



**MISSION**  
**CODE OF ETHICS**  
**BY - LAWS**

California Agricultural Commissioners and Sealers Association  
*(Bylaws Updated October 2018 & Mission Updated February 2018)*

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**CALIFORNIA AGRICULTURAL COMMISSIONERS  
&  
SEALERS ASSOCIATION HANDBOOK**

**Vision and Mission Statement**

**CACASA'S VISION:**

*Safe, healthy, and thriving communities as California maintains a world renown leadership position in agricultural production of healthy food and fiber to sustain our state, the nation and the world. With a commitment to professionalism and partnerships, our organization promotes a robust agricultural economy, fair and consistent enforcement of laws and regulations, prevents pest introductions and protects the environment and public.*

**CACASA'S MISSION:**

**Educate, advocate and promote equity** for agriculture, weights and measures and all citizens of California

*Approved by CACASA Board on Feb. 8, 2018*

# Code of Ethics

## PREAMBLE

This Code of Ethics is hereby approved and adopted by the California Agricultural Commissioners and Sealers Association for the purpose of standardizing and unifying Rules of Correct Official Conduct and Practice in the performance of our duties. We recognize that there are specific definite objectives we must seek in order to effectively implement this code. They are to:

1. Elevate the standing of the position in our own consciousness and in the public mind.
2. Maintain and promote public confidence in the enforcement of laws.
3. Increase our efficiency and effectiveness by encouraging the exchange of ideas, methods and practices.
4. Cooperate with Association Members for the benefit of each and all.
5. Coordinate our work with that of the State Department of Food and Agriculture, the State Department of Pesticide Regulation and other bodies with whom we have official relations in a manner that is efficient and effective.
6. Aspire to highest ethical standards.
7. Stress the obligation of providing professional public service in the furtherance of our role and purpose.

## ARTICLE I

### **THE COUNTY AGRICULTURAL COMMISSIONER AND SEALER**

The County Agricultural Commissioner and Sealer, so far as we are able to influence a selection, shall be an individual of sound principle and unquestioned honesty and thoroughly fitted by training, experience and education to perform the duties required by law and as further expressed in the standards outlined in this code.

We shall consider our business an honorable profession and realize that it affords us a distinct opportunity to serve society.

## ARTICLE II

### **RULES OF CONDUCT GOVERNING THE RELATION OF COUNTY AGRICULTURAL COMMISSIONER AND SEALER AS A PUBLIC OFFICER WITH THE PUBLIC IN GENERAL**

1. We shall, as Public Officers, be habitually courteous, especially in our dealing with citizens who come to us with complaints or for information, assistance or advice, punctual in our engagements and expeditious in attending to our official business.
2. We shall regard our office as a public trust and in the administration of our official duties shall bear in mind that our paramount obligation is to the public by whom we are employed.
3. We shall to the utmost of our ability strive for the just, impartial and reasonable enforcement of the laws we are called upon to administer, dealing fairly with all citizens.

4. We shall be true to our obligation as a custodian of public property and regard its misuse or waste to be as serious an offense as the direct misuse or waste of money from the public treasury.
5. We shall work in full cooperation with other public servants in furthering the ends of government and in promoting public welfare.
6. We shall not limit our independence of action by accepting gratuities or favors from private citizens, with whom we must have official dealings.
7. We shall comply with our local, county conflict of interest policies.
8. We should not perform work of a personal and private character either for ourselves or others, during the hours of our service as a public officer.
9. We shall welcome every opportunity to disseminate practical and useful information relative to our disciplines to the benefit of the individual or to the public at large.
10. We shall take a lively interest in all that relates to the civic welfare of our county and as far as possible will participate in those movements for public betterment in which our specialized training, knowledge and experience qualify us to act.

### **ARTICLE III**

#### **RULES OF CONDUCT GOVERNING THE RELATION OF COUNTY AGRICULTURAL COMMISSIONERS AND SEALERS WITH THEIR DEPUTIES, INSPECTORS AND OFFICE ASSISTANTS**

1. We shall show no discrimination in the appointment or dismissal of employees.
2. We shall study the individual capability of each employee in order that they may be given the work best suited to their several abilities and advanced as opportunity offers. All advancement shall be made solely on the basis of merit.
3. We shall see to it that employees have suitable opportunities to improve their knowledge of and increase their skill for the work they have chosen.
4. We shall refuse to accept services for ourselves personally from any employee except when such service is rendered on the employee's own time and at our expense.
5. We shall not solicit any service or contribution from any employee for political purposes.
6. We shall make working conditions for members of our staff as equitable and pleasant as possible and shall not call upon them to work longer hours or perform services we would not do.
7. We shall endeavor to inspire each employee with the same ideals of service we have accepted for ourselves.

