

# Bill as Introduced

HB 49 - AS INTRODUCED

2009 SESSION

09-0078  
08/10

HOUSE BILL

**49**

AN ACT

relative to stop and haul charges for milk.

SPONSORS:

Rep. Haefner, Hills 27; Rep. Sad, Ches 2; Rep. B. Williams, Graf 8

COMMITTEE:

Environment and Agriculture

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ANALYSIS

This bill eliminates the payment of stop and haul charges by the milk producer.

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Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through~~].

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Nine*

AN ACT relative to stop and haul charges for milk.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 New Section; Hauling and Stop Charges. Amend RSA 184 by inserting after section 111 the  
2 following new section:

3 184:112 Hauling and Stop Charges.

4 I. "Hauling and stop charges of milk" means those costs incurred in the process of picking up  
5 the milk from the milk producer and hauling or delivering the milk from the milk producer to the  
6 milk processor.

7 II. Hauling and stop charges of milk loaded at the farm shall not be charged back to the  
8 selling milk producer. No additional charges shall be made and no costs may be shifted from other  
9 benefits the farmer receives to contravene the purpose of this section. No funds shall be transferred  
10 away from the milk producer in paid producer differentials or any premiums the farmer would  
11 receive, but for this section.

12 III. The commissioner may adopt rules, pursuant to RSA 541-A, relative to implementing  
13 the cessation of hauling and stop charges to the milk producer.

14 2 Implementation. RSA 184:112 as inserted by this act shall not be implemental until the  
15 commissioner of the department of agriculture, markets, and food determines that the state of  
16 New York and Vermont have enacted similar legislation and certifies such enactments to the  
17 secretary of state and the director of the office of legislative services.

18 3 New Subdivision Heading. Amend RSA 184 by inserting after section 110 the following new  
19 subdivision heading:

20 General Dairy Provisions

21 4 Effective Date. This act shall take effect upon its passage.

# Speakers



# Hearing Minutes

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

PUBLIC HEARING ON HB 49

**BILL TITLE:** relative to stop and haul charges for milk.

**DATE:** January 29, 2009

**LOB ROOM:** 308      **Time Public Hearing Called to Order:** 11:30 a.m.

**Time Adjourned:** 12:20 p.m.

(please circle if present)

**Committee Members:** Reps. Sad, Beaulieu, Owen, P. Allen, Webb, Beauchamp, Lindsey, Poznanski, S. Smith, Wiley, Haefner, Messier, B. Williams, Knox, Gandia, Groen, Palmer and Tucker.

**Bill Sponsors:** Rep. Haefner, Hills 27; Rep. Sad, Ches 2; Rep. B. Williams, Graf 8

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

**Rep. Bob Haefner** – prime sponsor of bill – supports bill. This bill passed the house last year and failed the Senate. The change this year is that this bill will not go into effect until VT and NY enact similar legislation. VT has passed legislation but it is contingent on NY and one other state passing similar legislation. If NH passes it, VT's bill will take effect.

**Lorraine Merrill** – Commissioner of Dept. of Agriculture, Markets & Food – Leaning towards support but offers cautions. Stop and haul charges have increased and remain very high. Farm milk prices are declining.

**Bob Sculley**, President of NH Motor Transport Asso. (lobbyist). Opposes the bill – represents the milk haulers.

**Jeff Holmes** – President NH Farm Bureau & dairy farmer – Supports bill. Farmers cannot pass along higher charges as other businesses, contractors can.

**Gary Latta** – Northeast Dairy Foods Association, Inc – trade organization. Opposes the bill. Written testimony submitted during prior hearing.

**Sheldon Sawyer** – Dairy farmer (500 cows) and former rep. – Supports the bill. Milk prices have dropped again. Farming difficult financially and although he is doing fine, every time costs rise and cost of milk drops, the infrastructure weakens.

**Jay Phinzy – former rep.** – Supports the bill. Working towards passing these costs on to consumer so farmer not absorbing these costs. Dept of Agriculture has research info on variations on milk costs/prices. Good information and we should research. Dairy farms bring revenue to towns and counties.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Suzanne J. Smith". The signature is written in a cursive style with a large, sweeping initial "S".

