

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 585

S.P. 194

In Senate, February 3, 2005

An Act To Reauthorize the Petroleum Market Share Act

(EMERGENCY)

Submitted by the Department of the Attorney General pursuant to Joint Rule 204.
Reference to the Committee on Business, Research and Economic Development suggested
and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BROMLEY of Cumberland.

2 **Emergency preamble.** Whereas, acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 **Whereas,** this legislation needs to take effect before the
expiration of the 90-day period in order to prevent the repeal of
certain portions of the Petroleum Market Share Act; and

8
10 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
12 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

16 **Sec. 1. 3 MRSA §959, sub-§1, ¶C,** as amended by PL 2003, c.
18 600, §1, is further amended to read:

20 C. The joint standing committee of the Legislature having
jurisdiction over business, research and economic
22 development matters shall use the following list as a
guideline for scheduling reviews:

24 (1) Maine Development Foundation in 2005;

26 (5) Department of Professional and Financial
Regulation, in conjunction with the joint standing
28 committee of the Legislature having jurisdiction over
banking and insurance matters, in 2007;

30 (19) Department of Economic and Community Development
in 2005;

32 (23) Maine State Housing Authority in 2007;

34 (32) Finance Authority of Maine in 2009;

36 ~~(33) --Petroleum Advisory Committee in 2009;~~

38 (36) Board of Dental Examiners in 2011;

40 (37) Board of Osteopathic Licensure in 2011;

42 (38) Board of Licensure in Medicine in 2011;

44 (41) State Board of Nursing in 2011;

46 (42) State Board of Optometry in 2011;

(45) State Board of Registration for Professional Engineers in 2011; and

(50) Maine Science and Technology Foundation in 2007.

Sec. 2. 5 MRSA §12004-I, sub-§2-D, as renumbered by RR 1991, c. 2, §11, is repealed.

Sec. 3. 10 MRSA §1673, sub-§3, as amended by PL 1999, c. 151, §1, is repealed.

Sec. 4. 10 MRSA §1678, as amended by PL 2001, c. 352, §6, is repealed.

Sec. 5. 10 MRSA §1681, as amended by PL 1999, c. 151, §2, is further amended to read:

§1681. Fees

Annually by September 1st, a person who operates or causes to be operated an oil terminal facility within the State, as defined in Title 38, section 542, subsection 7, and a person who is required to register with the Commissioner of Environmental Protection pursuant to Title 38, section 545-B, shall pay to the Attorney General a fee for each 10,000 gallons of home heating oil and motor fuel oil transported into the State during the previous 12-month period ending June 1st. Home heating oil or motor fuel oil that is subsequently exported from the State is excluded from computation, except that home heating oil sold to a retailer or retail outlet located outside the State that sells home heating oil at retail within the State is not excluded. The fee that must be paid by September 1, 1996 and for each subsequent year is 40¢ for each 10,000 gallons or portion thereof. The fees must be deposited in a dedicated, nonlapsing account, known as the Petroleum Marketing Fund. The Attorney General shall administer the fund. ~~This section is repealed September 1, 2005.~~

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

SUMMARY

This bill removes provisions of the Petroleum Market Share Act that otherwise would repeal certain portions of that Act. It also repeals laws that establish and govern the Petroleum Advisory Committee.