§ 948.63 Duties.

(a) Each committee shall:
(1) Meet and organize as soon as practical after the beginning of each term of office, select a chairman and such other officers as may be necessary, select subcommittees and adopt such rules and procedures for the conduct of its business as it may deem advisable;
(2) Act as intermediary between the Secretary and any producer or handler;
(3) Appoint such employees, agents and representatives as it may deem necessary and determine the salaries and define the duties of each;
(4) Keep minutes, books, and records which clearly reflect all its acts and transactions. Such minutes, books and records shall be subject to examination at any time by the Secretary;
(5) Furnish promptly notices of meetings, copies of the minutes of each committee meeting, and such other reports or information as may be requested by the Secretary, including annual reports of each area committee’s operations for the preceding marketing season or fiscal period;
(6) Make available to producers, and to other area committees and the Colorado Potato Committee the committee’s voting record on recommended regulations and other matters of policy;
(7) Meet jointly with other area committees when requested to do so by the Colorado Potato Committee;
(8) Consult, cooperate, and exchange information with other area committees, with other marketing agreement committees and other agencies or individuals in connection with proper committee activities and objectives;

§ 948.62 Powers.

Each committee shall have the following powers:

(a) To administer the provisions of this subpart as specified herein;
(b) To make rules and regulations to effectuate the terms and provisions of this subpart;
(c) To receive, investigate, and report to the Secretary complaints of violation of the provisions of this part; and
(d) To recommend to the Secretary amendments to this part.

§ 948.61 Procedure.

(a) A majority of all members of a committee shall be necessary to constitute a quorum or to pass and motion or approve any committee action.
(b) Each committee may provide for the members thereof, including the alternate members when acting as members, to vote by mail, telegraph, telephone, or other means of communication, provided that any such vote cast orally shall be confirmed promptly in writing. If any assembled meeting is held all votes shall be cast in person.
§ 948.75 Expenses.

Each area committee is authorized to incur such expenses as the Secretary may find are reasonable and likely to be incurred during each fiscal period for its maintenance and functioning, and for purposes determined to be appropriate for administration of this part. Handlers shall share expenses upon the basis of a fiscal period. Each handler’s share of such expenses shall be proportionate to the ratio between the total quantity of potatoes handled by him as the first handler thereof during a fiscal period and the total quantity of potatoes handled by all handlers as first handlers thereof during such fiscal period.

§ 948.76 Budget.

As soon as practicable after the beginning of each fiscal period and as may be necessary thereafter, each area committee shall prepare an estimated budget of income and expenditures necessary for its administration of this part. Each area committee may recommend a rate of assessment calculated to provide adequate funds to defray its proposed expenditures. Each area committee shall present such budget to the Secretary with an accompanying report showing the basis for its calculations.

§ 948.77 Assessments.

(a) The funds to cover each area committee’s expenses shall be acquired by the levying of assessments upon handlers as provided in this part. Each handler who first handles potatoes under this part, shall pay assessments to his respective area committee upon demand, which assessments shall be in payment of such handler’s pro rata share of the area committee’s expenses.

(b) Assessments shall be levied upon handlers at rates established by the Secretary. Such rates may be established upon the basis of each area committee’s budget, recommendations, and other available information. Such rates may be applied to specified containers used in the production area.

(c) At any time during, or subsequent to, a given fiscal period each area committee may recommend the approval of an amended budget and an increase in the rate of assessment. Upon the basis of such recommendations, or other available information, the Secretary may approve an amended budget and increase the rate of assessment. Such increase shall be applicable to all potatoes grown within the particular area where an area committee recommends such increase and which were handled by the first handler thereof during such fiscal period.

(d) The payment of assessments for the maintenance and functioning of each area committee may be required under this part throughout the period it is in effect irrespective to whether particular provisions thereof are suspended or become inoperative.

(e) In order to provide funds to enable each area committee to perform its functions under this part, handlers may make advance payment of assessments.