

LEGISLATURE OF THE STATE OF IDAHO
Sixty-fifth Legislature First Regular Session - 2019

IN THE _____

_____ BILL NO. _____

BY _____ COMMITTEE

1 AN ACT

2 RELATING TO AGRICULTURE; AMENDING SECTION 22-1202, IDAHO CODE,
3 TO PROVIDE THAT MEMBERS OF THE IDAHO POTATO COMMISSION
4 SERVE AT THE PLEASURE OF THE GOVERNOR, TO STRIKE REDUNDANT
5 COUNTY REFERENCES IN GROWER DISTRICTS, TO HAVE NOMINATION
6 PROCEDURES FOR COMMISSIONER APPOINTMENTS TO THE COMMISSION
7 BE ADOPTED IN ACCORDANCE WITH IDAPA RULES, TO CONFORM
8 COMMISSIONER TERMS OF OFFICE TO THE COMMISSION'S FISCAL
9 YEAR; AND TO DECLARE AN EMERGENCY.

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Section 22-1202, Idaho Code, be, and the same is
12 hereby amended to read as follows:

13 22-1202. POTATO COMMISSION CREATED. There is hereby
14 created and established in the department of self-governing
15 agencies the "Idaho potato commission" to be composed of nine
16 (9) practical potato persons, resident citizens of the state of
17 Idaho for a period of three (3) years prior to their appointment
18 each of whom has had active experience in growing, or shipping,
19 or processing of potatoes produced in the state of Idaho. At
20 least five (5) members of said commission shall be growers who
21 are actually now engaged in the production of potatoes. Two (2)
22 of the members shall be shippers who are actually now engaged in
23 the shipping of potatoes, and two (2) of the members shall be
24 processors who are actually now engaged in the processing of
25 potatoes. The qualifications for members of said commission as
26 above required shall continue throughout their respective terms
27 of office and shall serve at the pleasure of the governor. Three
28 (3) growers shall be nominated for each grower vacancy that
29 occurs, from which the governor shall appoint one (1). Two (2)
30 grower commissioners shall be appointed from the district known
31 as District No. 1, consisting of the counties of Oneida,
32 Franklin, Bear Lake, Caribou, Bannock, Power, Bingham,
33 Bonneville, Teton, Madison, Jefferson, Fremont, Clark, and
34 Butte, Custer, and Lemhi; one (1) grower commissioner shall be

1 appointed from the district known as District No. 2A, consisting
2 of the counties of Twin Falls, Jerome, Lincoln, Camas, Elmore,
3 Boise, Valley, and Gooding; one (1) grower commissioner shall be
4 appointed from the district known as District No. 2B, consisting
5 of the counties of Cassia, Minidoka, Blaine, Custer and Lemhi;
6 and one (1) grower commissioner shall be appointed from the
7 district known as District No. 3, consisting of the counties of
8 Owyhee, Ada, Canyon, Gem, Payette, Washington, Adams, Idaho,
9 Lewis, Nez Perce, Clearwater, Latah, Benewah, Shoshone,
10 Kootenai, Bonner, and Boundary. Three (3) shippers shall be
11 nominated for each shipper vacancy that occurs from which the
12 governor shall appoint one (1). Shipper commissioners do not
13 necessarily need to be nominated from geographical areas. Three
14 (3) processors shall be nominated for each processor vacancy that
15 occurs from which the governor shall appoint one (1). Processor
16 commissioners do not necessarily need to be nominated from
17 geographical areas. Nominations must be made thirty (30) days
18 prior to appointment. All nominations must give equal
19 consideration to all who are eligible for appointment as defined
20 in this act. ~~The Idaho potato commission shall hold separate~~
21 ~~meetings of the growers, shippers, or processors, as the~~
22 ~~nominations to be made shall require, in the various districts,~~
23 ~~to determine who shall be nominated for appointment. Notice of~~
24 ~~said meetings shall be given by publication in one (1) newspaper~~
25 ~~published in each county of the district or districts in which~~
26 ~~said nominations are to be made, and the notice shall be~~
27 ~~published in two (2) issues of each newspaper, the first to be~~
28 ~~approximately thirty (30) days and the second approximately ten~~
29 ~~(10) days before said meeting. The notice shall state the~~
30 ~~purpose, time and place of said meeting. All meetings held for~~
31 ~~the selection of nominees shall be held prior to March 31 of the~~
32 ~~year the appointment or appointments are to be made. The~~
33 Commission shall adopt rules for nominating commissioners to
34 serve on the Commission.

35 The term of office shall be three (3) years and no
36 commissioner shall serve more than two (2) consecutive terms.
37 The commissioners shall elect a chairman for a term of one (1)
38 year.

39 Vacancies shall be filled as terms expire. Each of such
40 commissioners shall hold office until his successor has been
41 appointed and qualified. The term of office shall commence on
42 September 15 of the year of appointment and expire on ~~September~~
43 14-August 31 of the last year of the term of office.

44 A majority of the members of said commission shall
45 constitute a quorum for the transaction of all business and the
46 carrying out of the duties of said commission. Before entering
47 on the discharge of their duties as members of said commission,

1 each member shall take and subscribe to the oath of office
2 prescribed for state officers.

3 Each member of the commission shall be compensated as
4 provided by section 59-509(j), Idaho Code, provided however,
5 that compensation paid to members of the commission from and
6 after April 1, 1992, shall not be considered salary as defined
7 in section 59-1302(31), Idaho Code;

8 SECTION 2: An emergency existing therefor, which emergency is
9 hereby declared to exist, this act shall be in full force and
10 effect on and after its passage and approval.