

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2010

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Legislative Document

No. 1575

H.P. 1113

House of Representatives, December 22, 2009

### **An Act To Establish a Residential Wood Stove Replacement Fund**

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Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.  
Received by the Clerk of the House on December 18, 2009. Referred to the Committee on  
Natural Resources pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative BECK of Waterville.  
Cosponsored by Senator JACKSON of Aroostook and  
Representatives: BUTTERFIELD of Bangor, CLARK of Millinocket, CUSHING of Hampden,  
FLEMINGS of Bar Harbor, MARTIN of Eagle Lake, Senators: DAMON of Hancock,  
GERZOFSKY of Cumberland, NUTTING of Androscoggin.

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

2 Sec. 1. 38 MRSA §610-D is enacted to read:

3 **§610-D. Residential Wood Stove Replacement Fund**

4 **1. Fund established.** The Residential Wood Stove Replacement Fund, referred to in  
5 this section as "the fund," is established as a nonlapsing fund administered by the  
6 department for the purpose of providing financial incentives for the replacement of wood  
7 stoves with cleaner alternatives.

8 **2. Sources of money.** The fund consists of any money received from the following  
9 sources:

10 A. Appropriations by the State;

11 B. Contributions from any other source, both public and private; and

12 C. Civil penalties for violations of air quality laws or rules administered by the  
13 department if the penalties are imposed pursuant to an administrative consent  
14 agreement or court-ordered consent decree and the person against whom the penalty  
15 is imposed expressly assents in the agreement or decree that the penalty may be paid  
16 into the fund.

17 Money deposited in the fund must be deposited with the Treasurer of State to the credit of  
18 the fund and may be invested as provided by law. Interest on that investment must be  
19 credited to the fund.

20 **3. Disbursements from the fund.** The department shall apply the money in the  
21 fund toward the award of financial incentives to replace residential wood stoves that are  
22 not certified by the United States Environmental Protection Agency with residential  
23 heating appliances with lower emissions of pollution such as wood stoves, pellet stoves or  
24 vented gas stoves that have been certified by the United States Environmental Protection  
25 Agency. Costs incurred by the department to administer the residential wood stove  
26 replacement program under subsection 4 may be paid by the fund.

27 **4. Residential wood stove replacement program.** The department shall establish a  
28 residential wood stove replacement program. The program must include, but is not  
29 limited to:

30 A. Public outreach and education;

31 B. Establishment of eligibility criteria for participating in the program, benefits  
32 available under the program and the process for establishing eligibility for benefits;  
33 and

34 C. Approved methods for removal and disposal of the replaced residential wood  
35 stoves.

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