

# MAINE STATE LEGISLATURE

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(After Deadline)  
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 216

H.P. 172 House of Representatives, February 4, 1987  
Approved for introduction by a majority of the  
Legislative Council pursuant to Joint Rule 27.  
Reference to the Committee on Energy and Natural  
Resources suggested and ordered printed.  
EDWIN H. PERT, Clerk  
Presented by Representative WILLEY of Hampden.  
Cosponsored by Representatives RACINE of Biddeford,  
HIGGINS of Scarborough and Senator DILLENBACK of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Exempt Liquid Asphalt Terminal  
2 Licenses from Certain Fee Payments.  
3

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

6 Sec. 1. 38 MRSA §562, sub-§8, as enacted by PL  
7 1985, c. 496, Pt. A, §14, is amended to read:

8 8. Oil. "Oil" means oil, petroleum products and  
9 their by-products of any kind and in any form other  
10 than liquid asphalt, which is excluded from coverage  
11 under this subchapter since it is not stored in un-  
12 derground tanks, including, but not limited to, pe-  
13 troleum, fuel oil, sludge, oil refuse, oil mixed with  
14 other waste, crude oils and all other liquid hydro-  
15 carbons regardless of specific gravity.

Sec. 2. 38 MRSA §569, sub-§4, as enacted by PL 1985, c. 496, Pt. A, §14, is amended to read:

4. Funding. A fee of 3¢ per barrel of gasoline and 2¢ per barrel of refined petroleum products and their by-products other than gasoline, including #6 fuel oil, #2 fuel oil, kerosene, jet fuel and diesel fuel, shall be assessed on the transfer of those products by oil terminal facility licensees, other than liquid asphalt terminal licenses. Liquid asphalt terminal licenses shall be exempt from these fees. These fees shall be paid monthly by the oil terminal facility licensee licensees on the basis of records certified to the department. All such transfer fees shall be credited to the Ground Water Oil Clean-up Fund upon receipt by the department.

## STATEMENT OF FACT

The purpose of this legislation is to exempt liquid asphalt terminal licensees from underground oil storage facility laws because no underground asphalt storage tanks exist in this State; asphalt is not a threat to ground water; additional cost to in-state suppliers are not faced by foreign or out-of-state suppliers; and asphalt terminals would continue to pay the fee to the Maine Coastal and Inland Surface Oil Clean-up Fund.

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