

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1440

H. P. 1146

House of Representatives, March 25, 1975

Referred to the Committee on Appropriations and Financial Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Post of Owls Head.

Cosponsors: Mr. Rolde of York, Mr. Bustin of Augusta and Mr. Pierce of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Provide for the Distribution of the Proceeds of the Tamano Litigation Settlement.

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

Proceeds from Tamano litigation settlement. The proceeds held by the Treasurer of State of the settlement of the Tamano litigation, Civil Nos. 13-111, 13-156, 13-120 and 13-114, shall be distributed as follows:

1. **Out of pocket expenses.**

A. \$25,000 shall be paid to the Executive Council to reimburse it for sums which it extended in the form of a loan to the Department of Marine Resources for the purpose of conducting a survey of the damage caused by the Tamano oil spill.

B. A total of \$11,713.13 shall be paid to the Department of Environmental Protection to reimburse it for expenses it incurred in connection with the oil spill and the ensuing litigation, including reimbursement for an \$8,000 loan made to the Department of Marine Resources to defray expenses referred to above.

C. \$12,798.53 shall be paid to the Department of Marine Resources to reimburse it for the amounts which it spent as a result of the spill.

2. **Research and development.** Two hundred thousand dollars shall be paid to the Department of Marine Resources for the purpose of continuing research and study with respect to the immediate, intermediate and long-term effects of oil upon the marine environment.

3. **Acquisition of land.** Four hundred fifteen thousand, eight hundred twenty-one dollars and ninety nine cents, plus any excess funds from the \$84,666.35 being held in escrow by the Attorney General for the purpose of reimbursement to the Coastal Protection Fund to the extent claims now pending pursuant to the Maine Oil Conveyance Act arising out of the Tamano spill are actually paid, shall be paid to the Department of Conservation, Bureau of Parks and Recreation, for the acquisition of land or interests therein with salt water frontage for public uses.

STATEMENT OF FACT

By order dated September 27, 1974, the United States District Court for the District of Maine approved a compromise settlement of plaintiffs in the Tamano litigation (Civil Nos. 13-111, 13-156, 13-120, 13-114). Paragraph 9 of the court's order requires that the State Treasurer hold \$665,333.65 of the proceeds of the settlement for distribution in accordance with a special appropriation act, the court retaining jurisdiction until the distribution is made.

The distribution set forth in this Act implements the recommendations of Attorney General Joseph E. Brennan. The Department of Marine Resources and the Department of Conservation, Bureau of Parks and Recreation, have the statutory authority to seek Federal Matching Funds with respect to the allocations made hereunder and this Act contemplates that those departments may seek such funds, if available.