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SB-746 Olive Oil Commission of California: voting members: chair of advisory committee. (2015-2016)

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Senate Bill No. 746

CHAPTER 278

An act to amend Sections 79831 and 79835 of the Food and Agricultural Code, relating to olive oil.

[Approved by Governor September 09, 2016. Filed with Secretary of State September 09, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

SB 746, Wolk. Olive Oil Commission of California: voting members: chair of advisory committee.

Existing law establishes the Olive Oil Commission of California and provides for the board of directors of the commission comprised of 10 voting members, as specified. Existing law further provides for an advisory committee to advise the commission board of directors, provides for the selection of the chair of the advisory committee by the members of the advisory committee, and specifies that the chair of the advisory committee shall be a nonvoting member of the commission board of directors.

This bill would instead establish the chair of the advisory committee to be a member, rather than a nonvoting member, of the commission board of directors. The bill would also require the chair of the advisory committee to designate an alternate advisory committee member to serve in the chair's absence.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 79831 of the Food and Agricultural Code is amended to read:

79831. (a) There is in the state government the Olive Oil Commission of California. Except as provided in subdivision (c), the commission board of directors shall be composed of the following:

(1) Six producers, two from each district.

(2) Three handlers, one from each district.

(3) One public member who shall be appointed to the commission board of directors by the secretary from nominees recommended by the commission board of directors.

(4) The chair of the advisory committee.

(b) The secretary and other appropriate persons as determined by the commission board of directors shall be ex officio members.

(c) The commission board of directors may modify the number of producers and handlers who serve on the commission board of directors by a two-thirds vote that is concurred in by the secretary, if proper notice is provided to all persons subject to this

chapter before the action.

(d) An advisory committee shall meet periodically to review issues affecting the purposes of this chapter and shall advise the commission board of directors. The advisory committee shall consist of seven members who shall each serve three-year terms. The chair of the advisory committee shall be selected by the members.

SEC. 2. Section 79835 of the Food and Agricultural Code is amended to read:

79835. (a) Except for the ex officio members of the commission board of directors, each member of the commission board of directors shall have an alternate member elected in the same manner as the member. An alternate member, in the absence of the member for whom he or she is an alternate, shall serve in place of the member. An alternate member may also serve in place of any other absent member of the same classification, producer or handler, if the member's alternate is also absent. However, an alternate member may not serve in place of more than one absent member at a meeting. An alternate member serving in place of a member shall have and be able to exercise all rights, privileges, and powers of the member when serving. In the event of death, removal, resignation, or the disqualification of a member, the alternate for the member, or another alternate of the same classification if the alternate member for the member is absent, shall act as the member until a qualified successor is elected.

(b) The chair of the advisory committee shall designate a member of the advisory committee to serve as an alternate in place of the chair in the chair's absence. An alternate advisory committee member serving in the place of the chair shall have and be able to exercise all rights, privileges, and powers of the chair when serving.