

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6290

Chapter 15, Laws of 2016

64th Legislature
Veto Override 2016 1st Special Session

APPLE COMMISSION--VARIOUS PROVISIONS

EFFECTIVE DATE: 6/28/2016

Passed by the Senate February 10, 2016
Yeas 49 Nays 0

BRAD OWEN

President of the Senate

Passed by the House March 1, 2016
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Vetoed March 10, 2016 10:18 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6290** as passed by Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

Secretary

FILED

March 30, 2016

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6290

Passed Legislature - Veto Override 2016 1st Special Session

State of Washington

64th Legislature

2016 Regular Session

By Senate Agriculture, Water & Rural Economic Development (originally sponsored by Senators Honeyford, Hobbs, and Parlette; by request of Washington Apple Commission)

READ FIRST TIME 02/03/16.

1 AN ACT Relating to the apple commission; amending RCW 15.24.010,
2 15.24.020, 15.24.030, 15.24.035, 15.24.073, 15.24.080, 15.24.090,
3 15.24.100, 15.24.110, 15.24.120, and 15.24.900; and repealing RCW
4 15.24.033, 15.24.040, 15.24.060, 15.24.086, and 15.24.170.

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

6 **Sec. 1.** RCW 15.24.010 and 2002 c 313 s 115 are each amended to
7 read as follows:

8 As used in this chapter:

9 (1) "Commission" means the Washington apple commission;

10 (2) "Ship" means to load apples into a conveyance for transport,
11 except apples being moved from the orchard where grown to a packing
12 house or warehouse within the immediate area of production;

13 (3) "Handler" means any person who ships or initiates a shipping
14 operation, whether for himself, herself, or for another;

15 (4) "Dealer" means any person who handles, ships, buys, or sells
16 apples, or who acts as sales or purchasing agent, broker, or factor
17 of apples;

18 (5) "Processor" and "processing plant" means every person to whom
19 and every place to which apples are delivered for drying,
20 dehydrating, canning, pressing, powdering, extracting, cooking, or

1 for use in producing a product or manufacturing a manufactured
2 article;

3 (6) "Processing apples" means all apples delivered to a
4 processing plant for drying, dehydrating, canning, pressing,
5 powdering, extracting, cooking, or for use in producing a product or
6 manufacturing a manufactured article. However, "processing apples"
7 does not include fresh apples sliced or cut for raw consumption;

8 (7) "Fresh apples" means all apples other than processing apples;

9 (8) "Director" means the director of the department of
10 agriculture or his or her duly authorized representative;

11 (9) "Grower district No. 1" includes the counties of Chelan,
12 Okanogan, and Douglas;

13 (10) "Grower district No. 2" includes the counties of Kittitas,
14 Yakima, Benton, and Franklin;

15 (11) "Grower district No. 3" includes all counties in the state
16 not included in the first and second districts;

17 (12) "Dealer district No. 1" includes the area of the state north
18 of Interstate 90;

19 (13) "Dealer district No. 2" includes the area of the state south
20 of Interstate 90; (~~and~~)

21 (14) "Executive officer" includes, but is not limited to, the
22 principal management executive, sales manager, general manager, or
23 other executive employee of similar responsibility and authority;

24 (15) "Grower" means a person engaged in the business of producing
25 apples for market in commercial quantities, whether as an individual,
26 corporation, firm, limited liability company, trust, association,
27 partnership, society, or any other organization of individuals; and

28 (16) "Crop year" means the year in which apples are harvested and
29 is designated for those apples based on the date of harvest
30 regardless of when they are subsequently packed or shipped.

31 **Sec. 2.** RCW 15.24.020 and 2004 c 178 s 2 are each amended to
32 read as follows:

33 There is hereby created a Washington apple commission to be thus
34 known and designated. The commission shall be composed of nine
35 (~~practical~~) apple (~~producers~~) growers and four (~~practical~~)
36 apple dealers. In addition, the director shall be a full voting
37 member of the commission and may in his or her place appoint any
38 other employee of the department of agriculture as a designee to

1 attend commission meetings and otherwise represent the director and
2 exercise the director's vote.

