

Soft tree
fruits. Increase
in assessments.

The commission shall have the authority in its discretion to exempt in whole or in part from future assessments hereunder, during such period as the commission may prescribe, any of the said soft tree fruits or any particular strain or classification thereof.

Passed the House March 18, 1965.

Passed the Senate March 24, 1965.

Approved by the Governor April 2, 1965.

CHAPTER 44.

[House Bill No. 382.]

DAIRY PRODUCTS—ASSESSMENTS—DAIRY PRODUCTS
COMMISSION.

AN ACT relating to dairy products; increasing the assessment on milk and cream; providing for a referendum; providing for the election of members to Washington state dairy products commission; amending section 15.44.080, chapter 11, Laws of 1961 and RCW 15.44.080; amending section 15.44.020, chapter 11, Laws of 1961 and RCW 15.44.020; amending section 15.44.025, chapter 11, Laws of 1961 and RCW 15.44.025; amending section 15.44.030, chapter 11, Laws of 1961 and RCW 15.44.030; amending section 15.44.032, chapter 11, Laws of 1961 and RCW 15.44.032; adding new sections to chapter 15.44 RCW; and repealing section 15.44.034, chapter 11, Laws of 1961 and RCW 15.44.034, and section 15.44.036, chapter 11, Laws of 1961 and RCW 15.44.036.

Be it enacted by the Legislature of the State of Washington:

RCW 15.44.080
amended.

SECTION 1. Section 15.44.080, chapter 11, Laws of 1961 and RCW 15.44.080 are each amended to read as follows:

Dairy products
commission.
Assessments on
milk and
cream—Limit
—Exception—
Referendum.

There is hereby levied upon all milk and cream produced in this state an assessment not to exceed:

(1) One cent per pound butter fat of wholly or partially farm separated cream; and

(2) Four cents per hundredweight of all milk and the components thereof, other than wholly or partially farm separated cream.

The amount to be assessed shall be determined by the commission within the limits prescribed by this section, and shall be determined according to the necessities required to effectuate the stated purposes of the commission subject to approval by a producer referendum as herein provided. This section shall apply where milk or cream is marketed either in bulk or package. However, this section shall not apply to milk or cream used upon the farm or in the household where produced.

The increase in assessment or any part thereof to be charged producers on milk and cream provided for in this act shall not become effective until approved by fifty-one percent of the producers voting in a referendum conducted by the commission.

The referendum for approval of any increase in assessment or part thereof provided for in this act shall be by secret mail ballot furnished to all producers paying assessments to the commission. The commission shall furnish ballots to producers at least ten days in advance of the day it has set for concluding the referendum and counting the ballots. Any interested producer may be present at such time the commission counts said ballots.

Any proposed increase in assessments by the commission subsequent to a decrease in assessments as provided for in RCW 15.44.130 (2) shall be subject to a referendum and approval by producers as herein provided.

SEC. 2. Section 15.44.020, chapter 11, Laws of 1961 and RCW 15.44.020 are each amended to read as follows:

There is hereby created a Washington state dairy products commission to be thus known and designated. The commission shall be composed of seven

RCW 15.44.020
amended.

Created—
Composition—
Members
elected.

Dairy products
commission.
Members
elected.

practical producers of dairy products to be elected by such producers and the director of agriculture who shall be an ex officio member without vote.

RCW 15.44.025
amended.

SEC. 3. Section 15.44.025, chapter 11, Laws of 1961 and RCW 15.44.025 are each amended to read as follows:

Commission
districts—
Representa-
tion.

Each elected commission member shall represent one of the following districts:

(1) District I, which shall include the counties of Pend Oreille, Spokane and Stevens;

(2) District II, which shall include the counties of Adams, Asotin, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Lincoln, Okanogan, Whitman and Walla Walla;

(3) District III, which shall include the counties of Benton, Klickitat and Yakima;

(4) District IV, which shall include the counties of Clark, Cowlitz, Lewis, Pacific, Skamania and Wahkiakum;

(5) District V, which shall include the counties of King, Pierce and Snohomish;

(6) District VI, which shall include the counties of Island, San Juan, Skagit and Whatcom; and

(7) District VII, which shall include the counties of Clallam, Grays Harbor, Jefferson, Kitsap, Mason and Thurston.

