

1 S.89

2 Introduced by Senators Shumlin, Ashe, Ayer, Bartlett, Campbell, Choate,

3 Cummings, Flanagan, Giard, Hartwell, Kittell, Lyons,

4 MacDonald, McCormack, Starr and White

5 Referred to Committee on

6 Date:

7 Subject: Agriculture; commerce; milk pricing

8 Statement of purpose: This bill proposes to authorize the general assembly to
9 establish an equitable maximum retail price charged to consumers for milk
10 during calendar year 2009.

11 An act relating to a maximum retail price for milk

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. STATEMENT OF PURPOSE

14 Given that, with regard to total retail sales of milk in Vermont, each \$0.50
15 of retail markup from the wholesale price of a gallon of milk results in a cost to
16 consumers of approximately \$6 million, and given that milk is an essential
17 source of nutrition and an important component of the diet of Vermonters, the
18 general assembly determines that during this difficult economic period, it is in
19 the best interest of Vermonters, after public hearings and testimony, to
20 establish a maximum retail price charged to consumers for milk in Vermont.

1 Sec. 2. TRANSFER OF AUTHORITY TO ESTABLISH AN EQUITABLE
2 MAXIMUM MILK PRICE CHARGED TO CONSUMERS

3 (a) The general assembly shall have the primary authority, until January 1,
4 2010, to establish an equitable maximum retail price charged to consumers for
5 milk sold in Vermont. If the general assembly establishes an equitable
6 maximum retail price pursuant to this act, then the Vermont milk commission
7 shall have no authority to establish an equitable maximum retail price charged
8 to consumers under chapter 161 of Title 6 of the Vermont Statutes Annotated
9 until January 1, 2010.

10 (b) The maximum retail price charged to consumers for milk may be
11 expressed as a maximum dollar amount per volume of milk, as a maximum
12 percentage retail markup from the wholesale price paid by handlers, or as
13 otherwise determined by the general assembly to be in the best interest of
14 Vermonters. In establishing the maximum retail price, the general assembly
15 shall take into account the effect that geography, population, and sales volume
16 may have on consumer prices between and among retailers in Vermont, and
17 may establish one or more maximum price levels for different retailers based
18 on these and other factors.

19 (c) If the general assembly shall establish a maximum retail price charged
20 to consumers for milk, then beginning January 1, 2010, and every six months
21 thereafter, the Vermont milk commission shall adjust the equitable maximum

- 1 price in accordance with the provisions of chapter 161 of Title 6 of the
- 2 Vermont Statutes Annotated.