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AB-1205 California Cut Flower Commission: membership: reconvening commission. (2019-2020)

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Assembly Bill No. 1205

CHAPTER 267

An act to amend Sections 77925 and 77935 of, and to add Section 78007 to, the Food and Agricultural Code, relating to the California Cut Flower Commission.

[Approved by Governor September 29, 2020. Filed with Secretary of State September 29, 2020.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1205, Limón. California Cut Flower Commission: membership: reconvening commission.

Existing law establishes the California Cut Flower Commission, composed of 13 members, with specified powers and duties relating to the cut flowers and cut greens industry, including, but not limited to, conducting, and contracting with others to conduct, production research and market and shipping research, analysis, and development, as defined, including the study, analysis, accumulation, and dissemination of information obtained from those research activities. Under existing law, the commission may be suspended or terminated upon a vote or petition of the industry members it represents, as specified.

This bill would reduce the number of commission members from 13 to 9 and the number of producers on the commission from 12 to 8, as specified, but would authorize an elected commission member serving on the commission on January 1, 2021, to serve until the expiration of their term. The bill would also repeal a provision limiting a member to serving 3 consecutive terms. The bill would also make other conforming changes to these provisions and would delete obsolete provisions. The bill would authorize the Secretary of Food and Agriculture, on and after one year after the commission is suspended or terminated, to conduct a vote to reconvene the commission, as specified.

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

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

SECTION 1. Section 77925 of the Food and Agricultural Code is amended to read:

77925. (a) There is in the state government the California Cut Flower Commission. The commission shall be composed of nine members.

(b) Eight producers, two each from Districts 1 to 4, inclusive, shall be elected by and from producers within the respective districts.

(c) One member shall be either a public member or a producer member, as determined by a majority of the producer members elected pursuant to subdivision (b).

(1) If the producer members determine that the member shall be a public member, the public member shall be appointed by the secretary from the nominees recommended by the producer members.

(2) If the producer members determine that the member shall be a producer, the producer members shall appoint a producer to the commission, who shall be known as the producer member-at-large.

(d) The secretary and other governmental officers, as determined by the commission, shall be ex officio members of the commission.

(e) The ex officio members are nonvoting members of the commission.

(f) (1) Notwithstanding subdivision (b), a person who serves on the commission on January 1, 2021, and was elected by a district pursuant to that subdivision as that subdivision read on December 31, 2020, shall serve until the expiration of their term.

(2) The amendments made to this section during the second year of the 2019–20 Regular Session of the Legislature do not affect the term of office held by any producer serving on the commission.

SEC. 2. Section 77935 of the Food and Agricultural Code is amended to read:

77935. The term of office of all members and alternate members of the commission, except ex officio members, is three years commencing in the month of December before the beginning of the marketing year in the year of their election and until qualified successors are elected.

SEC. 3. Section 78007 is added to the Food and Agricultural Code, to read:

78007. On and after one year after the commission is suspended or terminated pursuant to this article, the secretary may conduct a vote to reconvene the commission consistent with Article 5 (commencing with Section 77970).