
SUBSTITUTE HOUSE BILL 1946

State of Washington

53rd Legislature

1993 Regular Session

By House Committee on Agriculture & Rural Development (originally sponsored by Representatives Chappell, Brumsickle, Mastin, Grant, Rayburn and Kremen)

Read first time 03/03/93.

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 "Department" means the department of agriculture.

8 "Director" means the director of agriculture.

9 "Person" includes any individual, firm, corporation, trust,
10 association, cooperative, copartnership, society, any other
11 organization of individuals, and any other business unit, device, or
12 arrangement.

13 "Agricultural product" means any product of plant cultivation or
14 animal husbandry including, but not limited to: A product of
15 horticulture, grain cultivation, vermiculture, viticulture, or
16 aquaculture as defined in RCW 15.85.020; plantation Christmas trees;
17 turf; or any animal including but not limited to an animal that is a
18 private sector aquatic product as defined in RCW 15.85.020, or a bird,
19 or insect, or the substances obtained from such an animal.

1 "Farmer" means any person engaged in the business of growing or
2 producing, upon the person's own lands or upon the lands in which the
3 person has a present right of possession, any agricultural product
4 whatsoever for sale. "Farmer" does not mean a person using such
5 products as ingredients in a manufacturing process, or a person growing
6 or producing such products for the person's own consumption. It does
7 not mean any person dealing in livestock as an operator of a stockyard,
8 slaughter house, or packing house.

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

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

34 This chapter shall also not apply to any persons who participate in
35 the federal conservation reserve program or its successor administered

1 by the United States department of agriculture with respect to land
2 enrolled in that program.

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