

NURSERY ADVISORY BOARD PROCEDURES

The following are internal procedural guidelines to govern the activities of the Nursery Advisory Board, adopted by Board Motion on September 11, 2013. Amended on October 12, 2023

I. BOARD STRUCTURE

1.1 Membership. The Board shall be comprised of 12 voting members and 9 to 10 non-voting ex officio members. All voting members shall be representatives of establishments with a valid California License to Sell Nursery Stock. No two members shall represent the same organization. Members shall represent a wide spectrum of the nursery industry. Segments of the nursery industry to be represented may include:

- General Ornamental
- Annuals/Perennials
- Indoor Foliage Plants
- Cut Flowers (production & wholesale)
- Retailers (large & small businesses)
- Turf/Sod
- Sub-Tropical (e.g., citrus, avocado)
- Strawberry
- IAB assessed nursery stock (grapevines, fruit & nut trees, olives)
- Landscapers (must be licensed to sell nursery stock)

The Board should also be geographically representative of the nursery industry in California.

Non-voting ex officio members of the Board shall include:

- The Chair of the California Agricultural Commissioners and Sealers Association (CACASA) Nursery, Seed and Apiary Committee
- The Chair of the CACASA Pest Prevention Committee
- Up to one additional County Agricultural Commissioner
- and one representative from each of the following:
 - The University of California Cooperative Extension
 - The University of California
 - Agriculture Council of California
 - Plant California Alliance
 - The California Farm Bureau Federation
 - The National Ornamentals Research Site at Dominican University of California
 - Plant Right Organization

1.2 Terms of office. Members shall be appointed by the Secretary to four-year terms. Terms for individual seats on the Board shall be arranged to limit the number of expiring seats during any given year to approximately one-half.

- 1.3 Officers. The permanent officers of the Board shall be the Chairperson and Vice-Chairperson. The Board may from time to time create additional officers with such titles and duties as it may assign.
- 1.4 Chairperson. The Chairperson shall serve as the chief executive officer of the Board, shall preside over meetings of the Board, shall serve as the principal agent of the Board in communications with the Director (Secretary), and shall serve as the principal spokesman for the Board.
- 1.5 Vice-Chairperson. The Vice Chairperson shall serve as Chairperson in the absence of the Chairperson, and otherwise shall have such authority and perform such tasks as may be assigned to him/her by the Chairperson.
- 1.6 Board Manager. The Department's Nursery Services Program shall act as Board Manager and shall be responsible for the record keeping of the Board, including the preparation of the official minutes of meetings of the Board and the giving of official notice of Board meetings.
- 1.7 Election of Officers. Board officers shall be elected for a term of one year commencing with the first meeting of the Board of each calendar year. Any Board member may hold more than one office, except that the Chairperson shall hold only that office. A member may hold any office for two consecutive terms, but not more than two consecutive terms.
- 1.8 Committees. Committees shall be created at the discretion of the Board for issues that require further study. Committees may be composed of both Board Members and non-members. The Chairperson and membership of these committees shall be determined by the Board.

II. BOARD MEETINGS

- 2.1 Regular Meetings. Regular meetings of the Board shall be scheduled twice per year, in or around late February and late August.
- 2.2 Special Meetings. Special meetings may be scheduled at any time by the Chairperson or the Secretary, or at the request of majority of the members of the Board.
- 2.3 Notice of Meetings. Written notice of all meetings shall be posted on the Department's website and shall be sent to all persons who have requested it.
- 2.4 Public Meetings. All meetings of the Board shall be open to the public.
- 2.5 Board Action. A quorum for the conduct of Board business shall be seven of the twelve voting members. A majority of the quorum shall be entitled to adopt resolutions constituting Board action.

2.6 Place of Meetings. Meetings shall be held as specified in the official meeting notice.

III. BOARD COMMUNICATIONS

3.1 Public Communications. The sole spokesman for the Board shall be the Chairperson, except that the Chairperson shall have the power to designate the Vice-Chairperson or any other Board member or agent to make public statements.

3.2 Communications with the Secretary. While any Board member shall be entitled to communicate with the Secretary, official communications from the Board shall be sent by the Chairperson.

3.3 Communications to Board Members. In recognition of the Board's broad responsibilities and the necessity that it utilize all means of gathering information about the industry, each member of the Board shall have the responsibility to maintain all available lines of communication with all branches of the industry (including growers, handlers, retail and wholesale marketers, members of the public, and all individuals engaged in the sale and handling of nursery stock) to the end that Board members will receive all timely and relevant information pertaining to the industry and the Board's obligations thereto.

3.4 Reports to Board from the Secretary. The Secretary will furnish the Board with information and reports reasonably necessary to allow the Board to perform its broad advisory role. The subject matter and frequency of the material furnished may vary, depending upon specific requests for information from the Board, or the current problems of the industry as determined by the Board and the Secretary. Materials furnished may include, at the discretion of the Secretary, proposed regulations and regulatory changes, reports of all financial aspects of the Nursery Services Program, or requests for specific action or recommendations from the Board.

IV. FUNCTION OF BOARD

4.1 Enumeration of Functions. The Board shall advise the Secretary and make recommendations pertaining to his or her responsibilities under those sections of Division 4 of the Food and Agricultural Code and corresponding regulations relating to the sale, production, and movement of nursery stock in California.

4.2 Budget, Fees, Funds. The Board shall make such studies and collect such information as may be necessary to permit it to evaluate and advise the Secretary respecting budgetary and monetary matters affecting the industry, including but not limited to: (1) advice concerning the annual budget and licensing fee schedule and (2) advice concerning enforcement and regulatory activities.

4.3 New Regulations. It is the Board's responsibility to act as liaison between the industry and the Secretary, and to advise the Secretary of changes in any aspects of the nursery industry which are affected by the Secretary's administration of state laws relative to the industry. The Board shall advise the Secretary of any changes, additions, or deletions

of regulations, which, in the Board's determination, should be adopted in the best interest of the industry and the public.

V. CONFLICT OF INTEREST

- 5.1 Voting members of the Board shall have a financial interest in the sale and/or production of nursery stock in California. The non-voting ex officio members shall not have a financial interest in the nursery industry and shall be representatives of California County Agricultural Commissioners, the University of California, or other nonprofit organizations affiliated with the nursery industry.