

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 186

H.P. 130

House of Representatives, January 29, 1991

Reference to the Committee on Agriculture suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative NUTTING of Leeds.

Cosponsored by Representative TARDY of Palmyra, Representative PARENT of Benton and Senator BUSTIN of Kennebec.

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STATE OF MAINE

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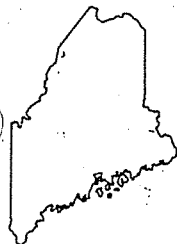
IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**An Act to Continue Milk Pool Payments to Dairy Farmers Affected by  
the Newport Plant Closure.**

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(EMERGENCY)



Emergency preamble. Whereas, Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

Whereas, the plant in Newport to which Boston market  
producers shipped their milk suddenly closed; and

Whereas, unless the method for calculating milk pool  
payments for those producers is immediately modified, many dairy  
farmers in this State will be adversely affected; and

Whereas, in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health and  
safety; now, therefore,

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

7 MRSA §3153, sub-§4, ¶A, as repealed and replaced by PL  
1987, c. 447, §7, is amended to read:

A. If any Boston market producer whose farm is located  
within 140 miles of Boston receives a plant price, excluding  
deductions or additions imposed by the so-called Louisville  
Plan as defined by Part 1001, Federal Milk Order No. 1,  
Section 1001.61, Subsections c and d, or any amendment  
thereto, or imposed by any other seasonal balancing plan  
subsequently adopted by Federal Order No. 1, which is an  
amount greater than the amount initially payable to Maine  
market producers under subsection 2, paragraph A, the  
commissioner shall credit that additional amount against the  
redistribution from the Maine Milk Pool to which that  
producer would otherwise be entitled in order to avoid  
potential inequities arising from equal redistribution;

**Emergency clause.** In view of the emergency cited in the  
preamble, this Act takes effect when approved.

#### STATEMENT OF FACT

This bill modifies the method of calculating milk pool  
payments for Boston market producers whose milk is hauled  
directly to Boston to ensure that those Boston market producers  
who previously shipped their milk to the plant in Newport, which  
was recently closed, will continue to receive full milk pool  
payments whether or not their milk is collected at a federal  
reload station before being shipped to Boston.