Rep. Suzanne J. Smith  
Clerk



HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

PUBLIC HEARING ON HB 49

**BILL TITLE:** relative to stop and haul charges for milk.

**DATE:** January 29, 2009

**LOB ROOM:** 308

**Time Public Hearing Called to Order:** ~~10:30~~ a.m. 11:30

**Time Adjourned:** 12:20

(please circle if present)

**Committee Members:** Reps. Sad, Beaulieu, Owen, R. Allen, Webb, Beauchamp, Lindsey, Poznanski, S. Smith, Wiley, Haefner, Messier, B. Williams, Knox, Gandia, Groen, Palmer and Tucker.

**Bill Sponsors:** Rep. Haefner, Hills 27; Rep. Sad, Ches 2; Rep. B. Williams, Graf 8

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

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# Sub-Committee Actions

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

SUBCOMMITTEE WORK SESSION ON HB 49

**BILL TITLE:** relative to stop and haul charges for milk.

**DATE:** February 3, 2009

**Subcommittee Members:** Reps. Haefner, Gandia, Palmer, Lindsay, Wiley, and Smith.

**Comments and Recommendations:** Please see attached notes.

**Amendments:**

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Smith

Seconded by Rep. Wiley

Vote: 4-2

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Bob Haefner  
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

SUBCOMMITTEE WORK SESSION ON HB 49

BILL TITLE: relative to stop and haul charges for milk.

DATE: ~~#~~ 2/3/09

Subcommittee Members: Reps.

~~Atkins, Gandia, Palmer, Lindsey, Wiley~~  
Smith

Comments and Recommendations:

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions:

OTP,  OTP/A,  ITL,  Retained (Please circle one.)

Moved by Rep. Smith

Seconded by Rep. Wiley

Vote: 4 - 2 pass

Motions:

OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

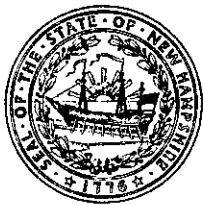
Seconded by Rep.

Vote:

Respectfully submitted,

Rep.  
Subcommittee Chairman/Clerk

*Suzanne Smith*



# State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD

## Stop & Haul Charges Milk

VT. + NY. + NH. working together  
on this.

VT passed = stop & haul  
absorbed by processor (or they  
can pass it on)

NY → subcommittee on this issue  
~~is~~

This yr's bill tied to NY + VT  
if other 2 states less likelihood  
of small farm milk not  
getting picked up.

### Agmark

Maine - 15 largest producers  
are negotiating this.

Jeff  
Holmes? 110 ~~cow~~ cows

~~\$~~ \$16,000

pd by farmers

⊙ far fewer small farms

MASS -

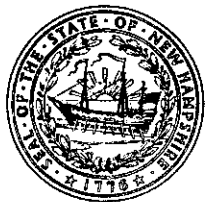
CT - watching 3 No. States

Senate failed this bill  
last yr because ~~sen~~  
processors said they  
won't pick up milk.

$\frac{2}{3}$  of farmers in NH  
belong to Agrimark

Agrimark also in  
VT & NY

Freemarket  
govt in between?



# State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD

H. P. Hood concern sm.  
farmers won't get picked  
up w/ thro Bill.

Study Dept Ag NY

Who sets prices on milk  
thro is there negotiating  
on stop & haul of  
chgo.  
now?

---

OT P

yes ||||  
no ||

smith motio  
Wiley 2nd

ITL

yes  
no



HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

SUBCOMMITTEE WORK SESSION ON HB 49

**BILL TITLE:** relative to stop and haul charges for milk.

**DATE:** November 10, 2009

**Subcommittee Members:** Reps. Haefner, Gandia, Palmer, Lindsay, Wiley, Tucker, Green and Smith

**Comments and Recommendations:**

**Amendments:**

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.) INTERIM STUDY

Moved by Rep. Smith

Seconded by Rep. Wiley

Vote: 7-0

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Suzanne Smith  
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

SUBCOMMITTEE WORK SESSION ON HB 49

**BILL TITLE:** relative to stop and haul charges for milk.

**DATE:** November 10, 2009

**Subcommittee Members:** Reps. ~~Haefner~~, ~~Gandia~~, ~~Palmer~~, Lindsay, Wiley and Smith

*Tucker Green*

**Comments and Recommendations:**

**Amendments:**

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

*Interim Study*

Moved by Rep.

