



LEGISLATURE OF THE STATE OF IDAHO



Sixty-fifth Legislature

First Regular Session - 2019

IN THE _____

BILL NO. _____

BY _____

AN ACT

RELATING TO THE IDAHO POTATO COMMISSION; REPEALING SECTION 22-1202, IDAHO CODE, RELATING TO THE POTATO COMMISSION; AMENDING CHAPTER 12, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-1202, IDAHO CODE, TO PROVIDE FOR THE IDAHO POTATO COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 22-1202, Idaho Code, be, and the same is hereby repealed.

SECTION 2. That Chapter 12, Title 22, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 22-1202, Idaho Code, and to read as follows:

22-1202. IDAHO POTATO COMMISSION CREATED. (1) There is hereby created and established in the department of self-governing agencies the "Idaho potato commission" to be composed of nine (9) practical potato persons, resident citizens of the state of Idaho for a period of three (3) years prior to their appointment, each of whom has had active experience in growing, shipping, or processing of potatoes produced in the state of Idaho. At least five (5) members of said commission shall be growers who are actually now engaged in the production of potatoes. Two (2) of the members shall be shippers who are actually now engaged in the shipping of potatoes, and two (2) of the members shall be processors who are actually now engaged in the processing of potatoes. The qualifications for members of said commission as required in this section shall continue throughout their respective terms of office, and members shall serve at the pleasure of the governor. Three (3) growers shall be nominated for each grower vacancy that occurs, from which the governor shall appoint one (1). One (1) grower commissioner shall be appointed from the district known as District No. 1, consisting of the counties of Fremont, Jefferson, Madison, and Teton; one (1) grower commissioner shall be appointed from the district known as District No. 2, consisting of the counties of Bingham, Butte, and Clark; one (1) grower commissioner shall be appointed from the district known as District No. 3, consisting of the counties of Power, Oneida, Franklin, Bear Lake, Bannock, Caribou, and Bonneville; one (1) grower commissioner shall be appointed from the district known as District No. 4, consisting of the counties of Cassia, Minidoka, Jerome, Lincoln, Blaine, Custer, and Lemhi; and one (1) grower commissioner shall be appointed from the district known as District No. 5, consisting of the counties of Boundary, Bonner, Kootenai, Benewah, Latah, Nez Perce, Lewis, Shoshone, Clearwater, Idaho, Adams, Valley, Washington, Payette, Gem, Boise, Canyon, Ada, Elmore, Owyhee, Camas, Gooding, and Twin Falls. Three (3) shippers shall be nominated for each shipper vacancy that occurs, from which the governor shall appoint one (1). Shipper commissioners do not



1 necessarily need to be nominated from geographical areas. Three (3) proces-
2 sors shall be nominated for each processor vacancy that occurs, from which
3 the governor shall appoint one (1). Processor commissioners do not neces-
4 sarily need to be nominated from geographical areas. The commission shall
5 adopt rules for nominating commissioners to serve on the commission.

6 (2) The term of office shall be three (3) years and no commissioner
7 shall serve more than two (2) consecutive terms. The commissioners shall
8 elect a chairman for a term of one (1) year.

9 (3) Vacancies shall be filled as terms expire. Each of such commission-
10 ers shall hold office until his successor has been appointed and qualified.
11 The term of office shall commence on September 1 of the year of appointment
12 and expire on August 31 of the last year of the term of office.

13 (4) A majority of the members of said commission shall constitute a quo-
14 rum for the transaction of all business and the carrying out of the duties of
15 said commission. Before entering on the discharge of their duties as members
16 of said commission, each member shall take and subscribe to the oath of of-
17 fice prescribed for state officers.

18 (5) Each member of the commission shall be compensated as provided by
19 section 59-509(j), Idaho Code, provided however, that compensation paid to
20 members of the commission from and after April 1, 1992, shall not be consid-
21 ered salary as defined in section 59-1302(31), Idaho Code.

22 SECTION 3. This act shall be in full force and effect on and after
23 September 1, 2020.