

Preference shall be given to blind persons licensed by the state pursuant to the provisions of Public Law 732, 74th Congress, 49 Stat. 1559, as amended by section 4 of Public Law 565, 83d Congress, 68 Stat. 663; 20 U.S.C., 107, in the operation of vending stands operated by not more than two persons in public buildings owned by the state of Washington or any county, city, or political subdivision.

Blind persons
—To have
preference in
operation of
vending
stands.

The department shall promulgate rules and regulations designed to assure such preference for such licensed blind persons insofar as feasible but shall not in any way interfere with any existing business operations of any persons operating vending stands in such premises on or before the effective date of this amendatory act.

Passed the Senate February 20, 1963.

Passed the House March 11, 1963.

Approved by the Governor March 25, 1963.

CHAPTER 145.

[S. B. 235.]

WASHINGTON STATE APPLE ADVERTISING COMMISSION.

AN ACT relating to apples, agriculture and marketing; amending section 15.24.010, chapter 11, Laws of 1961 and RCW 15.24.010; amending section 15.24.020, chapter 11, Laws of 1961 and RCW 15.24.020; amending section 15.24.030, chapter 11, Laws of 1961 and RCW 15.24.030; amending section 15.24.040, chapter 11, Laws of 1961 and RCW 15.24.040; amending section 15.24.070, chapter 11, Laws of 1961 and RCW 15.24.070; amending section 15.24.090, chapter 11, Laws of 1961 and RCW 15.24.090; and amending section 15.24.100, chapter 11, Laws of 1961 and RCW 15.24.100.

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

SECTION 1. Section 15.24.010, chapter 11, Laws of 1961 and RCW 15.24.010 are each amended to read as follows:

RCW 15.24.010
amended.

Apple advertising commission. Definitions.

As used in this chapter:

“Commission” means the Washington state apple advertising commission;

“Ship” means to load apples into a conveyance for transport, except apples being moved from the orchard where grown to a packing house or warehouse within the immediate area of production;

“Handler” means any person who ships or initiates a shipping operation, whether for himself or for another;

“Dealer” means any person who handles, ships, buys, or sells apples, or who acts as sales or purchasing agent, broker, or factor of apples;

“Processor” and “processing plant” means every person to whom and every place to which apples are delivered for drying, dehydrating, canning, pressing, powdering, extracting, cooking, or for use in producing a product or manufacturing a manufactured article;

“Director” means the director of the department of agriculture or his duly authorized representative;

“District No. 1” includes the counties of Chelan, Okanogan, and Douglas;

“District No. 2” includes the counties of Kittitas, Yakima, Benton, and Franklin;

“District No. 3” includes all counties in the state not included in the first and second districts.

RCW 15.24.020 amended.

SEC. 2. Section 15.24.020, chapter 11, Laws of 1961 and RCW 15.24.020 are each amended to read as follows:

Commission created—Qualifications of members.

There is hereby created a Washington state apple advertising commission to be thus known and designated. The commission shall be composed of nine practical apple producers and four practical apple dealers. The director shall be an ex officio member of the commission without vote.

The nine producer members shall be citizens and residents of this state, over the age of twenty-five

years, each of whom is and has been actually engaged in growing and producing apples within the state of Washington for a period of five years, and has during that period derived a substantial portion of his income therefrom: *Provided*, That he may own and operate an apple warehouse and pack and store apples grown by others, without being disqualified, so long as a substantial quantity of the apples handled in such warehouse are grown by him; and he may sell apples grown by himself and others so long as he does not sell a larger quantity of apples grown by others than those grown by himself. The four dealer members shall be persons who, either individually or as executive officers of a corporation, firm, partnership, association, or cooperative organization, are and have been actively engaged as dealers in apples within the state of Washington for a period of five years, and are citizens and residents of this state. The qualifications of members of the commission as herein set forth must continue during their term of office.

SEC. 3. Section 15.24.030, chapter 11, Laws of 1961 and RCW 15.24.030 are each amended to read as follows:

RCW 15.24.030 amended.