## **ARTICLE IV**

### **RULES OF CONDUCT GOVERNING THE RELATION OF COUNTY AGRICULTURAL COMMISSIONERS AND SEALERS WITH EACH OTHER AND WITH THE STATE DEPARTMENT OF FOOD AND AGRICULTURE AND THE STATE DEPARTMENT OF PESTICIDE REGULATION**

1. Recognizing that our own County work is but a small part of the larger State work and is an integral part thereof, we shall cooperate to the fullest extent with the California Department of Food and Agriculture, the California Environmental Protection Agency Department of Pesticide Regulation and with other County Agricultural Commissioners or Sealers in every detail of law administration and enforcement in which there exists an element of inter-dependence and co-responsibility.
2. We shall respond to requests made upon us by the Secretary of Food and Agriculture and the Director of Pesticide Regulation for information, assistance or cooperation with every available resource consistent with our duty to our immediate County.
3. We shall regard attendance at annual meetings of the California Agricultural Commissioners and Sealers Association and at other meetings called by the Director or Secretary, not only as an obligation fixed on us by law, but as a definite ethical requirement to be violated only when imperatively necessary.
4. All enforcement and service program inspections and documentation shall be thorough, complete and accurate in representing the facts.
5. We shall freely give of our knowledge and experience, any information that will be useful to other association members.

## **ARTICLE V**

### **RULES OF CONDUCT GOVERNING THE RELATION OF COUNTY AGRICULTURAL COMMISSIONERS AND SEALERS WITH INDUSTRY AND EDUCATIONAL INSTITUTIONS**

We shall cooperate to the fullest extent possible with institutions, organizations and persons engaged in agricultural or weights and measures endeavors, whether administrative, educational or commercial, as we are bound together by ties of common effort.

## **REAR WORD**

Members of this Association shall at all times endeavor to go beyond the bare requirements made of them by law by faithfully practicing the ethical standards of this Code and shall use their influence to inspire all of their employees to do likewise.

By individually conducting our office so that our own honor will be upheld by giving to the public the best there is in us, each member will aid in putting the work of a County Agricultural Commissioner and Sealer on a level that will engender the confidence and respect of the public at large.

The adoption of this Code by the California Agricultural Commissioners and Sealers Association places a definite obligation upon each member to the sincere and faithful performance of the rules of conduct herein set down.

# CACASA Bylaws

## **ARTICLE I - NAME**

This Association shall be known as the California Agricultural Commissioners and Sealers Association (CACASA) and is referred to in Sections 2003 and 2203 of the California Food and Agricultural Code, and Section 12205 of the California Business and Professions Code.

## **ARTICLE II - PURPOSE**

The purpose of this Association shall be:

- To promote unity and efficiency among County Agricultural Commissioner/Sealer officials and to act as a forum for sharing knowledge and information among the members of this Association utilizing the resources of the California Department of Food and Agriculture and Department of Pesticide Regulation.
- To consult with, advise, and make recommendations to the California Department of Food and Agriculture, Department of Pesticide Regulation, departments, boards, commissions, and officials of federal, state, and local governments; the legislature; and any other organization, agency, or association in establishing laws, regulations, and procedures on matters affecting Agricultural Commissioners and Sealers of Weights and Measures.
- To participate in the development, promotion, or opposition of legislation by direct contact with the State Legislature, Congress, and their respective staffs.
- To promote uniformity in methods and the practice of enforcing laws and regulations, and to encourage the establishment of uniform operational standards among counties.
- To disseminate information for the education of the public.
- To promote professional development of the membership of this Association.

## **ARTICLE III – MEMBERSHIP**

### **Section 1. Active Members**

Any duly appointed or acting County Agricultural Commissioner and/or Sealer of Weights and Measures qualified under the laws of the State of California shall be eligible for membership in this Association; and upon payment of Association dues, as provided in Article X, shall be eligible to all rights and privileges of membership subject to the provisions of these By-Laws. Active membership status may commence upon the County's announced date in which the appointment takes effect and if the County's dues are not delinquent.

- a. For purposes of this Article, appointment shall include acting and contract conditions of employment as determined by the respective appointing authority.
- b. Membership is considered as a single membership of this Association regardless of the number of simultaneous appointments held by the individual.

## Section 2. Ex-officio Members

The following shall be considered as Ex-officio, non-voting, members of this Association based upon their working relationship at the time:

- a. Administrators or their designees in the California Department of Food and Agriculture and in the California Department of Pesticide Regulation.
- b. County Agricultural Commissioner and County Sealer staff when designated to serve on Association subcommittees or workgroups. If the Commissioner/Sealer staff is officially representing a county or Regional Association on a Subcommittee or Working Group, the county staff representative may have voting rights.

## Section 3. Associate Members

Staff of the Agricultural Commissioner, Sealer of Weights and Measures, California Department of Pesticide Regulation, California Department of Food and Agriculture, United States Department of Agriculture and members of the California Association of Standards and Agricultural Professionals may participate and attend meetings of this Association and cannot hold elected office or vote.

