
HOUSE BILL 3095

State of Washington

61st Legislature

2010 Regular Session

By Representatives Blake, Chandler, and Wallace

Read first time 01/25/10. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to the Washington tree fruit research commission;
2 and amending RCW 15.26.110.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 15.26.110 and 1969 c 129 s 11 are each amended to read
5 as follows:

6 The powers of the commission shall include the following:

7 (1) To elect a (~~chairman~~) chair, treasurer, and such other
8 officers as it deems advisable;

9 (2) To adopt any rules (~~and regulations~~) necessary to carry out
10 the purposes and provisions of this chapter, in conformance with the
11 provisions of the Administrative Procedure Act, chapter 34.05 RCW, as
12 enacted or hereafter amended;

13 (3) To administer and carry out the provisions of this chapter and
14 do all those things necessary to carry out its purposes;

15 (4) To employ and at its pleasure discharge a manager, secretary,
16 agents, and employees as it deems necessary, and prescribe their duties
17 and fix their compensation;

18 (5) To own, lease or contract for any real or personal property

1 necessary to carry out the purposes of this chapter, and transfer and
2 convey the same;

3 (6) To establish offices and incur expenses and enter into
4 contracts and to create such liabilities as may be reasonable for
5 administration and enforcement of this chapter;

6 (7) Make necessary disbursements for the operation of the
7 commission in carrying out the purposes and provisions of this chapter;

8 (8) To employ, subject to the approval of the attorney general,
9 attorneys necessary, and to maintain in its own name any and all legal
10 actions, including actions for injunction, mandatory injunctions, or
11 civil recovery, or proceedings before administrative tribunals or other
12 government authorities necessary to carry out the purpose of this
13 chapter;

14 (9) To carry on any research which will or may benefit the
15 planting, production, harvesting, handling, processing, or shipment of
16 any tree fruit subject to the provisions of this chapter. To contract
17 with any person, private or public, public agency, federal, state or
18 local, or enter into agreements with other states or federal agencies,
19 to carry on such research jointly or enter into joint contracts with
20 such states or federal agencies or other recognized private or public
21 agencies, to carry on desired research provided for in this chapter;

22 (10) To appoint annually, ex officio commission members without a
23 vote who are experts in research whether public or private in any area
24 concerning or related to tree fruit to serve at the pleasure of the
25 commission;

26 (11) To establish a foundation using commission funds as grant
27 money for the benefit of the tree fruit industry. The foundation may
28 use commission funds for the purposes authorized by this chapter;

29 (12) To enter into contracts or interagency agreements with any
30 private or public agency, whether federal, state, or local, to carry
31 out the purposes provided in this chapter. Personal service contracts
32 must comply with chapter 39.29 RCW;

33 (13) To acquire or own intellectual property rights, licenses, or
34 patents and to collect royalties resulting from commission-funded
35 research;

36 (14) To engage in appropriate fund-raising activities for the
37 purpose of supporting activities of the commission authorized by this
38 chapter;

1 (15) To accept and expend or retain any gift, bequest,
2 contribution, or grant from private persons or private and public
3 agencies to carry out the purposes provided in this chapter; and
4 (16) Such other powers and duties that are necessary to carry out
5 the purpose of this chapter.

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