

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 670

H. P. 592

House of Representative, February 5, 1981

Referred to the Committee on Business Legislation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Rolde of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Further Free Enterprise.

Be it enacted by the People of the State of Maine, as follows:

**Sec. 1.** 7 MRSA § 2954, sub-§ 5, last sentence, as repealed and replaced by PL 1975, c. 517, § 3, is repealed.

**Sec. 2.** 7 MRSA § 2954, sub-§ 7, as repealed and replaced by PL 1975, c. 517, § 3, is repealed.

**Sec. 3.** MRSA § 2954, sub-§ 8, last sentence, as repealed and replaced by PL 1975, c. 517, § 3, is repealed.

**Sec. 4.** 7 MRSA § 2959, 3rd and 4th sentences are repealed.

**Sec. 5.** 7 MRSA § 2960, as repealed and replaced by PL 1977, c. 696, § 100, is repealed and the following enacted in its place:

**§ 2960. Penalties**

1. **General penalty.** Except as provided in subsection 2, whoever violates any of the provisions of this chapter or any rule or order of the commission is guilty of a Class E crime.

2. **Exception.** It is not unlawful for a person to sell milk at a price below that established by the commission.

## STATEMENT OF FACT

The free enterprise system has been declared to be the cornerstone of this nation's prosperity and development. It seems paradoxical that the government establishes agencies that establish what the price should be for certain products, and sends people to jail for selling below that price.

This bill makes it lawful for a person to sell milk below the price established by the Maine Milk Commission, one of the agencies of State Government operating in conflict with the assumptions of the free enterprise system.