

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1738

S.P. 645

In Senate, June 12, 1989

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

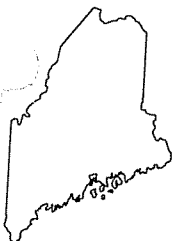
Presented by Senator LUDWIG of Aroostook.

Cosponsored by Speaker MARTIN of Eagle Lake, Senator PERKINS of Hancock and Representative MACOMBER of South Portland.

STATE OF MAINE

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

An Act to Amend the Maine Coastal and Inland Surface Oil Clean-up Fund to Provide for Adequate Resources to Respond to a Major Coastal Oil Spill.



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

3 **Sec. 1. 38 MRSA §551, first ¶,** as amended by PL 1985, c. 496,
Pt. A, §13, is further amended to read:

5
7 The Maine Coastal and Inland Surface Oil Clean-up Fund is
8 established to be used by the department as a nonlapsing,
9 revolving fund for carrying out the purposes of this subchapter.
10 The fund shall be limited to \$4,500,000 ~~\$6,000,000~~, the sum of
11 which shall include all funds credited under this section and any
12 funds loaned to the Ground Water Oil Clean-up Fund established
13 pursuant to subchapter II-B. The Department of Environmental
14 Protection shall collect fees in accordance with subsection 4. To
15 this fund shall be credited all license fees, penalties,
16 reimbursements and other fees and charges related to this
17 subchapter, and to this fund shall be charged any and all
18 expenses of the department related to this subchapter, including
19 administrative expenses, costs of removal of discharges of
pollutants, restoration of water supplies and 3rd party damages
covered by this subchapter.

21
22 **Sec. 2. 38 MRSA §551, sub-§4, ¶A,** as amended by PL 1985, c.
23 496, Pt. A, §13, is further amended to read:

25 A. License fees shall be determined on the basis of ~~1-1/2¢~~
26 ~~3¢~~ per barrel of unrefined crude oil, ~~1¢~~ per barrel of
27 gasoline and ~~1/2¢~~ ~~3¢~~ per barrel of all other refined oil,
28 petroleum products and their by-products, including #6 fuel
29 oil, #2 fuel oil, kerosene, gasoline, jet fuel and diesel
30 fuel, transferred by the licensee during the licensing
31 period and shall be paid monthly by the licensee on the
32 basis of records certified to the department. License fees
33 shall be paid to the department and upon receipt by it
34 credited to the Maine Coastal and Inland Surface Oil
35 Clean-up Fund.

37 **Sec. 3. 38 MRSA §551, sub-§4, ¶D,** as enacted by PL 1987, c.
38 750, §3, is further amended to read:

39
40 D. Any person who is required to register with the
41 department pursuant to section 545-B and who first
42 transports oil in Maine shall pay fees, which shall be
43 determined on the basis of ~~one-cent-per-barrel-of-gasoline~~
44 ~~and--1/2¢~~ ~~3¢~~ per barrel of for all other refined oil,
45 including #6 fuel oil, #2 fuel oil, kerosene, gasoline, jet
46 fuel, diesel fuel and liquid asphalt transported by the
47 registrant during the period of registration. Fees shall be
48 paid monthly by the registrant on the basis of records
49 certified to the department. Fees shall be paid to the
50 department and upon receipt by it credited to the Maine
51 Coastal and Inland Surface Oil Clean-up Fund. The
registrant shall make available to the department and its

1 authorized representatives all documents relating to the oil
3 transported by the registrant during the period of
5 registration. This paragraph shall not apply to waste oil
7 which is transported into Maine in any motor vehicle which
9 has a valid license issued by the department for the
11 transportation of waste oil pursuant to section 1319-O and
13 which is subject to fees established under section 1319-I.

11 STATEMENT OF FACT

13 The Maine Coastal and Inland Surface Oil Clean-up Fund,
15 formerly the Maine Coastal Protection Fund, was established in
17 1969, with a fund ceiling of \$4,000,000. The purpose of the fund
19 is to provide dollars for Department of Environmental Protection
21 personnel and equipment which are to be used in the abatement of
23 oil pollution, and to promptly compensate persons damaged by oil
spills. The fund ceiling has been altered over the years, with
the cap now established at \$4,500,000. Over the last 20 years
the cost of all clean ups and 3rd-party compensations have risen
dramatically. This bill raises the ceiling of the fund to
\$6,000,000.

25 This bill would increase the fees assessed upon each barrel
27 of oil imported into Maine. The fee changes would require the
29 payment of 3¢ per barrel for crude oil, gasoline and all other
refined products. At present importation levels, the fund should
reach \$6,000,000 in approximately 4 years.