

902 KAR 50:005. Milk Advisory Committee.

RELATES TO: KRS 217C.010

STATUTORY AUTHORITY: KRS 194.050(1), 217C.070(2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 194A.050(1) requires the secretary of the Cabinet for Health and Family Services to promulgate administrative regulations necessary to operate the programs and fulfill the responsibilities vested in the cabinet. KRS 217C.070 requires the secretary to appoint a Milk Advisory Committee and requires the procedures for selection of advisory nominees to be in accordance with the administrative regulations of the secretary. This administrative regulation establishes procedures for the selection of nominees for appointment to the Milk Advisory Committee.

Section 1. Procedure for the Selection of Nominees. The secretary shall appoint:

- (1) Three (3) processors or representatives thereof, from nominations received from:
 - (a) An organization representing processors in Kentucky, which may nominate two (2) candidates for each of the three (3) positions; or
 - (b) An individual processor, who may submit his or her own name for consideration for appointment;
- (2) Three (3) producers or representatives thereof, from nominations received from:
 - (a) An organization representing milk producers in Kentucky, which may nominate two (2) candidates for each position; or
 - (b) An individual milk producer, who may submit his or her own name for consideration for appointment; and
- (3) Two (2) citizens at large to represent consumers, from nominations received from an organization that represents consumers in Kentucky, which:
 - (a) May submit two (2) names for each position for consideration for appointment; and
 - (b) Shall not nominate an individual who is directly connected with the producing, processing, or distribution of dairy products.

Section 2. Purpose and Operating Procedure.

- (1) The milk advisory committee shall:
 - (a) Advise the department on matters pertaining to the Grade A Milk Industry or the milk-for-manufacturing industry, respectively;
 - (b) Provide the department with technical review and comment on proposed new department administrative regulations or amendments to existing administrative regulations; and
 - (c) Provide the department with other advice and direction as necessary.
- (2)
 - (a) Members shall elect the chairperson and vice chairperson of the committee.
 - (b) The terms of the chairperson and vice chairperson shall be two (2) years unless:
 1. Their terms on the committee expire and they are not reappointed;
 2. A resignation of the chairperson or vice chairperson occurs; or
 3. An additional election is called for by a majority vote of the committee members, in which the chairperson and vice chairperson may be eligible for reelection.
- (3) The committee shall meet at least semiannually and on other occasions:
 - (a) As necessary;
 - (b) On call of the chairperson; or
 - (c) Upon request of the secretary.
- (4) The meeting place and time shall be announced a minimum of five (5) days prior to a meeting.
- (5) A total of five (5) of the eight (8) committee members shall constitute a quorum.
- (6) A member may call a special meeting with the written endorsement of at least four (4) other committee members.

(7) The chairperson shall preside at all committee meetings and appoint subcommittees.

(8) The vice chairperson shall preside over committee meetings in the absence of the chairperson and serve as chairperson if the position is vacated until a new chairperson is elected by the members.

(9) If the chairperson and vice chairperson are absent from a regular or special meeting of the committee, the committee shall choose a committee member to function as chairperson of that meeting.

(2 Ky.R. 491; eff. 4-14-1976; 20 Ky.R. 658; eff. 10-21-1993; 46 Ky.R. 721; eff. 11-1-2019.)