

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE  
FIRST REGULAR SESSION  
SENATE ADVANCED JOURNAL AND CALENDAR**

Thursday, May 9, 2019

SUPPLEMENT NO. 5

**COMMUNICATIONS**

(2-1) The Following Communication:

H.C. 163

**STATE OF MAINE  
OFFICE OF THE GOVERNOR  
1 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0001**

May 2, 2019

The 129th Legislature of the State of Maine  
State House  
Augusta, Maine

Dear Honorable Members of the 129th Legislature:

Under the authority invested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 822, An Act To Prohibit the Sale of Motor Fuel Containing More than 10% Ethanol.

The bill prohibits the sale of motor fuel products in the State that contain ethanol greater than 10% unless the sale of such fuel is in a sealed container that contains one quart or less of the motor fuel.

The ethanol content of fuel is not required, nor regulated, by the Department of Environmental Protection. Today's gasoline contains ethanol primarily because of the federal Renewable Fuel Standard, an EPA-administered program that requires transportation fuel sold in the United States to contain a minimum volume of renewable fuels.

Although gasoline containing 10 percent ethanol, or E10, is the most common type of motor vehicle fuel under the Renewable Fuel Standard, EPA also allows the use of motor fuel containing up to 15% ethanol in 2001 model year and newer passenger and flex-fuel vehicles. The use of E15 is prohibited in older light-duty motor vehicles, and all heavy-duty gasoline vehicles and engines, motorcycles and gasoline-powered equipment such as lawn and garden equipment and boats.

E15 is not currently sold in Maine, and, as of now, there is insufficient scientific evidence or data to support the claim that it adversely impacts health. A 2016 study conducted jointly by the Maine Center for Disease Control and Prevention and the Department of Environmental Protection concluded that "there does not appear to be any significant health impacts from the widespread use of E10 gasoline. The potential health impacts of fuel with much higher blends of ethanol have been less well studied." Without sufficient study, and given this fuel is not currently sold in Maine, I am not prepared for the state to declare a ban. However, if new and reputable scientific evidence emerges that higher levels of ethanol in fuel do in fact adversely impact health, I will be happy to revisit and reconsider this legislation.

For these reasons, I return LD 822 unsigned and vetoed.

Sincerely,

S/Janet T. Mills  
Governor  
State of Maine

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(2-2) The accompanying Bill "An Act To Prohibit the Sale of Motor Fuel Containing More than 10% Ethanol"

H.P. 596 L.D. 822

Comes from the House with the **VETO OVERRIDDEN**, notwithstanding the objections of the Governor.

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