

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST SPECIAL SESSION**

**August 26, 2019**

**SECOND REGULAR SESSION**

**January 8, 2020 to March 17, 2020**

**THE GENERAL EFFECTIVE DATE FOR  
FIRST SPECIAL SESSION  
NON-EMERGENCY LAWS IS  
NOVEMBER 25, 2019**

**THE GENERAL EFFECTIVE DATE FOR  
SECOND REGULAR SESSION  
NON-EMERGENCY LAWS IS  
JUNE 16, 2020**

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

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**Augusta, Maine  
2020**

**CHAPTER 125  
H.P. 1483 - L.D. 2082**

**Resolve, Regarding Legislative Review of Portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control**

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

**Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** a major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 17, 2020.

**CHAPTER 126  
H.P. 1280 - L.D. 1799**

**Resolve, Authorizing the Department of Agriculture, Conservation and Forestry To Convey Certain Land in the Little Moose Unit of Moosehead Junction Township**

**Preamble.** The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

**Whereas,** certain real estate authorized for conveyance by this resolve is under the designations described in the Maine Revised Statutes, Title 12, section 598-A; and

**Whereas,** the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may convey lands with the approval of the Legislature in accordance with the Maine Revised Statutes, Title 12, section 1814 and section 1851, subsections 1 and 3; now, therefore, be it

**Sec. 1. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain land in Little Moose Unit, Moosehead Junction Township. Resolved:** That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may, by quitclaim deed without covenant, for appraised fair market value and other compensation and on such other terms and conditions as the director may direct, convey a parcel of land, totaling approximately 0.23 acre, situated in Little Moose Unit, off Route 15 in Moosehead Junction Township and described in a boundary survey performed by Heart of Maine Surveying entitled "Proposed Land to be conveyed to Charles J. Benevento, Moosehead Jct. Twp." dated February 17, 2016 to an abutter, Charles Benevento. The purpose of the conveyance is to resolve a boundary issue. The conveyance repeals the designation of the parcel as public reserved lands as required by the Maine Revised Statutes, Title 12, section 598-A.

See title page for effective date.

**CHAPTER 127  
H.P. 1352 - L.D. 1886**

**Resolve, To Rename the Sibley Pond Bridge the William Harris Memorial Bridge**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until

90 days after adjournment unless enacted as emergencies; and

**Whereas**, this legislation renames the Sibley Pond Bridge after William Harris, whose life was dedicated to public service for both the State and his country; and

**Whereas**, it is important that this legislation take effect immediately in order to timely honor the late William Harris; 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

**Sec. 1. Sibley Pond Bridge renamed. Resolved:** That the Department of Transportation shall designate Bridge 2767 in the Town of Canaan and the Town of Pittsfield, currently known as the Sibley Pond Bridge, the William Harris Memorial Bridge.

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

Effective March 18, 2020.

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**CHAPTER 128**

**S.P. 662 - L.D. 1915**

**Resolve, Directing the Department of Environmental Protection To Evaluate Emissions from Aboveground Petroleum Storage Tanks**

**Sec. 1. Air emissions study. Resolved:** That the Department of Environmental Protection shall study methods to measure and estimate air emissions from aboveground petroleum storage tanks. In conducting the study under this section, the department shall include, but is not limited to, consideration of methods published by the United States Environmental Protection Agency, ASTM International and the National Institute of Standards and Technology, as well as methods used by other states and jurisdictions. As part of the study, the department shall identify methods or programs for assisting municipalities in the use and application of mobile air quality monitoring devices to identify the release of hazardous air pollutants from aboveground petroleum storage tanks.

**Sec. 2. Odor and air emissions control study. Resolved:** That the Department of Environmental Protection shall study methods to control odor and other air emissions from emission sources at oil terminal facilities, including emissions from aboveground petroleum storage tanks, loading racks

and vessel offloading. In conducting the study under this section, the department shall include consideration of best available technologies for the control of odor and emissions being used by other states and jurisdictions.

**Sec. 3. Report. Resolved:** That, by January 1, 2021, the Department of Environmental Protection shall report its findings under sections 1 and 2 to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters. The report must include recommendations from the department for methods to be applied for emissions measurement and estimates and methods or programs for assisting municipalities in the use and application of mobile air quality monitoring devices, as well as recommended odor and emission control requirements, and must include identification of any procedural steps necessary to implement those recommendations in the State under the federal Clean Air Act.

The joint standing committee of the Legislature having jurisdiction over environment and natural resources matters is authorized to submit legislation related to the report to the First Regular Session of the 130th Legislature.

See title page for effective date.

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**CHAPTER 129**

**H.P. 1453 - L.D. 2042**

**Resolve, To Allow the Department of Public Safety To Transfer Certain Property to the LifeFlight Foundation**

**Sec. 1. Transfer of certain property. Resolved:** That the State, by and through the Commissioner of Administrative and Financial Services, upon recommendation of the Commissioner of Public Safety, shall transfer to the LifeFlight Foundation title and ownership of a 2014 Ford Expedition motor vehicle and computerized training equipment that were purchased by the Department of Public Safety with funds provided by the LifeFlight Foundation. The Department of Public Safety shall transfer to the LifeFlight Foundation any funds remaining in a dedicated special revenue account maintained by the Department of Public Safety. The Department of Public Safety shall terminate the Memorandum of Understanding, dated June 1, 2014, between the Department of Public Safety, Maine Emergency Medical Services and the LifeFlight Foundation.

See title page for effective date.