

SENATE BILL REPORT

SHB 1459

As Reported by Senate Committee On:
Commerce & Labor, April 3, 2013

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: House Committee on Government Accountability & Oversight (originally sponsored by Representatives Haler, Springer, Walsh, Wylie, Seaquist, Wilcox, Johnson, Condotta, Fagan, Maxwell and Pollet).

Brief History: Passed House: 3/08/13, 94-3.

Committee Activity: Commerce & Labor: 3/29/13, 4/03/13 [DPA].

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass as amended.

Signed by Senators Holmquist Newbry, Chair; Braun, Vice Chair; Conway, Ranking Member; Hasegawa, Hewitt, Keiser and King.

Staff: Edith Rice (786-7444)

Background: 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. 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 that person's control, with some exceptions.

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.

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 LCB.

Summary of Bill (Recommended Amendments): A special permit is created for a community or technical college or a regional or state university to allow students who are at least 18 years of age enrolled in a viticulture, enology, culinary, beer, or spirituous technology-related degree program to taste, but not ingest, liquor for educational purposes.

LCB must waive the permit fee.

An exception to the age requirement in the criminal provision is created for students over the age of 18 tasting liquor pursuant to the special permit.

EFFECT OF CHANGES MADE BY COMMERCE & LABOR COMMITTEE (Recommended Amendments): Tasting of liquor is allowed for students age 18 and over at regional or state universities. Students must be enrolled in culinary, sommelier, wine business, wine, beer, or spirituous technology-related degree programs in addition to viticulture or enology programs. Rule development with the consortium and LCB is eliminated. LCB must waive the permit fee.

Appropriation: None.

Fiscal Note: Available.

[OFM requested ten-year cost projection pursuant to I-960.]

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Substitute House Bill: PRO: This was brought to my attention by a student. We are one of few states that do not permit students in these programs to taste the product. To fully participate they should be able to taste the product.

OTHER: The Washington Wine Education Consortium researched other states. We were not ready in previous years to come to a consensus; however, we support the concept and would like to combine aspects of this bill with some other elements. It is important that we do this right. We like the Senate bill language better for some aspects of the bill.

Persons Testifying: PRO: Representative Haler, prime sponsor.

OTHER: Ann Anderson, Central WA University; Jean Leonard, WA Wine Institute.