

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5678

Chapter 104, Laws of 1993

53rd Legislature
1993 Regular Session

DOMESTIC WINERIES EXEMPTED FROM COMMISSION MERCHANT REQUIREMENTS

EFFECTIVE DATE: 7/25/93

Passed by the Senate March 8, 1993
YEAS 48 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House April 8, 1993
YEAS 98 NAYS 0

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Approved April 23, 1993

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5678** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

April 23, 1993 - 3:18 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5678

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By Senate Committee on Agriculture (originally sponsored by Senators Loveland, Newhouse, Deccio and Winsley)

Read first time 02/17/93.

1 AN ACT Relating to exempting domestic wineries from chapter 20.01
2 RCW; and reenacting and amending RCW 20.01.030.

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

4 **Sec. 1.** RCW 20.01.030 and 1989 c 354 s 38 and 1989 c 307 s 37 are
5 each reenacted and amended to read as follows:

6 This chapter does not apply to:

7 (1) Any cooperative marketing associations or federations
8 incorporated under, or whose articles of incorporation and bylaws are
9 equivalent to, the requirements of chapter 23.86 RCW, except as to that
10 portion of the activities of the association or federation that involve
11 the handling or dealing in the agricultural products of nonmembers of
12 the organization: PROVIDED, That the associations or federations may
13 purchase up to fifteen percent of their gross from nonmembers for the
14 purpose of filling orders: PROVIDED FURTHER, That if the cooperative
15 or association acts as a processor as defined in RCW 20.01.500(2) and
16 markets the processed agricultural crops on behalf of the grower or its
17 own behalf, the association or federation is subject to the provisions
18 of RCW 20.01.500 through 20.01.560 and the license provision of this
19 chapter excluding bonding provisions: PROVIDED FURTHER, That none of

1 the foregoing exemptions in this subsection apply to any such
2 cooperative or federation dealing in or handling grain in any manner,
3 and not licensed under the provisions of chapter 22.09 RCW;

4 (2) Any person who sells exclusively his or her own agricultural
5 products as the producer thereof;

6 (3) Any public livestock market operating under a bond required by
7 law or a bond required by the United States to secure the performance
8 of the public livestock market's obligation. However, any such market
9 operating as a livestock dealer or order buyer, or both, is subject to
10 all provisions of this chapter except for the payment of the license
11 fee required in RCW 20.01.040;

12 (4) Any retail merchant having a bona fide fixed or permanent place
13 of business in this state, but only for the retail merchant's retail
14 business conducted at such fixed or established place of business;

15 (5) Any person buying farm products for his or her own use or
16 consumption;

17 (6) Any warehouseman or grain dealer licensed under the state grain
18 warehouse act, chapter 22.09 RCW, with respect to his or her handling
19 of any agricultural product as defined under that chapter;

20 (7) Any nurseryman who is required to be licensed under the
21 horticultural laws of the state with respect to his or her operations
22 as such licensee;

23 (8) Any person licensed under the now existing dairy laws of the
24 state with respect to his or her operations as such licensee;

25 (9) Any producer who purchases less than fifteen percent of his or
26 her volume to complete orders;

27 (10) Any person, association, or corporation regulated under
28 chapter 67.16 RCW and the rules adopted thereunder while performing
29 acts regulated by that chapter and the rules adopted thereunder;

30 (11) Any domestic winery, as defined in RCW 66.04.010, licensed
31 under Title 66 RCW, with respect to its transactions involving
32 agricultural products used by the domestic winery in making wine.

Passed the Senate March 8, 1993.

Passed the House April 8, 1993.

Approved by the Governor April 23, 1993.

Filed in Office of Secretary of State April 23, 1993.