HOUSE DOCKET, NO. 911 FILED ON: 1/19/2011

HOUSE . . . . . No. 268

The Commonwealth of Massachusetts

PRESENTED BY:

William M. Straus

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to the milk producers' security fund reimbursement.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
William M. Straus	*10th Bristol*

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HOUSE . . . . . No. 268

By Mr. Straus of Mattapoisett, a petition (accompanied by bill, House, No. 268) of William M. Straus relative to the milk producers' security fund reimbursement. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

An Act relative to the milk producers' security fund reimbursement.

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

SECTION 1. Section 13B of Chapter 128 of the General Laws is hereby amended by deleting the second paragraph and inserting in place thereof the following:

"The commissioner shall administer the provisions of the previous paragraph from time to time as he determines to be in the best interests of the producers affected by this Section and Section 13A of the Chapter 128. The commissioner shall consider the quantity of milk covered by the fund and the current prices levels for milk. The commissioner shall provide 30 days' written notice of any suspension or reinstatement of payments into the fund to the house and senate committees on ways and means and to all dealers and producers affected."

SECTION 2. Chapter 128 of the General Laws is hereby amended by inserting after Section 13B , a new section, Section 13C as follows:

"Section 13C. All milk producers who paid into the Milk Producers Security Fund pursuant to Section 13B of Chapter 128 shall, after application approved by the commissioner of the Department of Agricultural Resources be reimbursed in an amount equal to the monies paid by the applicant into fund minus any funds distributed to said applicant plus a pro rata share of the interest earned by the fund according to Chapter 10, Section 48. The commissioner shall establish criteria for the approval of such applications that shall include but not be limited to whether the milk producer continues to producer milk, whether the milk producer as joined cooperative association as described in Section 13B, and other criteria the commissioner may deem relevant. Upon approval of said application, the commissioner shall certify and send notice to the treasurer that such amounts are due producers pursuant to Chapter 10, Section 48.

22 “The commissioner shall establish guidelines for the implementation of Sections 13A
23 through 13C, inclusive.”