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An Act To Adjust the Milk Handling Fee

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, revenue from the milk handling fee to the General Fund varies widely when the price of milk experiences extreme fluctuations; and

Whereas, establishing a minimum and maximum handling fee may increase the accuracy of revenue projections; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 36 MRSA §4902, sub-§2-A, as enacted by PL 2007, c. 240, Pt. PPP, §3 and c. 269, §3, is amended to read:

2-A. Rate. The rate of the fee levied under this chapter is established for each fee period on the basis of the basic price of milk in effect on the Sunday following the first Sunday of the fee period in accordance with this subsection:

- A. If the basic price is ~~\$24.00~~\$21.00 per hundredweight and above, the rate of the milk handling fee is ~~0¢~~4¢ per gallon;
- B. If the basic price is ~~\$23.00 to \$23.99~~ per hundredweight, the rate of the milk handling fee is ~~2¢~~ per gallon;
- C. If the basic price is ~~\$22.00 to \$22.99~~ per hundredweight, the rate of the milk handling fee is ~~4¢~~ per gallon;
- D. If the basic price is ~~\$21.00 to \$21.99~~ per hundredweight, the rate of the milk handling fee is ~~6¢~~ per gallon;
- E. If the basic price is ~~\$20.00 to \$20.99~~ per hundredweight, the rate of the milk handling fee is ~~8¢~~ per gallon;
- F. If the basic price is ~~\$19.00~~\$19.50 to \$19.99 per hundredweight, the rate of the milk handling fee is ~~10¢~~12¢ per gallon;
- G. If the basic price is ~~\$18.00 to \$18.99~~ per hundredweight, the rate of the milk handling fee is ~~12¢~~ per gallon;

H. If the basic price is ~~\$17.50~~\$19.00 to ~~\$17.99~~\$19.49 per hundredweight, the rate of the milk handling fee is 16¢ per gallon;

I. If the basic price is ~~\$17.00~~\$18.50 to ~~\$17.49~~\$18.99 per hundredweight, the rate of the milk handling fee is 20¢ per gallon;

J. If the basic price is ~~\$16.50~~\$18.00 to ~~\$16.99~~\$18.49 per hundredweight, the rate of the milk handling fee is 24¢ per gallon;

K. If the basic price is ~~\$16.00~~\$17.50 to ~~\$16.49~~\$17.99 per hundredweight, the rate of the milk handling fee is 28¢ per gallon;

L. If the basic price is ~~\$15.50~~\$17.00 to ~~\$15.99~~\$17.49 per hundredweight, the rate of the milk handling fee is 32¢ per gallon; and

M. If the basic price is ~~\$15.00~~\$16.50 to ~~\$15.49~~\$16.99 per hundredweight, the rate of the milk handling fee is 36¢ per gallon.

If the basic price falls below ~~\$15.00~~\$16.50 per hundredweight, for each 50¢ decrease in the basic price, the rate of the milk handling fee increases by ~~6¢~~4¢ per gallon until the handling fee reaches a maximum of 84¢ per gallon.

For any container other than a gallon, the fee is computed on a gallon-equivalent basis.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective 90 days following adjournment of the 124th
Legislature, Second Regular Session, unless otherwise indicated.