

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 151

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE ALFALFA AND CLOVER SEED COMMISSION; AMENDING SECTION
2 22-4204, IDAHO CODE, TO REMOVE REFERENCE TO THE DEPARTMENT OF AGRICUL-
3 TURE, TO PROVIDE THAT THE ALFALFA AND CLOVER SEED COMMISSION SHALL BE
4 ESTABLISHED IN THE DEPARTMENT OF SELF-GOVERNING AGENCIES AND TO REMOVE
5 OBSOLETE VERBIAGE; AMENDING SECTION 22-4205, IDAHO CODE, TO REMOVE
6 REFERENCE TO THE TIME AND PLACE OF ANNUAL MEETING, TO REVISE PROVISIONS
7 RELATING TO THE NOMINATION OF GROWER MEMBERS OF THE ALFALFA AND CLOVER
8 SEED COMMISSION, TO PROVIDE FOR NOMINATION AT A MEETING OF THE IDAHO
9 ALFALFA AND CLOVER SEED GROWERS ASSOCIATION, TO PROVIDE FOR SUBMISSION
10 OF NAMES TO THE GOVERNOR AND TO REMOVE REFERENCE TO AN ANNUAL MEETING;
11 AMENDING SECTION 22-4206, IDAHO CODE, TO REMOVE AN EXCEPTION RELATING
12 TO VACANCIES IN COMMISSION OFFICES AND TO REMOVE OBSOLETE VERBIAGE
13 RELATING TO THE TERMS OF OFFICE OF COMMISSION MEMBERS; AND AMENDING SEC-
14 TION 67-2601, IDAHO CODE, TO INCLUDE THE IDAHO ALFALFA AND CLOVER SEED
15 COMMISSION AS ONE OF THE AGRICULTURAL COMMODITY COMMISSIONS UNDER THE
16 DEPARTMENT OF SELF-GOVERNING AGENCIES.
17

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

19 SECTION 1. That Section 22-4204, Idaho Code, be, and the same is hereby
20 amended to read as follows:

21 22-4204. CREATION OF COMMISSION -- MEMBERS -- QUALIFICATIONS -- COM-
22 PENSATION. There is hereby created and established in the department of
23 self-governing agencies an alfalfa and clover seed commission ~~within the~~
24 ~~department of agriculture~~, to be thus known and designated. The commission
25 shall be composed of six (6) ~~practical~~ alfalfa seed or clover seed growers
26 and one (1) ~~practical~~ alfalfa seed or clover seed dealer.

27 The six (6) grower members shall be citizens and residents of the state
28 of Idaho, each of whom is and has been actively engaged in the growing and
29 producing of alfalfa seed or clover seed within the state of Idaho, and a sub-
30 stantial portion of whose income has been derived from growing alfalfa seed
31 or clover seed.

32 The one (1) dealer member shall be a person who, individually or as ex-
33 ecutive officer of a corporation, firm, partnership, association or cooper-
34 ative organization, is and has been actively engaged as a dealer in alfalfa
35 seed or clover seed within the state of Idaho, is a citizen and resident of
36 this state, and a substantial portion of his income shall have been derived
37 from handling, packing, shipping, buying and selling alfalfa seed or clover
38 seed, or acting as sales or purchasing agent, broker or factor of alfalfa
39 seed or clover seed.

40 The qualifications of members of the commission as herein set forth must
41 continue during their term of office. Each member of the commission shall be
42 compensated as provided by section 59-509(n), Idaho Code.

