

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1996 Session of
2014

INTRODUCED BY LAWRENCE, MAHER, AUMENT, BAKER, BENNINGHOFF,
CLYMER, COHEN, COX, CUTLER, DENLINGER, FEE, GILLEN, GINGRICH,
GREINER, C. HARRIS, HICKERNELL, LONGIETTI, LUCAS, MENTZER,
MILLARD, MOUL, MURT, O'NEILL, PARKER, PICKETT, ROCK, SWANGER,
TOOHIL, WATSON, WHITE AND YOUNGBLOOD, JUNE 18, 2014

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
JUNE 18, 2014

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,

1 regulations and orders of the board; defining perjury;
2 defining remedies; repealing legislation supplied and
3 superseded by this act, and saving rights, duties and
4 proceedings thereunder; and making appropriations," in prices
5 of milk, further providing for terms and method of payment.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 806 of the act of April 28, 1937
9 (P.L.417, No.105), known as the Milk Marketing Law, amended July
10 31, 1968 (P.L.963, No.294), is amended to read:

11 Section 806. Terms and Method of Payment.--(a) The board
12 may likewise fix, by official order, the terms upon which milk
13 dealers shall pay producers and others for milk, may prescribe
14 the method of computing payment therefor, and may prescribe a
15 form of written statement to be sent to producers with each
16 payment.

17 (b) Notwithstanding subsection (a), the board shall require
18 that a written statement to each producer with each payment for
19 milk include the specific amount of State-mandated premium
20 included in the payment for milk. The amount shall be separate
21 and distinct from and may not be substituted for or commingled
22 with any amount paid as a bonus or other premium. For the
23 purpose of this subsection, a State-mandated premium shall mean
24 any specific component of the minimum wholesale or retail price
25 established by the board and collected with the intention of
26 being paid to producers of milk that is produced, processed and
27 sold in this Commonwealth for any class of milk as determined by
28 the board.

29 Section 2. This act shall take effect in 60 days.