

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 REVISE IDAHO POTATO COMMISSION COMMISSIONER DISTRICTS.

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

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

7 22-1202. POTATO COMMISSION CREATED. There is hereby  
8 created and established in the department of self-governing  
9 agencies the "Idaho potato commission" to be composed of nine  
10 (9) practical potato persons, resident citizens of the state of  
11 Idaho for a period of three (3) years prior to their appointment  
12 each of whom has had active experience in growing, or shipping,  
13 or processing of potatoes produced in the state of Idaho. At  
14 least five (5) members of said commission shall be growers who  
15 are actually now engaged in the production of potatoes. Two (2)  
16 of the members shall be shippers who are actually now engaged in  
17 the shipping of potatoes, and two (2) of the members shall be  
18 processors who are actually now engaged in the processing of  
19 potatoes. The qualifications for members of said commission as  
20 above required shall continue throughout their respective terms  
21 of office and shall serve at the pleasure of the governor. Three  
22 (3) growers shall be nominated for each grower vacancy that  
23 occurs, from which the governor shall appoint one (1). Two (2)  
24 grower commissioners shall be appointed from the district known  
25 as District No. 1, consisting of the counties of Oneida,  
26 Franklin, Bear Lake, Caribou, Bannock, Power, Bingham,  
27 Bonneville, Teton, Madison, Jefferson, Fremont, Clark, and  
28 ~~Butte, Custer, and Lemhi~~; one (1) grower commissioner shall be  
29 appointed from the district known as District No. 2A, consisting  
30 of the counties of Twin Falls, Jerome, Lincoln, Camas, Elmore,  
31 Boise, Valley, and Gooding; one (1) grower commissioner shall be  
32 appointed from the district known as District No. 2B, consisting  
33 of the counties of Cassia, Minidoka, Blaine, Custer and Lemhi;  
34 and one (1) grower commissioner shall be appointed from the

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

29 The term of office shall be three (3) years and no  
30 commissioner shall serve more than two (2) consecutive terms.  
31 The commissioners shall elect a chairman for a term of one (1)  
32 year.

33 Vacancies shall be filled as terms expire. Each of such  
34 commissioners shall hold office until his successor has been  
35 appointed and qualified. The term of office shall commence on  
36 September 15 of the year of appointment and expire on September  
37 14 of the last year of the term of office.

38 A majority of the members of said commission shall  
39 constitute a quorum for the transaction of all business and the  
40 carrying out of the duties of said commission. Before entering  
41 on the discharge of their duties as members of said commission,  
42 each member shall take and subscribe to the oath of office  
43 prescribed for state officers.

44 Each member of the commission shall be compensated as  
45 provided by section 59-509(j), Idaho Code, provided however,  
46 that compensation paid to members of the commission from and

1 after April 1, 1992, shall not be considered salary as defined  
2 in section 59-1302(31), Idaho Code.

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