

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-1120)  
107TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1942, L.D. 2129, Bill,  
"AN ACT Concerning the Establishment of Minimum Prices of the  
Maine Milk Commission."

Amend said Bill by striking out all of the title and  
inserting in place thereof the following: 'AN ACT to Preserve  
Farm Milk Price Protection and Remove Retail Price Control from  
the Maine Milk Commission.'

Further amend said Bill by striking out everything after  
the enacting clause and inserting in place thereof the following:

'Sec. 1. 7 MRSA §2953, first sentence, as last repealed  
and replaced by PL 1975, c. 517, §2, is repealed and the  
following enacted in place thereof:

The commission shall have the power to establish and change minimum  
prices paid by dealers to producers.

Sec. 2. 7 MRSA §2953, sub-§1, as repealed and replaced  
by PL 1975, c. 517, §2, is repealed and the following enacted in  
place thereof:

1. As to minimum prices paid by dealers to producers;

Sec. 3. 7 MRSA §2953, sub-§§ 2, 3, 4 and 5, as repealed and  
replaced by PL 1975, c. 517, §2, are repealed.

Sec. 4. 7 MRSA §2954, sub-§§ 1 and 2, as enacted by PL 1975,  
c. 517, §3, are repealed and the following enacted in place thereof:

1. The commission is vested with the power to establish and change, after investigation and public hearing, the minimum prices to be paid to producers, by dealers for milk received or purchased. The commission may waive the requirement of a public hearing when the only changes to be made in the minimum prices are to conform with the orders of any federal or other agency duly authorized by law to establish or negotiate producer prices. Due notice of such public hearing shall be given by publishing the notice at least 7 days prior to the hearing in appropriate newspapers. The commission shall hold such a public hearing not less frequently than once every 12 months to determine whether the minimum prices then established should be changed. In addition to the data received through the implementation of the information gathering procedures of its rules and regulations as a basis for its determinations, the commission shall solicit and seek to receive oral and written testimony at such hearings to determine whether the minimum prices then established should be changed and whether the proposed minimum prices are just and reasonable.

2. The minimum wholesale prices paid to producers shall be based on the prevailing Class I and Class II prices in southern New England and, after investigation by the Maine Milk Commission, shall reflect as accurately as possible the increased costs of production.

Sec. 4. Referendum; effective date. This Act shall take effect 90 days after the adjournment of the Legislature only for the purpose of presenting it to the legal voters of the State of Maine at the general state-wide election to be held on the Tuesday following the first Monday of November following the passage of this Act.

The aldermen of the cities, the selectmen of the towns and the assessors of the several plantations of this State are empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of Senators and Representatives at the general state-wide election on the Tuesday following the first Monday of November following the passage of this Act, to give in their votes upon the acceptance or rejection of the foregoing Act, and the question shall be: "Shall 'AN ACT to Preserve Farm Milk Price Protection and Remove Retail Price Control from the Maine Milk Commission,' as passed by the First Special Session of the 107th Legislature, be accepted?"

The inhabitants of said cities, towns and plantations shall indicate by a cross or check mark placed within a square upon their ballots their opinion of the same, those in favor of acceptance voting "Yes" and those opposed to acceptance voting "No" and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and return made to the office

of the Secretary of State in the same manner as voted for Governor and Members of the Legislature, and the Governor and Council shall review the same and if it shall appear that a majority of the inhabitants voting on the question are in favor of said Act, the Governor shall forthwith make known the fact by his proclamation and the Act shall thereupon become effective.

Secretary of State shall prepare ballots. The Secretary of State shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing Act, accompanied by a copy thereof.'

#### Statement of Fact

The purpose of this amendment is to preserve milk price controls to protect Maine farmers while removing wholesale and retail price controls to provide consumers lower prices. The Act, as amended, would send the issue to the voters as a referendum in the November general election.

Reported by the Minority of the Committee on Agriculture.

Reproduced and distributed under the direction of the Clerk of the House.  
3/29/76

(Filing No. H-1120)