

HOUSE No. 955

By Mr. Blake of Gardner, petition of the Labor's Non-Partisan League of Massachusetts for an amendment of the law relating to milk control. Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-One.

AN ACT TO AMEND THE MASSACHUSETTS MILK CONTROL LAW.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section six of chapter three hundred
2 and seventy-six of the acts of nineteen hundred and
3 thirty-four is hereby amended by inserting between
4 the first and second sentences of paragraph (4) the
5 following sentence:—

6 All hearings held by the board shall be preceded
7 by at least fourteen days advance notice thereof to
8 interested parties of whom the board has notice, and
9 in addition to the public by advertisement in such
10 newspaper or newspapers as, in the judgement of the
11 board, will afford sufficient notice thereof.

1 SECTION 2. Section fifteen of chapter three hun-
2 dred and seventy-six of the acts of nineteen hundred

3 and thirty-four is hereby amended by striking out
4 paragraph (C) and inserting in place thereof the
5 following paragraph (C):—

6 If twenty-five per cent of the Massachusetts
7 producers within any market production zone, by
8 petition in writing, request the board to establish
9 minimum resale prices for milk for the market or
10 markets within such market production zone, and if,
11 in the judgment of the board, after making such ex-
12 amination and investigation as is authorized by this
13 act, the price to the producer established under
14 authority of this act or by any agreement, license,
15 regulation or order made or issued pursuant to any
16 federal law, cannot be maintained, the board may,
17 after a public hearing, request the governor to take,
18 if he so desires, the following action: The governor
19 may appoint, with the advice and consent of his
20 council, a special emergency commission of five
21 persons, citizens of the commonwealth, not more
22 than one of whom shall be a producer, as defined in
23 this act, and not more than one of whom shall be a
24 milk dealer, as defined in this act. Said commission
25 shall hold hearings, and shall have access to the full
26 records of all past hearings held by the board and all
27 other records of the board, and from a study of these
28 records and such other sources of information as it
29 desires to use and can legally obtain, shall report to
30 the governor within thirty-one days following the
31 date of its appointment, its findings as to whether
32 minimum resale prices should be fixed by law, and
33 if so, its schedule of approved spreads between the
34 minimum price to producers and the minimum whole-
35 sale and/or retail prices for milk of various classifica-
36 tions sold in various quantities and various containers

37 within the particular market or marketing area.
38 Upon the filing of its report to the governor, said
39 commission shall be dissolved without further notice.
40 The governor, with the advice and consent of his
41 council, may then empower the board to issue an
42 official order fixing resale prices according to the
43 aforementioned schedule. The board shall, during a
44 period of one year from the date on which this resale
45 price-fixing order was issued, alter, revise, or amend
46 the prices so fixed, in accordance with the schedule of
47 spreads approved by the emergency commission, in
48 the event of changes in the minimum prices to pro-
49 ducers, or it may rescind the price-fixing order. The
50 power of the board to fix resale prices shall expire at
51 the end of one year from the date of issuance of the
52 resale price-fixing order. The fixing of resale prices
53 beyond the period of one year will require a repetition
54 of the whole procedure established by this paragraph
55 (C), beginning with a new petition in writing from
56 twenty-five per cent of producers within the particular
57 market production zone, which may be presented to
58 the board at any time. Any prices fixed, altered,
59 revised or amended in accordance with the provision
60 of this paragraph shall be given publicity by the
61 board by advertising the same in the principal news-
62 papers, and otherwise, in the zone or zones affected.

