be obtained from the appropriate committee chair for the committee on the use of university facilities prior to applying for a special occasion license or banquet permit from the Washington state liquor control board. Authorization should be requested sufficiently in advance of the program to allow timely consideration. (Note: Some license applications must be filed with the Washington state liquor control board at least thirty days or more before the event.) Written authorization to apply for such a permit/license shall accompany the application filed with the Washington state liquor control board.

(7) Consumption, possession, dispensation, or sale of alcohol is prohibited except for persons of legal age.