

SENATE BILL No. 517

September 25, 1991, Introduced by Senators MC MANUS, EMMONS, GAST, KOIVISTO and BARCIA and referred to the Committee on Agriculture, Forestry, and Wildlife.

A bill to amend section 7 of Act No. 232 of the Public Acts of 1965, entitled as amended

"Agricultural commodities marketing act,"

as amended by Act No. 196 of the Public Acts of 1980, being section 290.657 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 7 of Act No. 232 of the Public Acts of
2 1965, as amended by Act No. 196 of the Public Acts of 1980, being
3 section 290.657 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 7. (1) A marketing program shall provide for the
6 establishment of a commodity committee to consist of an odd
7 number of members which shall be not less than 5 nor more than
8 15.

1 (2) The members of the committee shall be appointed by the
2 governor with the advice and consent of the senate from
3 nominations received from the producers and handlers or proces-
4 sors of the commodity for which the marketing program is
5 established. Nominating procedures, qualifications, representa-
6 tion, term of office, and size of the committee shall be pre-
7 scribed in the marketing program for which the committee is
8 appointed. Each committee shall be composed of producers and
9 handlers or processors who are directly affected by the marketing
10 program in the proportion of representation as prescribed by the
11 program.

12 (3) A member of a committee shall be entitled to reimburse-
13 ment for actual expenses, and a per diem payment not to exceed
14 \$75.00 per day while attending meetings of the committee or while
15 engaged in the performance of official responsibilities delegated
16 by the committee.

17 (4) The duties and responsibilities of a committee shall be
18 prescribed in the order establishing the program and to the
19 extent applicable shall include the following duties and
20 responsibilities:

21 (a) Developing administrative procedures relating to the
22 marketing program.

23 (b) Recommending amendments to the marketing program as are
24 considered advisable.

25 (c) Preparing the estimated budget required for the proper
26 operation of the marketing program.

1 (d) Developing methods for assessing producers and methods
2 for collecting the necessary funds.

3 (e) Collecting and assembling information and data necessary
4 for proper administration of the program.

5 (f) Performing other duties necessary for the operation of
6 the marketing program as agreed upon with the director.

7 (5) The business which a committee may perform shall be con-
8 ducted at a public meeting of the committee held in compliance
9 with THE OPEN MEETINGS ACT, Act No. 267 of the Public Acts of
10 1976, as amended, being sections 15.261 to 15.275 of the Michigan
11 Compiled Laws. Public notice of the time, date, and place of the
12 meeting shall be given in the manner required by Act No. 267 of
13 the Public Acts of 1976, as amended.

14 (6) ~~—A~~ SUBJECT TO SECTION 10(B) AND EXCEPT AS OTHERWISE
15 PROVIDED IN THIS SUBSECTION, A writing prepared, owned, used, in
16 the possession of, or retained by a committee in the performance
17 of an official function shall be made available to the public in
18 compliance with THE FREEDOM OF INFORMATION ACT, Act No. 442 of
19 the Public Acts of 1976, as amended, being sections 15.231 to
20 15.246 of the Michigan Compiled Laws. HOWEVER, INFORMATION
21 RELATING TO SPECIFIC ASSESSMENTS TO A SPECIFIC PERSON UNDER A
22 MARKETING PROGRAM SHALL BE EXEMPT FROM DISCLOSURE TO ANY OTHER
23 PERSON OR COMMITTEE. THIS SUBSECTION DOES NOT PREVENT THE DIREC-
24 TOR OR THE DEPARTMENT FROM OBTAINING INFORMATION NECESSARY TO
25 CONFIRM COMPLIANCE WITH THIS ACT AND DOES NOT PREVENT THE DIREC-
26 TOR OR THE DEPARTMENT FROM DISCLOSING STATISTICAL INFORMATION SO

- 1 LONG AS THAT DISCLOSURE DOES NOT REVEAL SPECIFIC ASSESSMENTS OR
- 2 PRODUCTION LEVELS OF ANY PRODUCER, HANDLER, OR PROCESSOR.