

MAINE STATE LEGISLATURE

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NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 657, L.D. 857, Bill, "An Act to Strengthen the Ground Water Oil Clean-up Fund"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 38 MRSA §568-A, sub-§1, ¶E, as enacted by PL 1989, c. 865, §15 and affected by §§24 and 25, is amended to read:

E. An applicant is not eligible for coverage under this section if the applicant has any one or combination of the following relationships with an entity that owns or operates an oil refinery:

- (1) Is owned directly by or directly owns that entity;
(2) Is a franchisee of that entity;
(3) Is a member of a partnership or limited partnership that includes that entity;
(4) Is a subsidiary of that entity; or
(5) Is a parent corporation of that entity.

An applicant is not subject to this exclusion from coverage for discharges discovered after September 30, 2001 or if its

COMMITTEE AMENDMENT

sole relationship with the entity is a contractual agreement to purchase oil from the entity exclusively for retail sale or for the applicant's consumption.

Sec. 2. 38 MRSA §568-A, sub-§2, ¶A, as amended by PL 1999, c. 531, Pt. A, §1 and affected by §2, is further amended to read:

A. Standard deductibles are calculated under this paragraph based on the number of underground storage facilities or the capacity of gallons owned by the aboveground storage facility owner at the time the covered discharge is discovered. Standard deductibles are as follows.

(1) For expenses related to a leaking underground oil storage facility, the deductible amount is determined in accordance with the following schedule:

Number of underground storage facilities owned by the facility owner	Deductible
1	\$2,500
2 to 5	5,000
6 to 10	10,000
11 to 20	25,000
21 to 30	40,000
over 30	62,500

(2) For expenses related to a leaking aboveground oil storage facility, the deductible amount is determined in accordance with the following schedule:

Total aboveground oil storage capacity in gallons owned by the facility owner	Deductible
Less than 1,320	\$500
1,321 to 50,000	2,500
50,001 to 250,000	5,000
250,001 to 500,000	10,000
500,001 to 1,000,000	25,000
1,000,001 to 1,500,000	40,000
greater than 1,500,000	62,500

(3) For facilities with both aboveground and underground tanks when the source of the discharge can not be determined or when the discharge is from both types of tanks, the standard deductible is the applicable amount under subparagraph (1) or (2), whichever is greater.'

2 Further amend the bill in section 1 in paragraph E in the
3rd line (page 1, line 8 in L.D.) by striking out the following:
4 "10¢" and inserting in its place the following: '~~10¢~~ 20¢'

6 Further amend the bill in section 1 in paragraph E in the
4th line (page 1, line 9 in L.D.) by striking out the following:
8 "5¢" and inserting in its place the following: '~~5¢~~ 10¢'

10 Further amend the bill by inserting after section 1 the
following:

12 'Sec. 2. Allocation. The following funds are allocated from
14 Other Special Revenue funds to carry out the purposes of this Act.

16 2001-02 2002-03

18 **ENVIRONMENTAL PROTECTION,**
20 **DEPARTMENT OF**

22 **Remediation and Waste Management**

24 All Other \$18,750 \$18,750

26 Allocates additional funds
from the Ground Water Oil
Clean-up Fund to cover
28 previously exempted clean-up
costs.'

30 Further amend the bill by relettering or renumbering any
32 nonconsecutive Part letter or section number to read
consecutively.

34 Further amend the bill by inserting at the end before the
36 summary the following:

38 **FISCAL NOTE**

40 2001-02 2002-03

42 **APPROPRIATIONS/ALLOCATIONS**

44 Other Funds \$18,750 \$18,750

46 **REVENUES**

48 Other Funds \$1,945,000 \$1,945,000

