

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

authority from a tenant to do so, may file the action on behalf of the aggrieved tenant, or both.

See title page for effective date.

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## CHAPTER 266

S.P. 160 - L.D. 441

### An Act To Establish a Definition for Biodiesel Fuels

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

**Sec. 1. 36 MRSA §3202, sub-§1**, as enacted by PL 1983, c. 94, Pt. D, §6, is amended to read:

**1. Distillates.** "Distillates" means all combustible gases and liquids used in an internal combustion engine, including biodiesel fuel, except the fuel subject to the tax imposed by chapter 451 and low-energy fuel.

**Sec. 2. 36 MRSA §3202, sub-§1-A** is enacted to read:

**1-A. Biodiesel fuel.** "Biodiesel fuel" means renewable fuel composed of mono-alkyl esters of long chain fatty acids derived from vegetable oils or animal fats that is registered with the United States Environmental Protection Agency as a fuel and a fuel additive under the federal Clean Air Act, Section 211(b), 42 United States Code, Section 7545 and as otherwise specified in the American Society for Testing Materials Standard D6751-02a or its subsequent Standard Specification for Biodiesel Fuel (B100) Blend Stock for Distillate Fuels.

See title page for effective date.

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## CHAPTER 267

H.P. 926 - L.D. 1252

### An Act To Authorize Water and Wastewater Districts To Lease Their Assets

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

**Sec. 1. 35-A MRSA §6109-A** is enacted to read:

**§6109-A. Lease of property by consumer-owned water utility**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

**A.** "Charter" has the same meaning as set forth in section 6402, subsection 1.

**B.** "Consumer-owned water utility" has the same meaning as set forth in section 6101, subsection 1-A.

**2. Agreements authorized.** Notwithstanding any provision to the contrary in its charter, a consumer-owned water utility may enter into a lease and leaseback transaction with respect to some or all of its real or personal property, other than land, and may take all other action necessary or desirable, including, but not limited to, the granting of mortgages and liens, to effectuate the transaction. For purposes of this subsection, "lease" includes a lease of any length, including leases that may be defined as sales for income tax purposes.

**Sec. 2. 38 MRSA §1068** is enacted to read:

**§1068. Lease of property by sanitary district**

Nothing in this chapter is intended to limit the authority of a sanitary district to enter into a lease and leaseback transaction with respect to some or all of its real or personal property, other than land, and to take all other action necessary or desirable, including, but not limited to, the granting of mortgages and liens, to effectuate the transaction. For purposes of this section, "lease" includes a lease of any length, including leases that may be defined as sales for income tax purposes.

**Sec. 3. 38 MRSA §1252, sub-§10** is enacted to read:

**10. Lease of property.** A sewer district may enter into a lease and leaseback transaction with respect to some or all of its real or personal property, other than land, and may take all other action necessary or desirable, including, but not limited to, the granting of mortgages and liens, to effectuate the transaction. For purposes of this subsection, "lease" includes a lease of any length, including leases that may be defined as sales for income tax purposes.

See title page for effective date.

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## CHAPTER 268

H.P. 981 - L.D. 1336

### An Act to Strengthen the Governmental Ethics Laws