

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
AGRICULTURE
BILL SUMMARY



MAY 1986

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JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1986

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

In addition, as a part of the new regulatory system provided for by other legislation, this bill provides for civil action by a person injured by a violation of the Maine Milk Commission law. These provisions are common to laws which seek to discourage anticompetitive conduct, as does the new milk regulatory system.

The bill also provides for administrative enforcement by the commission, allowing the commission to investigate to determine the existence of a violation, to hold hearings and to issue cease and desist orders. Such an order may be appealed to the Superior Court by any person aggrieved by it. The commission is not required to take administrative enforcement action in the case of every violation. It may instead go directly to court. It may also initiate an action in court to seek enforcement of its decisions or orders.

Committee amendment (H-648) clarifies the obligation of integrated operations to be licensed as dealers under the Milk commission law and pay license fees on the milk they sell in Maine.

LD AN ACT RELATING TO THE USE OF SULFITE AS A FOOD
2275 PRESERVATIVE

PL 1985
c. 676

Sponsor: PERKINS, Gauvreau, Nelson, Pines
Committee Report: New Draft of LD 1994

H-640 MICHAEL H S
S-449 BROWN H S

SUMMARY: The purpose of this new draft is to transfer the provisions of this bill from Title 7 of the Maine Revised Statutes to Title 22, which relates to Pure Food and Accurate Labeling. Furthermore, an amendment (H-640) stipulates that the requirement to display a sign or label indicating that the food or food product contains sulfite only applies if the retailer in Maine adds any sulfite to the food he serves or sells.

LD AN ACT RELATING TO THE LABELING OF MILK
2287

PL 1985
c. 751

Sponsor: MICHAEL, Parent, Tardy
Committee Report: OTP-AM

H-682 CA H S

SUMMARY: This bill removes obsolete grading language from the milk labeling law. An amendment (H-682) removed the proposed requirement for milk to be labeled according to the State in which it is processed and packaged.

LD 2352 AN ACT TO IMPROVE THE MARKETING OF MILK IN
MAINE

INDEF PP (S)
ONTP (H)

Sponsor: EMERSON, Dutremble, Masterman, Brannigan
Committee Report:

SUMMARY: In its 1985 session, out of growing concern whether the present minimum price system for regulating milk marketing in Maine was serving the State's dairy industry and consumers well, the 112th Legislature commissioned a study of regulatory options available to the State for the regulation of milk marketing. The concern expressed at that time was over the Maine Milk Commission pricing order 85-2 which established different price schedules for milk sold at wholesale, taking delivery costs into account. Given the pricing system established, high volume accounts would be able to charge less for the milk sold at retail than smaller stores selling less volume because the delivery costs to service smaller stores are considerably higher. The decision to accept volume terminated pricing was postponed with a call for a special report from a panel of experts. In its report, the study panel, made up of 4 agricultural economists with milk marketing expertise, concluded that, while the present system had served the industry reasonably well, it could not continue to do so for long, given existing economic incentives for large retail chains to go out of state to buy their private label milk.