

**§10119. Heating Fuels Efficiency and Weatherization Fund**

**1. Fund established; use of money.** The Heating Fuels Efficiency and Weatherization Fund, referred to in this section as "the fund," is established. The fund is a nonlapsing fund and is administered by the trust in accordance with this section. Any interest earned on funds in the fund must be credited to the fund, and funds not spent in any fiscal year remain in the fund to be used in accordance with this section. The trust may receive and deposit in the fund funds from the following sources:

- A. Any funds collected from an assessment on heating fuels; [PL 2009, c. 372, Pt. B, §3 (NEW).]
- B. Federal funds and awards that may be used for the purposes of this section; [PL 2009, c. 652, Pt. A, §49 (AMD).]
- C. The proceeds of any bonds issued for the purposes of this section; [PL 2009, c. 372, Pt. B, §3 (NEW).]
- D. Principal and interest received from the repayment of loans made from the fund; [PL 2009, c. 372, Pt. B, §3 (NEW).]
- E. Any interest earned on investment of fund balances; [PL 2019, c. 306, §6 (AMD).]
- F. Any funds from public or private sources received in support of the purposes for which the fund is established; and [PL 2019, c. 306, §6 (AMD).]
- G. Payments from the forward capacity market or other payments by the regional transmission organization. [PL 2019, c. 306, §6 (NEW).]

The trust may annually deposit funds received pursuant to this section into the administration fund, to a maximum in any fiscal year of 10% of the revenues received under this section. [PL 2019, c. 306, §6 (AMD).]

**2. Program.** All funds deposited in the fund must be administered by the trust in accordance with the following.

- A. All funds deposited in the fund must be administered by the trust to reduce heating fuel consumption consistent with the purpose and targets of the trust and the triennial plan to achieve the following goals:
  - (1) By 2030, to provide cost-effective energy efficiency and weatherization measures to substantially all homes and businesses whose owners wish to participate in programs established by the trust under this section; and
  - (2) From fiscal year 2019-20 to fiscal year 2024-25, to install 100,000 new high-performance air source heat pumps in the State to provide heating in residential and nonresidential spaces. "High-performance air source heat pump" means an air source heat pump that satisfies minimum heating performance standards as determined by the trust. [PL 2019, c. 306, §6 (AMD).]
- B. Funds from the fund may be used only for programs that provide cost-effective heating fuel efficiency or weatherization measures in accordance with this paragraph.
  - (1) Program categories may include low-income, single-family and 2-family residential units, multifamily residential units, small business, commercial and institutional and such other categories as the trust determines appropriate.
  - (2) Within program categories, the trust may differentiate between programs for new construction and existing buildings.
  - (3) Cost-effective heating fuel efficiency measures must include measures that improve the energy efficiency of energy-using heating and cooling systems through system upgrades or

conversions, including conversions to energy-efficient systems that rely on renewable energy sources, high-performance air source heat pumps or other systems that rely on effective energy efficiency technologies.

(4) Eligible program measures may include, but are not limited to, training or certification of energy auditors, insulation installers, mechanical heating system installers and maintenance technicians and building energy inspectors. [PL 2019, c. 306, §6 (AMD).]

C. Program designs approved by the trust may contain:

(1) Incentives to consumers to purchase and install cost-effective heating fuel efficiency and weatherization products and services, except in the case of programs to deliver education, training or certifications;

(2) Loan options for prescribed products and services, including specially designed loans for low-income and moderate-income consumers for the purchase and installation of a high-performance air source heat pump;

(3) A plan for integrating delivery of heating fuel efficiency and weatherization measures with electric efficiency measures; and

(4) A system for the equitable allocation of costs among the contributing funds or subaccounts administered by the trust when more than one efficiency opportunity is identified, except that for purposes of advancing the goal of paragraph A, subparagraph (2), payments from the forward capacity market deposited in the fund must be used to supplement, and not supplant, heat pump incentive amounts approved through the triennial plan for electric efficiency and conservation programs. [PL 2019, c. 306, §6 (AMD).]

D. [PL 2019, c. 306, §6 (RP).]  
[PL 2019, c. 306, §6 (AMD).]

**3. Rulemaking.** The board may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2009, c. 372, Pt. B, §3 (NEW).]

**4. Effective date.** This section takes effect July 1, 2010. [PL 2009, c. 372, Pt. B, §3 (NEW).]

#### SECTION HISTORY

PL 2009, c. 372, Pt. B, §3 (NEW). PL 2009, c. 652, Pt. A, §49 (AMD). PL 2019, c. 306, §6 (AMD).

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