

WAC 16-520-020 Seed potato commission—Structure, powers, duties, and procedure. (1) **Establishment and membership.** A seed potato commission is hereby established to administer this marketing order. The commission shall be composed of two members who shall be affected producers elected by the producers as provided in the act, and two members who shall be appointed by the director. In addition, the director shall be a voting member of the commission.

(a) Elected producer positions on the board shall be designated as positions 2 and 4.

(b) Director-appointed positions on the board shall be designated as positions 1 and 3.

(c) The position representing the director shall be designated as position 5.

(2) **Membership qualifications.** Commission members shall be citizens and residents of this state, over the age of eighteen years and producer members of the commission shall be producers of seed potatoes in the state of Washington. The qualifications of producer members of the commission as herein set forth must continue during their term of office. Members appointed by the director shall be either producers or others active in matters relating to seed potatoes.

(3) **Term of office.** The term of office of commission members shall be three years from the date of their election or appointment and until their successors are elected or appointed and qualified so that one-third of the terms will commence as nearly as practicable each year.

(4) **Nomination, appointment and election of commission members.** Nomination, appointment, and election of commission members shall be as set forth in the act and specified by the director. Dates for this process are as follows:

(a) Not earlier than March 19 and not later than April 3 of each year, the director shall give notice by mail to all affected producers that an open commission position(s) will occur in the commission and call for nominations. Nominating petitions shall be signed by three persons qualified to vote for the candidates. The notice shall state the final date for filing nominating petitions which shall be not earlier than April 7 and not later than April 12 of such year.

(b) The director shall conduct an election or advisory vote by mail to all affected producers in the district wherein the open commission position(s) will occur not earlier than April 17 and not later than May 2 of each year. Ballots shall be returned not later than June 1 of each year. An election or advisory vote shall be conducted in a manner so that it shall be a secret ballot in accordance with rules adopted by the director. An affected producer is entitled to one vote.

(c) When only one nominee is nominated by the affected producers for a director-appointed position, RCW 15.66.120 shall apply.

(d) Except with respect to the initial seed potato commission, the members of the commission not elected by the producers or appointed by the director shall be elected by a majority of the commission within ninety days prior to the expiration of the term.

(5) **Vacancies.**

(a) In the event of a vacancy in an elected position, the remaining members shall select a qualified person to fill the term. The appointment shall be made at the commission's first or second meeting after the position becomes vacant.

(b) In the event of a vacancy in a director-appointed position, the position shall be filled as specified in chapter 15.66 RCW.

[Statutory Authority: RCW 15.66.055 and chapter 34.05 RCW. WSR 18-01-053, § 16-520-020, filed 12/13/17, effective 1/13/18. Statutory Authority: RCW 15.66.030, 15.66.053, 15.66.055, and chapter 34.05 RCW. WSR 10-22-008, § 16-520-020, filed 10/21/10, effective 11/21/10. Statutory Authority: Chapter 15.66 RCW. WSR 83-22-019 (Order 1808), § 16-520-020, filed 10/25/83, effective 12/1/83; Marketing Order, Article II, effective 10/1/56.]