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MEMBER FOR THE 1ST ASSEMBLY DISTRICT



FACT SHEET

AB 2588 – Allowing Fair Boards to Temporarily Fill Vacancies

IN BRIEF

Fairs in California are sometimes unable to conduct business due to lack of quorum under the Bagley-Keene Open Meeting Act and the lengthy gubernatorial appointments process.

Assembly Bill 2588 allows a fair to temporarily fill a board vacancy needed to meet quorum.

Specifically, this bill authorizes the board of directors of a district agricultural association to temporarily appoint a director to fill a vacancy necessary to establish quorum if the Governor does not fill that vacancy within 90 days.

BACKGROUND & ISSUE

Fairs are the lifeblood of rural and agricultural communities across California. They host agricultural activities, serve as staging grounds for emergencies and mutual aid, and are gathering places cherished by residents.

The state is divided into agricultural districts managed by district agricultural associations, otherwise known as fairs. Each board of directors that governs each association consists of nine members appointed by the Governor for four-year terms. These directors are important fixtures in the community that breathe life into fairs. Often these appointees are small business owners, farmers, ranchers, attorneys, accountants or civic leaders.

Unfortunately, it is hard to recruit these appointees. Even when they are identified, it can take several months or years for an appointment to be made. The Bagley-Keene Open Meeting Act requires a majority of directors to be present to conduct business, also known as establishing a quorum. Some fair boards are left with less than five members leaving them unable to operate for years.

In Nevada Fair's case, they were unable to establish a quorum for more than two years before recent appointments were made. A number of fairs in California hover at five or six members, just enough to establish quorum. However, this puts sick or retiring board members in difficult place, forcing the board to lose quorum if they leave.

SOLUTION

By allowing a fair to temporarily fill a vacancy, fairs can continue to operate, conduct business, and host annual fairs and other activities invaluable to their residents.

Under AB 2588, these temporary appointments can only be filled up to a quorum and after 90 days with no appointment made. Further, a temporary appointment must meet eligibility criteria under current law and the Governor may make an appointment, removing the temporary appointee.

AB 2588 will empower fairs to fulfill the critical economic and public safety roles they play in their communities.

SUPPORT

Pending

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