

MAINE STATE LEGISLATURE

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Date: 5/31/19 Majority

5/31/19
R. G. S.

ENVIRONMENT AND NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 710, L.D. 955, Bill, "An Act To Prohibit Offshore Oil and Natural Gas Drilling and Exploration"

Amend the bill by striking out all of section 2 and inserting the following:

'Sec. 2. 38 MRSA c. 3, sub-c. 2-C is enacted to read:

SUBCHAPTER 2-C

PROHIBITION ON OIL AND NATURAL GAS EXPLORATION,
DEVELOPMENT AND PRODUCTION

§570-AA. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Development. "Development" means the activities conducted subsequent to the exploration for and discovery of oil or natural gas resources, but prior to the production of those resources, to facilitate the production of those resources, including, but not limited to, geophysical activities, drilling, platform construction, pipeline construction and the operation of all onshore support facilities specifically constructed or designed to support those activities.

2. Exploration. "Exploration" means the activities conducted to locate oil or natural gas resources, prior to the development or production of those resources, including, but not limited to, the drilling of wells for the purpose of locating and determining the size and scope of those resources.

3. Federal waters. "Federal waters" means those waters and submerged lands lying seaward to the waters of the State that are subject to federal jurisdiction and control.

4. Oil terminal facility. "Oil terminal facility" has the same meaning as in section 542, subsection 7.

COMMITTEE AMENDMENT

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5. North Atlantic planning area. "North Atlantic planning area" means an area of federal waters in the outer Continental Shelf adjacent to the coastal waters of the states of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York and New Jersey.

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6. Production. "Production" means the activities conducted subsequent to the exploration, discovery and development of oil or natural gas resources including, but not limited to, the removal or extraction of those resources, related field operations, the transportation of those resources over the waters of the State to onshore facilities, workover drilling and the operation, monitoring and maintenance of the removal or extraction process. "Production" does not include the transfer of oil or natural gas resources to or from the waters of the State, including both onloading and offloading of oil or natural gas resources between an oil terminal facility and a vessel or between vessels, except that "production" does include the transfer of oil or natural gas resources to or from the waters of the State when such transfer involves oil or natural gas resources removed or extracted from federal waters in the north Atlantic planning area.

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7. Vessel. "Vessel" has the same meaning as in section 542, subsection 11.

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§570-BB. Prohibition

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Notwithstanding any other provision of law to the contrary, a person may not perform or cause to be performed, and the department may not permit, approve or otherwise authorize, any oil or natural gas exploration, development or production in, on or under the waters of the State.'

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Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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SUMMARY

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This amendment, which is the majority report of the committee, amends the bill to clarify the prohibition on oil or natural gas exploration, development or production activities as follows.

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1. It amends certain definitions to more clearly delineate the activities regulated and to specify that the transfer of oil or natural gas resources to or from the waters of the State, including both onloading and offloading of oil or natural gas resources between an oil terminal facility and a vessel or between vessels, is not prohibited under the bill.

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2. It removes language specifically prohibiting exploration, development or production activities that may adversely affect the waters of the State.