

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2013

~~sources and costs and expenses paid to the franchisor under the terms of the franchise or any ancillary or collateral agreement; provided no except that compensation shall be is not allowed for personalized items which that have no value to the franchisor.~~

Sec. 8. 10 MRSA §1456, sub-§2, as enacted by PL 1975, c. 549, is amended to read:

2. Court action. The court shall grant such equitable relief as is necessary to remedy the effects of conduct prohibited under this chapter, ~~which it that the court~~ finds to exist, including declaratory judgment and mandatory or prohibitive injunctive relief. The court may grant interim equitable relief, and actual and punitive damages ~~where when~~ indicated, in suits under this chapter and may, ~~unless such suit is frivolous,~~ direct that costs, reasonable ~~attorney~~ attorney's and expert witness fees incurred by the franchisee in those portions of the action in which the franchisee is the prevailing party be paid by the franchisor.

See title page for effective date.

CHAPTER 220

H.P. 1049 - L.D. 1464

An Act To Streamline the Laws Related to Transportation

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

Sec. 1. 23 MRSA §704, sub-§6, as amended by PL 2003, c. 571, §2, is further amended to read:

6. Access denied. ~~The Notwithstanding any other provision of this Title, the Department of Transportation and the municipalities shall deny ingress to and egress from property abutting the a controlled access highway when access rights have been acquired established by the department pursuant to chapter 7, except that the Commissioner of Transportation may allow access for the development of state and state aid highways and may allow access upon a determination by the commissioner that such access will not adversely affect public safety and will not have a significant negative impact on the mobility of through-travelers. The commissioner may approve or deny a relocation of an existing break in a control of access consistent with the rules adopted pursuant to subsection 2.~~

Sec. 2. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 23, in the title headnote, the word "highways" is amended to read "transportation" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. 3. Maine Revised Statutes, Title 23.

The Department of Transportation shall work with the Office of Policy and Legal Analysis and the Revisor of Statutes to examine the organization and structure of, and the language contained in, the Maine Revised Statutes, Title 23 and develop recommendations regarding reorganizing or updating that Title or a portion or portions of that Title. The Department of Transportation shall submit those recommendations to the Joint Standing Committee on Transportation no later than December 4, 2013.

See title page for effective date.

CHAPTER 221

S.P. 478 - L.D. 1359

An Act To Update and Simplify Maine Gasoline Requirements

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

Whereas, in order to meet federal Clean Air Act requirements, from May 1st to September 15th, retailers who sell gasoline in 7 southern counties in the State may sell only gasoline that has a Reid vapor pressure no greater than 7.8 psi; and

Whereas, before the State can require the 7 counties to sell only reformulated gasoline during the summer months, the Department of Environmental Protection must submit a request to the United States Environmental Protection Agency; and

Whereas, sufficient lead time is necessary for submittal of the State's request by the Department of Environmental Protection and review of the State's request by the United States Environmental Protection Agency prior to the 2014 summer season; and

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 necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 38 MRSA §582, sub-§10-B is enacted to read:

10-B. Reformulated gasoline. "Reformulated gasoline" has the same meaning as in 40 Code of Federal Regulations, Section 80.2(ee) (2012).

Sec. 2. 38 MRSA §585-N is enacted to read: