

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in section 1 in subsection 4 by striking out the first paragraph and inserting the following:

**‘4. Emergency powers.** If the commissioner finds after investigation that an outdoor wood boiler is being operated in a manner that creates a nuisance condition or may create or creates a danger to public health or safety, the commissioner may order the owner or any person operating that outdoor wood boiler to immediately cease or prevent that operation, and the commissioner may take such action as may be necessary to terminate or mitigate the danger or likelihood of danger.’

Amend the bill in section 2 in §610-C in subsection 1 in the 3rd line (page 1, line 35 in L.D.) by inserting after the following: "department to" the following: 'upgrade.'

Amend the bill in section 2 in §610-C in subsection 3 in the 2nd line (page 2, line 8 in L.D.) by inserting after the following: "the" the following: 'upgrade.'

Amend the bill in section 2 in §610-C by inserting after subsection 3 the following:

**‘4. Repeal.** This section is repealed August 31, 2013.’

Amend the bill by inserting after section 2 the following:

**‘Sec. . Appropriations and allocations.** The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Air Quality 0250**

Initiative: Allocates general operating expenses for the Outdoor Wood Boiler Fund.

| <b>OTHER SPECIAL REVENUE FUNDS</b>       | <b>2007-08</b> | <b>2008-09</b>   |
|--|----------------|------------------|
| All Other                                | \$0            | \$200,000        |
|  | <hr/>          | <hr/>            |
| <b>OTHER SPECIAL REVENUE FUNDS TOTAL</b> | <b>\$0</b>     | <b>\$200,000</b> |

**SUMMARY**

This amendment clarifies the emergency powers of the Commissioner of Environmental Protection relating to outdoor wood boilers that create a nuisance condition or a danger to public health or safety. The amendment adds the upgrade of outdoor wood boilers to the authorized uses of the Outdoor Wood

Boiler Fund. The amendment also repeals the section of law that establishes the Outdoor Wood Boiler Fund on August 31, 2013. This amendment adds an appropriations and allocations section to the bill.

**FISCAL NOTE REQUIRED**  
**(See attached)**