## Section 4. Life and Honorary Members

- a. Life Members - Former Agricultural Commissioners and/or Sealers of Weights and Measures who, as Active Members of this Association, contributed to and supported the stated purpose of the organization and have permanently retired may be elected as life members.
- b. Honorary Members - Individuals who have made an outstanding contribution to the Association's purpose may be elected, from time to time, as honorary members. Former county officials who have not permanently retired from active service may be elected honorary members, if deemed to have made an outstanding contribution.
- c. Election of Life and Honorary Members – Nominations for membership in these categories may originate within the Regional Associations and shall be submitted in writing, and addressed to the President or the Secretary of this Association stating the qualifications of the nominee. Any such nomination shall be submitted to the Board of Directors for consideration. Such consideration shall be by meeting, presidential phone poll or other secure method. The Board of Directors may approve the nomination by a two thirds affirmative vote and shall so notify the nominator(s).
- d. Benefits for Life and Honorary Members - The recipients shall be entitled to attend meetings of this Association in accordance with the provisions of these By-Laws. Dues and/or registration fees are waived. Life and honorary members cannot hold elected office or vote.

## Section 5. Termination of Membership

Any membership shall terminate upon the occurrence of any of the following events:

- a. The resignation of the member submitted in writing.
- b. The occurrence of any event which renders such member ineligible for membership.
- c. The determination by a two-thirds vote of the Active Membership that the member has failed in a material and serious degree to observe the code of ethics of the Association, or

has engaged in conduct materially and seriously prejudicial to the interests of the Association. The member shall be provided the opportunity in a closed meeting, limited to Board members and invited guests, to defend his/her membership privilege. The secret ballot vote will take place after an investigation by the Ethics Committee and their recommendation to the Board of Directors to expel the member.

#### Section 6. Voting Rights

Only Active Members, as defined in Section 1 of this Article, shall be entitled to voting privileges on matters that come before this Association as specified in this section. Voting rights shall not be transferred to another member.

- a. Voting may be by voice, hand, ballot, email, telephone or any other method convenient to the purpose at hand as determined by the presiding officer. (Approved Oct. 20, 2011)
- b. Members of the Board of Directors as defined in Article VI, Section 1 shall be the only persons entitled to vote during a Board of Directors meeting, unless otherwise declared by the presiding officer.
- c. Only committee (including subcommittee) members with designated voting privileges shall be entitled to vote during committee meetings.

### **ARTICLE IV - ELECTION OF OFFICERS**

#### Section 1. Officers

The elected officers of this Association shall be a President, President-Elect, Vice- President of Agricultural Affairs, Vice President of Weights and Measures Affairs, Secretary, Treasurer, Immediate Past-President and when needed Secretary-Elect and/or Treasurer-Elect. All officers shall serve one year or until their successors have been elected and taken office. The President-Elect shall automatically assume the office of the President upon the expiration of the prior President's term. The President-Elect, Vice-Presidents, Secretary-Elect, and Treasurer-Elect shall be nominated and elected from the active membership at the Annual Conference. All officers shall take office at the close of the Annual Conference of this Association.

#### Section 2. Election of Officers

The Nominating Committee shall present nominations for each office during the first day of the Annual Conference. Additional names may be placed in nomination by any active member during the first day of the conference. Nominations for the offices of Secretary-Elect or Treasurer-Elect will only be made upon notification from the incumbent Secretary or Treasurer that he or she will be vacating the office at the end of the ensuing term.

In the event of a contest, the election shall be by secret ballot. The President shall appoint three tellers who shall conduct the election, tabulate the ballots, and report the results to the general assembly of the conference. The nominees receiving the highest number of votes shall be elected and presented at the general assembly on the final day of the conference. In the event of a tie, the current Board of Directors, after due deliberation, shall select the officer by secret ballot from the tied nominees. If no office is contested, the slate of officers shall be confirmed by a vote of the general assembly on the final day of the Annual Conference.

#### Section 3. Vacancy in Office

Should a vacancy occur in the office of President, the President-Elect shall immediately succeed to the Presidency to serve the remainder of the current term, in addition to the term the President-Elect would serve as President.

Should a vacancy occur in the President-Elect, the President shall convene the Nominating Committee and solicit additional nominations by any Active Member. The President shall appoint three tellers who shall conduct a secret ballot election by mail or other secure method, tabulate the ballots, and report the results to the active members. The nominee receiving the highest number of votes shall be elected. In the event of a tie, the Board of Directors, after due deliberations, shall select a candidate from the nominees by secret ballot.

Should a vacancy occur in either the offices of Vice President, Secretary, or Treasurer, the Board of Directors shall appoint a successor to serve the remainder of the current term.

Should a vacancy occur in the position of Immediate Past President, the President shall appoint the most recent past president to serve the remainder of the current term unless the most recent past president is already serving as an officer.

#### Section 4. Removal from Office

The failure of an incumbent to perform the duties of office, from inability or otherwise, shall be cause for removal. The Association may, by a two-thirds vote, decree any elective office vacant. The Association shall thereupon elect, as provided by Section 3 (Vacancy in Office), an active member to fill the vacancy until the next general election of officers.

## **ARTICLE V – OFFICERS, REPRESENTATIVES AND THEIR DUTIES**

### Section 1. President

- a. The President shall be the executive officer of this Association and shall preside at all meetings of the Board of Directors and this Association. The President shall be an ex-officio member of all committees.
- b. The President may establish any temporary committees deemed appropriate and shall designate a Chairperson and appoint members to carry out the functions thereof.
- c. The President shall make any and all appointments required by these By-Laws and Association Policy.
- d. As Chairperson of the Board of Directors, the President shall have the power to call special meetings with due regard to reasonable notice to its members.
- e. The President shall decide and announce, in accordance with Association By-Laws, the type of session of any meeting.
- f. The President shall perform such other duties usually incumbent upon that office.
- g. The President shall coordinate quarterly meetings with the Secretary of the California Department of Food and Agriculture and the Director of the California Department of Pesticide Regulation.

