

1 2 3	(New Draft of H.P. 1492, L.D. 2103) SECOND REGULAR SESSION
4 5	ONE HUNDRED AND TWELFTH LEGISLATURE
6 7	Legislative Document No. 2349
8 9 10	H.P. 1668 Reported by the Report C from the Committee on Business and Commerce and printed under Joint Rule 2. Original bill submitted by the Joint Standing Committee on Business and Commerce as approved by the Legislative Council on June 18, 1985.
11	EDWIN H. PERT, Clerk
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13 14	STATE OF MAINE
15 16 17	IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-SIX
18 19 20 21	AN ACT Relating to Handling Fees and Unredeemed Deposits in the Returnable Container Law.
22 23	Be it enacted by the People of the State of Maine as follows:
24 25	<pre>Sec. 1. 32 MRSA §1866, sub-§4, as amended by PL 1979, c. 735, is further amended to read:</pre>
26 27 28 29 30 31 32	4. <u>Reimbursement by distributor</u> . In addition to the payment of the refund value, the distributor shall reimburse the dealer or local redemption center for the cost of handling beverage containers, in an amount which equals at least $2e 2 \frac{1}{4}c$ per returned container or an amount set by the commissioner pursu- ant to section 1872.
33	Sec. 2. 32 MRSA §1872 is enacted to read:
34	§1872. Increases or decreases in handling fee; rules

1 2 3 4 5 6 7	The commissioner shall determine increases or de- creases in the handling fee by adopting rules pursu- ant to the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II. The rules shall be based upon evidence presented at the hearing and upon reports from dealers and local redemption centers as the commissioner may require.
8 9 10 11 12 13	The commissioner shall call a hearing whenever application of the consumer price index, beginning in 1985 with 2¢, would cause the handling fee to in- crease or decrease by $1/4$ ¢. In determining the in- crease or decrease, the commissioner shall consider the following:
14 15	A. Portions of the consumer price index which relate to costs of handling bottles;
16	B. Increases or decreases in the minimum wage;
17	C. Increased costs to consumers; and
18	D. Effects on business within the State.
19	STATEMENT OF FACT

20 This new draft provides specific criteria which 21 the Commissioner of Agriculture, Food and Rural Re-22 sources must consider in determining the handling 23 The provision in the bill relating to unrefee. 24 deemed deposits has been eliminated. The change in section 1 allows the handling fee to drop below 2¢ if 25 26 such determination is made by the commissioner. Cur-27 rent law and the bill require the handling fee to be 28 at least 2¢.

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