3 The nine (~~producer~~) grower members shall be citizens and
4 residents of this state, over the age of twenty-five years, each of
5 whom, either individually or as an executive officer of a
6 corporation, firm or partnership, is and has been actually engaged in
7 growing and producing apples within the state of Washington for a
8 period of five years, currently operates a commercial producing
9 orchard in the district represented, and has during that period
10 derived a substantial portion of his or her income therefrom. The
11 four dealer members shall be persons who, either individually or as
12 executive officers of a corporation, firm, partnership, association,
13 or cooperative organization, are and have been actively engaged as
14 dealers in apples within the state of Washington for a period of five
15 years, and are citizens and residents of this state, and are engaged
16 as apple dealers in the district represented. The qualifications of
17 members of the commission as herein set forth must continue during
18 their term of office. A person who meets the qualifications of both a
19 (~~producer~~) grower and a dealer as set forth in this section may
20 serve as either a (~~producer~~) grower member or a dealer member.

21 **Sec. 3.** RCW 15.24.030 and 2004 c 178 s 3 are each amended to
22 read as follows:

23 Thirteen persons, not including the director or the director's
24 representative, with the qualifications stated in RCW 15.24.020 shall
25 be members of the commission. Nine of the members shall be
26 (~~producer~~) grower members, and four shall be dealer members. The
27 number of (~~producer~~) grower members to be appointed from each
28 grower district shall be determined in accordance with the relative
29 acreages of planted commercial apple orchards within the various
30 districts (~~as of July 1, 2003~~), according to the most recent census
31 of acreages published by the United States department of agriculture,
32 agricultural statistics service. The number of (~~producer~~) grower
33 members to be appointed from each of the grower districts shall be
34 subject to readjustment every ten years thereafter in accordance with
35 the then most recent census of acreages of planted commercial apple
36 orchards published by the United States department of agriculture,
37 agricultural statistics service. In the event the information from
38 the United States department of agriculture's agricultural statistics
39 service is not published with respect to the specifically defined

1 districts, the commission shall adopt rules to establish equitable
2 apportionment based on the available information. However, at all
3 times at least two (~~producer~~) grower members shall be from district
4 1, one of which shall be from Okanogan county; district 2 shall never
5 have fewer than two (~~producer~~) grower members; and district 3 shall
6 never have fewer than one (~~producer~~) grower member. The commission
7 shall adopt rules to effect the efficient transition of reapportioned
8 positions.

9 The regular term of office of the members of the commission shall
10 be three years from March 1st following their appointment by the
11 director and until their successors are appointed. The commission
12 shall hold its annual meeting during the month of March each year and
13 shall hold such other meetings during the year as it shall determine.
14 The first commission meeting that takes place after June 10, 2004,
15 shall be held in Wenatchee, and subsequent commission meetings shall
16 alternate between Yakima and Wenatchee.

17 **Sec. 4.** RCW 15.24.035 and 2008 c 11 s 1 are each amended to read
18 as follows:

19 (1) The director shall appoint the members of the commission.

20 (2) (~~Candidates for positions on the commission shall be~~
21 ~~nominated to the director in accordance with subsection (3) of this~~
22 ~~section.)) Except as provided in RCW 15.24.050, before the expiration
23 of a commission member's term, the commission shall call a meeting of
24 apple growers and dealers for the purpose of nominating candidates
25 whose names will be forwarded to the director for consideration for
26 appointment as a member of the commission. The meetings may be held
27 each year, as far as practicable, at the same time and place as an
28 annual meeting of a grower or dealer organization that represents a
29 majority of the state's apple growers or dealers, but not while the
30 same is in actual session. Public notice of such meetings must be
31 given by the commission in such manner as it may determine: PROVIDED,
32 That nonreceipt of the notice by any interested person does not
33 invalidate the proceedings. Any qualified person may be nominated
34 orally for such positions at the respective meetings. Nominations may
35 also be made within five days after any such meeting by written
36 petition filed in the office of the commission, signed by not less
37 than five apple growers or dealers, as the case may be, residing
38 within the district.~~

