

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST REGULAR SESSION**

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1989

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**1989**

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A. Effective June 1, 1984, each Maine market dealer shall, on a monthly basis, calculate for its Maine market producers the amount of payment at the adjusted base minimum price that would be payable to its Maine market producers according to the blend price calculated using that dealer's utilization rate, and the amount of payment at the base minimum price that would be due its Maine market producers according to the blend price calculated using the applicable utilization rate for the New England Milk Marketing Order. Each Maine market dealer shall make an initial payment at the base minimum price to its Maine market producers according to the blend price calculated using the Federal Milk Order utilization rate, but shall comply in all other respects with chapter 603. Any additional payment at the adjusted base minimum price that would be due its Maine market producers pursuant to that dealer's applicable utilization rate shall be made to the Maine Milk Pool. Based on the fact that northern Maine market producers presently operate at significantly higher costs because of their remoteness from markets and supplies, that they face greater risks because they operate on a closer margin and because their markets are less secure, payments to the Maine Milk Pool at the adjusted base minimum price attributable to northern Maine market producers shall be reduced by 1/2 and those producers' initial payments under this section shall be increased by the corresponding amounts. The commissioner shall adopt by rule such procedures as are necessary to implement this section.

B. For any month in which the amount of money payable to producers at the adjusted base minimum price at a dealer's utilization rate would be less than the amount of money payable to that dealer's producers at the base minimum price based upon the Boston market utilization rate, the dealer may deduct the difference from ~~his~~ the next month's initial payment to producers at the base minimum price. Upon the termination of their business relationship, producers shall be liable to dealers for all sums advanced under this paragraph which have not been recouped by way of deduction.

read: **Sec. 6. 7 MRSA §3153, sub-§2, ¶E** is enacted to

E. For any month in which the Maine Milk Commission has included in Class I or Class II prices any amounts to reflect the increased costs of production pursuant to section 2954, subsection 2, paragraph A, those amounts shall be paid into the Maine Milk Pool for redistribution to eligible Maine and Boston market producers on an equal basis.

See title page for effective date.

## CHAPTER 437

H.P. 614 - L.D. 837

### An Act to Create a Northeast Interstate Dairy Compact

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

7 MRSA §2953-A, sub-§4-A is enacted to read:

4-A. Northeast Interstate Dairy Compact. To enter into the Northeast Interstate Dairy Compact.

A. Maine's representatives to the Northeast Interstate Dairy Compact shall be as follows:

- (1) The commissioner or designee;
- (2) The chair of the Maine Milk Commission or designee; and
- (3) An agricultural economist nominated by the dean of the College of Food, Agriculture and Applied Science of the University of Maine and appointed by the Governor.

B. The Maine Milk Commission shall enter into the Northeast Interstate Dairy Compact. If the compact recommends a minimum price that is higher than the minimum price established by the commission, the commission shall consider and may adopt the compact's recommendation as the minimum price set by the commission.

C. The Northeast Interstate Dairy Compact may establish rules using the procedures outlined in the Federal Administrative Procedure Act and may proceed under emergency rule-making provisions without making findings of emergency.

D. This subsection shall not take effect until the Northeast Interstate Dairy Compact is enacted by 3 other states and approved by the Congress of the United States.

See title page for effective date.

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## CHAPTER 438

H.P. 443 - L.D. 608

### An Act to Increase the Price Farmers Receive for Milk

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