

# MAINE STATE LEGISLATURE

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SMG  
R. of S.  
1  
2 Date: 5/3/11

L.D. 718  
(Filing No. H-162)

3 AGRICULTURE, CONSERVATION AND FORESTRY

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5 STATE OF MAINE  
6 HOUSE OF REPRESENTATIVES  
7 125TH LEGISLATURE  
8 FIRST REGULAR SESSION

9 COMMITTEE AMENDMENT "A" to H.P. 514, L.D. 718, Bill, "An Act  
10 Regarding the Milk Handling Fee"

11 Amend the bill by striking out all of section 3 and inserting the following:

12 'Sec. 3. 36 MRSA §4903 is enacted to read:

13 **§4903. Credit or refund for fee paid for packaged milk**

14 **1. Credit or refund allowed.** A handler or handler's designee may claim a credit or  
15 refund for a fee paid pursuant to this chapter on packaged milk that is subsequently  
16 exported from this State by a customer of the handler or the handler's designee for sale  
17 out of state.

18 **2. Handler's claim for credit or refund.** A handler claiming a credit or refund  
19 under subsection 1 must file a claim with the assessor. The credit or refund must be  
20 claimed on the report required under section 4902, subsection 5. A handler may not claim  
21 a credit or refund under this section for any sales occurring before October 1, 2011.

22 **3. Designee's claim for credit or refund.** A handler's designee claiming a credit or  
23 refund under subsection 1 must file a claim with the assessor. The credit or refund must  
24 be claimed on a report required under section 4902, subsection 5 or other form as  
25 prescribed by the assessor. A handler's designee may not claim a credit or refund under  
26 this section for any sales occurring before October 1, 2011.'

27 SUMMARY

28 This amendment specifies that a credit or a refund may be claimed. It clarifies that  
29 the refund or credit may be claimed when the milk handling fee is paid on packaged milk  
30 that is subsequently exported for out-of-state sale. It specifies that claims for credits or

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COMMITTEE AMENDMENT "A" to H.P. 514, L.D. 718

1 refunds authorized under the Maine Revised Statutes, Title 36, section 4903 apply to  
2 sales occurring on or after October 1, 2011.

3 **FISCAL NOTE REQUIRED**

4 (See attached)



Approved: 04/25/11 *mac*

# 125th MAINE LEGISLATURE

LD 718

LR 1115(02)

## An Act Regarding the Milk Handling Fee

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

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### Fiscal Note

No net fiscal impact

#### Fiscal Detail and Notes

This bill establishes a credit or refund on the milk handling fee paid on milk that is subsequently exported for out of state sale. It also imposes a handling fee on 20-quart containers of packaged milk. It is expected that the loss of revenue related to refunds of the milk handling fee will be offset by assessing the fee on 20-quart containers.