

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-117)  
110TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 659, L.D. 762, Bill, "AN ACT to Require Primary Suppliers to Report Deliveries of Petroleum Products to the Office of Energy Resources."

Amend the Bill by striking out everything after the enacting clause and inserting in its place the following:

'Sec. 1. 5 MRSA §5010, sub-§1, as enacted by PL 1979, c. 372, §2 is amended to read:

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

Sec. 2. 5 MRSA §5010, sub-§2-A is enacted to read:

2-A. Primary supplier. "Primary supplier" means any refiner, marketer, distributor, firm or person who makes the first sale of any petroleum product to resellers or consumers in this State.

Sec. 3. 5 MRSA §5010, sub-§3-A is enacted to read:

3-A. Reporting of primary suppliers. Each primary supplier of petroleum products shall make an accurate report on the 3rd Monday of each month to the Director of the Office of Energy Resources on a form provided by the director, unless the report is already being submitted in accordance with federal regulations.

This form shall require the following information:

A. Actual deliveries of all petroleum products in this State during the preceding calendar month;

B. Anticipated deliveries of all petroleum products in this State during the following calendar month;

C. Allocation fractions for all petroleum products for the following month; and

D. A conspicuous statement of the penalties provided in subsection 4.

Sec. 4. 5 MRSA §5010, sub-§4, as repealed and replaced by PL 1979, c. 574, §12, is amended to read:

4. Penalty provisions. Any owner or lessee of a primary storage facility or any primary supplier covered by this section who fails to provide the information required by this section or who knowingly or recklessly supplies false or misleading information shall be guilty of a violation of Title 17-A, section 453. Any owner or lessee of a primary storage facility who, in fact, supplies false or misleading information is subject to a civil penalty of \$2,500, payable to the State, to be recovered in a civil action.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved, except section 4, which shall take effect when federal regulations no longer require submission of that report.'

Statement of Fact

The amendment clarifies the fact that reporting to the State by primary suppliers will not be required unless and until similar reporting to the Federal Government is discontinued.

Filed by the Committee on Energy & Natural Resources.  
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of the House.

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