*Smith*

Seconded by Rep.

*Wiley*

Vote:

*7-0*

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep.  
Subcommittee Chairman/Clerk

*Suzanne Smith*

# Sub-Committee Minutes

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

SUBCOMMITTEE WORK SESSION ON HB 49

**BILL TITLE:** relative to stop and haul charges for milk.

**DATE:** June 2, 2009

**Subcommittee Members:** Reps. Haefner, Gandia, Palmer, Lindsay, Wiley, Smith, Owen, and Groen

**Comments and Recommendations:** Postpone action on these bills.

**Amendments:**

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,  
Rep. Suzanne Smith  
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

SUBCOMMITTEE WORK SESSION ON HB 49

**BILL TITLE:** relative to stop and haul charges for milk.

**DATE:** June 2, 2009

**Subcommittee Members:** Reps. Haefner, Gandia, Palmer, Lindsay, Wiley, and Smith

Owen  
Groen

**Comments and Recommendations:**

postpone action on these bills

**Amendments:**

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.  
Seconded by Rep.  
Vote:

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.  
Seconded by Rep.  
Vote:

Respectfully submitted,

Rep.  
Subcommittee Chairman/Clerk

*S Smith*

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

SUBCOMMITTEE WORK SESSION ON HB 49

**BILL TITLE:** relative to stop and haul charges for milk.

**DATE:** October 12, 2010

**Subcommittee Members:** Reps. Sad, Beaulieu, Owen, Allen, Webb, Beauchamp, Lindsey, Poznanski, Smith, Wiley, Haefner, Messier, Williams, Knox, Gandia, Groen, Palmer, and Tucker

**Comments and Recommendations:** Please see attached notes.

**Amendments:**

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

**Motions:** Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

**Motions:** Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Tara Sad  
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

SUBCOMMITTEE WORK SESSION ON HB 49

**BILL TITLE:** relative to stop and haul charges for milk.

**DATE:** October 12, 2010

**Subcommittee Members:** Reps. Sad, Beaulieu, Owen, Allen, Webb, Beauchamp, Lindsey, Pozzanski, Smith, Wiley, Haefner, Messier, Williams, Knox, Gandia, Groen, Palmer, and Tucker

**Comments and Recommendations:** *See attached.*

**Amendments:**

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

**Motions:** Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

**Motions:** Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Suzanne Smith  
Subcommittee Chairman/Clerk

Notes from 10/12/10 Meeting  
On HB 49 Interim Study

Present: Acting Chair Leigh Webb, Reps. Tara Sad, Bob Haefner, Derek Owen, Steve Palmer, Peter Allen and Warren Groen

Rep. Haefner was the prime sponsor of this bill regarding Stop & Hauling charges to dairy farmers. He recommends that we take no further action on this bill, and will move on 10/19 'Not Recommended for Future Legislation'. He stated that there is no consensus among the dairy farmers or the Department of Agriculture, Markets & Food on this issue. Vermont has passed theirs, but are relying on New York and one other NE state passing it as well. They did have a drop dead date of June 30, but they repealed it. NY is going to let their bill die with the election, but they will be introducing a stand-alone Ownership bill in January.

Rep. Groen noted that there will be a challenge to the VT law. There is another point – 90% of the milk in New Hampshire goes to co-ops. This bill would affect only 10% of the market.

Rep. Haefner said that NY's Sen. Aubertine will deal with that issue of co-op ownership by saying that when it leaves the farm's tank and goes into the truck, ownership transfers to the processor. Rep. Groen said that that would invite more lawsuits.

Rep. Sad brought up the possibility of future legislation that would make processors tell the producers how much they will be charged per mile. This was discussed.

Rep. Haefner noted that there is federal legislation to stop Stop & Haul charges. This has been stuck in committee.

Rep. Groen noted that this is once again government inserting itself into private business. Government should have no part in this transaction. Rep. Haefner noted that government has been inserted in the dairy industry for over 80 years.

The meeting was adjourned at 1:20 pm

Respectfully submitted.