1 ~~(3) ((Not less than sixty days nor more than seventy five days~~
2 ~~prior to the commencement of a commission member's term,))~~ The
3 ~~commission shall ((cause))~~ hold an advisory vote ~~((to be held for the~~
4 ~~director appointed positions))~~ in the event that more than two
5 candidates are nominated for a position. The names of the two
6 candidates receiving the most votes in the advisory vote shall be
7 forwarded to the director for consideration. In the event that only
8 one candidate is nominated, the name must be forwarded to the
9 director for consideration without an advisory vote.

10 (4) Advisory ballots shall be mailed to all ~~((affected~~
11 ~~producers))~~ growers for ~~((producer))~~ grower positions and to affected
12 dealers for dealer positions ~~((and shall be returned to the~~
13 ~~commission not less than thirty days prior to the commencement of the~~
14 ~~term)).~~ The advisory ballot shall be conducted in a manner so that it
15 is a secret ballot. ~~((The names of the two candidates receiving the~~
16 ~~most votes in the advisory vote shall be forwarded to the director~~
17 ~~for potential appointment to the commission. In the event only two~~
18 ~~candidates are nominated for a position, an advisory vote need not be~~
19 ~~held and the candidates' names shall be forwarded to the director for~~
20 ~~potential appointment. If only one candidate is nominated for a~~
21 ~~position,))~~ Nominees to be forwarded to the director for
22 consideration for appointment to dealer positions on the commission
23 shall be selected by a majority of the votes cast by the apple
24 dealers in the respective districts, each dealer being entitled to
25 one vote. Nominees to be forwarded to the director for consideration
26 for appointment to grower positions on the commission shall be
27 selected by a majority of the votes cast by the apple growers in the
28 respective districts. Each grower engaged in the business of
29 producing apples for market in commercial quantities within the
30 district is entitled to one vote. An individual commercial orchard
31 operator, if otherwise qualified, is entitled to vote, even though he
32 or she is also a member of a partnership or corporation, which also
33 is entitled to vote.

34 (5) The director has the discretion to appoint or reject ~~((the))~~
35 any candidate.

36 ~~((+4))~~ (6) Any candidate whose name is forwarded to the director
37 for potential appointment shall submit to the director a letter
38 stating why he or she wishes to be appointed to the commission. The
39 director may select any candidate for the position or may reject all

1 candidates and request a new advisory vote with nominees selected by
2 the commission and, if desired, by the director.

3 **Sec. 5.** RCW 15.24.073 and 2002 c 313 s 125 are each amended to
4 read as follows:

5 All rule-making proceedings conducted under this chapter must be
6 in accordance with chapter 34.05 RCW except that rule-making
7 proceedings conducted under this chapter are exempt from compliance
8 with RCW 34.05.310, 43.135.055, and the provisions of chapter 19.85
9 RCW, the regulatory fairness act, when the proposed rule is subject
10 to a referendum.

11 **Sec. 6.** RCW 15.24.080 and 2002 c 313 s 120 are each amended to
12 read as follows:

13 In order to benefit the people of this state, the state's economy
14 and its general tax revenues, the commission shall provide for and
15 conduct a comprehensive and extensive research, advertising, and
16 educational campaign as continuous as the crop, sales, and market
17 conditions reasonably require. It shall investigate and ascertain the
18 needs of (~~producers~~) growers, conditions of the markets, and extent
19 to which public convenience and necessity require research and
20 advertising to be conducted.

