

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)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 963,
L.D. 1294, Bill, "An Act to Ensure Implementation of the Federal
Clean Air Act Amendments of 1990"

Amend the amendment by inserting after the 6th indented
paragraph after the title the following:

'Further amend the bill by inserting after section 4 the
following:

'Sec. 5. 38 MRSA §569-A, sub-§5, ¶¶A and B, as enacted by PL
1991, c. 817, §26, are amended to read:

A. Until January 1, 1994 and after January 1, 1998, a fee
is assessed of 44¢ per barrel of gasoline; 25¢ per barrel of
refined petroleum products and their by-products other than
gasoline, liquid asphalt and #6 fuel oil, including #2 fuel
oil, kerosene, jet fuel and diesel fuel; and 10¢ 4¢ per
barrel of #6 fuel oil. The fee is assessed on the first
transfer of those products by oil terminal facility
licensees, as defined in section 542, subsection 7, and on a
person required to register with the commissioner under
section 545-B who first transports oil into the State. The
fee is not assessed on petroleum products that are exported
from this State. These fees must be paid monthly on the
basis of records certified to the commissioner. This
subsection does not apply to waste oil transported into the
State in any motor vehicle that has a valid license issued
by the department for the transportation of waste oil
pursuant to section 1319-0 and is subject to fees
established under section 1319-I.

B. After January 1, 1994, the fees assessed in paragraph A
increase to 48¢ per barrel of gasoline and 27¢ per barrel of
refined petroleum products and their by-products other than
gasoline, liquid asphalt and #6 fuel oil, including #2 fuel
oil, kerosene, jet fuel and diesel fuel. The fee is not

assessed on petroleum products that are exported from this State. The fees assessed on #6 fuel oil remain at 10¢ 4¢ per barrel. This paragraph is repealed on January 1, 1998.

Sec. 6. 38 MRSA §569-A, sub-§6, as enacted by PL 1991, c. 817, §26, is amended to read:

6. Allocation from Ground Water Oil Clean-up Fund. From the fees assessed in subsection 5, 6¢ per barrel of gasoline, refined petroleum products and their by-products, other than liquid asphalt and #6 fuel oil, must be transferred by the department upon receipt as follows.

A. Sixty-two and one half percent of the 6¢ per barrel fee must be transferred to the Finance Authority of Maine for deposit in the Underground Oil Storage Replacement Fund, and after \$3,000,000 has been transferred to the Maine State Housing Authority pursuant to paragraph B, 100% of the 6¢ per barrel fee must be transferred to the Finance Authority of Maine.

B. Thirty-seven and one half percent of the 6¢ per barrel fee must be transferred to the Maine State Housing Authority for deposit in the Housing Opportunities for Maine Fund to be used initially for loans and grants to finance the costs of removal, disposal, replacement or abandonment of underground oil storage facilities and tanks located on owner-occupied or residential rental property, which facilities and tanks have been identified by the department as leaking or posing an environmental threat or as having been abandoned. After \$3,000,000 has been transferred, the Maine State Housing Authority does not receive a percentage of the 6¢ per barrel fee.

After an aggregate sum of \$10,000,000 has been transferred to the Finance Authority of Maine and an aggregate sum of \$3,000,000 has been transferred to the Maine State Housing Authority pursuant to this subsection, the per barrel fee assessed pursuant to subsection 5 must be reduced by 6¢ per barrel.'

Further amend the amendment by inserting before the fiscal note the following:

'Further amend the bill by renumbering the sections to read consecutively.'

Further amend the amendment by striking out all of the fiscal note and inserting in its place the following:

FISCAL NOTE

1993-94 1994-95

2 APPROPRIATIONS/ALLOCATIONS

4 Other Funds \$568,453 \$1,399,963

6
8 REVENUES

10 Other Funds \$129,024 \$814,062

12 The increase of several air emission fees will increase
14 dedicated revenues to the Department of Environmental Protection
16 by \$568,453 and \$1,399,963 in fiscal years 1993-94 and 1994-95,
respectively. These amounts are allocated to provide funding to
implement the federal Clean Air Act.

18 Certain changes regarding per barrel fee charged for number
20 6 fuel oil will decrease dedicated revenue. The Underground Oil
Storage Replacement Fund will experience dedicated revenue losses
22 of \$292,951 and \$390,601 in fiscal years 1993-94 and 1994-95,
respectively. The Housing Opportunities for Maine Fund will
24 experience dedicated revenue losses of \$146,475 and \$195,300 in
fiscal years 1993-94 and 1994-95, respectively.

26 The Department of Environmental Protection will incur some
28 minor additional costs to form a study committee that will submit
a report to the Legislature. These costs can be absorbed within
30 the department's existing budgeted resources.'

32 STATEMENT OF FACT

34 This amendment incorporates Senate Amendment "A" (S-334) and
36 corrects the fiscal note.

Filed by Rep. Chonko of Topsham
Reproduced and distributed under the direction of the Clerk of the
House
6/14/93 (Filing No. H-669)