1 SECTION 2. That Section 22-4205, Idaho Code, be, and the same is hereby
2 amended to read as follows:

3 22-4205. ~~APPOINTMENT OF NOMINATING COMMITTEE -- PRESENTATION OF NOM-~~
4 ~~INEES TO ANNUAL MEETING -- TIME AND PLACE OF ANNUAL MEETING NOMINATIONS FOR~~
5 ~~GROWER MEMBERS OF COMMISSION -- QUALIFICATIONS. (1) The director of the de-~~
6 ~~partment of agriculture shall appoint a grower nominating committee of three~~
7 ~~(3) growers, whose responsibility shall be to select a slate of nominees for~~
8 ~~vacancies occurring on the commission either by expiration of term or for~~
9 ~~other reasons a vacancy may occur. Two (2) grower members shall be nomi-~~
10 ~~nated by the nominating committee for each vacancy occurring on the commis-~~
11 ~~sion membership. The nominations of the nominating committee shall be pre-~~
12 ~~sented to the annual meeting of alfalfa seed and clover seed growers for con-~~
13 ~~currence in the list of nominees, or for such substitutions to the list as the~~
14 ~~annual meeting may make by majority vote For the purpose of nominating grower~~
15 ~~members of the commission, at a meeting of the Idaho alfalfa and clover seed~~
16 ~~growers association, the board of directors shall review the names of active~~
17 ~~growers in Idaho that meet the qualifications as provided in this section.~~
18 ~~By June 1 of each year, the names of two (2) grower members nominated by the~~
19 ~~association for each vacancy occurring on the commission shall be submitted~~
20 ~~to the governor for his consideration. Each member nominated for the commis-~~
21 ~~sion shall be a resident citizen of the state of Idaho for a period of four~~
22 ~~(4) years prior to his election or selection, shall have active experience~~
23 ~~in growing alfalfa seed or clover seed and shall be now actually engaged in~~
24 ~~growing alfalfa seed or clover seed in Idaho and shall derive a substantial~~
25 ~~portion of his income from growing alfalfa seed or clover seed or be the di-~~
26 ~~recting or managing head of a corporation, firm, partnership, or other busi-~~
27 ~~ness unit which derives a substantial portion of its income from growing al-~~
28 ~~falfa seed or clover seed. To continue holding office, each member must re-~~
29 ~~main qualified. The governor may remove any member who becomes disqualified~~
30 ~~during his term of office or who is unable to carry out his duties. The term~~
31 ~~of office of each member of the commission shall terminate on the last day~~
32 ~~of June of the year in which the term for which the member was elected ends,~~
33 ~~but each member of the commission shall serve until his respective succes-~~
34 ~~sor is elected and has qualified. From such list of nominees, the governor~~
35 ~~shall designate and appoint one (1) as a member of the commission. Said an-~~
36 ~~annual meeting shall be held at a time and place designated by the alfalfa and~~
37 ~~clover seed growers association with notification mailed to all alfalfa seed~~
38 ~~and clover seed growers in Idaho.~~

39 (2) A general meeting of the Idaho Eastern Oregon Seed Association
40 shall nominate two (2) dealers, one (1) of whom shall be appointed as pro-
41 vided for in this act by June 30 of each year, and one (1) of whom shall be
42 designated as alternate.

43 SECTION 3. That Section 22-4206, Idaho Code, be, and the same is hereby
44 amended to read as follows:

45 22-4206. VACANCIES -- TERMS. Any office which becomes vacant before
46 expiration of the member's term shall be filled by appointment in the manner
47 provided for regular appointments, ~~except that such office may remain vacant~~

1 ~~until the next annual meeting of the growers if the vacancy is for less than~~
 2 ~~one (1) year.~~

3 ~~Commencing on July 1, 1975, the grower members of the commission shall~~
 4 ~~draw lots to determine their respective terms of office. Two (2) of the mem-~~
 5 ~~bers shall serve for one (1) year; two (2) of the members shall serve for two~~
 6 ~~(2) years; and two (2) of the members shall serve for three (3) years. The~~
 7 ~~dealer member shall be appointed for a term of three (3) years. The term of~~
 8 ~~office of the members of the commission thereafter shall be three (3) years,~~
 9 ~~commencing on July 1, 1975.~~

10 Members of the commission may not serve more than two (2) consecutive
 11 terms, provided, upon serving two (2) consecutive terms, and the lapse of one
 12 (1) full term, such member may again be nominated and appointed to the com-
 13 mission.

14 SECTION 4. That Section 67-2601, Idaho Code, be, and the same is hereby
 15 amended to read as follows:

16 67-2601. DEPARTMENT CREATED -- ORGANIZATION -- DIRECTOR -- BUREAU OF
 17 OCCUPATIONAL LICENSES CREATED. (1) There is hereby created the department of
 18 self-governing agencies. The department shall, for the purposes of section
 19 20, article IV of the constitution of the state of Idaho, be an executive de-
 20 partment of the state government.

21 (2) The department shall consist of the following:

22 (a) Agricultural commodity commissions: Idaho apple commission, as
 23 provided by chapter 36, title 22, Idaho Code; Idaho bean commission,
 24 as provided by chapter 29, title 22, Idaho Code; Idaho beef council, as
 25 provided by chapter 29, title 25, Idaho Code; Idaho cherry commission,
 26 as provided by chapter 37, title 22, Idaho Code; Idaho dairy products
 27 commission, as provided by chapter 31, title 25, Idaho Code; Idaho pea
 28 and lentil commission, as provided by chapter 35, title 22, Idaho Code;
 29 Idaho potato commission, as provided by chapter 12, title 22, Idaho
 30 Code; the Idaho wheat commission, as provided by chapter 33, title
 31 22, Idaho Code; ~~and~~ the Idaho aquaculture commission, as provided by
 32 chapter 44, title 22, Idaho Code; and the Idaho alfalfa and clover seed
 33 commission, as provided in chapter 42, title 22, Idaho Code.