## Section 2. President-Elect

- a. In the absence of the President, the President-Elect shall perform all the duties of the President.
- b. At the request of the President, the President-Elect shall represent the President in the affairs of this Association.
- c. The President-Elect shall assist the President in carrying out this Association's purpose and programs and perform other duties which pertain to this office.
- d. The President-Elect will serve as the Chairperson of the Conference Committee.
- e. The President-Elect shall make any and all appointments required by these By-Laws and Association Policy.

## Section 3. Vice Presidents (Agricultural Affairs and Weights & Measures Affairs)

- a. Both Vice Presidents shall be the Association's program committee coordinators and be responsible for assuring proper assignment, tracking, follow-through, and recording of actions taken on program committee matters.
- b. The Vice President for Agricultural Affairs and the Vice President for Weights and Measures Affairs shall coordinate with committee Chairpersons and assist them in fulfilling their responsibilities. The Vice Presidents shall be ex-officio members of their respective committees.
- c. The Vice Presidents shall keep the Board of Directors informed about special assignments.
- d. The Vice Presidents shall keep current on committee, subcommittee, and special committee membership, assignments, agendas, and meeting schedules.
- e. The Vice Presidents shall perform the duties required by the By-Laws of this Association, and be available for any special assignments as required by the President.
- f. The Vice Presidents shall provide technical support and may represent the President and Association as required, in public, governmental, industry, and legislative forums.

## Section 4. Secretary

The Secretary shall maintain or manage the maintenance of records and proceedings of this Association, with reliance upon the Vice Presidents for committee reports. The Secretary shall perform other duties as are customarily delegated to such office. In concert with the Executive Director, the Secretary shall strive to assure all CACASA procedures are followed.

- a. The Secretary shall be an ex-officio member of all committees except the Nominating, Ethics, and Auditing committees.
- b. At the close of the term of office, the Secretary shall deliver to his/her successor all Association records, proceedings, papers, and Association equipment.

## Section 4.5. Secretary-Elect

- a. In the absence of the Secretary, the Secretary-Elect shall perform all the duties of the Secretary.
- b. At the request of the President, the Secretary-Elect shall represent the Secretary in the affairs

of this Association.

- c. The Secretary-Elect shall assist the Secretary in performing such other duties as are customarily delegated to such office.

#### Section 5. Treasurer

The Treasurer shall be responsible for the preparation of the Association's annual operating budget; and work in concert with the financial services company, employed by the Association, keep or manage the keeping of accurate records of moneys received and disbursed, and shall report, at least annually, the status of all financial accounts to the Finance Committee and Executive Director.

- a. Prior to disbursing funds not specified in the Association's budget, the Treasurer shall advise the President, or President-Elect if the President is unavailable, of the necessity and amount to be disbursed. *Disbursements not specified in the budget shall be ratified by the Board of Directors at the earliest meeting following said disbursements.*
- b. The Treasurer shall ensure the distribution of annual membership dues invoices prior to May, each year.
- c. Before term expiration, the Treasurer is responsible for providing instruction and guidance pertaining to CACASA's finances to the Treasurer-Elect.

#### Section 5.5 Treasurer-Elect

The Treasurer-Elect shall work in concert with the Treasurer to acquire an effective working knowledge of CACASA finances.

- a. In accordance with Article V, Section 5.b., the Treasurer-Elect shall be responsible for the distribution of annual membership dues during his/her term as Treasurer-Elect.
- b. The Treasurer-Elect shall perform other tasks delegated by the Treasurer.

#### Section 6 – Immediate Past President

The Immediate Past President serves to provide continuity to the leadership and provides advice and guidance to the Board.

#### Section 7. Dean

The most senior active member shall serve as the Dean of the Association. In the absence of the Dean during called meetings, the most senior active member present shall serve as the Dean of the Association.

The Dean of the Association shall be responsible for presenting new members to the Association during the Annual or Director/Secretary's Conference.

#### Section 8. Executive Director

CACASA may contract for the services of an Executive Director in order to further its business in organization management and administration, conference planning and management, membership advancement, enhanced communication, proceedings documentation, or other enhancements as necessary. The Board of Directors shall develop and supervise the Executive Director priorities and contractual obligations annually. The Executive Board shall review the Executive Directors performance annually. The Executive Director is an ex-officio member of all

committees and the Board, and does not have voting rights.

#### Section 9. Compensation of Officers

The officers shall not receive any compensation for their services as such, but the Board of Directors may authorize them a sum (stipend) for expenses which may be incurred by them in the performance of their duties, from the funds of this Association. Reimbursement for expenses in excess of the annual stipend may be authorized upon review and approval by the Board of Directors. Funds may be allocated in the Association's fiscal year budget for this purpose.

