

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 824

H.P. 558

House of Representatives, March 10, 2015

An Act Regarding Ethanol Motor Fuel

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative O'CONNOR of Berwick.
Cosponsored by Senator BRAKEY of Androscoggin and
Representatives: BEAVERS of South Berwick, BLACK of Wilton, CHACE of Durham,
COREY of Windham, CRAFTS of Lisbon, ESPLING of New Gloucester, FARRIN of
Norridgewock, FOLEY of Wells, GERRISH of Lebanon, GILBERT of Jay, GINZLER of
Bridgton, HANLEY of Pittston, HEAD of Bethel, HOBART of Bowdoinham, KINNEY of
Knox, LOCKMAN of Amherst, LONG of Sherman, LONGSTAFF of Waterville, LYFORD of
Eddington, MAKER of Calais, McCLELLAN of Raymond, PETERSON of Rumford,
PICCHIOTTI of Fairfield, PICKETT of Dixfield, PIERCE of Dresden, REED of Carmel,
RUSSELL of Portland, SIROCKI of Scarborough, SKOLFIELD of Weld, STEARNS of
Guilford, THERIAULT of China, TIMBERLAKE of Turner, TUELL of East Machias,
VACHON of Scarborough, WARD of Dedham, Senators: DAVIS of Piscataquis,
EDGECOMB of Aroostook, WHITTEMORE of Somerset, WOODSOME of York.

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

2 **Sec. 1. 10 MRSA §1457, sub-§4** is enacted to read:

3 **4. Conventional motor fuel.** Notwithstanding any provision of law to the contrary,
4 a motor fuel distributor, franchisor or refiner may not impose any condition, restriction,
5 agreement or understanding that prohibits or limits the sale, resale, transfer or purchase of
6 conventional, ethanol-free motor fuel products in the State.

7 **Sec. 2. Stakeholder group; report.** The Commissioner of Environmental
8 Protection, referred to in this section as "the commissioner," shall convene a stakeholder
9 group to conduct a study regarding motor fuel and fuel additives, including but not
10 limited to acetaldehyde in ethanol motor fuel. The commissioner, the Commissioner of
11 Transportation, the Commissioner of Economic and Community Development and the
12 chair of the Public Utilities Commission, or their designees, shall serve as members of the
13 stakeholder group, and the commissioner shall invite the participation of interested
14 persons and groups, including but not limited to consumer protection groups, small
15 businesses, motor vehicle dealers and owners of motor fuel refueling stations. The
16 stakeholder group shall specifically:

17 1. Review the extent to which the State is in compliance with the federal Clean Air
18 Act Amendments of 1990 with respect to the emissions of acetaldehyde produced by the
19 combustion of ethanol motor fuel;

20 2. Examine whether an increase from 10% ethanol to 15% ethanol in gasoline blends
21 will increase the level of acetaldehyde emissions and decrease the State's ability to
22 comply with the federal Clean Air Act Amendments of 1990;

23 3. Conduct a comprehensive review of the statewide costs associated with
24 acetaldehyde in ethanol motor fuel, including but not limited to the corrosive effects of
25 acetaldehyde on small engines, the effects of acetaldehyde on marine resources in the
26 State and the negative impact such effects have on business in the State;

27 4. Examine the impact of federal subsidies for corn used to produce ethanol on the
28 cost of food locally and globally;

29 5. Compare the net energy value of corn-derived ethanol to that of ethanol derived
30 from other products, such as other grains or algae;

31 6. Explore alternatives to ethanol motor fuel, including but not limited to biofuels
32 developed from wood pulp; and

33 7. Develop a plan to reduce the supply of ethanol motor fuel in the State.

34 The commissioner shall report the stakeholder group's findings and recommendations
35 regarding the study, including any proposed implementing legislation, to the Joint
36 Standing Committee on Environment and Natural Resources by December 1, 2015. The
37 committee may report out a bill relating to those recommendations to the Second Regular
38 Session of the 127th Legislature.

1

SUMMARY

2 This bill amends the law regarding ethanol-enhanced motor fuel to clarify that a
3 motor fuel distributor, franchisor or refiner may not impose any condition, restriction,
4 agreement or understanding that prohibits or limits the sale, resale, transfer or purchase of
5 conventional, ethanol-free motor fuel products in the State. The bill also directs the
6 Commissioner of Environmental Protection to convene a stakeholder group to conduct a
7 study regarding motor fuel and fuel additives, including but not limited to acetaldehyde in
8 ethanol motor fuel. The stakeholder group is directed to study the State's compliance
9 with the federal Clean Air Act Amendments of 1990 with respect to emissions of
10 acetaldehyde produced by the combustion of ethanol motor fuel, and conduct a
11 comprehensive review of the statewide costs associated with the acetaldehyde in ethanol
12 motor fuel, including the corrosive effects of acetaldehyde on small engines, the effects
13 of acetaldehyde on marine resources in the State and the negative impact such effects
14 have on business in the State. The commissioner shall report the stakeholder group's
15 findings to the Joint Standing Committee on Environment and Natural Resources by
16 December 1, 2015. The committee may report out a bill to the Second Regular Session of
17 the 127th Legislature.