Thirteen persons with the qualifications stated in section 2 of this 1963 amendatory act shall be elected members of said commission. Four of the grower members, being positions one, two, three and four, shall be from district No. 1, at least one of whom shall be from an Okanogan county subdivision; four of the grower members, being positions five, six, seven and eight, from district No. 2; and one grower member, being position nine, from district No. 3. Two of the dealer members, being positions ten and eleven, shall be from district No. 1; and two of the dealer members, being positions twelve and thirteen, shall be from district No. 2.

Members—
Election—
Position
designation.

The commission shall have authority in its dis-

Apple
advertising
commission.
Members—
Election—
Terms of
office.

cretion to establish by regulation one or more additional subdivisions of district No. 1 and one or more subdivisions of district No. 2; provided that each of the same includes a substantial apple producing district or districts, and provided the same does not result in an unfair or inequitable voting situation or an unfair or inequitable representation of apple growers on said commission. The commission may in its discretion by regulations prescribe a specific portion of the northerly part of Douglas county which may be added to the Okanogan county subdivision. In such event each of said subdivisions shall be entitled to be represented by one of the said grower members of the commission, who shall be elected by vote of the qualified apple growers in said subdivision of said district.

The regular term of office of the members of the commission shall be three years from March 1 following their election and until their successors are elected and qualified. The terms of office of the two additional members of the commission created by this 1963 amendatory act shall commence immediately following their election and shall terminate on March 1, 1966.

RCW 15.24.040
amended.

SEC. 4. Section 15.24.040, chapter 11, Laws of 1961 and RCW 15.24.040 are each amended to read as follows:

Members—
Nominations—
Method of
election.

The director shall call a meeting of apple growers in each of the three districts and in each subdivision thereof, and meetings of apple dealers in district No. 1 and district No. 2 annually for the purpose of nominating their respective members of the commission, when a term is about to expire, or when a vacancy exists, except as provided in RCW 15.24.050, as amended, at times and places to be fixed by the commission. Said meetings shall be held annually not later than February 15th of each year. Insofar as practicable, the said meetings of the growers shall

be held at the same time and place as the annual state and district meetings of the Washington State Horticultural Association and its affiliated clubs, but not while the same are in actual session. Public notice of such meetings shall be given by the commission in such manner as it may determine: *Provided*, That nonreceipt of the notice by any interested person shall not invalidate the proceedings. Any qualified person may be nominated orally for such positions at the said respective meetings. Nominations may also be made within five days after any such meeting by written petition filed in the Wenatchee office of the commission, signed by not less than five apple growers or dealers, as the case may be, residing within the district.

The members of the commission shall be elected by secret mail ballot under the supervision of the director. Grower members of the commission shall be elected by a majority of the votes cast by the apple growers in the respective districts or subdivisions thereof, as the case may be, each grower who operates a commercial producing apple orchard, whether an individual proprietor, partnership, joint venture, or corporation, being entitled to one vote. As to bona fide leased or rented orchards, only the lessee-operator thereof shall be entitled to vote. An individual commercial orchard operator, if otherwise qualified, shall be entitled to vote as such, even though he is also a member of a partnership or corporation which votes for other apple acreage. Dealer members of the commission shall be elected by a majority of the votes cast by the apple dealers in the respective districts, each dealer being entitled to one vote. If a nominee does not receive a majority of the votes on the first ballot, a run-off election shall be held by mail in a similar manner between the two candidates for such position receiving the largest number of votes.

RCW 15.24.070
amended.

SEC. 5. Section 15.24.070, chapter 11, Laws of 1961 and RCW 15.24.070 are each amended to read as follows:

Apple
advertising
commission.
Powers and
duties.