### **ARTICLE VI - BOARD OF DIRECTORS**

#### Section 1. Membership

The Board of Directors shall consist of the President, President-Elect, Vice-President for Weights and Measures Affairs, Vice-President for Agricultural Affairs, Secretary, Treasurer, the Immediate Past President, and two representatives of each Regional Association (to be selected by the members from that region). All Board members and officers must be Active Members of the Association. In the event a designated Regional Association member is unable to attend a meeting of the Board of Directors, the Regional Association may select an alternate representative from its membership. The alternate regional representative shall notify the Secretary prior to participating in the meeting. The Secretary-Elect and Treasurer-Elect are not voting members of the Board but are officers of the Association.

Each Regional Association shall annually select a representative to serve for a term of two years. All regional vacancies shall be filled by appointment from that region. Selection of regional representatives shall be made at least forty-five (45) days prior to the Annual Conference, and notice of selection shall immediately be provided the Secretary who shall advise the officers of the selection. No regional representative shall serve more than two consecutive terms.

The President shall serve as Chairperson of the Board of Directors. The President-Elect shall serve as Vice Chairperson. The duly elected and appointed Board of Directors shall assume all duties at the close of the final general session of the Annual Conference.

#### Section 1a. Executive Board

The Executive Board shall consist of the President, President-Elect, Vice President for Agricultural Affairs, Vice President for Weights and Measures Affairs, Secretary, Treasurer, and the immediate past president. A meeting of the Executive Board may be called by the President or on request of three officers of the Association. A quorum shall consist of four or more Executive Board members.

The Executive Board will not act autonomously from the Board of Directors, but has the power to meet and act independently in Executive Session when crises issues require immediate CACASA intervention or when directed by the Board to act on their behalf. The Executive Board shall immediately report to the full Board regarding actions taken on behalf of the Board unless a different reporting time frame was pre-approved by the Board. As needed, the full Board shall then review and ratify or rescind the Executive Board's action.

## Section 2. Duties

- a. The Board of Directors shall constitute the governing body of this Association and shall have general control and supervision of the affairs of this Association. It shall have the general power to determine the policy of this Association and to carry such policy into effect.
- b. The Board of Directors shall approve and control the annual budget.
- c. The Board of Directors shall be empowered to decide upon all questions which may arise during the interval between meetings of the membership of this Association, except as otherwise provided in these By-Laws.
- d. The Board of Directors shall be responsible for developing and recommending revisions to these By-Laws, subject to approval of the membership.
- e. The Board of Directors shall be empowered to determine the positions for this Association on issues requiring timely response and shall be authorized to appoint representatives to publicly express those positions.

## Section 3. Quorum of the Board

A quorum of the Board shall consist of a minimum of four officers and one representative from each Regional Association. Officers shall not be considered as a Regional Association representative. The President, or in their absence, the President-Elect shall be one of the officers present.

The President or presiding officer shall not vote unless necessary in the event of a tie vote.

## Section 4. Board Meeting Participation Through Electronic Transmissions; Vote and Consents Through Electronic Submissions

### a. Electronic Meeting with Option for Electronic Voting

Directors may participate in a Board Meeting through use of conference telephone, electronic video screen communication or electronic transmission by and to the Board. Participation in a meeting through use of conference telephone or electronic video screen communication pursuant to this subdivision constitutes presence in person at that meeting as long as:

- (1) Each director participating in the meeting can communicate with all of the other Directors concurrently; and
- (2) Each director is provided the means of participating in all matters before the board, including, without limitation, the capacity to propose, or to interpose an objection to, a specific action to be taken by the Board.

### b. Voting During a Telephonic or Electronic Meeting

Directors may vote through electronic communications such as email. All ballots must include the proposed action, provide an opportunity to specify approval or disapproval of the proposed action, and provide a reasonable time within which to return the ballot to the Association. For a vote to be valid the number of votes cast within the specified time period must equal or exceed the quorum required to be present at a meeting authorizing the action, and the number of approvals equals or exceeds the number of votes that would be required to approve the proposal or motion if the vote had taken place in a meeting.

c. Electronic Voting without a Board of Directors Meeting

The Board may take an action required or permitted to be taken by the Board without a meeting if **all** Directors individually or collectively consent in writing to that action, and the number of Directors then in office constitutes a quorum under these bylaws. The consent may be provided through electronic communication. All consents shall be filed with the minutes of the proceedings of the Board. The action by written consent shall have the same force and effect as a unanimous vote of the Directors. For purposes of this subdivision only, "all Directors" does not include an "interested Director" or "common Director" as defined by the California Corporations Code.

## **ARTICLE VII – COMMITTEES**

Committees are responsible for specific areas of Association concerns, providing a forum for discussion and determination of recommended direction or action to the Board.

### Section 1. Standing Committees

Standing committees shall be permanent committees of the Association unless dissolved/restructured by a 2/3 vote of the membership at a general assembly meeting. Standing committees may be established by the Board as necessary to meet the needs of the Association. The standing committees are as set forth below.

