

WAC 244-12-040 Hardwoods commission. (1) **Administration.** The provisions of this order shall be administered and enforced by this commission.

(2) **Commission membership.** The commission shall consist of seven members.

(3) **Commission membership qualifications.** The members of the commission shall be members of the hardwood industry and shall be citizens and residents of the state of Washington, over the age of twenty-one years, each of whom is or has been actively engaged in the hardwood industry either individually or as an executive officer, employee, or sales manager on a management level or managing agent of an organization within the state of Washington for a period of five years and has, during that time, derived a substantial portion of his or her income therefrom. The qualifications of members of the commission as herein set forth must continue during the terms of office. Only one member may be in the employ of any one person or organization engaged in the hardwood industry, at any one time.

(4) **Term of office.**

(a) The term of office for members of the commission shall be four years.

(b) Membership positions on the commission shall be designated numerically.

(c) The term of office for the initial commission members shall be as follows:

Positions one, two, and three - two years; expires on June 30, 1992;

Positions four and five - three years; expires on June 30, 1993;

Positions six and seven - four years; expires on June 30, 1994.

(5) **Nomination and election of commission members.** Each year that a vacancy will occur, the commission shall give notice of such vacancies by mail on or before April 15, to all affected processors and call for nominations. Nominations shall be made by petition signed by at least three affected processors. Deadline for the return of such petition shall be no less than fifteen days from the date of mailing.

If there is only one nominee for any one position during the specified time period, the nominee may be deemed elected.

(6) **Election of commission members.**

(a) Members of the commission shall be elected by secret mail ballot within the month of May. Members of the commission shall be elected by a majority of the votes of affected processors.

(b) If a nominee does not receive a majority of the votes on the first ballot, a run-off election shall be held by mail in a similar manner between the two candidates for such position receiving the largest number of votes.

(7) **Vacancies prior to election.** In the event of a vacancy on the commission, the remaining commission members shall select a qualified person to fill the unexpired term.

(8) **Quorum.** Five members shall constitute a quorum for the transaction of all business and the carrying out of all duties of the commission.

(9) **Commission compensation.** No member of the commission shall receive any salary or other compensation.

(10) **Powers and duties of the commission.** The commission shall have the following powers and duties:

(a) To administer, enforce, and control the provisions of this order.

(b) To elect a chairperson and such other officers as the commission deems advisable.

(c) To employ and discharge at its discretion such personnel as the commission determines necessary and proper to carry out the purpose of the order.

(d) To establish an account at a bank or banks or financial institution or institutions, approved for the deposit of state funds, in which all money received by the commission, shall be deposited in accordance with legal requirements.

(e) To keep or cause to be kept in accordance with accepted standards of good accounting practice, accurate records of all assessments, paid outs, moneys, and other financial transactions made and done pursuant to this order.

(f) To require a bond of the treasurer in the amount the commission shall deem necessary. The premium for such bond or bonds shall be paid by the commission from assessments collected. Such bond shall not be necessary if any such commission member or employee is covered by any blanket bond covering officials or employees of the state of Washington.

(g) To prepare a budget or budgets covering anticipated income and expenses to be incurred in carrying out the provisions of the order during each fiscal year.

(h) To establish by resolution, a headquarters which shall continue as such unless and until so changed by the commission. All records, books, and minutes of commission meetings shall be kept at such headquarters.

(i) To adopt rules and regulations of a technical or administrative nature, subject to the provisions of chapter 34.05 RCW (Administrative Procedure Act).

(11) Procedures for commission.

(a) The commission shall hold regular meetings, at least semiannually, and such meetings shall be publicized and held in accordance with chapter 42.30 RCW (Open Public Meetings Act).

(b) The commission shall hold an annual meeting, at which time an annual report will be presented. The budget shall be presented for discussion at the meeting. Notice of the annual meeting shall be given by the commission at least ten days prior to the meeting by written notice to each processor and by regular news service.

(c) The commission shall establish by resolution, the time, place, and manner of calling special meetings of the commission with reasonable notice to the members: Provided, That the notice of any special meeting may be waived by a written waiver thereof by each member of the commission. Additionally, notice shall be provided to each local newspaper of general circulation and to each local radio or television station, which has on file with the governing body a written request to be notified of such special meeting or of all special meetings.

[Statutory Authority: 1991 c 67. WSR 91-14-055, § 244-12-040, filed 6/27/91, effective 7/1/91.]