

RCW 66.24.215 Levy of assessment on wine producers and growers to fund wine commission—Assessment rate changes—Procedures—Disbursement—Continuation.

(1) To provide for permanent funding of the wine commission after July 1, 1989, agricultural commodity assessments must be levied by the board on wine producers and growers as follows:

(a) Beginning on July 1, 1989, the assessment on wine producers is two cents per gallon on sales of packaged Washington wines.

(b) Beginning on July 1, 1989, the assessment on growers of Washington vinifera wine grapes is levied as provided in RCW 15.88.130.

(c) After July 1, 1993, assessment rates under (a) of this subsection may be changed pursuant to a referendum conducted by the Washington wine commission and approved by a majority vote of wine producers. The weight of each producer's vote must be equal to the percentage of that producer's share of Washington vinifera wine production in the prior year.

(d) After July 1, 1993, assessment amounts under (b) of this subsection may be changed pursuant to a referendum conducted by the Washington wine commission and approved by a majority vote of grape growers. The weight of each grower's vote must be equal to the percentage of that grower's share of Washington vinifera grape sales in the prior year.

(e) After July 1, 2015, the assessment amounts under this section may not be levied on the production of cider as defined in RCW 66.24.210.

(f) After January 1, 2018, the assessment amounts under this section may not be levied on the production of mead. For purposes of this section, "mead" means a wine or malt beverage of which honey represents the largest percentage of the starting fermentable sugars by weight of the finished product and that:

(i) Is derived from a mixture of honey and water, which may contain hops, fruit, spices, grain, and other agricultural products or flavors; and

(ii) Is sold or offered for sale as mead.

(2) Assessments collected under this section must be disbursed quarterly to the Washington wine commission for use in carrying out the purposes of chapter 15.88 RCW.

(3) Prior to July 1, 1996, a referendum must be conducted to determine whether to continue the Washington wine commission as representing both wine producers and grape growers. The voting may not be weighted. The wine producers must vote whether to continue the commission's coverage of wineries and wine production. The grape producers must vote whether to continue the commission's coverage of issues pertaining to grape growing. If a majority of both wine and grape producers favor the continuation of the commission, the assessments must continue as provided in subsection (1)(b) and (d) of this section. If only one group of producers favors the continuation, the assessments may only be levied on the group which favored the continuation. [2017 c 8 § 1; 2015 c 76 § 2; 1988 c 257 § 7; 1987 c 452 § 13.]

Finding—Intent—2015 c 76: "The legislature finds that the commodity assessment authorized in RCW 66.24.215 is applied to makers of cider as defined in RCW 66.24.210 but by definition is focused on the marketing and support of vinifera wine grape growers and vinifera

wine producers. The rapid growth and strong market potential of the Washington cider industry require marketing efforts that are focused on cider products as a unique beverage category. The legislature intends to allow cider makers to support their own marketing efforts, which will benefit the cider industry by exempting them from an assessment that primarily supports vinifera wine." [2015 c 76 § 1.]

Effective date—2015 c 76: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015." [2015 c 76 § 3.]

Construction—Effective dates—1987 c 452: See RCW 15.88.900 and 15.88.901.