The Washington state apple advertising commission is hereby declared and created a corporate body. The powers and duties of the commission shall include the following:

(1) To elect a chairman and such other officers as it deems advisable; and to adopt, rescind, and amend rules, regulations, and orders for the exercise of its powers hereunder, which shall have the force and effect of the law when not inconsistent with existing laws;

(2) To administer and enforce the provisions of this chapter, and do all things reasonably necessary to effectuate the purposes of this chapter;

(3) To employ and at its pleasure discharge a manager, secretary, agents, attorneys, and employees as it deems necessary, and to prescribe their duties and powers and fix their compensation;

(4) To establish offices and incur expense and enter into contracts and to create such liabilities as may be reasonable for the proper administration and enforcement of this chapter;

(5) To investigate and prosecute violations hereof;

(6) To conduct scientific research to develop and discover the health, food, therapeutic, and dietetic value of apples and products thereof.

(7) To keep accurate record of all of its dealings, which shall be open to inspection and audit by the state auditor;

(8) To sue and be sued, adopt a corporate seal, and have all of the powers of a corporation.

RCW 15.24.090
amended.

SEC. 6. Section 15.24.090, chapter 11, Laws of 1961 and RCW 15.24.090 are each amended to read as follows:

If it appears from the investigation that the revenue from the assessment levied hereunder is inadequate to accomplish the purposes of this chapter the commission shall file with the director a report showing the necessities of the industry, extent and probable cost of the required research, market promotion and advertising, extent of public convenience, interest and necessity, and probable revenue from the assessment levied. It shall thereupon increase the assessment to a sum not to exceed twelve cents per one hundred pounds of apples, gross billing weight, shipped in bulk, container or any style of package; but no increase shall be made prior to filing of said report and findings. An increase shall become effective sixty days after such report is filed: *Provided*, That no increase in such assessment shall become effective unless the same shall be first referred by the commission to a referendum mail ballot by the apple growers of this state and be approved by a majority of such growers voting thereon and also be approved by voting growers who operate more than fifty percent of the acreage voted in the same election: *Provided further*, That after such mail ballot, if the same be favorable to such increase, the commission shall nevertheless exercise its independent judgment and discretion as to whether or not to approve such increase: *And provided further*, That in any event such increase shall not amount to more than two cents per one hundred pounds of apples, gross billing weight, in any one year.

Report to
director—
Increased
assessments.

Proviso.

Proviso.

Proviso.

SEC. 7. Section 15.24.100, chapter 11, Laws of 1961 and RCW 15.24.100 are each amended to read as follows:

RCW 15.24.100
amended.

There is hereby levied upon all apples grown annually in this state, and all apples packed as Washington apples, an assessment of ten cents on each one hundred pounds gross billing weight, except on apples shipped to a processing plant for processing

Assessments
levied.

or manufacturing. All moneys collected hereunder shall be expended to effectuate the purpose and objects of this chapter.

Passed the Senate March 2, 1963.

Passed the House March 11, 1963.

Approved by the Governor March 25, 1963.

CHAPTER 146.

[S. B. 239.]

SEATTLE ARMORY, DISPOSAL—ACQUISITION OF NEW ARMORY IN KING COUNTY.

AN ACT relating to state government; authorizing the sale, lease or exchange of the Seattle armory and the acquisition of a new armory or armories.

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

SECTION 1. The state military department is hereby authorized to sell, lease, or exchange to the city of Seattle, the present state armory land and buildings in the city of Seattle at 305 Harrison street and commonly known as the New Seattle Armory, legally described as Block 46, D. T. Denny's Third Addition to North Seattle, King County, Washington, which sale, lease or exchange shall be by and under the direction of the adjutant general in accordance with the procedures provided by law: *Provided*, That in the opinion of the adjutant general the appraised value of said land and buildings is in a sum which together with other funds available to the state military department for the purchase of real property will provide sufficient funds for the construction of a new armory or armories.

The proceeds of the sale or exchange of said property shall be transmitted by the adjutant general to the state treasurer to be held by him in a special account to be known as the Seattle armory fund.

Disposal of
New Seattle
Armory
authorized—
Conditions—
Seattle
armory fund
created,
purpose.

Proviso.