RCW 15.44.030
amended.

SEC. 4. Section 15.44.030, chapter 11, Laws of 1961 and RCW 15.44.030 are each amended to read as follows:

Member quali-
fications.

Each of the seven producer members of the commission shall:

(1) Be a citizen and resident of this state and the district which he represents; and

(2) Be and for the five years last preceding his election have been actually engaged in producing dairy products within this state. These qualifica-

tions must continue during each member's term of office.

SEC. 5. Section 15.44.032, chapter 11, Laws of 1961 and RCW 15.44.032 are each amended to read as follows: RCW 15.44.032 amended.

The regular term of office of each producer member of the commission shall be three years. Commission members shall be first nominated and elected in 1966 in the manner set forth in section 6 of this 1965 amendatory act and shall take office as soon as they are qualified. However, expiration of the term of the respective commission members first elected in 1966 shall be as follows: Terms—
Vacancies.

- (1) District I and II on July 1, 1967;
- (2) District III and IV on July 1, 1968; and
- (3) District V, VI and VII on July 1, 1969.

The respective terms shall end on July 1st of each third year thereafter. Any vacancies that occur on the commission shall be filled by appointment by the other members of the commission, and such appointee shall hold office for the remainder of the term for which he is appointed to fill, so that commission memberships shall be on a uniform staggered basis.

SEC. 6. There is added to chapter 15.44 RCW a new section to read as follows: New section.

Producer members of the commission shall be nominated and elected by producers within the district that such producer members represent in the year in which a commission member's term shall expire. Such producer members receiving the largest number of the votes cast in the respective districts which they represent shall be elected. The election shall be by secret mail ballot and under the supervision of the director. Producer
members—
Nomination—
Election.

The director shall conduct nomination meetings where vacancies will occur as follows:

Dairy products
commission.
Producer
members—
Nomination—
Election.

- (1) The first Tuesday in April, District I, II and V.
- (2) The first Wednesday in April, District III and VI.
- (3) The first Thursday in April, District IV and VII.

Notice of such meetings shall be published for a period of at least five days in a newspaper of general circulation in the district where nominations are about to take place. No such meeting shall be held prior to five days after the last day of such period of publication. Such notice shall set forth the purpose, date, time and place of said meeting. The director may also use any other form or trade media which will effectuate such notice in the same manner as newspaper publication.

The director shall accept nominations signed by five eligible producers for a period not exceeding ten days after such nomination dates.

Ballots for electing members to the commission will be mailed by the director to all eligible producers no later than May 15th, in districts where elections are to be held and such ballots to be valid shall be returned postmarked no later than May 31st of the year mailed, to the director in Olympia.

New section.

SEC. 7. There is added to chapter 15.44 RCW a new section to read as follows:

List of pro-
ducers fur-
nished
director.

The commission shall prior to each election, in sufficient time to satisfy the requirements of section 6 of this 1965 amendatory act, furnish the director with a list of all producers within the district for which the election is being held. The commission shall require each dealer and shipper in addition to the information required under RCW 15.44.110 to furnish the commission with a list of names of producers whose milk they handle. Any producer may on his own motion file his name with the commission for the purpose of receiving notice of election.

SEC. 8. There is added to chapter 15.44 RCW a **New section.**
new section to read as follows:

The commission shall reimburse the director for **Dairy products
commission.
Election costs
reimbursed.**
the necessary costs of conducting elections under the
provisions of this chapter.

SEC. 9. There is added to chapter 15.44 RCW a **New section.**
new section to read as follows:

The term of the members of the commission ap- **Termination of
terms of
present
members.**
pointed by the governor prior to the effective date
of this 1965 amendatory act shall continue until their
successors are elected and qualified as provided in
this 1965 amendatory act.

SEC. 10. Section 15.44.034, chapter 11, Laws of **Repeal.**
1961 and RCW 15.44.034, and section 15.44.036, chap-
ter 11, Laws of 1961 and RCW 15.44.036 are each
hereby repealed.

Passed the House March 18, 1965.

Passed the Senate March 23, 1965.

Approved by the Governor April 2, 1965.