

Introduced by Senator McGuireFebruary 27, 2015

An act to amend Section 59111 of the Food and Agricultural Code, relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

SB 740, as introduced, McGuire. California Marketing Act of 1937: marketing orders: notice.

Existing law provides for the California Marketing Act of 1937 governing the marketing of commodities in this state. Under the act, the Secretary of Food and Agriculture is authorized to issue marketing orders and enter into marketing agreements, as specified. Existing law requires, upon the issuance of any order that makes effective a marketing order or marketing agreement, or any suspension, amendment, or termination of a marketing order or marketing agreement, a notice of the issuance to be posted on a public bulletin board maintained by the secretary in his or her office. Existing law also requires the secretary to mail a copy of the notice to specified persons, including a person that files a written request for the notice, as specified.

This bill would require the secretary to also post the notice on the Department of Food and Agriculture's Internet Web site and would additionally require the secretary to mail a copy of the notice to a person that files an electronic request for the notice. The bill would make various nonsubstantive changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 59111 of the Food and Agricultural Code
2 is amended to read:

3 59111. (a) Upon the issuance of any order ~~which~~ *that* makes
4 effective a marketing order or marketing agreement, or any
5 suspension, amendment, or termination of a marketing order or
6 marketing agreement, a notice of the issuance shall be posted on
7 a public bulletin ~~board~~ *board maintained by the director*
8 ~~shall maintain~~ *secretary* in his or her office. *The secretary shall*
9 *also post the same notice of issuance on the department's Internet*
10 *Web site.* A marketing order or marketing agreement, or any
11 suspension, amendment, or termination of it, shall not become
12 effective until five days after the date of ~~such~~ *the* posting in the
13 *secretary's office or on the department's Internet Web site,*
14 *whichever occurs first.* The ~~director~~ *secretary* shall also mail a
15 copy of the notice to every person that is directly affected by the
16 terms of ~~such~~ *the* marketing order or marketing agreement,
17 suspension, amendment, or termination, whose name and address
18 is on file in the office of the ~~director~~ *secretary*, and to every person
19 that files in the office of the ~~director~~ *secretary* a written *or*
20 *electronic* request for ~~such~~ *the* notice.

21 ~~This~~

22 (b) ~~This section does~~ *shall* not apply to the termination of any
23 marketing order or marketing agreement under Section 59087.