21 **Sec. 7.** RCW 15.24.090 and 2004 c 178 s 10 are each amended to
22 read as follows:

23 (1) There is hereby levied annually upon all fresh apples grown
24 in this state, and all apples packed as Washington apples, including
25 fresh sliced, an assessment of eight and seventy-five one-hundredths
26 cents per one hundred pounds of apples, based on net shipping weight,
27 or reasonable equivalent net product assessment measurement as
28 determined by the commission. All moneys collected under this
29 subsection must be expended to effectuate the purpose and objects of
30 this chapter. The assessment rates established in this subsection may
31 be increased or decreased pursuant to the procedure in subsection (2)
32 of this section.

33 (2) If (~~it appears from investigation by the director and~~) the
34 commission determines based on information available to it that the
35 revenue from the assessment levied (~~on fresh apples~~) under this
36 chapter is too high or is inadequate to accomplish the purposes of
37 this chapter, then with the oversight of the director the commission

1 shall (~~adopt a resolution~~) commence rule making setting forth the
2 (~~necessities~~) needs of the industry, the extent and probable cost
3 of (~~the required research or other expenditures, the extent of~~
4 ~~public convenience, interest, and necessity, and probable~~)
5 commission activities identified as necessary to address the needs of
6 the industry together with a brief statement justifying each
7 activity, the proposed new assessment rate, and the expected revenue
8 from the proposed assessment (~~levied~~). A different rate may be
9 proposed for any specific variety or for fresh apples sliced or cut
10 for raw consumption.

11 (3) Upon receiving the director's approval of the rule making
12 commenced under subsection (2) of this section, and with the
13 oversight of the director, (~~and subject to the approval by vote of~~
14 ~~at least two thirds for increases, or a majority for decreases, of~~
15 ~~the producers voting; and approval of voting producers who operate at~~
16 ~~least two thirds for increases, or a majority for decreases, of the~~
17 ~~acreage voted in the same election, the commission shall thereupon~~
18 ~~decrease or increase the assessment to a sum determined by the~~
19 ~~commission to be necessary for those purposes. However, if a~~
20 ~~different rate is determined for any specific variety or for fresh~~
21 ~~apples sliced or cut for raw consumption, that different rate must be~~
22 ~~applied to that variety or those sliced or cut apples. A decrease or~~
23 ~~an increase becomes effective sixty days after the resolution is~~
24 ~~adopted or on any other date provided for in the resolution, but~~
25 ~~shall be first referred by the commission to a referendum mail ballot~~
26 ~~by the apple growers of this state conducted under the supervision of~~
27 ~~the director and be approved by at least two thirds for increases, or~~
28 ~~a majority for decreases, of the growers voting on it and also be~~
29 ~~approved by voting growers who operate at least two thirds for~~
30 ~~increases, or a majority for decreases, of the acreage voted in the~~
31 ~~same election. After the mail ballot, if favorable to the increase or~~
32 ~~decrease, the commission shall nevertheless exercise its independent~~
33 ~~judgment and discretion as to whether or not to approve the increase~~
34 ~~or decrease~~) the commission may conduct a referendum to determine
35 whether growers assent to the proposed new assessment rate, or may
36 refer the matter to the director to conduct the referendum on behalf
37 of the commission. An increase in the assessment rate is approved if
38 two-thirds of growers vote in favor and the growers voting in favor
39 represent two-thirds of the apples grown in the two prior crop years,
40 based on net shipping weight. A decrease in the assessment rate is

1 approved if a majority of growers vote in favor and the growers
2 voting in favor represent two-thirds of the apples grown in the two
3 prior crop years, based on the net shipping weight. If approved, the
4 new rate must be adopted in rule in accordance with chapter 34.05
5 RCW.

