

# HOUSE BILL REPORT

## HB 2617

---

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

**Title:** An act relating to membership on the apple commission.

**Brief Description:** Addressing membership on the apple commission.

**Sponsors:** Representatives Blake, Kenney, Upthegrove and Chase; by request of Washington Apple Commission.

**Brief History:**

**Committee Activity:**

Agriculture & Natural Resources: 1/24/08, 1/28/08 [DP].

**Brief Summary of Bill**

- Makes changes regarding replacement and removal of commissioners on the Washington State Apple Commission.

---

### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** Do pass. Signed by 11 members: Representatives Blake, Chair; Van De Wege, Vice Chair; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Eickmeyer, Grant, Lantz, Loomis, McCoy, Nelson and Newhouse.

**Minority Report:** Do not pass. Signed by 1 member: Representative Orcutt.

**Staff:** Colleen Kerr (786-7168).

**Background:**

The Washington State Apple Advertising Commission (Commission) was created by an act of the Washington Legislature in 1937 at the request of the apple industry. The Commission has a 14-member board of directors, nine of whom are elected by the apple growers in specified districts and four of whom are elected by the apple shippers and marketers in specified districts. One member is the Director of the Washington State Department of Agriculture. Each commissioner is elected for a three year term.

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The primary purpose of the Commission is advertising, promotion, education, and market development for the Washington fresh apple crop. Currently, no promotions are being implemented in the United States, but are implemented in more than 30 countries overseas where Washington apples are sold.

Under statutory authority, the Commission collects a mandatory assessment levied against all fresh apple shipments to generate revenue for self-funding purposes. The assessment rate is established by a referendum of commercial apple growers in the state, and remains at the same level every year until changed by growers. No revenues are received from apples diverted to apple processors for juice or sauce.

---

**Summary of Bill:**

Vacancies on the Commission are filled by appointment by the Director of the Washington State Department of Agriculture from a list of candidates proposed by the Commission. When only one candidate is proposed, the Director has the discretion to appoint or reject the candidate. When a list is proposed, the Director may select or reject any candidate or reject all candidates.

The requirement that the annual meeting of apple growers be held by February 15 each year is removed.

---

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Staff Summary of Public Testimony:**

(In support) This bill makes technical and practical changes. The Washington State Apple Commission's authorizing statute went through a rewrite in 2004. Some of the provisions in that rewrite have proved difficult for the Commission to use in practice. This bill corrects those problems. In particular, it has been difficult for the Commission to remove a member for nonattendance. Chronic nonattendance by certain commissioners can prevent the Commission from being able to achieve a quorum and actually take action on necessary business. This bill remedies that issue. Additionally, in some districts it is difficult to get more than one candidate for a position. This changes the nomination requirements to allow for such situations and also makes it clear that when the Chair is presented with only one name, he or she may still reject that name and request another.

(Opposed) None.

**Persons Testifying:** (In support) Dave Ducharme, Washington State Apple Commission.

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