- a. Legislative Committee: The term of the Chairperson shall be two-years synchronous with the legislative cycle. The President shall appoint the Chairperson by September 1<sup>st</sup> in the year prior to the beginning of the legislative cycle. Additionally, the Regional Associations shall appoint at least one but not more than three of their members to the Committee. In the event a designated Regional Association member is unable to attend a meeting of the Legislative Committee, the Regional Association may select an alternate representative from its membership. The alternate regional representative shall notify the Committee Chairperson prior to participating in the meeting. Such appointments shall be consistent with these By-Laws and Association policy. The Legislative Committee shall keep current with legislation and shall maintain close liaison with the Department of Pesticide Regulation, Department of Food and Agriculture, the Board of Directors, and Association committees. The committee shall perform its duties consistent with Association policy. The committee shall recommend any new legislation needed, participate in the development and promotion of beneficial legislation, and oppose that legislation which is not beneficial.
- b. Ethics Committee: The Ethics Committee shall be composed of the three most recent Past Presidents, the President, the President-Elect and the Dean. The Chairperson shall be the Dean. The duties of the Ethics Committee shall be to deal with all matters referring to the Code of Ethics adopted by the Association and to conduct such indoctrination sessions for newly- appointed Active Members as may be necessary. The committee shall perform its duties consistent with Association policy.

In the event that there are insufficient qualified members to serve on the committee, the Board of Directors may appoint as necessary the most senior members available who have served as officers of the Association.

- c. Nominating Committee: Committee members shall consist of the Chair of each Regional

Association. An alternate shall be selected by the Regional Association if their Chair is in consideration for an officer position. In the event a designated Regional Association member is unable to attend a meeting of the Nominating Committee, the Regional Association may select an alternate representative from its membership. The alternate regional representative shall notify the Committee Chairperson prior to participating in the meeting. The Chair of the Nominating Committee shall be appointed by the President by November 1st and is ineligible for nomination. The committee shall nominate candidates for the office of President-Elect, Vice President of Agricultural Affairs, Vice President of Weights and Measures Affairs, Secretary, and Treasurer. The committee shall also nominate candidates for the office of President, Secretary-Elect, and/or Treasurer-Elect, if necessary. The nomination process will follow the current adopted policy and procedures. Nominations will be presented to the voting membership on the first day of the Annual Conference.

- d. Conference Committee: The Conference Committee shall consist of the designated Association members in the North, Central and South in which the conference is to be held, and the Chairperson shall be the President-Elect. Committee membership will also consist of the Vice President of Agricultural Affairs, Vice President of Weights and Measures Affairs, Secretary, Treasurer, the Secretary of California Department of Food and Agriculture and the Director of Department of Pesticide Regulation or their representatives. The committee shall be responsible for the time, location, program, and arrangements for the annual conference. The arrangements of place and date shall be reviewed by the Secretary for possible event conflict and subject to final approval by the Board of Directors.
- e. Personnel Standards Committee: The Chairperson shall be appointed according to Association Policy and the Regional Associations shall appoint one of their members and one alternate to the Committee. In the event a designated Regional Association member is unable to attend a meeting of the Personnel Standards Committee, the alternate regional representative shall notify the Committee Chairperson prior to participating in the meeting. The committee shall promote the professional development of the office of County Agricultural Commissioner and Sealer of Weights and Measures. It shall conduct a continuing and timely study of activities directed to this objective including all areas of personnel management, and office operating procedures.
- f. Finance Committee: The Finance Committee shall consist of the President, the Secretary, the Residual Mill sub-committee chairman, and at least five Active Members selected by each respective Regional Association and serving a minimum term of two years. The committee will also consist of four non-voting, ex-officio members including the Executive Director, Treasurer, Residual Mill Trust custodian commissioner and President-elect. The Chair of this committee shall be the current President of CACASA and the Vice-Chairperson shall be the President-elect. The President may invite additional CACASA members as needed to act in an advisory capacity to the committee, but neither the President nor the advisory members can vote. The committee shall deal with all issues of financial concern including but not limited to the development of financial policies, the management of available resources and the pursuit of new resources. The Finance Committee shall maintain a close working relationship with the Department of Food and Agriculture, Department of Pesticide Regulation, other involved agencies, industry, and the public.

- g. Long-Range Planning: The Long-Range Planning Committee shall consist of the most senior member of the association, one representative from each Regional Association selected to a three-year staggered term, the county liaison officer from CDFA and CDPR, the most recent Past President, and the President Elect. The committee shall elect a Co-Chair from its membership to a two-year term. The other Co-Chair shall be this Association's Executive Director. The duties of the committee shall be to develop ideas, strategies, and draft policies that will enable the association to function effectively in both the short and long-term future.

The committee shall meet no less than once each year and report their activities and findings to the Board at any of the Board's regularly scheduled meetings open to all Active Members.

- h. Information Management Committee: The Information Management Committee shall consist of one member and one alternate from each Regional Association. The Information Technology management staff of CDFA and CDPR shall be ex-officio members of the committee. The committee Chair shall be appointed by the President-Elect as provided in these By-Laws.

