

**WAC 24-12-011 Referendum mail ballot voting eligibility.** (1) In the conduct of a referendum mail ballot pursuant to the provisions of RCW 15.24.090 the commission shall require that each returned ballot be accompanied by a completed apple grower eligibility certificate in substantially the following form:

WASHINGTON APPLE COMMISSION  
APPLE GROWER ELIGIBILITY CERTIFICATE

(Note: All appropriate spaces on this certificate must be completed to properly qualify your vote.)

I HEREBY CERTIFY THAT:

1. My name and address are as follows (please print):

Name: .....

Mailing Address: .....

Orchard Address: .....

City: ..... State: .....

2. I am qualified to vote for one of the following reasons (please check the appropriate space):

a . . . . . I am an individual owner-operator or an individual lessee-operator of commercially producing apple orchard/orchards.

b . . . . . I am a member of and have been designated to cast the single ballot for (please fill in name), a partnership, joint venture or corporation owning/leasing and operating commercially producing apple orchard/orchards.

3. I take my fresh apple crop to the following dealer organizations to pack/ship my fruit. (Please list all that apply to this orchard.)

By signing this certificate, I grant the commission permission to contact dealer(s) listed above to verify total net lbs. fresh apples shipped in the two prior crop years.

.....  
Signature of Voter

Name (print). .....

Date .....

Note: A completed apple grower eligibility certificate must accompany each ballot.

(2) The commission shall contact each dealer listed on the apple grower eligibility certificate to verify total net lbs. fresh apples shipped in the last two crop years by voting grower.

(3) The commission and the director of the department of agriculture may, in counting and validating ballots, rely on and accept the representations of eligibility to vote and the representations of total net lbs. fresh apples shipped by grower as certified by dealer.

(4) Apple growers entitled to vote in a referendum mail ballot pursuant to the provisions of RCW 15.24.090 are defined to 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, if otherwise qualified, shall be entitled to vote. 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 that votes for other apple acreage.

(5) A commercial producing apple orchard means an apple orchard currently producing or growing apples in sufficient quantity so that the apples are or will be marketed through prevailing commercial channels and are or will be subject to assessment pursuant to the provisions of chapter 15.24 RCW.

[Statutory Authority: RCW 15.24.070, 15.24.090, 42.56.040 and chapter 34.05 RCW. WSR 19-24-098, § 24-12-011, filed 12/4/19, effective 1/4/20. Statutory Authority: Chapters 15.24 and 34.05 RCW. WSR 09-19-074, § 24-12-011, filed 9/16/09, effective 10/17/09. Statutory Authority: RCW 15.24.070(1). WSR 82-17-036 (Order 11), § 24-12-011, filed 8/12/82.]