

'Block Vote' Bill

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Milk Marketing, Inc.

I have been asked by Milk Marketing, Inc. General Manager Gordon Riehl, to make a policy statement for Milk Marketing, Inc regarding HB767, which would amend the present Pennsylvania Agricultural Commodities Marketing Act of 1968.

Milk Marketing, Inc. is a full service dairy marketing cooperative operating in parts of eight states. Membership consists of 9,200 dairy farmers, of which 1,200 are in Pennsylvania. Milk Marketing, Inc. represents its members in various legislative efforts in response to policies established by the Board of Directors and Delegates.

One of the predecessor cooperatives of Milk Marketing, Inc., together with other cooperatives, general farm organizations, the Pennsylvania Department of Agriculture and many legislators, spent much time, thought and effort to develop the present act. It has worked well for several commodities. Producers of Agricultural Commodities should continue to have the opportunity to avail themselves of the potential increase in sales of their products that will result from an accelerated promotion effort.

Milk Marketing, Inc opposes HB767 because we feel the present act satisfactorily addresses the proposed amendments. Some of the amendments would unnecessarily add to the administrative expense.

Specifically, now to the issues raised in HB767:

Voting — The present act assures any individual the right to his individual vote. However, many farmers who have formed and supported cooperatives expect their elected representatives to address and take action on issues, in their behalf. This is in keeping with our representative form of government. The proposed revision in HB 767 would deny these producers this right.

Termination — Request for termination should not be limited to 10-15 percent, due to the potential for minority rule and harassment. The present act adequately covers the right to petition and assures producer control.

Majority Rule — The issue of majority rule is addressed in the present act and provides for adequate assurance of a majority, since the majority must also represent the majority of the commodity in question. Requiring a larger majority would hamper the democratic process and greatly impede implementation of programs.

Review — the 5-year review provision in the present act is necessary to provide adequate time to implement and test the performance of a promotion program. To change consumer buying patterns requires commitment to definite programs and materials. A 3-year review would prevent long range planning and

Kent Shelhamer

My name is Kent Shelhamer, and I am from Berwick, Pennsylvania. I am a self employed farmer now, and have been a farmer continually since 1950.

This committee now has before it a proposal dealing with certain individual's right to vote or their right not to vote for an issue, and that also is important in our democratic process.

House Bill 767 brings to light a very complicated and intricate issue. It is one that many people who have engaged in agriculture all their lives do not understand. For instance, although there are over 100 agricultural cooperatives registered to do business in Penn-

sylvania, only a few would be affected by block voting. While its application is basically to agricultural co-ops, it is not an amendment to the co-op law.

Its application can be to all commodities now grown in Pennsylvania, but presently only covers a few milk, apples, cherries, and potatoes.

While there are four commodities presently covered, only milk cooperatives exercise the block voting principle as far as I know.

It does point out a glaring deficiency that exists between farmers. For instance: Two dairy farmers can live along side of each other. An issue can be raised by the Secretary of Agriculture, as to whether a self imposed tax could be levied on producers of milk.

One farmer can be selling his milk to an independent milk dealer. He will have the right to express himself any way he wants. To vote "Yes" for taxing his industry, to vote "No" against the tax, or if he isn't sure, or may feel intimidated, to not vote at all. And by not voting, under section 5 (B)

of the present Pennsylvania law which requires a majority by number, and a majority by volume, he is effectively casting a "no" vote.

Now let us take the plight of the poor cooperative member. He may be for the issue. If so, fine. But if he is not for the issue, he must receive a notice from his cooperative telling him how they officially stand on the issue. The cooperative will also inform him of his right to vote against their wishes.

But few, if any, dairy producers with a surplus of milk, will publicly go against their cooperative. He is many times intimidated into doing nothing, and under present law a handful of men (the directors) decide how his vote will be cast...so, in this case a "no" vote is a "yes" vote.

The right to be intimidated in our voting procedure has long been an accepted standard in this country. Yet this relic from the Renaissance period has reared its head since 1922.

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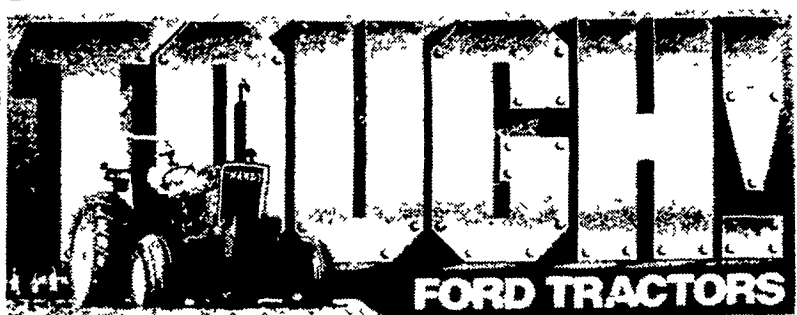
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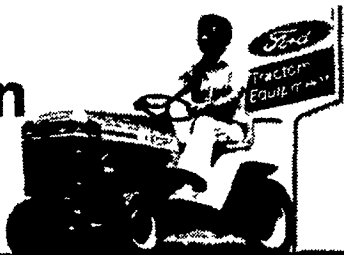
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