

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2010 to April 12, 2010

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 12, 2010

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

Augusta, Maine
2010

Washington County. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant, for negotiated value, and on such other terms and conditions as the director may direct, convey interests in land in the Town of Lubec to the municipal government of the Town of Lubec. Consistent with requirements of federal funds used for the acquisition of this parcel by the State, the conveyance must be conditioned by a deeded limitation that the parcel be used only for recreation and open space purposes and be available to the general public, with allowed uses including but not limited to the construction and operation of public memorial structures.

This conveyance is intended to include, but is not limited to, a small parcel of land located on the southeasterly corner of the existing Johnson Bay public boating facility and identified as Map 15, Lot 10 on the Town of Lubec tax records, which parcel is currently undeveloped, and recorded in the Washington County Registry of Deeds, Book 706, Page 81; and be it further

Sec. 8. Commissioner of Inland Fisheries and Wildlife directed to negotiate easements in Cumberland County. Resolved: That the Commissioner of Inland Fisheries and Wildlife shall initiate negotiations with interested parties, including but not limited to abutting property owners, regarding granting easements on land known as the Eastern Trail near the intersection of Blackpoint Road in Scarborough, Cumberland County, with such terms and conditions as the commissioner may direct. The commissioner shall endeavor to conclude such negotiations no later than December 1, 2010.

See title page for effective date.

CHAPTER 210

H.P. 1160 - L.D. 1632

**Resolve, Regarding Biofuel in
Number 2 Heating Oil**

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

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

- A. The feasibility of linking annual production of biofuel in the State to use goals and requirements;
- B. Consideration of biofuel supply, price and infrastructure issues for number 2 heating oil;
- C. Consideration of federal regulations and programs, including, but not limited to, the United States Environmental Protection Agency's renewable fuels standard and the United States Department of Agriculture's biomass crop assistance program;
- D. Consideration of relevant legislative proposals and actions in the United States Congress, including, but not limited to, low-carbon fuel standards;
- E. Consideration of relevant policies in other states, particularly in other New England states; and
- F. Conformance of goals with the office's State of Maine Comprehensive Energy Plan.

2. The study must supplement the January 2008 report by the office titled "Liquid Biofuels Policy for Maine" and update recommendations regarding the establishment of an alternative fuel incentive program to stimulate the production, distribution and use of biofuels in number 2 heating oil.

3. In carrying out the study, the office shall consult with the Department of Environmental Protection, the Public Utilities Commission and the Efficiency Maine Trust Board.

4. Performance of the study's examination of supply goals and requirements and price considerations under subsection 1 is dependent on receipt of funding through a 3rd-party grant or donation. Performance of the study's update of policy recommendations to stimulate the production, distribution and use of biofuels, with supply goals and price considerations, must be undertaken by the office regardless of funding source.

5. By February 15, 2011, the office shall submit a report of its findings and recommendations, together with any necessary implementing legislation, to the joint standing committee of the Legislature having jurisdiction over natural resources matters; and be it further

Sec. 2. Authority to submit legislation. Resolved: That the joint standing committee of the Legislature having jurisdiction over natural resources matters may submit a bill relating to the subject matter of the report submitted pursuant to section 1 to the First Regular Session of the 125th Legislature.

See title page for effective date.
