

MAINE STATE LEGISLATURE

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(Governor's Bill)
(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1591

H. P. 1355

House of Representatives, May 1, 1979

The Committee on Energy and Natural Resources suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Blodgett of Waldoboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

**AN ACT to Require the Reporting of Petroleum Inventories and Deliveries to the
Office of Energy Resources.**

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

Whereas, the State of Maine has recently experienced serious shortages of petroleum products; and

Whereas, these shortages have the potential to adversely affect Maine's citizens; and

Whereas, the Office of Energy Resources presently does not have the authority to require the reporting of either petroleum supply inventories or anticipated petroleum deliveries; 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. 5 MRSA § 5005, sub-§ 1, ¶ 0 is enacted to read:

0. Have the authority to collect inventory and product delivery data from the state's primary storage facilities of petroleum products and shall afford confidential treatment to that information.

Sec. 2. 5 MRSA § 5010 is enacted to read:

§ 5010. Definitions; reporting of petroleum inventories and deliveries

1. Petroleum products. "Petroleum products" shall mean propane, gasoline, unleaded gasoline, kerosene, #2 heating oil, diesel fuel, kerosene base jet fuel and #4, #5 and #6 residual oil for utility and nonutility uses.

2. Primary storage facilities. "Primary storage facilities" shall mean any facility which receives petroleum products into Maine either by pipeline or ship.

3. Reporting. Each owner or lessee of primary storage facilities of petroleum products in the State shall make an accurate report on the first and 3rd Monday of each month to the Director of the Office of Energy Resources on a form provided by the director. This form shall require the following information:

A. The total inventory of each petroleum product stored in the State, as measured, within no more than 3 calendar days prior to the reporting date; and

B. Quantities of each petroleum product delivery expected into the State within 15 days of the reporting date; and shall contain a conspicuous statement of the penalties provided in subsection 4.

4. Penalty provisions. Any owner or lessee of a primary storage facility covered by this section, who fails to provide the information required by this chapter or who knowingly supplies information of a false or misleading nature, is guilty of a Class D crime or any owner or lessee of a primary storage facility who supplies information of a false or misleading nature commits a civil violation for which a forfeiture of not more than \$2,500 may be adjudged.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The purpose of this bill is to require the reporting of inventory levels and expected deliveries of petroleum products at the state's primary storage facilities. This information will assist the State in alleviating any potential shortages of petroleum products in the future.