Rep. Tara Sad, Acting Clerk



# Testimony



Mailing P.O. Box 5800  
Address: Lawrence, MA 01842  
978-689-4442

Environment and Agriculture Committee  
New Hampshire House of Representatives  
Legislative Office Building  
Concord, NH 03301

March 17, 2009

Dear Environment and Agriculture Committee Members,

Agri-Mark Dairy Cooperative markets the milk of the majority of dairy farmers in New Hampshire and we do our best to represent their interests in state legislatures and Congress. We have worked closely to get such programs enacted as the Northeast Dairy Compact, Federal Milk Income Loss Contract (MILC) program, and direct state payments two years ago. We fully recognize the severe financial hardship currently facing New Hampshire and all dairy farmers and are working nationally to increase farm milk revenue since state budgets are so stressed. However we are also very concerned regarding bills HB83 (ownership of milk) and HB 49 (hauling charges for milk).

While we believe that the sponsors of both bills mean well for New Hampshire dairy farmers, those bills will have unintended consequences that will hurt dairy farmers' ability to ship their milk and find willing buyers for it. Therefore Agri-Mark must oppose both bills but would be please to work with the Committee on any endeavors to enhance dairy farmer revenue in these trying times.

Milk is different from most agricultural commodities in that it is produced every day and is extremely perishable. It must be shipped to a plant willing to purchase the milk within 48 hours. Dairy farmers make as much or as little milk as they want and the buyer traditional agrees to receive whatever volume is produced. The average dairy farm produces about 400 gallons of milk per day or about 800 gallons every other day. A typical milk truck has a capacity for more than 4,000 gallons and therefore it takes the milk from at least five or so dairy farms to fill the average tanker.

Most dairy plants do not operate seven days a week and they often take differing amounts of milk to meet daily, weekly or seasonal demand. For example, fluid milk plants often need the most loads of milk on Wednesday and Thursday when they are packaging milk for weekend shopping by consumers and then the plant is often closed on Sunday. Those same plants need less milk when schools go on summer vacation in June but their needs expand in September. Farm milk rarely goes to the same plant every day all year long.

The current milk transportation system in NH and throughout the country is very complicated and has developed overtime to accommodate all the issues involved with moving milk. It would cause significant problems if the arrangements were altered by the state under HB83 and HB49 and could result in the state having to step in and purchase the milk itself if farmers could not find a buyer.

### HB83: An Act Relative to the Ownership of Milk

Most NH milk is picked up by cooperatives like Agri-Mark and delivered to dairy plants in New England. Plants do not want to own the milk until it is delivered and pumped into their silos. Before they even take possession, the tanker load must be tested for antibiotics and other factors. If the load has antibiotics due to an error on the part of one of the farms on the load, that milk is rejected and must be disposed of at the expense of the erring farmer.

Milk plants have only been involved with farm to plant hauling due to the nature of milk itself. Milk is produced regularly and highly perishable so coordinating regular pickup is crucial to the plant as well as the farm. It usually takes five or more farms to fill one tanker. An average farmer who shipped his own milk alone would have huge costs per cwt. since the truck would only be partially full. Farmers would also have to find a buyer for their milk on days when their regular plant did not want the milk.

Plants got involved in coordinating hauling because it benefited them and dairy farmers. If those plants had to now pay for that process, it would be far easier for them to withdraw and take ownership at their plant. If the plant has nothing to do with the hauling of the milk, it would likely be impossible for the state to mandate that the receiving plant owned the milk at some previous time from when they received it. Even if the state could, those plants could buy milk from producers in other states and avoid the problem. There is also no provision in HB83 that delays enactment until other states have done so, therefore NH farmers will certainly be at a competitive disadvantage.

### HB49: An Act Relative to the Stop and Hauling Charges for Milk

Dairy farmers around the country usually pay for the costs of hauling their milk to its buyer in much the same way that most commodity sellers do. Even a company like Cabot Cheese, which is owned by Agri-Mark members, can not expect its customers to seek it out and show up at its front door looking to buy its products. Some companies may subsidize farmer hauling costs to attract the milk in the same way that offering higher prices do, but that is the exception in most areas. USDA does establish higher minimum farm pay prices for milk that is delivered to plants closer to metropolitan areas so dairy farmers are already compensated for part of the long distance hauling costs.