6 **Sec. 8.** RCW 15.24.100 and 2004 c 178 s 11 are each amended to
7 read as follows:

8 ~~(1) ((Subject to subsection (2) of this section, there is hereby~~
9 ~~levied upon all fresh apples grown annually in this state, and all~~
10 ~~apples packed as Washington apples, including fresh sliced, an~~
11 ~~assessment of eight and seventy five one hundredths cents per one~~
12 ~~hundred pounds of apples, based on net shipping weight, or reasonable~~
13 ~~equivalent net product assessment measurement as determined by the~~
14 ~~commission, plus such annual decreases or increases thereof as are~~
15 ~~imposed pursuant to the provisions of RCW 15.24.090. All moneys~~
16 ~~collected hereunder shall be expended to effectuate the purpose and~~
17 ~~objects of this chapter.~~

18 ~~(2) No sooner than five years from June 10, 2004,)~~ A petition
19 may be filed with the commission to reduce the assessment authorized
20 in this section to zero. To be valid, the petition must be signed by
21 at least eight percent of all apple growers eligible to vote in
22 commission referendum elections. The petition shall contain the name
23 of a person designated to represent the petitioners.

24 ~~((a))~~ (2) Upon receipt of a valid petition, the commission
25 shall prepare a document discussing the substance of the petition. A
26 statement in favor of the petition shall be written by the proponents
27 of the petition. A statement opposing the petition may be written by
28 the commission or an opponent. The document and a notice of public
29 hearing shall be sent to apple growers eligible to vote in commission
30 referendum elections at least twenty days prior to the scheduled
31 public hearings. The commission shall hold public hearings in Yakima
32 and Wenatchee on the petition.

33 ~~((b))~~ (3) Following the public hearings, the question of
34 whether to reduce the assessment authorized in this section to zero
35 shall be referred to a referendum mail ballot. The commission shall
36 certify to the director a list of apple growers eligible to vote in
37 commission referendum elections. The referendum shall be conducted
38 and supervised by the director using the certified list. Inadvertent

1 failure to notify (~~(an affected)~~) a grower does not invalidate a
2 referendum.

3 ~~((e))~~ (4) The referendum will be approved if a simple majority
4 of apple growers voting in the referendum election vote in favor of
5 the elimination of the assessment. The director will certify the
6 results of the vote.

7 ~~((d))~~ (5) The referendum vote shall be binding and may not be
8 overturned by action of the commission or director. If the referendum
9 is approved, the commission shall immediately commence activities to
10 wind down its operations. However, the elimination of the assessment
11 shall not be effective until six months from the date the referendum
12 result is certified by the director. If the referendum fails, neither
13 the commission nor the director will take further action on the
14 petition.

15 ~~((e))~~ (6) The commission is responsible for all its own costs
16 and all the director's costs associated with the hearing, notice, and
17 referendum process. A subsequent petition may not be filed any sooner
18 than five years following the certification of the results of any
19 previously held referendum conducted under this ~~((sub))~~section.

20 **Sec. 9.** RCW 15.24.110 and 2004 c 178 s 12 are each amended to
21 read as follows:

22 The assessments on fresh apples shall be paid, or provision made
23 therefor satisfactory to the commission, ~~((prior to))~~ at the time of
24 shipment, and no fresh apples shall be carried, transported, or
25 shipped by any person or by any carrier, railroad, truck, boat, or
26 other conveyance until the assessment has been paid or provision made
27 therefor satisfactory to the commission.

28 The commission shall by rule prescribe the method of
29 collection~~(, and for that purpose may require stamps to be known as~~
30 ~~"Washington apple stamps" to be purchased from the commission and~~
31 ~~attached to the containers, invoices, shipping documents, inspection~~
32 ~~certificates, releases, or receiving receipts or tickets. Rule-making~~
33 ~~procedures conducted under this section are exempt from the~~
34 ~~provisions of RCW 43.135.055 when adoption of the rule or rules is~~
35 ~~determined by a referendum vote of the persons taxed under this~~
36 ~~chapter))~~ of the assessment.

37 The commission may also collect assessments imposed under RCW
38 15.26.120, and in that event, the commission shall establish and be
39 reimbursed by the Washington tree fruit research commission an amount

1 representing a reasonable approximation of the actual costs to the
2 commission of such collection.

