STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND AND TWELVE

H.P. 1409 - L.D. 1905

An Act To Revise the Target Prices for the Dairy Stabilization Program

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

Whereas, milk producers are receiving milk payments that are below their short-run break-even costs; and

Whereas, all sectors of the dairy industry and rural economies are in jeopardy; and

Whereas, it is in the State's economic interest to maintain a viable dairy industry and in the public interest to have a secure food supply; 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 §3153-D, as amended by PL 2009, c. 467, §5, is further amended to read:

§3153-D. Transfer of revenues

On or before the 18th day of each month, the administrator of the Maine Milk Pool shall ~~certify the amounts~~ subtract the amount in the Maine Milk Pool, Other Special Revenue Funds account that is available for distribution for dairy stabilization support from the total amount to be distributed for the previous month pursuant to section 3153-B and certify this amount to the State Controller, who shall transfer the certified monthly amount when certified from General Fund undedicated revenue to the Maine Milk Pool, Other Special Revenue Funds account.

Sec. 2. PL 2009, c. 467, §9 is repealed.

Sec. 3. Interim target prices. Beginning July 1, 2012 and until the Maine Milk Commission updates the Maine producer cost-of-production data and adopts new tiers of production and target prices in accordance with the Maine Revised Statutes, Title 7, section 3153-B, subsection 3, the production levels for each tier and the target prices for milk producers in the State are as follows:

1. For the first 16,790 hundredweight produced per year by each producer, the target price is $21.00 per hundredweight;

2. For production from 16,791 hundredweight to 49,079 hundredweight per year by each producer, the target price is $20.36 per hundredweight;

3. For production from 49,080 hundredweight to 76,800 hundredweight per year, the target price is $18.01 per hundredweight; and

4. For production in excess of 76,800 hundredweight per year by each producer, the target price is $17.83 per hundredweight.

Sec. 4. Transfer of funds; Department of Agriculture, Food and Rural Resources. Notwithstanding any other provision of law, on or before May 31, 2012, the State Controller shall transfer $150,000 from the Milk Commission program, Other Special Revenue Funds account to the Milk Commission program, Maine Milk Pool, Other Special Revenue Funds account within the Department of Agriculture, Food and Rural Resources for the purpose of supporting the dairy stabilization program under the Maine Revised Statutes, Title 7, section 3153-B.

Sec. 5. Transfer of funds; Department of Agriculture, Food and Rural Resources. Notwithstanding any other provision of law, on or before May 31, 2012, the State Controller shall transfer $200,000 from the Board of Pesticides Control program, Other Special Revenue Funds account to the Milk Commission program, Maine Milk Pool, Other Special Revenue Funds account within the Department of Agriculture, Food and Rural Resources for the purpose of supporting the dairy stabilization program under the Maine Revised Statutes, Title 7, section 3153-B.

Sec. 6. Transfer of funds; Department of Agriculture, Food and Rural Resources. Notwithstanding any other provision of law, on or before May 31, 2012, the State Controller shall transfer $100,000 from the Beverage Container Enforcement Fund, Other Special Revenue Funds account to the Milk Commission program, Maine Milk Pool, Other Special Revenue Funds account within the Department of Agriculture, Food and Rural Resources for the purpose of supporting the dairy stabilization program under the Maine Revised Statutes, Title 7, section 3153-B.

Sec. 7. Transfer of funds; Department of Agriculture, Food and Rural Resources. Notwithstanding any other provision of law, on or before May 31, 2012, the State Controller shall transfer $150,000 from the Office of the Commissioner program, Departmentwide Indirect, Other Special Revenue Funds account to the Milk Commission program, Maine Milk Pool, Other Special Revenue Funds account within the Department

of Agriculture, Food and Rural Resources for the purpose of supporting the dairy stabilization program under the Maine Revised Statutes, Title 7, section 3153-B.

Sec. 8. Transfer of funds; Department of Agriculture, Food and Rural Resources. Notwithstanding any other provision of law, on or before May 31, 2012, the State Controller shall transfer $30,000 from the Division of Plant Industry program, Other Special Revenue Funds account to the Milk Commission program, Maine Milk Pool, Other Special Revenue Funds account within the Department of Agriculture, Food and Rural Resources for the purpose of supporting the dairy stabilization program under the Maine Revised Statutes, Title 7, section 3153-B.

Sec. 9. Transfer of funds; Department of Conservation. Notwithstanding any other provision of law, on or before May 31, 2012, the State Controller shall transfer $80,000 from the Division of Forest Protection program, Other Special Revenue Funds account within the Department of Conservation to the Milk Commission program, Maine Milk Pool, Other Special Revenue Funds account within the Department of Agriculture, Food and Rural Resources for the purpose of supporting the dairy stabilization program under the Maine Revised Statutes, Title 7, section 3153-B.

Sec. 10. Transfer of funds; Department of Conservation. Notwithstanding any other provision of law, on or before May 31, 2012, the State Controller shall transfer $110,000 from the Office of the Commissioner program, Publications Revolving Fund, Other Special Revenue Funds account within the Department of Conservation to the Milk Commission program, Maine Milk Pool, Other Special Revenue Funds account within the Department of Agriculture, Food and Rural Resources for the purpose of supporting the dairy stabilization program under the Maine Revised Statutes, Title 7, section 3153-B.

Sec. 11. Transfer of funds; Department of Conservation. Notwithstanding any other provision of law, on or before May 31, 2012, the State Controller shall transfer $10,000 from the Office of the Commissioner program, Other Special Revenue Funds account within the Department of Conservation to the Milk Commission program, Maine Milk Pool, Other Special Revenue Funds account within the Department of Agriculture, Food and Rural Resources for the purpose of supporting the dairy stabilization program under the Maine Revised Statutes, Title 7, section 3153-B.

Sec. 12. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Milk Commission 0188

Initiative: Adjusts allocation as a result of updating the target prices used to make payouts through the dairy stabilization program under the Maine Revised Statutes, Title 7, section 3153-B.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	$0	$2,331,547
OTHER SPECIAL REVENUE FUNDS TOTAL	$0	$2,331,547

Sec. 13. Effective date. That section of this Act that repeals Public Law 2009, chapter 467, section 9 takes effect July 1, 2012.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved, except as otherwise indicated.