34 (b) Professional and occupational licensing boards: Idaho state board
 35 of certified public accountancy, as provided by chapter 2, title 54,
 36 Idaho Code; board of acupuncture, as provided by chapter 47, title 54,
 37 Idaho Code; board of architectural examiners, as provided by chapter
 38 3, title 54, Idaho Code; office of the state athletic director, as pro-
 39 vided by chapter 4, title 54, Idaho Code; board of barber examiners,
 40 as provided by chapter 5, title 54, Idaho Code; board of commissioners
 41 of the Idaho state bar, as provided by chapter 4, title 3, Idaho Code;
 42 board of chiropractic physicians, as provided by chapter 7, title 54,
 43 Idaho Code; Idaho board of cosmetology, as provided by chapter 8, title
 44 54, Idaho Code; Idaho counselor licensing board, as provided by chap-
 45 ter 34, title 54, Idaho Code; state board of dentistry, as provided by
 46 chapter 9, title 54, Idaho Code; state board of denturistry, as provided
 47 by chapter 33, title 54, Idaho Code; state board of engineering exam-
 48 iners, as provided by chapter 12, title 54, Idaho Code; state board for
 49 registration of professional geologists, as provided by chapter 28,

1 title 54, Idaho Code; speech and hearing services licensure board, as
2 provided by chapter 29, title 54, Idaho Code; Idaho physical therapy
3 licensure board, as provided by chapter 22, title 54, Idaho Code; Idaho
4 state board of landscape architects, as provided by chapter 30, title
5 54, Idaho Code; liquefied petroleum gas safety board, as provided by
6 chapter 53, title 54, Idaho Code; state board of medicine, as provided
7 by chapter 18, title 54, Idaho Code; state board of morticians, as pro-
8 vided by chapter 11, title 54, Idaho Code; board of naturopathic medical
9 examiners, as provided by chapter 51, title 54, Idaho Code; board of
10 nurses, as provided by chapter 14, title 54, Idaho Code; board of exam-
11 iners of nursing home administrators, as provided by chapter 16, title
12 54, Idaho Code; state board of optometry, as provided by chapter 15,
13 title 54, Idaho Code; Idaho outfitters and guides board, as provided
14 by chapter 21, title 36, Idaho Code; board of pharmacy, as provided by
15 chapter 17, title 54, Idaho Code; state board of podiatry, as provided
16 by chapter 6, title 54, Idaho Code; Idaho state board of psychologist
17 examiners, as provided by chapter 23, title 54, Idaho Code; Idaho real
18 estate commission, as provided by chapter 20, title 54, Idaho Code; real
19 estate appraiser board, as provided by chapter 41, title 54, Idaho Code;
20 board of social work examiners, as provided by chapter 32, title 54,
21 Idaho Code; the board of veterinary medicine, as provided by chapter 21,
22 title 54, Idaho Code; the board of examiners of residential care facil-
23 ity administrators, as provided by chapter 42, title 54, Idaho Code; the
24 certified shorthand reporters board, as provided by chapter 31, title
25 54, Idaho Code; the driving businesses licensure board, as provided by
26 chapter 54, title 54, Idaho Code; the board of drinking water and waste-
27 water professionals, as provided by chapter 24, title 54, Idaho Code;
28 and the board of midwifery, as provided by chapter 55, title 54, Idaho
29 Code.

30 (c) The board of examiners, pursuant to section 67-2001, Idaho Code.

31 (d) The division of building safety: building code board, chapter 41,
32 title 39, Idaho Code; manufactured housing board, chapter 21, title
33 44, Idaho Code; electrical board, chapter 10, title 54, Idaho Code;
34 public works contractors license board, chapter 19, title 54, Idaho
35 Code; plumbing board, chapter 26, title 54, Idaho Code; public works
36 construction management, chapter 45, title 54, Idaho Code; the heating,
37 ventilation and air conditioning board, chapter 50, title 54, Idaho
38 Code; and modular building advisory board, chapter 43, title 39, Idaho
39 Code.

40 (e) The division of veterans services to be headed by a division ad-
41 ministrator who shall be a nonclassified employee exempt from the pro-
42 visions of chapter 53, title 67, Idaho Code. The administrator of the
43 division shall administer the provisions of chapter 2, title 65, Idaho
44 Code, and chapter 9, title 66, Idaho Code, with the advice of the vet-
45 erans affairs commission established under chapter 2, title 65, Idaho
46 Code, and shall perform such additional duties as are imposed upon him
47 by law.

48 (f) The board of library commissioners, pursuant to section 33-2502,
49 Idaho Code.

1 (g) The Idaho state historical society, pursuant to section 67-4123,
2 Idaho Code.

3 (3) The bureau of occupational licenses is hereby created within the
4 department of self-governing agencies.