

HOUSE BILL REPORT

HB 1459

As Reported by House Committee On:
Government Accountability & Oversight

Title: An act relating to authorizing students under the age of twenty-one to taste wine in viticulture and enology programs.

Brief Description: Authorizing students under the age of twenty-one to taste wine in viticulture and enology programs.

Sponsors: Representatives Haler, Springer, Walsh, Wylie, Seaquist, Wilcox, Johnson, Condotta, Fagan, Maxwell and Pollet.

Brief History:

Committee Activity:

Government Accountability & Oversight: 2/5/13, 2/14/13 [DPS].

Brief Summary of Substitute Bill

- Creates a permit for accredited schools to allow students under 21 years old who are enrolled in a viticulture and/or enology class to taste wine for educational purposes.
- Requires the Liquor Control Board, in consultation with the Washington Viticulture and Enology Education Consortium, to develop rules regarding the permits.

HOUSE COMMITTEE ON GOVERNMENT ACCOUNTABILITY & OVERSIGHT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Hurst, Chair; Wylie, Vice Chair; Holy, Assistant Ranking Minority Member; Blake, Kirby, Moscoso and Smith.

Minority Report: Do not pass. Signed by 2 members: Representatives Condotta, Ranking Minority Member; Shea.

Staff: Sara Campbell (786-7119) and Trudes Tango (786-7384).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Viticulture and enology are the two disciplines of wine production. Viticulture is the science, production, and study of grapes and their culture. Enology is the science and study of all aspects of wine and winemaking except vine-growing and grape-harvesting. Viticulture and enology degree programs generally offer students the opportunity to study and research wine-grape growing and winemaking.

Under current law, students who are under 21 years old and who are enrolled in a viticulture and/or enology degree program cannot taste wine as part of their course work as it is unlawful for a person under the age of 21 years to possess, consume, or otherwise acquire liquor. Additionally, except for a few exceptions, it is unlawful for any person to give or supply liquor to anyone under the age of 21, or to allow them to consume liquor on premises under his or her control.

The Liquor Control Board (LCB) issues a variety of licenses and special permits for selling, serving, and handling alcohol. For example, special permits are issued to allow for the consumption of liquor at banquets and to allow a manufacturer or distributor to donate liquor to delegates and guests at conventions and international trade fairs. Unless a fee is specified in statute, the fees for permits are generally established by the LCB.

Summary of Substitute Bill:

A special permit is created for an accredited college, university, community college, area vocational technical institute, or private vocational school to allow students under the age of 21 enrolled in a viticulture and/or enology class to taste, but not ingest, wine for educational purposes.

By January 2014, the Liquor Control Board, in consultation with the Washington Viticulture and Enology Education Consortium, must develop rules for the implementation and monitoring of the special permits. The rules must contain certain provisions.

An exception to the criminal provision is created for students under the age of 21 tasting wine pursuant to the special permit.

Substitute Bill Compared to Original Bill:

The original bill statutorily authorized students between the ages of 18 and 21 years old to taste, but not ingest, wine as part of a viticulture and/or enology program, rather than creating a special permit.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The wine industry in Washington is growing by leaps and bounds. In the Walla Walla region, there are over 280 wineries. This bill will support wine education in our schools because it allows students to taste wine, which is a critical step in the wine making process. Students need an educational environment where they can explore and taste what they are doing and learning. Without being afforded the opportunity to develop their palates, young winemakers will be at a critical disadvantage in the wine industry.

(With concerns) This bill creates some concern because it carves an exception in the law. A permit process may be a better solution, because then the Liquor Control Board could monitor the participating schools in a meaningful way.

(Opposed) There is educational value in allowing students to taste the wine they are learning to make, but this bill is premature. The colleges and universities were not involved in the drafting of the bill, and the current version needs more thought. If students are going to be allowed to taste, the program needs to be well thought out. Additionally, this bill could imply that underage drinking is acceptable for students in viticulture or enology programs.

Persons Testifying: (In support) Triston Hanon, Associated Students of Washington State University; and Paul McDonald, Yakima Valley Community College Board of Trustees.

(With concerns) Rick Garza, Washington Liquor Control Board.

(Opposed) Chris Mulick, Washington State University; Ann Anderson, Central Washington University; and Stacey Rhodes, Mothers Against Drunk Driving.

Persons Signed In To Testify But Not Testifying: None.