

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1080

H.P. 803

House of Representatives, March 5, 2019

Resolve, Regarding Biofuel in Number 2 Heating Oil

(EMERGENCY)

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative RILEY of Jay.
Cosponsored by Representatives: CAIAZZO of Scarborough, DOUDERA of Camden,
FOSTER of Dexter, KESSLER of South Portland.

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

3 **Whereas,** this legislation directs the Executive Department, Governor's Energy
4 Office to oversee a study of the feasibility of setting a requirement for the percentage of
5 biofuel to be used in #2 heating oil; and

6 **Whereas,** it is imperative that this study begin as soon as possible in order for it to
7 be completed and a report submitted to the Legislature by February 15, 2020; and

8 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
9 the meaning of the Constitution of Maine and require the following legislation as
10 immediately necessary for the preservation of the public peace, health and safety; now,
11 therefore, be it

12 **Sec. 1. Biofuels in heating oil study. Resolved:** That the Executive
13 Department, Governor's Energy Office, referred to in this section as "the office," shall
14 oversee a study of the energy, environmental and economic feasibility of setting a
15 requirement for the percentage of biofuel to be used in #2 heating oil. As used in this
16 section, "biofuel" means any commercially produced liquid or gas used to ignite a heating
17 device or a stationary power device or otherwise substitute for liquid or gaseous fuels that
18 is derived from renewable biomass, including, but not limited to, agricultural crops and
19 residues, forest products and by-products and separated food waste, as distinct from
20 petroleum or other fossil carbon sources.

21 1. The study must include, but is not limited to, the following:

22 A. The feasibility of linking annual production of biofuel in the State to use goals
23 and requirements;

24 B. Consideration of biofuel supply, price and infrastructure issues for #2 heating oil;

25 C. Consideration of federal regulations and programs, including, but not limited to,
26 the United States Environmental Protection Agency's renewable fuel standard and the
27 United States Department of Agriculture's biomass crop assistance program;

28 D. Consideration of relevant legislative proposals and actions in the United States
29 Congress, including, but not limited to, low-carbon fuel standards;

30 E. Consideration of relevant policies in other states, particularly in other New
31 England states; and

32 F. Conformance of goals with the office's 2015 state comprehensive energy plan.

33 2. The study must supplement the April 2011 report by the office titled "Biofuels in
34 Heating Oil" and update recommendations regarding the establishment of an alternative
35 fuel incentive program to stimulate the production, distribution and use of biofuels in #2
36 heating oil.