The committee shall meet as often as necessary but no less than once each year to address matters regarding dissemination of CACASA related information in a manner that is consistent with existing Memorandums of Understanding, Policies, and Guidelines of this Association. It shall be the responsibility of this committee to review MOUs, Policies, and Guidelines, and to make recommendations to the Association in order to enhance opportunities or correct deficiencies for the most effective dissemination of information. It also shall be the responsibility of this committee to provide authorization of what information shall be posted on the Association's website, as long as it conforms with existing Association Policy and/or Guidelines. Major changes shall be recommended to the Board of Directors.

## Section 2. Program Committees

Program Committees are the regulatory-oriented committees of the Association with duties involving a continuing study and analysis of issues regarding county programs and related subjects. These committees shall maintain a close working relationship with the Department of Food and Agriculture, Department of Pesticide Regulation, other involved agencies, industry, and the public.

The President, in consultation with the Board, shall establish such program committees as deemed necessary for the proper transaction of the business of the Association. Appointments to committees shall be consistent with the recommendation of the Regional Association and consist of one member and one alternate from each Regional Association. Committee member vacancies shall be filled by the appropriate Regional Association Chair. Appointments of a chairperson shall be consistent with Association By-Laws and Policy. The Secretary will maintain a record of these committees.

During a General Assembly meeting with a two-thirds vote, a quorum of Active Members being present, the Board shall dissolve/restructure any program committee.

Committee Chairpersons shall report to the Board of Directors. The President, Vice- Presidents, or Committee Chairperson shall appoint such subcommittees and ad hoc committees as may be

necessary to assist the program committees in their deliberations.

Section 3. Quorum of Committees

A simple majority of members of a committee shall constitute a quorum.

**ARTICLE VIII – REGIONAL ASSOCIATIONS**

Section 1. Formation

To advance the purpose of this Association, the state shall be divided into five regions [areas]. The Regional Associations (also referred to as Area Groups) shall be established to provide convenient geographical divisions. Changes in the number and boundaries of the existing regions shall be determined by the Board of Directors, with the written consent of a majority of the Active Members voting in the regions concerned.

Section 2. Purpose

- a. To assist the officers and Board of Directors of this Association in forming policies, rendering services, and expressing to the Board of Directors through proper action the recommendations of the respective Regional Associations.
- b. To further the knowledge and professional development of Commissioner and Sealer staff.
- c. To promote uniformity and cooperation among counties of the area.
- d. To assure dissemination of all information according to the Communications Policy adopted by the Association.

Section 3. Regional Association Officers and Assignments

- a. Each Regional Association shall elect a Chairperson, a Vice-Chairperson, and a Secretary, Treasurer and such other officers as the Regional Association shall establish. They shall perform the duties customarily delegated to these officers, and shall be Active Members of the Association
- b. Such officers shall assume office at the first regular meeting of the Regional Association following the Annual Conference. The Secretary of this Association shall be advised of the names of the elected officers, and regional committee member assignments at least 30 days prior to the Annual Conference. The Regional Association's Board members shall be communicated to the Secretary 45 days in advance of the Annual Conference.
- c. The Secretary of each Regional Association shall keep a record of all meetings and the minutes thereof and shall transmit copies in accordance with the Association's Communication Policy.

Section 4. Regional Association Policies

The policies of this Association, as duly adopted and defined by the Board of Directors, shall be binding upon the Regional Associations, and no action in conflict with such policies shall be taken by any Regional Association, provided, however, that nothing herein contained shall be construed as limiting or restricting the activities of the respective Regional Associations or their individual members in matters of purely local interest and concern.

**ARTICLE IX – MEETINGS**

### Section 1. Meetings of the Association

- a. The Annual Conference of this Association is that meeting defined in the California Food and Agricultural Code Section 2203 and in the Business and Professions Code Section 12205. It shall be held in April, May or June of each year, the place and date to be approved by the Board of Directors.
- b. The Secretary/Director's meeting is that meeting called by the Director of the Department of Pesticide Regulation and the Secretary of the Department of Food and Agriculture. It may be held annually in October, November, December or January.
- c. Special meetings may be called by the President, Board of Directors, Director of Department of Pesticide Regulation or Secretary of the Department of Food and Agriculture, or by 5% or more of the members (Corporation Code §7510), at such time and place as they may designate.

### Section 2. Board of Directors

- a. The Board of Directors shall meet not less than three times annually. One meeting shall be held in conjunction with the Secretary/Director's meeting and one meeting in conjunction with the Annual Conference. Other meetings shall be held as necessity may demand.
- b. Special meetings may be called by the President, the Secretary of the California Department of Food and Agriculture, the Director of Department of Pesticide Regulation, or by a majority of the Board of Directors.

### Section 3. Regional Associations

- a. Meetings of the Regional Associations shall be held at such times and places or manner as convenient for its member counties; however, no less than six meetings shall be held annually.
- b. Special meetings of the Regional Associations may be called by the Director of the Department of Pesticide Regulation, Secretary of Department of Food and Agriculture, Association President, or the Regional Chairperson.

### Section 4. Committees

- a. Standing and program committee meetings shall be held at the Secretary/Director's meeting and at the Annual Conference when deemed appropriate by the respective committee. In accordance with CACASA By-Laws and policies, interim committee meetings may be called throughout the year to perform the work assigned to the committee.
- b. Special meetings may be called by the Director of the Department of Pesticide Regulation, Secretary of Department of Food and Agriculture, Association President, Vice Presidents, or Committee Chairpersons.
- c. Any committee may enter into a closed meeting when deemed appropriate by the presiding officer or is called for by a committee member. The only non-committee members who may be present during a closed meeting shall be Active Members and any other persons invited by the committee's presiding officer.

