

RCW 15.44.027 Appointment of producer member—Commission's authority—Reasonably equal producer representation. (1) One producer member of the commission must be appointed from each of the following districts or areas:

(a) District one, which includes the counties of Whatcom, Skagit, Snohomish, San Juan, Island, and that portion of King county located north of Interstate 90;

(b) District two, which includes the counties of Clallam, Jefferson, Grays Harbor, Kitsap, Mason, Thurston, Pierce, Lewis, Wahkiakum, Cowlitz, Clark, Skamania, and that portion of King county located south of Interstate 90;

(c) District three, which includes the counties of Yakima, Klickitat, and Benton;

(d) District four, which includes the counties of Kittitas, Grant, Franklin, Walla Walla, Columbia, Garfield, Asotin, Whitman, Adams, Lincoln, Spokane, Douglas, Chelan, Okanogan, Ferry, Stevens, and Pend Oreille;

(e) Western Washington at large, which includes that portion of the state of Washington located west of the crest of the Cascade mountains;

(f) Eastern Washington at large, which includes that portion of the state of Washington located east of the crest of the Cascade mountains; and

(g) The state at large, which includes the entire state.

(2) The commission may adopt rules to eliminate, combine, revise, amend, or otherwise modify commission districts and areas in accordance with the intent and provisions of this chapter. In the event of redistricting, the procedure for transition of appointments to new districts or areas must be set forth in rule. The commission may adopt rules allowing the appointment of additional dealers to the commission.

(3) The boundaries and numbers of the commission districts or areas shall be maintained in a manner that ensures each producer a representation in the commission which is reasonably equal with the representation afforded all other producers by their commission members and maintains reasonable apportionment for each historical production or marketing area. However, the requirement of this section for reasonable equal representation of each producer on the commission does not require an equality of representation when the commission districts east of the crest of the Cascade mountains are compared to the commission districts west of the crest of the Cascade mountains.

(4) The commission shall, when requested in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW as enacted or hereafter amended, or on its own initiative, hold hearings to determine if new boundaries for each commission district or area should be established in order to afford each producer a reasonably equal representation in the commission, and if the commission so finds it shall change the boundaries of the commission districts or areas to carry out the proper reapportionment of producer representation on the commission.

(5) A review of boundaries and areas must be conducted by the commission at least every five years and take into consideration the distribution of producers, the number of head, production levels, and other relevant factors as determined by the commission. If the commission fails to carry out its responsibilities as set forth in this section, the director may upon request by ten producers institute

a hearing to determine if there is reasonably equal representation for each producer on the commission. If the director finds that such reasonably equal representation is lacking, he or she then shall realign the district boundaries in a manner which will provide proper representation on the commission for each producer. [2012 c 107 § 5; 2010 c 8 § 6057; 1975 1st ex.s. c 136 § 7.]