

SENATE BILL REPORT

HB 1289

As Reported by Senate Committee On:
Labor, Commerce & Tribal Affairs, March 24, 2021

Title: An act relating to winery workforce development.

Brief Description: Concerning winery workforce development.

Sponsors: Representatives Chambers, Kloba, Robertson, Johnson, J., Sutherland, Fitzgibbon, Chandler, Jacobsen, Ybarra, Rude, Boehnke, Barkis and Klicker.

Brief History: Passed House: 3/8/21, 91-6.

Committee Activity: Labor, Commerce & Tribal Affairs: 3/18/21, 3/24/21 [DPA].

Brief Summary of Amended Bill

- Permits 18 to 21 year-old domestic winery employees to engage in wine production and work in a winery's production facility, so long as an adult age 21 years of age or older on duty is supervising.

SENATE COMMITTEE ON LABOR, COMMERCE & TRIBAL AFFAIRS

Majority Report: Do pass as amended.

Signed by Senators Keiser, Chair; Conway, Vice Chair, Labor; Stanford, Vice Chair, Commerce & Tribal Affairs; King, Ranking Member; Braun, Honeyford, Robinson, Saldaña and Schoesler.

Staff: Susan Jones (786-7404)

Background: Domestic winery licensees and non-retail class licensees are permitted, under certain specified circumstances, to allow an employee or intern between the ages of 18 and 21 years old to handle, transport, or otherwise possess liquor.

A domestic winery licensee may allow interns between the ages of 18 and 21 years old to

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engage in wine production-related work at the domestic winery's licensed location, as long as the intern is enrolled as a student at a community or technical college, regional university, or state university that holds a special permit for this purpose issued by the Liquor and Cannabis Board. The student must be enrolled in a required or elective class as part of a culinary, sommelier, wine business, enology, viticulture, wine technology, beer technology, or spirituous technology-related degree program.

A domestic winery or non-retail class liquor licensee is solely responsible for any act or omission of their employee occurring at or on the licensee's premises that violates liquor laws.

Summary of Amended Bill: A domestic winery employee who is between the ages of 18 and 21 years old may engage in wine production and work in a winery's production facility, so long as an adult age 21 years of age or older on duty is supervising such activities on the premises. Under the new provisions, a winery employee under the age of 21 is not authorized to taste, consume, sell, or serve wine or liquor.

EFFECT OF LABOR, COMMERCE & TRIBAL AFFAIRS COMMITTEE AMENDMENT(S):

Provides that the new provision allowing domestic winery workers ages 18 to 21 to engage in wine production and work at the production facility does not authorize them to taste or consume wine or liquor.

Appropriation: None.

Fiscal Note: Available.

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 House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Currently, students ages 18 to 21 in certain programs may work in a winery but when they graduated, they could no longer work there. Some students were still under age 21. Some students graduate early because of running start. This is a common sense fix. The bill addresses the workforce development and labor needs. During peak season, the labor needs may be higher in the production side. The industry has grown faster than neighboring states, partly because of the educational programs. There are good safeguards in the bill, along with potential amendment.

It helps produce skilled labor with hands on programs. The wine industry is facing a labor shortage. The wine industry has the best chart of pay equity. These are real living wage jobs. Examples were given of successful students in the industry.

The schools have broad support for the bill because it exposes young adults to a career field in the wine industry. With the bill, they can try out wine making for a harvest.

The breweries and distillers also had a similar bill. They testified that they could hire a contractor who hired 18 to 21 year olds but they could not directly hire them.

OTHER: The testifier asked the committee to consider an amendment for safeguards around public safety. There is a difference for students in school programs and recent laws allow them to taste alcohol as part of the program.

Persons Testifying: PRO: Representative Kelly Chambers, Prime Sponsor; Kai Itameri, Garrison Creek Cellars; Tim Donahue, Walla Walla Community College; Josh McDonald, Washington Wine Institute.

OTHER: Chris Thompson, Liquor and Cannabis Board.

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