

112TH CONGRESS  
1ST SESSION

# S. 457

To allow modified bloc voting by cooperative associations of milk producers in connection with a referendum on Federal milk marketing order reform.

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IN THE SENATE OF THE UNITED STATES

MARCH 2, 2011

Mrs. GILLIBRAND introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To allow modified bloc voting by cooperative associations of milk producers in connection with a referendum on Federal milk marketing order reform.

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 “Democracy for Dairy  
5 Producers Act of 2011”.

6 **SEC. 2. MODIFIED BLOC VOTING.**

7 (a) IN GENERAL.—Notwithstanding paragraph (12)  
8 of section 8c of the Agricultural Adjustment Act (7 U.S.C.  
9 608c), reenacted with amendments by the Agricultural  
10 Marketing Agreement Act of 1937, in the case of the ref-

1 referendum conducted as part of the consolidation of Federal  
2 milk marketing orders and related reforms under section  
3 143 of the Agricultural Market Transition Act (7 U.S.C.  
4 7253), a cooperative association of milk producers may  
5 not elect to hold a vote on behalf of its members as author-  
6 ized by that paragraph, unless the cooperative association  
7 provides to each producer, on behalf of which the coopera-  
8 tive association is expressing approval or disapproval, at  
9 the time a producer joins the cooperative association and  
10 annually thereafter, written notice that contains—

11           (1) information regarding the procedures by  
12           which a producer may cast an individual ballot;

13           (2) contact information for the milk marketing  
14           order information clearinghouse described in sub-  
15           section (b) and procedures to be added to a notifica-  
16           tion list described in subsection (c); and

17           (3) information about a point of contact within  
18           the cooperative association to inquire regarding the  
19           manner in which the cooperative association intends  
20           to vote on behalf of the membership.

21           (b) INFORMATION CLEARINGHOUSE.—Each milk  
22 marketing order shall establish a information clearing-  
23 house on referendums on Federal milk marketing order  
24 reform that includes—

1 (1) information on procedures by which a pro-  
2 ducer may cast an individual ballot;

3 (2) due dates for each specific referendum;

4 (3) the text of each referendum question under  
5 consideration; and

6 (4) a description in plain language of the ques-  
7 tion and relevant background information.

8 (c) NOTIFICATION LIST FOR UPCOMING REF-  
9 ERENDUM.—Each Federal milk marketing order shall—

10 (1) make available the information described in  
11 subsection (b) through a Web site; and

12 (2) distribute to each producer an alert on each  
13 upcoming referendum through a fax list, email dis-  
14 tribution list, or United States mail list, as elected  
15 by each producer individually.

16 (d) TABULATION OF BALLOTS.—At the time at which  
17 ballots from a vote under subsection (a) are tabulated by  
18 the Secretary, the Secretary shall adjust the vote of a co-  
19 operative association to reflect individual votes submitted  
20 by producers that are members of, stockholders in, or  
21 under contract with, the cooperative association.

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