

HOUSE JOINT RESOLUTION NO. 5

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES LYNN, Berkowitz, Gatto

Introduced: 1/10/05

Referred: Resources, Labor and Commerce

A RESOLUTION

1 **Opposing imposition of a milk tax on Alaskans.**

2 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 **WHEREAS** Alaska residents consume more milk, cheese, butter, yogurt, and other
4 dairy products than Alaska dairy farmers are able to produce, making Alaska a "milk-deficit"
5 state; and

6 **WHEREAS**, because of their milk-deficit status, the United States Congress wisely
7 excluded Alaska, Hawaii, and Puerto Rico from the mandatory dairy promotion assessment or
8 "milk tax" of the Dairy Production Stabilization Act of 1983; and

9 **WHEREAS** this exemption was maintained in the Farm Security and Rural
10 Investment Act of 2002; and

11 **WHEREAS** the National Milk Producers Federation and other dairy interests in the
12 lower 48 states want to extend the milk tax to Alaska dairy farmers; and

13 **WHEREAS** the milk tax would require Alaska dairy farmers to pay into the national
14 dairy promotion program that presently benefits only the lower 48 states and does nothing to
15 help Alaska dairy farmers or consumers; and

16 **WHEREAS** Alaska dairy farmers and consumers cannot benefit from the various

1 dairy promotion, advertising, and research programs funded by the milk tax imposed on milk
2 marketed by dairy farmers in the lower 48 states; and

3 **WHEREAS** the mandatory dairy promotion assessment would constitute an onerous,
4 costly, and unacceptable new milk tax on all Alaskans, including dairy farmers, consumers,
5 school children, day care centers, residents of rural Alaska, Alaska Natives, small businesses,
6 and others who would be forced to pay more for milk and dairy products that already are
7 among the most expensive in the nation; and

8 **WHEREAS** the federal court of appeals, in Cochran v. Veneman, 359 F.3d 263 (3d
9 Cir. 2004), recently held that the Dairy Production Stabilization Act of 1983 violated the first
10 amendment free speech and associational rights of two independent dairy farmers by
11 compelling them to subsidize private speech with which they disagree;

12 **BE IT RESOLVED** that the Alaska State Legislature strongly condemns and
13 resolutely opposes imposition of the milk tax on Alaskans.

14 **COPIES** of this resolution shall be sent to the Honorable George W. Bush, President
15 of the United States; the Honorable Richard B. Cheney, Vice-President of the United States
16 and President of the U.S. Senate; the Honorable Ann M. Veneman, United States Secretary of
17 Agriculture; the Honorable Ted Stevens and the Honorable Lisa Murkowski, U.S. Senators,
18 and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in
19 Congress.