Farm milk prices have fallen because of national and international economic conditions that have reduced the demand for U.S. dairy products. Buyers of milk also have less revenue under current conditions. If the cost of New Hampshire milk were to rise because of the transfer of hauling costs, the first thing they would do is seek out alternative milk supplies. Requiring that New York and Vermont pass similar legislation before the New Hampshire bill becomes effective addresses part of that problem, but not all of it. Milk would still be available from other states and companies would also have

the option of re-locating their plants to other areas of the country with cheaper milk supplies. Many Northeast plants have closed in recently years even without the added disincentive of paying farmer milk hauling costs.

New Hampshire has an excellent work force yet its citizens, like me, had to pay more for commuting as gas, tolls and other costs have risen. What would happen if the state mandated that from now on, employers would have to pay the costs (including employee time) of bringing all employees who lived in New Hampshire to and from their home to their place of work. Would this be a great idea that benefited New Hampshire workers or might employers seek to hire less costly workers from other states. Even if nearby states had similar requirements, would not many businesses look to relocate to more distant states without that onerous cost of doing business? In addition, who would want an individual employee who had chosen to live in the beautiful countryside above Concord and commute to Boston or southern New Hampshire (just like who would want the small, distant hilltop dairy farm if it cost the buyer more money to transport its milk). This well intended employment action would certainly have severe unintended economic consequences if it were ever enacted.

Transferring hauling costs to milk buyers is fundamentally the same as raising their business costs of milk as well as raising the net revenue of dairy farmers. While doing the latter is important, the state could accomplish the same benefit for farmers without the unintended consequences by making direct state payments to farmers as it did in 2007 (and the neighboring states of Maine and Massachusetts still do today).

We do appreciate all the concern and good intentions of New Hampshire legislators but passing HB83 and/or HB49 would not be good for the New Hampshire dairy industry and would ultimately do it harm. We therefore respectfully ask the Committee NOT to pass HB83 and HB49.

Sincerely,

*Robert D. Wellington*

Robert D. Wellington  
Sr. Vice President and Economist  
Agri-Mark Dairy Cooperative

# Voting Sheets

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

EXECUTIVE SESSION on HB 49

**BILL TITLE:** relative to stop and haul charges for milk.

**DATE:** March 18, 2009

**LOB ROOM:** 308

**Amendments:**

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.) **RETAIN**

Moved by Rep. Haefner

Seconded by Rep. Mears

Vote: 16-0 (Please attach record of roll call vote.)

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

**CONSENT CALENDAR VOTE:**

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. Suzanne J. Smith, Clerk

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

EXECUTIVE SESSION on HB 49

**BILL TITLE:** relative to stop and haul charges for milk.

**DATE:**

**LOB ROOM:** 308

**Amendments:**

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.) *Retain*

Moved by Rep. *Haftm*

Seconded by Rep. *Mern*

Vote: *160* (Please attach record of roll call vote.)

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

**CONSENT CALENDAR VOTE:**

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. Suzanne J. Smith, Clerk

ENVIRONMENT AND AGRICULTURE

Bill #: 49 Title: stop & haul charges for Milk  
 PH Date: 1, 29, 09 Exec Session Date: 3, 19, 09

Motion: Retain Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
Sad, Tara A, Chairman	✓	
Beaulieu, Jane E, V Chairman	✓	
Owen, Derek	✓	
Allen, Peter H	✓	
Webb, Leigh A	✓	
Bauchamp, Roger R	✓	
Lindsey, Steven W		
Poznanski, Brian D	✓	
Smith, Suzanne J, Clerk		
Wiley, Susan E	✓	
Haefner, Robert H	✓	
Messier, Irene M	✓	
Williams, Burton W	✓	
Knox, J. David	✓	
Gandia, Laura J	✓	
Groen, Warren J	✓	
Palmer, Stephen J	✓	
Tucker, Pamela Z	✓	
TOTAL VOTE:	16	0



**HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE**

**EXECUTIVE SESSION on HB 49**

**BILL TITLE:** relative to stop and haul charges for milk.

**DATE:** November 17, 2009

**LOB ROOM:** 307

**Amendments:**

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Haefner

Seconded by Rep. Messier

Vote: 16-0 (Please attach record of roll call vote.)