### Section 5. Classification of Meetings

All meetings shall be identified by its presiding officer to be either a:

- a. General Assembly: Meeting wherein all members and guests may be present.
- b. Closed: Meeting wherein only members as defined in Article III, Section 1 can be present. Guests, including Life Members, are excluded from closed meetings unless specifically authorized to be present, by the presiding officer.
- c. Committee: Meeting includes any standing, program, or affiliated subcommittee.
- d. Board: Meeting is any “called” meeting of the Board of Directors in accordance with these By-Laws.
- e. Executive: Meeting wherein the Executive Board may vote, and all others may be excluded from the meeting. Actions arising from an Executive meeting shall be reviewed by the full Board and must be announced at the next General Assembly.
- f. A “Meeting of the Whole” may be utilized during a Committee or Board meeting. The sole purpose for declaring a Meeting of the Whole is to allow all Active Members, as defined in Article III, Section 1, to participate in the vote. The presiding officer of the meeting is the only person who can declare a “Meeting of the Whole” regardless whether in open meeting or closed. It may be used on any single agenda item where a larger voice [participation] is desirable.

#### Section 6. Procedures

Robert's Rules of Order shall be followed unless otherwise provided by the By- Laws, and policies of this Association.

### **ARTICLE X - DUES AND CONFERENCE REGISTRATION**

#### Section 1. Dues

For budgeting purposes, the requirements for dues for the forthcoming fiscal year, payable to this Association by the Active Members, shall be established annually by the Board of Directors at the Secretary and Director meeting. CACASA funds shall not be used for financial support for political campaigns but may be used for education and advocacy on policy issues.

Dues shall become due and payable after the Annual conference. No member shall be entitled to a vote or a voice in the deliberations of this Association whose dues have not been paid.

Dues paid by a County for any fiscal year shall be valid for any successor appointed during the same fiscal year.

Owing to financial hardship, members unable to pay registration fees may defer payment for a specified period and shall notify the President, Treasurer and Executive Director of such intent.

#### Section 2. Conference Registration Fees

For budgeting purposes, conference registration fees will be recommended by the Conference Committee and approved by the Board of Directors.

#### Section 3. Fiscal Year

The fiscal year of this Association shall be from July 1 until June 30.

## **ARTICLE XI - SPECIAL ASSESSMENTS AND SPECIAL FUNDS**

### **Section 1. Special Funds**

Special funds may be established for any purpose consistent with the stated purpose of this Association and shall be administered by the Treasurer as directed by the Board of Directors. Special funds shall include all grants and gifts of every kind, special assessments, or moneys set aside by the Association for a specific purpose.

The Statement of Investment Guidelines and Objectives shall be followed.

### **Section 2. Gift Awards**

Gift awards shall be limited to persons supporting Association activities.

### **Section 3. Nonprofit Disclosure**

This organization is organized for nonprofit purposes and does not contemplate pecuniary gain or profit to the members thereof.

### **Section 4. Special Assessments & Funds**

Special Assessments may be established for any use consistent with the stated purpose of this Association and shall be established with a 2/3 vote of the Active Members, as defined in Article III, Section 1, meeting in general assembly during the Secretary/Director's Conference and shall be administered by the Treasurer as directed by the Board of Directors.

## **ARTICLE XII - USE OF ASSOCIATION NAME**

No member of this Association shall, by inference or otherwise, either directly or indirectly, misuse or abuse the name of this Association or their connection therewith; nor shall they imply or cause others to imply that this Association will sponsor or be responsible for any written article, statement, report, policy, or practice of any member or firm, association, corporation or the government agency by which the member is employed or with which the member is associated. Any member who desires to use this Association's name in connection with any personal endeavor shall first receive written authority from the Board of Directors.

## **ARTICLE XIII - AMENDMENTS**

### **Section 1. Initiation of Proposed Amendments**

Any Active member, as defined in Article III, Section 1, may propose an addition, deletion or amendment to these By-Laws by submitting it in writing to the Board of Directors.

### **Section 2. Board of Directors**

If a majority of the Board of Directors approves a proposed change, it shall be submitted to the membership for vote. The Board of Directors shall determine the manner in which the vote shall be cast.

Section 3. Members

Members shall receive a copy of the proposed change at least ten (10) calendar days before the general assembly vote is taken. An amendment must receive a two-thirds majority vote of the Active Members, as defined in Article III, Section 1, to be approved.

**CERTIFICATE OF SECRETARY**

I certify that I am the secretary of California Agricultural Commissioners and Sealers Association, a California nonprofit mutual benefit corporation.

I further certify that this document, consisting of 20 pages, is a true copy of the duly adopted bylaws of this corporation as last duly amended on October 26, 2017 and that they have not been amended or modified since that date.

Executed at Yuba City, California.

  
Secretary

Date: 11-30-18

By:   
Executive Director