

105TH CONGRESS
1ST SESSION

S. 81

To amend the Dairy Production Stabilization Act of 1983 to require that members of the National Dairy Promotion and Research Board be elected by milk producers and to prohibit bloc voting by cooperative associations of milk producers in the election of the producers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1997

Mr. KOHL (for himself and Mr. FEINGOLD) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Dairy Production Stabilization Act of 1983 to require that members of the National Dairy Promotion and Research Board be elected by milk producers and to prohibit bloc voting by cooperative associations of milk producers in the election of the producers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Dairy Pro-
5 motion Reform Act of 1997”.

1 **SEC. 2. DAIRY VOTING REFORM.**

2 Section 113(b) of the Dairy Production Stabilization
3 Act of 1983 (7 U.S.C. 4504(b)) is amended—

4 (1) by designating the first and second sen-
5 tences as paragraphs (1) and (2), respectively;

6 (2) by designating the third through fifth sen-
7 tences as paragraph (3);

8 (3) by designating the sixth sentence as para-
9 graph (4);

10 (4) by designating the seventh and eighth sen-
11 tences as paragraph (5);

12 (5) by designating the ninth sentence as para-
13 graph (6);

14 (6) in paragraph (1) (as so designated), by
15 striking “and appointment”;

16 (7) by striking paragraph (2) (as so designated)
17 and inserting the following:

18 “(2) QUALIFICATIONS, NOMINATION, AND
19 ELECTION OF MEMBERS.—

20 “(A) QUALIFICATIONS AND ELECTION.—

21 “(i) IN GENERAL.—Subject to clause
22 (ii), each member of the Board shall be a
23 milk producer nominated in accordance
24 with subparagraph (B) and elected by a
25 vote of producers through a process estab-
26 lished by the Secretary.

1 “(ii) BLOC VOTING.—In carrying out
2 clause (i), the Secretary shall not permit
3 an organization certified under section 114
4 to vote on behalf of the members of the or-
5 ganization.

6 “(B) NOMINATIONS.—

7 “(i) SOURCE.—Nominations shall be
8 submitted by organizations certified under
9 section 114, or, if the Secretary determines
10 that a substantial number of milk produc-
11 ers are not members of, or the interests of
12 the producers are not represented by, a
13 certified organization, from nominations
14 submitted by the producers in the manner
15 authorized by the Secretary.

16 “(ii) CONSULTATION WITH MEM-
17 BERS.—In submitting nominations, each
18 certified organization shall demonstrate to
19 the satisfaction of the Secretary that the
20 milk producers who are members of the or-
21 ganization have been fully consulted in the
22 nomination process.”;

1 (8) in the first sentence of paragraph (3) (as so
2 designated), by striking “In making such appoint-
3 ments,” and inserting “In establishing the process
4 for the election of members of the Board,”; and

5 (9) in paragraph (4) (as so designated)—

6 (A) by striking “appointment” and insert-
7 ing “election”; and

8 (B) by striking “appointments” and insert-
9 ing “elections”.

○