
By: **Chairman, Economic Matters Committee (By Request - Departmental -
Energy Administration, Maryland)**

Introduced and read first time: February 11, 2005

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **State Standby Petroleum Fuel Set-Aside Program - Extension**

3 FOR the purpose of extending the sunset provision of the State Standby Petroleum

4 Fuel Set-Aside Program.

5 BY repealing and reenacting, with amendments,

6 Chapter 5 of the Acts of the General Assembly of 2003

7 Section 8

8 Preamble

9 WHEREAS, Adequate supplies of fuel are essential to the protection of the
10 public health, safety, and welfare of the people of the State of Maryland; and

11 WHEREAS, Any severe disruption in fuel supplied for use within the State
12 would cause grave hardship and pose a threat to the health and economic well-being
13 of the people of the State of Maryland; and

14 WHEREAS, The existing petroleum distribution system serves the needs of fuel
15 users in the State and can be expected to do so until an acute shortage in petroleum
16 supplies occurs; and

17 WHEREAS, According to federal law, including the Emergency Petroleum
18 Allocation Act of 1973 (P.L. 93-159), as amended by the Energy Policy and
19 Conservation Act (P.L. 94-163), the Maryland Energy Administration has extensive
20 experience administering the State Standby Petroleum Fuel Set-Aside Program; and

21 WHEREAS, Executive Order No. 12287 ended the federal petroleum pricing and
22 allocation controls, including the State Standby Petroleum Fuel Set-Aside Program
23 on January 28, 1981; and

24 WHEREAS, The provisions of the Emergency Petroleum Allocation Act of 1973,
25 as amended by the Energy Policy and Conservation Act, authorizing the
26 implementation of a State set-aside program, terminated on September 30, 1981; and

1 WHEREAS, The General Assembly responded to the termination of that Act by
2 enacting Chapter 364 of the Acts of 1982, that created the State Standby Petroleum
3 Fuel Set-Aside Program, that can be activated upon declaration by the Governor of
4 an energy emergency to mitigate hardships and emergency conditions caused by a
5 fuel shortage; and

6 WHEREAS, The provisions of the State Standby Petroleum Fuel Set-Aside
7 Program were last extended by the General Assembly in 2000 and the Program will
8 now terminate on July 1, 2005; and

9 WHEREAS, It is in the public interest for the State to establish and maintain in
10 a state of readiness the State Standby Petroleum Fuel Set-Aside Program that can be
11 activated upon declaration of the Governor of an energy emergency to mitigate
12 hardships and emergency conditions caused by a fuel shortage; now, therefore,

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Chapter 5 of the Acts of 2003**

16 SECTION 8. AND BE IT FURTHER ENACTED, That Section(s) 10-811 of
17 Article 41 - Governor - Executive and Administrative Departments of the Annotated
18 Code of Maryland be repealed and reenacted, with amendments, and transferred to
19 the Session Laws, to read as follows:

20 Termination of State Standby Petroleum Fuel Set-Aside Program

21 1.

22 Title 14, Subtitle 5 of the Public Safety Article shall remain effective only until
23 July 1, [2005] 2010, and, at the end of June 30, [2005] 2010, with no further action
24 required by the General Assembly, Title 14, Subtitle 5 of the Public Safety Article
25 shall be abrogated and of no further force and effect.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 July 1, 2005.