



ADMINISTRATIVE RULES OF MONTANA



32.24.506 PRODUCER COMMITTEE

- (1) The producer committee has authority to approve all transfers of quota and to review all requests for hardship or equitable relief and has authority to control and direct the marketing of surplus milk as specified in ARM 32.24.523.
- (2) The producer committee consists of at least five members, each of whom is a pool producer who produced pool milk during the month prior to the meeting. The producer committee must have an odd number of members.
- (3) The board appoints the members of the producer committee.
 - (a) Pool producers interested in serving on the producer committee must apply to the board.
 - (b) The board selects the producer committee members as follows:
 - (i) A committee member must be appointed from the pool producers delivering milk to each pool plant for each 20%, rounded, of the total pool-wide receipts of raw pool milk received by the pool plant from its reported group of pool producers in the prior month of June. The calculation is done by using the total of each pool plant's prior June raw pool milk received from its group of pool producers, divided by the pool-wide total raw milk receipts in the prior month of June, rounded to the nearest 20% and divided by 20%.
 - (ii) A minimum of at least one committee representative will be appointed from the pool producers delivering to each pool plant.
 - (iii) If the number of pool producers applying to represent the pool producers delivering to a pool plant is less than the calculated allotment of producer committee members representing pool producers delivering to that pool plant, or if no pool producer delivering to the pool plant applies to serve on the producer committee, the board may appoint an applicant who delivers to a different pool plant.
 - (iv) If the calculated number of committee members is less than five or is an even number, the board may select an appointee from the group of applicants without regard to the pool plant so that the committee has at least five members and has an odd number of members.
 - (c) When a vacancy occurs, the board will appoint a committee member to complete the term of the departing committee member.
 - (d) The producer committee members will serve terms of two calendar years beginning January 1, 2016, and every two years thereafter.

- (4) A representative of the bureau will attend, participate, and maintain a record of each producer committee meeting. The representative of the bureau will not have a vote in any decision of the producer committee.
- (5) The bureau will notify the manager of each pool plant or a designated representative of scheduled meetings. No manager or designated representative will have a vote in any decision of the producer committee.
- (6) Producer committee meetings will be held after reasonable notice has been given to each committee member, the bureau, and each manager of a pool plant or the designated representative.
- (7) A majority of the producer committee constitutes a quorum for the transaction of business. A majority vote of committee members present is sufficient to make an official decision.
- (8) Committee members will be compensated by the bureau in accordance with 2-15-124(7), MCA.

Authorizing statute(s): 81-23-302, MCA

Implementing statute(s): 81-23-302, MCA

History: NEW, 1988 MAR p. 2300, Eff. 10/28/88; AMD, 1989 MAR p. 973, Eff. 7/28/89; AMD, 1990 MAR p. 931, Eff. 6/1/90; TRANS, from Commerce, 1996 MAR p. 456; AMD, 1996 MAR p. 3215, Eff. 12/20/96; AMD, 1997 MAR p. 1662, Eff. 9/23/97; AMD, 2009 MAR p. 2258, Eff. 11/26/09; AMD, 2016 MAR p. 319, Eff. 2/20/16; AMD, 2017 MAR p. 1151, Eff. 8/1/17.