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**SUBSTITUTE HOUSE BILL 1625**

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**State of Washington**

**58th Legislature**

**2003 Regular Session**

**By** House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Linville and Schoesler; by request of Department of Agriculture)

READ FIRST TIME 02/20/03.

1 AN ACT Relating to levying an assessment on certain agricultural  
2 plants; and amending RCW 15.13.310.

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

4 **Sec. 1.** RCW 15.13.310 and 2002 c 215 s 1 are each amended to read  
5 as follows:

6 (1) An annual assessment shall be levied on the gross sale price of  
7 the wholesale market value for all horticultural plants of the genera  
8 Chaenomeles, Cydonia, Crataegus, Malus, Prunus, Pyrus, Sorbus, and  
9 Vitis produced in Washington, and sold within the state or shipped from  
10 the state by any licensed nursery dealer during any license period.  
11 This annual assessment is based on the first sale price of such nursery  
12 stock except for rootstocks which are replanted and/or grafted or  
13 budded and planted for growing-on in the nursery. The director shall  
14 by rule determine the rate of an assessment needed to carry out the  
15 grapevine and fruit tree certification and nursery improvement programs  
16 set forth in RCW 15.13.470 and chapter 15.14 RCW.

17 The wholesale market price may be determined by the wholesale  
18 catalogue price of the seller of the horticultural plants assessed  
19 under this section or of the shipper moving such nursery stock out of

1 the state. If the seller or shipper does not have a catalogue, then  
2 the wholesale market price may be based on the actual selling price or  
3 an average wholesale market price. The director in determining the  
4 average wholesale market price may use catalogues of various businesses  
5 licensed under the provisions of this chapter or any other reasonable  
6 method.

7 (2) The assessment is due and payable on the first day of July of  
8 each year.

9 (3) The gross sale period shall be from July 1 to June 30 of the  
10 previous year.

11 (4) The department may audit the records of licensees during normal  
12 business hours to determine that the appropriate assessment has been  
13 paid.

14 (5) The annual assessment for horticultural plants of the genera  
15 Chaenomeles, Cydonia, Craetaqus, Malus, Prunus, Pyrus, and Sorbus  
16 established under this section may be increased in excess of the fiscal  
17 growth factor as provided in RCW 43.135.055 for the fiscal year ending  
18 June 30, 2004. This subsection is null and void if any of the moneys  
19 from any source that have been deposited in the agricultural local fund  
20 are transferred to the general fund or authorized to be transferred to  
21 the general fund by legislation enacted after January 1, 2003, and  
22 before July 1, 2003.

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