

HOUSE BILL REPORT

SB 6158

As Passed House:

February 27, 1998

Title: An act relating to eliminating duplicate authority for the Washington state wheat commission.

Brief Description: Repealing duplicate authority for the Washington state wheat commission.

Sponsors: Senators Morton and Rasmussen.

Brief History:

Committee Activity:

Agriculture & Ecology: 2/23/98 [DP].

Floor Activity:

Passed House: 2/27/98, 95-0.

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: Do pass. Signed by 10 members: Representatives Chandler, Chairman; Parlette, Vice Chairman; Schoesler, Vice Chairman; Linville, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Delvin; Koster; Mastin; Regala and Sump.

Staff: Kenneth Hirst (786-7105).

Background: The Washington Agricultural Enabling Act of 1955 establishes a means by which the producers of an agricultural commodity may create a commodity commission through a marketing order issued by the director of the Department of Agriculture as an alternative to requesting the Legislature to create the commission directly by statute. Under the 1955 act, the producers may petition the director to create such a commission and may approve by referendum a marketing order creating the commission, establishing its duties, and levying an assessment to fund its activities.

On December 4, 1957, the director approved a marketing order creating the Wheat Commission to be submitted by referendum to wheat producers for ratification. The marketing order was approved by the producers and became effective in April 1958. In August 1960, a superior court declared the 1955 act to be unconstitutional and vacated the marketing order. During the 1961 regular session, legislation was enacted creating

a Wheat Commission directly by statute. However, this statutory version of the Wheat Commission was to take effect only if the marketing order creating the commission was found to be invalid by the supreme court.

In August 1961, the state's supreme court reversed the decision of the superior court. As a result, the Wheat Commission operates under the marketing order, not the 1961 statute.

Summary of Bill: The 1961 legislation creating a Wheat Commission on a conditional basis is repealed.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Testified: None.