
SUBSTITUTE SENATE BILL 5850

State of Washington

53rd Legislature

1993 Regular Session

By Senate Committee on Agriculture (originally sponsored by Senators M. Rasmussen, Loveland and Barr)

Read first time 02/26/93.

1 AN ACT Relating to clarifying definitions relating to farmers; and
2 amending RCW 15.04.010 and 82.04.330.

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

4 **Sec. 1.** RCW 15.04.010 and 1961 c 11 s 15.04.010 are each amended
5 to read as follows:

6 As used in this title except where otherwise defined:

7 "Agricultural product" means any products of horticulture, grain
8 cultivation, vermiculture, viticulture, animal husbandry, or
9 aquaculture as defined in RCW 15.85.020, and includes but is not
10 limited to any plantation Christmas tree, turf, or any animal, bird, or
11 insect or the substances obtained from them.

12 "Department" means the department of agriculture.

13 "Director" means the director of agriculture.

14 "Farmer" means any person engaged in the business of growing or
15 producing for sale upon their own lands, or upon the lands in which
16 they have a present right of possession, any agricultural product
17 whatsoever. "Farmer" does not mean persons using such products as
18 ingredients in a manufacturing process, or persons growing or producing
19 such products for their own consumption. It does not mean any person

1 dealing in livestock as an operator of a stockyard, slaughter house, or
2 packing house.

3 "Person" includes any individual, firm, corporation, trust,
4 association, cooperative, copartnership, society, any other
5 organization of individuals, and any other business unit, device, or
6 arrangement.

7 **Sec. 2.** RCW 82.04.330 and 1988 c 253 s 2 are each amended to read
8 as follows:

9 This chapter shall not apply to any ~~((person in respect to the~~
10 ~~business of growing or producing for sale upon the person's own lands~~
11 ~~or upon land in which the person has a present right of possession, any~~
12 ~~agricultural or horticultural produce or crop, or of raising upon the~~
13 ~~person's own lands or upon land in which the person has a present right~~
14 ~~of possession, any plantation Christmas tree or any animal, bird, fish,~~
15 ~~or insect, or the milk, eggs, wool, fur, meat, honey, or other~~
16 ~~substance obtained therefrom, or in respect to the sale of such~~
17 ~~products)) farmer as defined in RCW 15.04.010 that sells any
18 agricultural product as defined in RCW 15.04.010 at wholesale ((by such
19 grower, producer, or raiser thereof)) or retail. This exemption shall
20 not apply to any person ~~((selling such products at retail or))~~ using
21 such products as ingredients in a manufacturing process; nor to the
22 sale of any animal or substance obtained therefrom by a person in
23 connection with the person's business of operating a stockyard or a
24 slaughter or packing house; nor to any person in respect to the
25 business of taking, cultivating, or raising timber; nor to any
26 association of persons whatever, whether mutual, cooperative or
27 otherwise, engaging in any business activity with respect to which tax
28 liability is imposed under the provisions of this chapter. ~~((As used~~
29 ~~in this section, "fish" means fish which are cultivated or raised~~
30 ~~entirely within confined rearing areas on the person's own land or on~~
31 ~~land in which the person has a present right of possession.))~~~~

32 This chapter shall also not apply to any persons who participate in
33 the federal conservation reserve program or its successor administered
34 by the United States department of agriculture with respect to land
35 enrolled in that program.

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