

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

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PUBLIC LAWS OF THE STATE OF MAINE
AS PASSED AT
THE FIRST REGULAR SESSION OF THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE
1995

CHAPTER 1

H.P. 59 - L.D. 57

**An Act to Extend the Reporting Date
of the Committee to Study
Organizational and Tax Issues in
Public Schools**

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

Whereas, the Committee to Study Organizational and Tax Issues in Public Schools has completed its study and reached consensus but needs additional time to draft and review its final comprehensive report; 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:

Sec. 1. PL 1993, c. 684, §5 is amended to read:

5. Report. The committee shall report its findings and recommendations to the Governor and to the joint standing committee of the Legislature having jurisdiction over education matters by ~~January 15, 1995~~ February 13, 1995.

Sec. 2. Retroactivity. This Act applies retroactively to January 15, 1995.

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

Effective January 13, 1995.

CHAPTER 2

H.P. 10 - L.D. 4

**An Act to Continue the Fee on the
Handling of Milk**

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

Whereas, the recent decision in Cumberland Farms, Inc. v. LaFaver terminated the collection of revenue from the handling of milk by invalidating the Maine Dairy Farm Stabilization Tax; and

Whereas, the tax provided an average of more than \$2,000,000 per year in revenues to the State at a time when the State and its citizens are experiencing economic difficulties and significant fiscal problems; and

Whereas, such revenues are necessary to the State's ability to address such difficulties and problems; 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:

Sec. 1. 7 MRSA §2954, sub-§1, as repealed and replaced by PL 1991, c. 824, Pt. A, §8, is amended to read:

1. Commission empowered to establish prices; public hearing. The commission is vested with the power to establish and change, after investigation and public hearing, the minimum wholesale and retail prices to be paid to producers, dealers and stores for milk received, purchased, stored, manufactured, processed, distributed or otherwise handled within the State. The commission shall hold a public hearing prior to the establishing or changing of such minimum prices. The commission may proceed, however, under the emergency rule-making provisions of Title 5, section 8054 without making findings of