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

**CONSENT CALENDAR VOTE: 16-0**

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. Suzanne J. Smith, Clerk

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

EXECUTIVE SESSION on HB 49

**BILL TITLE:** relative to stop and haul charges for milk.

**DATE:** November 17, 2009

**LOB ROOM:** 307

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *Haefner*

Seconded by Rep. *Messier*

Vote: *16-0* (Please attach record of roll call vote.) *UNANIMOUS*

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.) *Consent*

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)  
*unanimous*

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Suzanne J. Smith, Clerk



ENVIRONMENT AND AGRICULTURE

Bill #: HB 49 Title: Stop + Haul Charges for MILK

PH Date: 1, 29, 2009

Exec Session Date: 11, 17, 09

Motion: interim study

Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
Sad, Tara A, Chairman	✓	
Beaulieu, Jane E, V Chairman	✓	
Owen, Derek	✓	
Allen, Peter H	✓	
Webb, Leigh A	✓	
Beauchamp, Roger R	✓	
Lindsey, Steven W	✓	
Poznanski, Brian D	✓	
Smith, Suzanne J, Clerk	✓	
Wiley, Susan E	✓	
Haefner, Robert H	✓	
Messier, Irene M	✓	
Williams, Burton W	✓	
Knox, J. David	✓	
Gandia, Laura J	✓	
Groen, Warren J	✓	
Palmer, Stephen J	✓	
Tucker, Pamela Z	✓	
TOTAL VOTE:	16	0

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

INTERIM STUDY

EXECUTIVE SESSION on HB 49

**BILL TITLE:** relative to stop and haul charges for milk.

**DATE:** October 19, 2010

**LOB ROOM:** 308

**RECOMMENDED FOR FUTURE LEGISLATION**

LSR No. \_\_\_\_\_  
(If legislation is already filed, list LSR No.)

**NOT RECOMMENDED FOR FUTURE LEGISLATION**

Moved by Rep. Haefner

Seconded by Rep. Webb

Vote: 13-0 (Please attach record of roll call vote.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. Suzanne Smith, Clerk

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

INTERIM STUDY

EXECUTIVE SESSION on HB 49

**BILL TITLE:** relative to stop and haul charges for milk.

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RECOMMENDED FOR FUTURE LEGISLATION

LSR No. \_\_\_\_\_  
(If legislation is already filed, list LSR No.)

NOT RECOMMENDED FOR FUTURE LEGISLATION

Moved by Rep. *Hartner*

Seconded by Rep. *Webb*

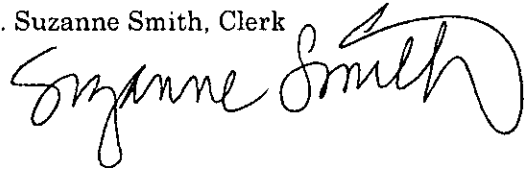
Vote: (Please attach record of roll call vote.)

13-0

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Suzanne Smith, Clerk



ENVIRONMENT AND AGRICULTURE

Bill #: HB 49 Title: Stop + haul charges  
 PH Date: 1, 29, 09 Exec Session Date: 10, 19, 10

Motion: \_\_\_\_\_ Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
Sad, Tara A, Chairman	✓	
Beaulieu, Jane E, V Chairman	✓	
Owen, Derek	✓	
Allen, Peter H	✓	
Webb, Leigh A	✓	
Beauchamp, Roger R	—	
Lindsey, Steven W	✓	
Poznanski, Brian D	—	
Smith, Suzanne J, Clerk	✓	
Wiley, Susan E	✓	
Haefner, Robert H	✓	
Messier, Irene M	—	
Williams, Burton W	—	
Knox, J. David	✓	
Gandia, Laura J	✓	
Groen, Warren J	✓	
Palmer, Stephen J	✓	
Tucker, Pamela Z	—	
TOTAL VOTE:	13	0

# Committee Report

**CONSENT CALENDAR**

**November 19, 2009**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on ENVIRONMENT AND  
AGRICULTURE to which was referred HB49,**

**AN ACT relative to stop and haul charges for milk.**

**Having considered the same, report the same with the  
recommendation that the bill be REFERRED FOR  
INTERIM STUDY.**

**Rep. Robert H Haefner**

**FOR THE COMMITTEE**



## COMMITTEE REPORT

Committee:	<b>ENVIRONMENT AND AGRICULTURE</b>
Bill Number:	<b>HB49</b>
Title:	<b>relative to stop and haul charges for milk.</b>
Date:	<b>November 19, 2009</b>
Consent Calendar:	<b>YES</b>
Recommendation:	<b>REFER TO COMMITTEE FOR INTERIM STUDY</b>

