

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENVIRONMENT AND  
NATURAL RESOURCES**

July 2013

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## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

*CARRIED OVER* ..... carried over to a subsequent session of the Legislature  
*CON RES XXX*..... chapter # of constitutional resolution passed by both houses  
*CONF CMTE UNABLE TO AGREE*.....Committee of Conference unable to agree; legislation died  
*DIED BETWEEN HOUSES*.....House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE*.....defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT*..... action incomplete when session ended; legislation died  
*EMERGENCY*..... enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE* ..... emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT* ..... legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*..... sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY* ..... ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX*.....chapter # of enacted public Law  
*RESOLVE XXX*..... chapter # of finally passed resolve  
*VETO SUSTAINED*..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 126<sup>th</sup> Legislature is October 9, 2013. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

*Joint Standing Committee on Environment and Natural Resources*

**LD 1340**

**An Act To Ensure Maine's Preparedness for Hazardous Oil Spills**

**PUBLIC 349**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIPPING-SPITZ BOYLE	OTP-AM ONTP	H-301

This bill amends the laws governing the Maine Coastal and Inland Surface Oil Clean-up Fund to:

1. Require a person transporting crude oil by rail or highway to pay an assessment of 3¢ per barrel of crude oil being transported; currently, the assessment is imposed only on a person transporting refined oil; and
2. Authorize the Commissioner of Environmental Protection, through rulemaking, to impose a surcharge of up to 50% of the assessment if the balance in the fund is reduced to \$2,000,000 or less and the surcharge is necessary to avoid a shortfall. The surcharge remains in place until the balance in the fund reaches \$5,000,000.

**Committee Amendment "A" (H-301)**

This amendment is the majority report of the committee. It strikes the provision in the bill that authorizes the Commissioner of Environmental Protection to impose a surcharge of up to 50% of the assessment paid on the transportation and transfer of oil in the State.

**Enacted Law Summary**

Public Law 2013, chapter 349 amends the laws governing the Maine Coastal and Inland Surface Oil Clean-up Fund to require a person transporting crude oil by rail or highway to pay an assessment of 3¢ per barrel of crude oil being transported; currently, the assessment is imposed only on a person transporting refined oil.

**LD 1359**

**An Act To Update and Simplify Maine Gasoline Requirements**

**PUBLIC 221  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM	S-107

This bill, beginning January 1, 2014, requires a retailer who sells gasoline in York, Cumberland, Sagadahoc, Androscoggin, Kennebec, Knox or Lincoln County to sell only reformulated gasoline in those counties. It also directs the Department of Environmental Protection to study the feasibility of the use of a single type of gasoline throughout the State and report to the Joint Standing Committee on Environment and Natural Resources by December 4, 2013. The committee may report out a bill on the subject matter of the department's report to the Second Regular Session of the 126th Legislature.

**Committee Amendment "A" (S-107)**

This amendment adds an emergency preamble and clause. The amendment changes, from January 1, 2014 to May 1, 2014, the date on and after which retailers who sell gasoline in 7 southern counties may sell only reformulated gasoline, and makes a technical change to the section number to remove a conflict with recently enacted law. The amendment retains the requirement that the Department of Environmental Protection study the feasibility of the use of a single type of gasoline throughout the State.

**Enacted Law Summary**

Public Law 2013, chapter 221, beginning May 1, 2014, requires a retailer who sells gasoline in York,