

MAINE STATE LEGISLATURE

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March 24, 1937

Mr. Austin W. Jones
Veazie, Maine

Dear Sir:

With reference to your letter of March 22, relative to competitive bids for milk and cream in the Bangor area, the matter has already been discussed by Mr. Owen, members of the Milk Board and this office prior to the receipt of your letter, and Mr. Owen had been advised that in a milk area where the Milk Board had established prices, that he could not properly ask for competitive bids; that if he was purchasing milk and cream at the prices fixed by the Board and he and the institutions affected were perfectly satisfied with the quantity and quality of the milk furnished, there was no need for him to again ask for bids.

You can understand, of course, that any other theory or practice would be destructive of the work which the Milk Board is doing in controlling markets; that it has always seemed fundamental to me and to members of the Board that when the State has authorized some method or regulation, it must be the first body to live up to the regulations, and if the State should decide that it was not going to pay the prices fixed by the Milk Board, control could not be longer maintained in the market affected.

You also, of course, have in mind that in fixing prices for milk, the butter fat content is not a factor, the only regulation on that being that in accordance with State statutes milk must not be below 3.25% butter fat.

As to whether or not we need a State Purchasing Agent, I do not feel like going into any discussion with you since milk is only one of the few, if not the only, articles purchased by him which are sold under price regulations fixed by the State. I assume that there are many other commodities which he can purchase at a saving on competitive bids.

Very truly yours,

Franz U. Burkett
Attorney General