### STATEMENT OF INTENT

We recommend holding the bill for further study. The dairy farmers of New Hampshire are split on whether or not to support the stop and hauling bill. The Farm Bureau gives lukewarm support and the Department of Agriculture does not make a recommendation. The Cooperatives are in opposition. It is clear that the bill needs to be more thoroughly vetted. We do not want ITL because two other states have bills doing the same thing and implementation of theirs is dependant on New Hampshire passing this bill. We will really study and take testimony before making our final recommendation.

Vote 16-0.

Rep. Robert H Haefner  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

### ENVIRONMENT AND AGRICULTURE

**HB49**, relative to stop and haul charges for milk. **REFER TO COMMITTEE FOR INTERIM STUDY.**

Rep. Robert H Haefner for ENVIRONMENT AND AGRICULTURE. We recommend holding the bill for further study. The dairy farmers of New Hampshire are split on whether or not to support the stop and hauling bill. The Farm Bureau gives lukewarm support and the Department of Agriculture does not make a recommendation. The Cooperatives are in opposition. It is clear that the bill needs to be more thoroughly vetted. We do not want I'TL because two other states have bills doing the same thing and implementation of theirs is dependant on New Hampshire passing this bill. We will really study and take testimony before making our final recommendation. **Vote 16-0.**

Original: House Clerk

Cc: Committee Bill File

HB 49

INTERIM STUDY

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Bob Haefner

A handwritten signature in black ink, appearing to read "Bob Haefner", with a large, stylized flourish above the name.

HB 49

INTERIM STUDY

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Bob Haefner

A handwritten signature in black ink, appearing to read "Bob Haefner", with a stylized flourish at the end.

HB 49 Stop and Hauling Charges  
Committee Recommends Interim Study 17 - 0  
Bob Haefner for the Majority

We recommend holding the bill for further study. The dairy farmers of NH are split on whether or not to support the stop and hauling bill. The Farm Bureau gives lukewarm support and the Department of Agriculture does not make a recommendation. The Cooperatives are in opposition. It is clear that the bill needs to be more thoroughly vetted <sup>So</sup> ~~the~~ ~~bill~~. We do not want to ITL because two other states have bills doing the same thing and have implementation of theirs dependant on NH passing this bill. We will really study and take testimony before making our final recommendation.

INTERIM STUDY  
COMMITTEE REPORT.

COMMITTEE: Environment + Agriculture

BILL NUMBER: HB 49

TITLE: \_\_\_\_\_

DATE: 10/19/10

RECOMMENDED FOR FUTURE LEGISLATION

LSR No. \_\_\_\_\_

(If legislation is already  
filed, please list LSR no.)

NOT RECOMMENDED FOR FUTURE LEGISLATION

STATEMENT OF INTENT: (May be handwritten)

\_\_\_\_\_  
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COMMITTEE VOTE: 13-0 (Attach Committee Voting Sheet)

Rep. Bob Hafner  
For the Committee

Report of the Interim Study Committee for the Committee on Environment and Agriculture

HB 48 Stop and Haul

Bob Haefner for the Majority

The Majority of the Committee recommends that no further legislation for Stop and Haul charges for the 2011 session be introduced.

The NH Farm Bureau voted to support Stop and Haul, but the support was <sup>tepid</sup> ~~tipid~~ at best, as some Farm Bureau members supported the bill and a significant minority opposed. The NH Dept of ~~Ag~~ <sup>Agriculture, Markets & Food</sup> did not take an official position but were concerned about the ramifications of its passage. Several <sup>Dairy</sup> Farmers from NH testified ~~and~~ <sup>in</sup> some favored and others opposed.

Vermont has passed such a bill, but implementation is contingent on NY and one other state passing the same bill. New York has had the bill in the Senate Ag Committee and is letting it die there. NY had the votes in the Senate to pass Stop and Haul <sup>but</sup> ~~while~~ they did not have the votes in the House for the same reasons we heard.

Some members of our study committee were concerned for the small dairy farmers in out of the way locations, while other members of the committee were concerned about Government getting involved in a transaction between two private sector entities.

