

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 596

S.P. 205

In Senate, February 11, 2003

An Act To Improve the Effectiveness of the Maine Coastal and Inland Surface Oil Clean-up Fund

Reference to the Committee on 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 BROMLEY of Cumberland.
Cosponsored by Representative RICHARDSON of Brunswick and
Senators: BRENNAN of Cumberland, HALL of Lincoln, ROTUNDO of Androscoggin,
SHOREY of Washington, STRIMLING of Cumberland, Representative: SUSLOVIC of
Portland.

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

4 **Sec. 1. 38 MRSA §551, first ¶,** as amended by PL 1995, c. 399,
§2 and affected by §21, is further amended to read:

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

20 **Sec. 2. 38 MRSA §551, sub-§1-A,** as enacted by PL 1991, c. 454,
22 §8, is amended to read:

24 **1-A. Sensitive area data management and mapping.** The
26 Legislature may allocate no more than \$350,000 per year of the
28 amount then currently in the fund ~~until-fiscal-year-1994-95~~ to
mapping, data management and computerization related to the
30 protection of sensitive areas and similar activities required
32 under section 546-B. This limitation does not include personnel
costs. The allocations must be made in accordance with section
555. ~~After-fiscal-year-1993-94, the Legislature must review the
need-for-these-activities-before-allocating-additional-funds.~~

34 **Sec. 3. 38 MRSA §551, sub-§1-B,** as enacted by PL 1993, c. 720,
§3, is amended to read:

36 **1-B. Research and development.** The Legislature may allocate
38 not more than ~~\$100,000~~ \$250,000 per annum of the amount first
\$6,000,000 currently in the fund and not more than \$750,000 per
40 annum of the amount in excess of \$6,000,000 currently in the fund
to be devoted to research and development in the causes, effects
42 and removal of pollution caused by oil, petroleum products and
their by-products on the marine environment and to research and
44 development in the characterization of the marine ecosystem,
especially the subtidal and benthic habitat and fisheries that
may be damaged by oil, petroleum products and their by-products.
46 Researchers shall use commercial fishing vessels as platforms to
the extent practicable. Such allocations must be made in
48 accordance with section 555. This subsection takes effect July
1, 1996.

50 **Sec. 4. 38 MRSA §551, sub-§4. ¶E,** as enacted by PL 1991, c.
52 817, §16, is amended to read:

2 E. When the commissioner projects that the fund balance
will reach ~~\$6,000,000~~ \$7,000,000, the commissioner shall
4 provide a 15-day notice that the per barrel fees assessed
under this subsection will be suspended. The ~~\$6,000,000~~
6 \$7,000,000 fund limit may be exceeded to accept transfer
fees assessed or received after the 15-day notice has been
8 issued. Following any suspension of fees assessed under
this subsection, the commissioner shall provide a 15-day
advance notice to licensees before fees are reimposed.

10

12 SUMMARY

14 This bill increases funding for the Maine Coastal and Inland
Surface Oil Clean-up Fund to provide for research and development.

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