

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1716

H.P. 1231

House of Representatives, June 2, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Transportation suggested and ordered printed.

Ed. Pert

EDWIN H. PERT, Clerk

Presented by Representative MICHAUD of East Millinocket.

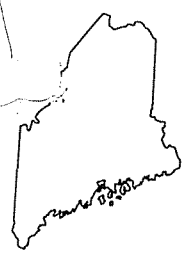
Cosponsored by Representative DEXTER of Kingfield.

STATE OF MAINE

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

An Act Relating to Transportation of Hazardous Materials by Railroad.

(AFTER DEADLINE)



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

3 38 MRSA §1319-I, sub-§4-B, as enacted by PL 1987, c. 750, §5,
is amended to read:

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7 4-B. Fee on hazardous materials transported by railroad.
Effective ~~October 1, 1988,~~ any Any person who transports more
9 than 25 tons of certain hazardous materials as specified in this
subsection at any one time by rail shall register annually with
11 the department. Fees for the transportation of hazardous
materials by rail shall be imposed on the registrant who first
13 transports the materials in Maine by rail. Fees The annual fee
for the transportation of hazardous materials shall be determined
15 ~~on the basis of 15¢ per ton of hazardous materials transported by~~
~~the registrant during the period of registration and shall be~~
~~paid monthly by the registrant on the basis of records certified~~
17 ~~to the department~~ \$25,000 to be paid at the time of
registration. Fees shall be paid to the department and upon
19 receipt by it credited to the Maine Hazardous Waste Fund.
Hazardous materials subject to the requirements of this
21 subsection shall mean ~~these substances identified pursuant to the~~
~~United States Superfund Amendments and Reauthorization Act of~~
23 ~~1986, Title III, Sections 302 and 313~~ those substances identified
pursuant to the Hazardous Materials Transportation Act, Public
25 Law 93-633. The registrant shall make available to the
department and its authorized representatives all documents
27 relating to the hazardous materials transported by the registrant
during the period of registration.

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STATEMENT OF FACT

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35 Current law requires transporters of hazardous materials by
rail to pay a hazardous materials transportation fee of 15¢ per
37 ton of hazardous materials transported. The fee is assessed
monthly based on records of hazardous materials transported. The
extensive recordkeeping required by this provision can be
39 expensive and burdensome to railroads carrying significant
amounts of hazardous materials each month. Current law also
41 provides a definition of hazardous materials which differs from
that found in federal regulation of hazardous materials transport.

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45 This bill amends current law to require railroads to pay an
annual fee of \$25,000 to be paid at the end of the registration
47 year. The bill also amends the definition of hazardous materials
to comply with federal regulation of hazardous materials
transport.

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