

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2008 to June 13, 2009**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 12, 2009**

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

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**Augusta, Maine**  
**2009**

**CHAPTER 208**  
**S.P. 365 - L.D. 982**

**An Act To Amend the Laws  
Governing Legislative Ethics**

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

**Sec. 1. 1 MRSA §1009**, as enacted by PL 2005, c. 301, §2, is amended to read:

**§1009. Recommendations to Legislature**

Following a general election, the commission may solicit suggestions for improving campaign financing and reporting and the administration of the other areas within the commission's jurisdiction. The commission shall review the suggestions and may submit legislation within 90 days of the general election based on those suggestions or on proposals by individual members of the commission or its staff.

**Sec. 2. 1 MRSA §1012, sub-§2-A** is enacted to read:

**2-A. Domestic partner.** "Domestic partner" means the partner of a Legislator who:

A. Has been legally domiciled with the Legislator for at least 12 months;

B. Is not legally married to or legally separated from an individual;

C. Is the sole partner of the Legislator and expects to remain so; and

D. Is jointly responsible with the Legislator for each other's common welfare as evidenced by joint living arrangements, joint financial arrangements or joint ownership of real or personal property.

**Sec. 3. 1 MRSA §1012, sub-§6**, as enacted by PL 1989, c. 561, §4, is amended to read:

**6. Immediate family.** "Immediate family" means a Legislator's spouse, domestic partner or dependent children.

**Sec. 4. 1 MRSA §1012, sub-§8**, as enacted by PL 1989, c. 561, §4, is amended to read:

**8. Relative.** "Relative" means an individual who is related to the Legislator or the Legislator's spouse as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, domestic partner, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother or

half sister, and ~~shall be deemed to include~~ includes the fiance or fiancee of the Legislator.

See title page for effective date.

**CHAPTER 209**  
**H.P. 810 - L.D. 1171**

**An Act To Amend the Laws  
Governing Outdoor Wood  
Boilers**

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

**Sec. 1. 38 MRSA §582, sub-§8-C, ¶A**, as enacted by PL 2007, c. 442, §1, is amended to read:

A. Designed to burn wood, biomass fuel products or other solid fuels;

**Sec. 2. 38 MRSA §582, sub-§8-C, ¶B**, as enacted by PL 2007, c. 442, §1, is amended to read:

B. That the manufacturer specifies for outdoor installation or in structures not normally occupied by humans or is an indoor-rated device housed in a modular or containerized structure; and

**Sec. 3. 38 MRSA §582, sub-§8-C, ¶C**, as enacted by PL 2007, c. 442, §1, is amended to read:

C. That heats building space ~~and~~ or water, or both, through the distribution, typically through pipes for a fluid or ducts for air, of a fluid or air heated in the device, ~~typically water or a mixture of water and antifreeze.~~

**Sec. 4. 38 MRSA §610-B, sub-§2-A** is enacted to read:

**2-A. Voluntary, technology-forcing emission standard.** An outdoor wood boiler meeting a particulate matter emission limit of 0.06 pounds per million British Thermal Units heat output is not subject to a setback requirement as long as it meets the stack height requirements for an outdoor wood boiler meeting the emission standard in subsection 2 in accordance with rules adopted by the department.

**Sec. 5. 38 MRSA §610-C, sub-§3**, as enacted by PL 2007, c. 680, §2, is amended to read:

**3. Application of fund.** The department shall apply the money in the fund toward the upgrade, purchase and replacement of outdoor wood boilers ~~installed prior to February 1, 2008 and~~ determined by the department to constitute a nuisance condition or threat to public health or safety. The department shall adopt rules that include, but are not limited to, criteria for determining whether an outdoor wood boiler constitutes a nuisance condition or threat to public health or safety and is eligible for use of the fund, compensa-