

# HOUSE BILL REPORT

## HB 1770

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**As Reported by House Committee On:**  
Agriculture & Natural Resources

**Title:** An act relating to the appointment of nonvoting advisory members to commodity boards.

**Brief Description:** Concerning the appointment of nonvoting advisory members to commodity boards.

**Sponsors:** Representatives Buys, Blake, Chandler, Lytton and Ryu.

**Brief History:**

**Committee Activity:**

Agriculture & Natural Resources: 2/19/13, 2/20/13 [DP].

**Brief Summary of Bill**

- Allows commodity boards created by marketing orders or agreements to appoint up to two nonvoting advisory members to the board.

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### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** Do pass. Signed by 15 members: Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys, Dunshee, Haigh, Hurst, Kretz, Orcutt, Pettigrew, Schmick, Stanford, Van De Wege and Warnick.

**Staff:** Cherlyn Walden (786-7296).

**Background:**

The Washington State Department of Agriculture (WSDA) oversees the marketing of agricultural commodities. The WSDA Director may adopt a marketing order which establishes a commodity board for an agricultural commodity or agricultural commodities with like or common qualities or producers.

A commodity board is created for the purpose of aiding agricultural producers in preventing economic waste in the marketing of their agricultural commodities; developing efficient

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methods of marketing agricultural products; enabling agricultural producers to develop better and more efficient production, irrigation, processing, transportation, handling, marketing, and utilization of agricultural products; and protecting the interest of consumers by assuring a good quality supply of agricultural commodities, among other reasons. A commodity board is composed of five to thirteen members including the WSDA Director or his or her representative and equal representation, if possible, of producers and handlers.

Both producer and handler board members must be citizens and residents over the age of 18 years. A producer board member must be and have been engaged in producing the affected commodity within the state for at least five years with a substantial portion of his or her income coming from producing that commodity, and not be engaged in business, directly or indirectly as a handler or other dealer. A handler board member must be and have been either individually or as an officer or employee actually engaged in handling the affected commodity within the state for at least five years with a substantial portion of his or her income coming from handling that commodity. Producers and handlers are required to continue to meet these qualifications during their terms of office.

Washington currently has 23 agricultural commodity boards, including: the Apple Commission, Beer Commission, Dry Pea and Lentil Commission, and the Red Raspberry Commission. Fifteen commissions are established by the WSDA Director through the adoption of marketing orders and seven commissions are established under separate state statutes.

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**Summary of Bill:**

A commodity board may appoint up to two nonvoting advisory members to the board who have expertise in marketing, operations, or other topics relevant to the work of the board. Nonvoting advisory members' term of office cannot exceed three years, but they may be reappointed to serve additional consecutive terms.

Nonvoting advisory members do not count towards establishing a quorum of the board, and they are compensated the same as board members.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) The Red Raspberry Commission (Commission) has been looking at ways to gain the expertise of people within the industry to benefit the decision-making process of the

Commission. The growers determined that best way to engage the expertise in the field is to formalize their connection to the committee by adding nonvoting advisory members to the Commission.

Agriculture is one of the leading economic producers in the state, and allowing nonvoting membership of those with marketing expertise to commodity boards allows the commodities to be marketed in a more effective way. This is something that would be available to all commodity boards created by marketing orders, but it is not required.

(Opposed) None.

**Persons Testifying:** Representative Buys, prime sponsor; and Thomas Krugman, Washington Red Raspberry Commission.

**Persons Signed In To Testify But Not Testifying:** None.