

L.D. 1754

(Filing No. H-410)

| 3 | STATE OF MAINE |
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| 4 | HOUSE OF REPRESENTATIVES |
| 5 6 | 111TH LEGISLATURE |
| ь | FIRST REGULAR SESSION |
| 7 | House amendment " A " to senate amendment "a" to |
| 7 8 | HOUSE AMENDMENT "/ " to SENATE AMENDMENT "A" to H.P. 1323, L.D. 1754, Bill, "AN ACT Creating a Maine |
| 9 | Milk Pool." |
| 9 | MIIK POOL. |
| 10 | Amend the Amendment by inserting after the title |
| 11 | the following: |
| 12 | 'Amend the Bill in section 4 in that part desig- |
| 13 | nated "§3151." by adding at the end the following: |
| 10 | nacea <u>joist.</u> If adding at the one the fortewing. |
| 14 | 'The Legislature finds that dairy farms in |
| 15 | Aroostook, Washington and northern Penobscot Counties |
| 16 | presently operate at signigicantly higher costs because of their remoteness from markets and sup- |
| 17 | because of their remoteness from markets and sup- |
| 18 | plies; that they face greater risks because they |
| 19 | operate on a closer margin; that their markets are |
| 20 | operate on a closer margin; that their markets are less secure; and that negative changes in the overall |
| 21 | economy have a magnified effect in the northern Maine |
| 22 | region. |
| 23 | It is the intent of the Legislature that the |
| 24 | reblending of Class I premiums under the Maine Milk |
| 25 | Pool created by this chapter be deemed to be the |
| 26 | reapportionment of an economic benefit created by |
| 27 | regulation in order to smooth out differences in milk |
| 28 | prices between different markets and not as a tax on |
| 29 | the income of Maine market producers. It is also the |
| 30 | interest of the Legislature that deductions from the |
| 31 | Maine Milk Pool for promotion be deemed to be deduc- |
| 32 - | tions from the amounts otherwise payable from the |
| 33 | pool to Maine and Boston market producers.'' |
| 34 | Further amend the Bill in section 4 in that part |
| 35 | designated "§3152." in subsection 6 in the 2nd to 6th |
| 36 | lines (page 5, lines 6 to 10 in L.D.) by striking out |
| 37 | the following: ", excepting those located in |
| 38 | Aroostook County and Washington County, and that por- |

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| 1 | tion of Penobscot County north of and including the |
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| 2 | minor civil divisions of Medway, T.A.R. 7 and Long A |
| 3 | T.W.P." |
| 4 | Further amend the Bill in section 4 in that part |
| 5 | designated " <u>§3152.</u> " by striking out all of subsection |
| 6 | 7 and inserting in its place the following: |
| 7 | '7. Maine Milk Pool. "Maine Milk Pool" means |
| 8 | the sum of collections as prescribed in section 3153, |
| 9 | from Maine market producers.'' |
| 10 | Further amend the Amendment in the first line |
| 11 | after the title (page 1, line 9 in amendment) by |
| 12 | striking out the word "Amend" and inserting in its |
| 13 | place the words 'Further amend' |
| 14 | Further amend the Amendment by striking out all |
| 15 | of the 2nd paragraph after the title and inserting in |
| 16 | its place the following: |
| 17 | 'Further amend the Bill in section 4 in that part |
| 18 | designated " <u>§3153.</u> " in subsection 1 in the 7th line |
| 19 | (page 6, line 24 in L.D.) by inserting after the |
| 20 | underlined word " <u>producers</u> " the following: ' <u>, north-</u> |
| 21 | ern Maine market producers'' |
| 22 23 | Further amend the Amendment by inserting after the 2nd paragraph after the title the following: |
| 24 | 'Further amend the Bill in section 4 in that part |
| 25 | designated "§3153." in subsection 2 in paragraph A by |
| 26 | inserting before the last sentence the following: |
| 27 | 'Based on the fact that northern Maine market pro- |
| 28 | ducers presently operate at significantly higher |
| 29 | costs because of their remoteness from markets and |
| 30 | supplies, that they face greater risks because they |
| 31 | operate on a closer margin and because their markets |
| 32 | are less secure, payments to the Maine Milk Pool |
| 33 | attributable to northern Maine market producers shall |
| 34 | be reduced by 1/2 and those producers' initial pay- |
| 35 | ments under this section shall be increased by the |

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1 corresponding amounts.''

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2 Further amend the Amendment in subsection 4, 3 paragraph A in the last line (page 2, line 2 in L.D.) 4 by striking out the underlined word "and"

- 5 Further amend the Amendment in subsection 4, 6 paragraph B in the last line (page 2, line 11 in 7 L.D.) by striking out the underlined punctuation "." 8 and inserting in its place the following: ';'
- 9 Further amend the Amendment in subsection 4 in 10 paragraph B by adding at the end the following:
- 'C. If the credit for any producer calculated under paragraph A exceeds the pool payment due that producer, that producer shall pay an amount equal to the difference into the Maine Milk Pool 11 12 13 14 15 not to exceed that producer's share of the cost 16 of promotion. The commissioner may provide by 17 rule that these amounts shall be deducted from 18 future pool payments to that producer or that these amounts shall 19 be deducted by that 20 producer's dealer from future payments for that producer's milk and paid over to the Maine Milk Pool by the dealer; and 21 22
- 23 D. In addition to other available remedies, the 24 commissioner may bring a civil action to collect 25 any amounts owed to the Maine Milk Pool under 26 this chapter.

STATEMENT OF FACT

This amendment eliminates the provisions of the bill relating to the northern Maine Milk Pool and requires producers in Washington, Aroostook and northern Penobscot Counties to contribute to the Maine Milk Pool. Their payments into the Maine Milk Pool are reduced by 1/2 based on the fact that they presently operate at significantly higher costs because HOUSE AMENDMENT "A" to senate Amendment "A" to H.P. 1323, L.D. 1754

of their remoteness from markets and supplies, face greater risks because they operate on a closer margin and have less secure markets. This amendment also clarifies the intent of the Legislature in establishing the Maine Milk Pool and ensures that all Boston market producers contribute equally to the cost of promotion.

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Filed by Rep. Vose of Eastport Reproduced and distributed under the direction of the Clerk of the House 6/21/83 (Filing No. H-410)

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