

Executive Order No. 29 - 2006

**EXECUTIVE ORDER ESTABLISHING THE
COUNTRY OF ORIGIN LABELING (“COOL”) ADVISORY COUNCIL**

WHEREAS, the 2005 Montana Legislature passed House Bill No. 406 (“HB 406”), now codified at Mont. Code Ann. Title 30, chapter 12, part 7, and referred to as the “Country of Origin Placarding Act” ; and

WHEREAS, the Country of Origin Placarding Act contained a contingent voidness clause that will render many of its provisions void “[u]pon the funding and full implementation of federal mandatory country of origin labeling, adopted as part of the 2002 federal farm bill”; and

WHEREAS, the federal government has failed to adopt national Country Of Origin Labeling legislation in a timely fashion; and

WHEREAS, as established under the law and the public policy of this state, as set forth in Montana’s Country of Origin Placarding Act, Montana consumers have the right to know, to the extent the retail vendor is able to determine, where the beef, pork, poultry, or lamb they purchase for their families is produced; and

WHEREAS, Montana’s farmers and ranchers produce high quality agricultural products, and these agricultural products are known throughout this country and the world for their high quality; and

WHEREAS, the identification of agricultural products as from Montana will afford Montana’s farmers and ranchers the recognition for their high quality products that they deserve; and

WHEREAS, Montana’s Country of Origin Placarding Act, effective October 1, 2006, authorizes the Department of Labor and Industry to adopt administrative rules to implement the Act; and

WHEREAS, full implementation of Montana’s Country of Origin Placarding Act will add value to the beef, pork, poultry, and lamb produced in Montana, further diversifying and strengthening the state’s economy and enhancing economic development.

NOW, THEREFORE, I, Brian Schweitzer, Governor of the State of Montana, by virtue of the authority vested in me under the laws and the Constitution of the State of Montana, do hereby establish the Country Of Origin Labeling (“COOL”) Advisory Council.

I. PURPOSE AND DUTIES

The purpose of the Council is to gather information and provide advice to the Department of Labor and Industry to assist it in developing rules to fully implement Montana’s Country of Origin Placarding Act. In performing its work, the Council shall

consult with individuals familiar with the Montana and federal legislation, producers, growers, and shippers of beef, pork, poultry, and lamb in Montana, members of the retail food industry, and members of the public.

II. COMPOSITION

The Council shall consist of 9 members, appointed by and serving at the pleasure of the Governor. The Council shall be comprised of: the Commissioner of Labor and Industry, or his designee; the Director of the Department of Agriculture, or her designee; the Director of the Department of Commerce, or his designee; a member of the Board of Livestock designated by the Governor; two members who produce beef, pork, lamb, or poultry; a member of the retail food industry; a consumer; and an individual familiar with the state and federal legislation. The names and addresses of the Council members shall be submitted by separate letter to the Secretary of State and the Department of Labor and Industry, and the Governor shall indicate the member he has designated as chair in his letter.

The Council is attached to the Department of Labor and Industry for administrative purposes. The Department shall assist the Council by providing staff and other resources and information as necessary to carry out the Council's purpose.

III. COMPENSATION

Council members eligible for compensation under § 2-15-122(5), MCA, shall be compensated by the Department of Labor and Industry in an amount to be determined by the Department head, not to exceed \$25 for each day in which the member is actually and necessarily engaged in the performance of Council duties. All members shall be reimbursed for travel expenses pursuant to § 2-15-122(5), MCA.

IV. DURATION

The Council shall terminate on December 31, 2006. This Order is effective immediately.

26 GIVEN under my hand and the GREAT SEAL of the State of Montana this day of January, 2006.


BRIAN SCHWEITZER, Governor

ATTEST:


BRAD JOHNSON, Secretary of State