
SENATE BILL 5620

State of Washington

58th Legislature

2003 Regular Session

By Senators Brandland, Swecker and Rasmussen; by request of
Department of Agriculture

Read first time 02/03/2003. Referred to Committee on Agriculture.

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

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

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

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

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

15 (5) The annual assessment for horticultural plants of the genera
16 Chaenomeles, Cydonia, Craetaqus, Malus, Prunus, Pyrus, and Sorbus
17 established under this section may be increased in excess of the fiscal
18 growth factor as provided in RCW 43.135.055 for the fiscal year ending
19 June 30, 2004.

--- END ---