

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 376

H.P. 274

House of Representatives, February 1, 1995

**An Act to Exempt the State from the Mandatory Use of Reformulated Fuel.**

(EMERGENCY)

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative TUFTS of Stockton Springs.  
Cosponsored by Senator CASSIDY of Washington and  
Representatives: BARTH of Bethel, BIRNEY of Paris, BUNKER of Kossuth Township,  
CARLETON of Wells, CHICK of Lebanon, CROSS of Dover-Foxcroft, DAMREN of  
Belgrade, DEXTER of Kingfield, DUNN of Gray, FISHER of Brewer, GIERINGER of  
Portland, GREENLAW of Standish, GWADOSKY of Fairfield, JACQUES of Waterville,  
JOY of Crystal, JOYNER of Hollis, LABRECQUE of Gorham, LAYTON of Cherryfield,  
LEMONT of Kittery, LIBBY of Kennebunk, LOVETT of Scarborough, NICKERSON of  
Turner, PERKINS of Penobscot, PINKHAM of Lamoine, PLOWMAN of Hampden, REED of  
Falmouth, REED of Dexter, RICE of South Bristol, SAVAGE of Union, STROUT of Corinth,  
TAYLOR of Cumberland, TRUE of Fryeburg, VIGUE of Winslow, WATERHOUSE of  
Bridgton, WHEELER of Bridgewater, Senators: CARPENTER of York, CIANCHETTE of  
Somerset, GOLDTHWAIT of Hancock, HALL of Piscataquis, KIEFFER of Aroostook,  
LORD of York, PARADIS of Aroostook, PENDEXTER of Cumberland, STEVENS of  
Androscoggin.

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,** reformulated gasoline is now required to be sold in  
9 counties of the State; and

8           **Whereas,** reformulated gasoline is more expensive than  
nonreformulated gasoline, which is a burden to the citizens of  
10 this State; and

12           **Whereas,** the full effects, both economic and mechanical, of  
reformulated gasoline are currently unknown; and

14  
16           **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  
18 necessary for the preservation of the public peace, health and  
safety; now, therefore,

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

22           **Sec. 1. Exemption from reformulated gasoline sales.** The  
24 Commissioner of Environmental Protection shall petition the  
United States Environmental Protection Agency to remove all  
26 counties in Maine from the list of counties that must use  
reformulated gasoline. The Department of Environmental  
28 Protection shall study the economic effects of requiring  
reformulated gasoline in those counties and the effect on  
30 vehicles and machinery using reformulated gasoline and shall  
report its findings to the joint standing committee of the  
32 Legislature having jurisdiction over natural resource matters by  
September 1, 1995.

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

### 38           **STATEMENT OF FACT**

40           This bill requires the Commissioner of Environmental  
42 Protection to petition the federal Environmental Protection  
Agency to remove Maine counties from the federal regulation  
44 requiring certain areas of the country to sell reformulated  
gasoline.

46           Currently, 9 Maine counties are required by the federal  
48 Environmental Protection Agency to sell reformulated gasoline.  
The requirement results from a 1991 request by Maine's governor  
50 that reformulated gasoline be required statewide. Instead of

2 requiring the sale statewide, the Administrator of the federal  
Environmental Protection Agency required the 9 counties in this  
4 State that have failed to attain the federal ozone standard to  
sell reformulated gasoline.