

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 530

Session of  
1975

INTRODUCED BY KNEPPER, GEISLER, TADDONIO, ABRAHAM AND TRELLO,  
FEBRUARY 19, 1975

REFERRED TO COMMITTEE ON AGRICULTURE, FEBRUARY 19, 1975

AN ACT

1 Amending the act of April 28, 1937 (P.L.417, No.105), entitled,  
2 as amended, "An act relating to milk and the products  
3 thereof; creating a Milk Marketing Board; establishing its  
4 jurisdiction, powers and duties; regulating the production,  
5 transportation, manufacturing, processing, storage,  
6 distribution, delivery and sale of milk and certain products  
7 thereof; providing for the licensing of milk dealers and the  
8 payment of fees therefor; requiring milk dealers to file  
9 bonds to secure payment for milk to producers and certain  
10 milk dealers; authorizing the holding of hearings and the  
11 issuance of subpoenas by the board; conferring jurisdiction  
12 upon courts to punish contempts and to prohibit violations of  
13 this act and of rules, regulations and orders of the board;  
14 authorizing the board to adopt rules, regulations and orders,  
15 and to enter into interstate and Federal compacts; requiring  
16 persons who weigh, measure, sample or test milk to procure  
17 permits or certificates, to take examinations, to pay fees  
18 therefor, to furnish certain notices, records and statements,  
19 and to use certain methods of weighing, measuring, sampling  
20 and testing; authorizing the board to examine the business,  
21 papers and premises of milk dealers and producers, requiring  
22 the keeping of records and the filing of reports by milk  
23 dealers, and permitting, with limitations, the use of  
24 information obtained thereby; authorizing the board to fix  
25 prices for milk and certain milk products subject to the  
26 approval of the Governor, and conferring certain powers upon  
27 the Governor with respect thereto; providing for appeals to  
28 the courts from decisions of the board, and for the burden of  
29 proof upon such appeals; prescribing penalties, fines and  
30 imprisonment for violations of this act and rules,  
31 regulations and orders of the board; defining perjury;  
32 defining remedies; repealing legislation supplied and  
33 superseded by this act, and saving rights, duties and  
34 proceedings thereunder; and making appropriations,"

1 authorizing any school to purchase milk and milk products  
2 from the lowest responsible bidder.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Section 301, act of April 28, 1937 (P.L.417,  
6 No.105), known as the "Milk Marketing Law," amended July 31,  
7 1968 (P.L.963, No.294), is amended to read:

8 Section 301. Regulation of Milk Industry.--The board is  
9 hereby declared to be the instrumentality of the Commonwealth  
10 for the purpose of administering the provisions of this act and  
11 to execute the legislative intent herein expressed, and it is  
12 hereby vested with power to supervise, investigate and regulate  
13 the entire milk industry of this Commonwealth, including the  
14 production, transportation, disposal, manufacture, processing,  
15 storage, distribution, delivery, handling, bailment, brokerage,  
16 consignment, purchase and sale of milk and milk products in this  
17 Commonwealth, and including the establishment of reasonable  
18 trade practices, systems of production control and marketing  
19 area committees in connection therewith: Provided, however, That  
20 nothing contained in this act shall be construed to alter, amend  
21 or repeal any of the laws of this Commonwealth relating to the  
22 regulation of public utilities, or to the public health or to  
23 the prevention of fraud and deception, except as herein  
24 otherwise specifically provided: And provided further, That  
25 nothing in this act shall be construed to prohibit any school  
26 from purchasing milk or milk products from the lowest  
27 responsible bidder.

28 Section 2. This act shall take effect immediately.