

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 418

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE WHEAT COMMISSION; AMENDING SECTION 22-3309, IDAHO CODE, TO  
2 REVISE TERMINOLOGY; AMENDING SECTION 22-3312, IDAHO CODE, TO REVISE  
3 PROVISIONS REGARDING THE DUTIES OF THE EXECUTIVE DIRECTOR; AND AMENDING  
4 SECTION 22-3316, IDAHO CODE, TO REMOVE REFERENCE TO INVOICES BEING SUP-  
5 PLIED BY THE COMMISSION.  
6

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

8 SECTION 1. That Section 22-3309, Idaho Code, be, and the same is hereby  
9 amended to read as follows:

10 22-3309. DUTIES AND POWERS OF COMMISSION. (1) Consistent with the gen-  
11 eral purposes of this chapter, the commission shall establish the policies  
12 to be followed in the accomplishments of such purposes.

13 (2) In the administration of this act, the commission shall have the  
14 following duties, authorities and powers:

15 (a) To conduct a campaign of research, education and publicity.

16 (b) To find new markets for wheat and wheat products.

17 (c) To give, publicize and promulgate reliable information showing the  
18 value of wheat and wheat products for any purpose for which it is found  
19 useful and profitable.

20 (d) To make public and encourage the widespread national and interna-  
21 tional use of the special kinds of wheat and wheat products produced  
22 from all varieties of wheat grown in Idaho.

23 (e) To investigate and participate in studies of the problems peculiar  
24 to the producers of wheat in Idaho.

25 (3) The commission shall have the duty, power and authority:

26 (a) To take such action as the commission deems necessary or advisable  
27 in order to stabilize and protect the wheat industry of the state and the  
28 health and welfare of the public.

29 (b) To sue and be sued.

30 (c) To enter into such contracts as may be necessary or advisable.

31 (d) To appoint and employ officers, agents and other personnel, includ-  
32 ing experts in agriculture and the publicizing of the products thereof,  
33 and to prescribe their duties and fix their compensation.

34 (e) To make use of such advertising means and methods as the commission  
35 deems advisable and to enter into contracts and agreements for research  
36 and advertising within and without the state.

37 (f) To cooperate with any local, state or national organization or  
38 agency, whether voluntary or created by the law of any state or by  
39 national law, engaged in work or activities similar to the work and ac-  
40 tivities of the commission, and to enter into contracts and agreements  
41 with such organizations or agencies for carrying on a joint campaign of  
42 research, education and publicity and reciprocal enforcement.

- 1 (g) To lease, purchase or own the real or personal property deemed nec-  
 2 essary in the administration of this act.
- 3 (h) To prosecute in the name of the state of Idaho any suit or action for  
 4 collection of the tax or assessment provided for in this act.
- 5 (i) To adopt, rescind, modify and amend all necessary and proper or-  
 6 ders, resolutions and ~~regulations~~ rules for the procedure and exercise  
 7 of its powers and the performance of its duties, including the calling  
 8 of any referendum of the wheat growers in the state of Idaho as deemed  
 9 necessary by the commission.
- 10 (j) To incur indebtedness and carry on all business activities.
- 11 (k) To keep books and records and accounts of all its doings, which  
 12 books, records and accounts shall be open to inspection by the state  
 13 controller at all times and to the public as set forth in chapter 1, ti-  
 14 tle 74, Idaho Code.

15 SECTION 2. That Section 22-3312, Idaho Code, be, and the same is hereby  
 16 amended to read as follows:

17 22-3312. APPOINTMENT OF EXECUTIVE DIRECTOR -- DUTIES -- SALARY. The  
 18 commission shall appoint an executive director who shall devote full time to  
 19 the ~~administration performance of this chapter~~ the regular administrative  
 20 functions of the commission and such other duties as the commission may di-  
 21 rect. The executive director shall be paid a reasonable salary fixed by the  
 22 commission, commensurate with his duties, and all necessary expenses.

23 SECTION 3. That Section 22-3316, Idaho Code, be, and the same is hereby  
 24 amended to read as follows:

- 25 22-3316. DELIVERY OF INVOICES TO GROWERS. (1) The purchaser, at the  
 26 time of settlement, shall make and deliver separate invoices for each pur-  
 27 chase to the grower.
- 28 (2) The invoices shall be on forms and in such numbers as prescribed ~~and~~  
 29 ~~supplied~~ by the commission and shall show at least:
- 30 (a) The name or names and address or addresses of the grower and seller.  
 31 (b) The name and address of the purchaser.  
 32 (c) The number of bushels of wheat sold.  
 33 (d) The date of the purchase.
- 34 (3) The invoices shall be legibly written and shall have no corrections  
 35 or erasures on the face thereof.
- 36 (4) Unlawful or willful alteration of an invoice shall constitute a  
 37 misdemeanor.