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Legislative Document

No. 1776

S.P. 600

In Senate, May 23, 2019

An Act To Reduce the Membership of the Clean-up and Response Fund Review Board

Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.
Reference to the Committee on Environment and Natural Resources suggested and ordered
printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator FOLEY of York.

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

2 **Sec. 1. 38 MRSA §568-B, sub-§1**, as amended by PL 2015, c. 319, §30, is
3 further amended to read:

4 **1. Clean-up and Response Fund Review Board.** The Clean-up and Response Fund
5 Review Board, as established by Title 5, section 12004-G, subsection 11-A, is created to
6 hear and decide appeals from insurance claims-related decisions under section 568-A and
7 monitor income and disbursements from the fund under section 551. The review board
8 consists of ~~14~~ 9 members appointed for 3-year terms as follows:

9 A. ~~Two persons~~ One person representing the petroleum industry, appointed by the
10 Governor, ~~one of whom~~ who is a representative of a statewide association of energy
11 dealers;

12 A-1. ~~Two persons~~ One person, appointed by the ~~Governor~~ President of the Senate,
13 who ~~have~~ has expertise in oil storage facility design and installation, oil spill
14 remediation or environmental engineering;

15 B. ~~Four~~ Two members of the public appointed by the Governor. ~~Of the 4 members,~~
16 2 who must have expertise in biological science, earth science, engineering, insurance
17 or law. ~~The 4 members~~ and may not be employed in or have a direct and substantial
18 financial interest in the petroleum industry;

19 C. The commissioner or the commissioner's designee;

20 D. The State Fire Marshal or the fire marshal's designee;

21 E. One member representing marine fisheries interests appointed by the President of
22 the Senate;

23 ~~F. One member familiar with oil spill technology appointed by the Speaker of the~~
24 ~~House of Representatives;~~

25 G. One member with expertise in coastal geology, fisheries biology, marine fisheries
26 or coastal wildlife habitat appointed by the President of the Senate; and

27 H. One member who is a licensed state pilot or a licensed merchant marine officer
28 appointed by the Speaker of the House of Representatives.

29 Members other than those described in paragraphs C and D are entitled to reimbursement
30 for direct expenses of attendance at meetings of the review board or the appeals panel.

31 **Sec. 2. 38 MRSA §568-B, sub-§2-A**, as amended by PL 2015, c. 319, §30, is
32 further amended to read:

33 **2-A. Meetings.** The Clean-up and Response Fund Review Board shall meet ~~6~~ 4
34 times per year unless the review board votes not to hold a meeting. Action may not be
35 taken unless a quorum is present. A quorum is ~~8~~ a majority of the seated members.

36 **Sec. 3. 38 MRSA §568-B, sub-§2-C**, as amended by PL 2015, c. 319, §30, is
37 further amended to read:

