

MAINE STATE LEGISLATURE

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L.D. 617

(Filing No. H-66)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 452, L.D. 617, Bill, "An Act to Further Define the Responsibilities of the Maine Milk Commission to Ensure a Supply of Milk to the Consumers of Maine"

Amend the amendment by striking out everything after the title and inserting in its place the following:

'Amend the bill by inserting at the beginning of the first line after the enacting clause (page 1, line 3 in L.D.) the following: 'Sec. 1.'

Further amend the bill by inserting at the end before the statement of fact the following:

'Sec. 2. 7 MRSA §2953, as repealed and replaced by PL 1975, c. 517, §2, is amended by adding after the first paragraph a new paragraph to read:

The commission shall ensure that distributors make regular deliveries of milk in all parts of the State to every retail outlet, school, hospital, nursing home or restaurant which is on a delivery route and requests a regular delivery. The commission shall require any distributor that wishes to terminate delivery to any particular retail outlet, school, hospital, nursing home or restaurant to give to the recipient 30 days' notice of the proposed termination. The commission shall hold a hearing, upon request of a recipient, pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter IV, on the distributor's proposed termination, and shall determine whether the termination is in the public interest. The commission shall not allow the proposed termination unless the commission finds that the termination is in the public interest or that the recipient has an adequate alternative source of supply. This paragraph shall not apply to terminations resulting from a failure to pay bills.'

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STATEMENT OF FACT

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This amendment elaborates on the notice provision adopted by the Joint Standing Committee on Agriculture by incorporating the requirement that the Maine Milk Commission hold a hearing on request to determine whether a termination is in the public interest or whether there is an alternative source of supply.

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Filed by Rep. Rotondi of Athens
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House
4/13/89 (Filing No. H-66)