3 **Sec. 10.** RCW 15.24.120 and 2010 c 8 s 6021 are each amended to
4 read as follows:

5 Each dealer, handler, and processor shall keep a complete and
6 accurate record of all apples handled, shipped, or processed by him
7 or her. This record shall be in such form and contain such
8 information as the commission may by rule or regulation prescribe,
9 and shall be preserved for a period of two prior crop years, and be
10 subject to inspection at any time upon demand of the commission or
11 its agents.

12 **Sec. 11.** RCW 15.24.900 and 2011 c 103 s 27 are each amended to
13 read as follows:

14 (1) This chapter is passed:

15 (a) In the exercise of the police power of the state to assure,
16 through this chapter, and other chapters, that the apple industry is
17 highly regulated to protect the public health, to prevent fraudulent
18 practices, to promote the welfare of the state, and to stabilize and
19 protect the apple industry of the state as a vital and integral part
20 of its economy for the benefit of all its citizens;

21 (b) Because the apple crop grown in Washington comprises one of
22 the major agricultural crops of Washington, and that therefore the
23 business of selling and distributing such crop and the expanding and
24 protection of its market is of public interest;

25 (c) Because it is necessary and expedient to enhance the
26 reputation of Washington apples in domestic and foreign markets;

27 (d) Because it is necessary to discover the health giving
28 qualities and food and dietetic value of Washington apples, and to
29 spread that knowledge throughout the world in order to increase the
30 consumption of Washington apples;

31 (e) Because Washington grown apples are handicapped by high
32 freight rates in competition with eastern and foreign grown apples in
33 the markets of the world, and this disadvantage can only be overcome
34 by education and advertising;

35 (f) Because the stabilizing and promotion of the apple industry,
36 the enlarging of its markets, and the increasing of the consumption
37 of apples are necessary to assure and increase the payment of taxes

1 to the state and its subdivisions, to alleviate unemployment within
2 the state, and increase wages for agricultural labor;

3 (g) To disseminate information giving the public full knowledge
4 of the manner of production, the cost and expense thereof, the care
5 taken to produce and sell only apples of the finest quality, the
6 methods and care used in preparing for market, and the methods of
7 sale and distribution to increase the amount secured by the
8 ((~~producer~~)) grower therefor, so that they can pay higher wages and
9 pay their taxes, and by such information to reduce the cost of
10 distribution so that the spread between the cost to the consumer and
11 the amount received by the ((~~producer~~)) grower will be reduced to the
12 minimum absolutely necessary; and

13 (h) To protect the general public by educating it in reference to
14 the various varieties and grades of Washington apples, the time to
15 use and consume each variety, and the uses to which each variety
16 should be put.

17 (2) The history, economy, culture, and future of Washington
18 state's agricultural industry involves the apple industry. In order
19 to develop and promote apples and apple products as part of an
20 existing comprehensive scheme to regulate those products, the
21 legislature declares:

22 (a) That it is vital to the continued economic well-being of the
23 citizens of this state and their general welfare that its apple and
24 apple products be properly promoted by establishing orderly, fair,
25 sound, efficient, and unhampered marketing, grading, and standards of
26 and for apples and apple products; and by working to stabilize the
27 apple industry and by increasing consumption of apples and apple
28 products within the state, nation, and internationally;

29 (b) That apple ((~~producers~~)) growers operate within a regulatory
30 environment that imposes burdens on them for the benefit of society
31 and the citizens of the state and includes restrictions on marketing
32 autonomy. Those restrictions may impair the agricultural
33 ((~~producer's~~)) grower's ability to compete in local, domestic, and
34 foreign markets;

35 (c) That it is in the overriding public interest that support for
36 the apple industry be clearly expressed, that adequate protection be
37 given to agricultural commodities, uses, activities, and operations,
38 and that apples and apple products be promoted individually, as well
39 as part of a comprehensive promotion of the agricultural industry to:

