

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

No. 1654

S.P. 595

In Senate, January 11, 1994

An Act Pertaining to Stage II Vapor Recovery.

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Energy and 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 CIANCHETTE of Somerset.
Cosponsored by Senator: LUDWIG of Aroostook, Representatives: GOULD of Greenville,
JACQUES of Waterville, LORD of Waterboro, REED of Dexter.

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

4 Whereas, Stage II vapor recovery is an extremely costly
6 measure for reducing volatile organic compounds to levels imposed
by the federal Clean Air Act; and

8 Whereas, the cost of Stage II would be borne by state
10 businesses, many of which are small, independently owned gasoline
service stations; and

12 Whereas, more economical alternatives exist, such as
14 transportation initiatives, through which the State can achieve
the goals of the Clean Air Act; and

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

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

24 Sec. 1. 38 MRSA §585-E is enacted to read:

26 **§585-E. Stage II vapor recovery system not required**

28 A gasoline service station in this State may not be required
30 to implement a Stage II vapor recovery system for control of
32 vehicle refuelling emissions at gasoline dispensing facilities,
34 as that system is described in the Federal Register, Vol. 57, No.
74 in proposed rules, and pursuant to 42 United States Code,
Section 7511a(b)(3).

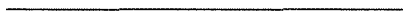
36 Sec. 2. **Effect of law.** Any rule adopted by the Board of
38 Environmental Protection before or after the effective date of
this Act that requires or implements Stage II vapor recovery at a
gasoline service station in this State is void and has no effect.

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

STATEMENT OF FACT

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This bill prohibits the Board of Environmental Protection from adopting rules that would implement or require Stage II vapor recovery at gasoline service stations.



This document has not yet been reviewed to determine the need for cross-reference, stylistic and other technical amendments to conform existing law to current drafting standards.