1 (i) Enhance the reputation and image of Washington state's
2 agricultural industry;

3 (ii) Increase the sale and use of apples and apple products in
4 local, domestic, and foreign markets;

5 (iii) Protect the public and consumers by correcting any false or
6 misleading information and by educating the public in reference to
7 the quality, care, and methods used in the production of apples and
8 apple products, and in reference to the various sizes, grades, and
9 varieties of apples and the uses to which each should be put;

10 (iv) Increase the knowledge of the health-giving qualities and
11 dietetic value of apple products; and

12 (v) Support and engage in programs or activities that benefit the
13 production, handling, processing, marketing, and uses of apples and
14 apple products;

15 (d) That the apple industry is a highly regulated industry and
16 that this chapter and the rules adopted under it are only one aspect
17 of the regulation of the industry. Other regulations and restraints
18 applicable to the apple industry include:

19 (i) Washington agriculture general provisions, chapter 15.04 RCW;
20 (ii) Pests and diseases, chapter 15.08 RCW;
21 (iii) Standards of grades and packs, chapter 15.17 RCW;
22 (iv) Tree fruit research, chapter 15.26 RCW;
23 (v) Controlled atmosphere storage, chapter 15.30 RCW;
24 (vi) Higher education in agriculture, chapter 28B.30 RCW;
25 (vii) Department of agriculture, chapter 43.23 RCW;
26 (viii) Fertilizers, minerals, and limes under chapter 15.54 RCW;
27 (ix) Organic products act under chapter 15.86 RCW;
28 (x) Intrastate commerce in food, drugs, and cosmetics under
29 chapter 69.04 RCW and rules;

30 (xi) Horticultural plants, Christmas trees, and facilities—
31 Inspection and licensing under chapter 15.13 RCW;
32 (xii) Planting stock under chapter 15.14 RCW;
33 (xiii) Washington pesticide control act under chapter 15.58 RCW;
34 (xiv) Farm marketing under chapter 15.64 RCW;
35 (xv) Insect pests and plant diseases under chapter 17.24 RCW;
36 (xvi) Weights and measures under chapter 19.94 RCW;
37 (xvii) Agricultural products—Commission merchants, dealers,
38 brokers, buyers, and agents under chapter 20.01 RCW; and
39 (xviii) The federal insecticide, fungicide, and rodenticide act
40 under 7 U.S.C. Sec. 136; and

1 (e) That this chapter is in the exercise of the police powers of
2 this state for the purposes of protecting the health, peace, safety,
3 and general welfare of the people of this state.

4 NEW SECTION. **Sec. 12.** The following acts or parts of acts are
5 each repealed:

6 (1) RCW 15.24.033 (Members—Transition to appointed commission—
7 Appointments by director) and 2004 c 178 s 4;

8 (2) RCW 15.24.040 (Members—Nominations to the advisory ballot)
9 and 2008 c 11 s 2, 2004 c 178 s 6, 2002 c 313 s 117, 1989 c 354 s 56,
10 1967 c 240 s 25, 1963 c 145 s 4, & 1961 c 11 s 15.24.040;

11 (3) RCW 15.24.060 (Commission records as evidence) and 1961 c 11
12 s 15.24.060;

13 (4) RCW 15.24.086 (Promotional printing contracts—Contractual
14 conditions of employment) and 2015 c 225 s 8, 1994 c 164 s 1, 1973
15 1st ex.s. c 154 s 20, & 1961 c 11 s 15.24.086; and

16 (5) RCW 15.24.170 (Rules and regulations—Filing—Publication) and
17 2002 c 313 s 127, 1975 1st ex.s. c 7 s 37, & 1961 c 11 s 15.24.170.

Passed by the Senate February 10, 2016.

Passed by the House March 1, 2016.

Vetoed by the Governor March 10, 2016.

Filed in Office of Secretary of State March 30, 2016.

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