

### **35-A §3211-C. Solar energy rebate program; fund**

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### **35-A §3211-C. Solar energy rebate program; fund**

*(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)*

*(REALLOCATED FROM TITLE 35-A, SECTION 3211-B)*

*(WHOLE SECTION TEXT EFFECTIVE UNTIL 12/31/10)*

*(WHOLE SECTION REPEALED 12/31/10 by T. 35-A, §3211-C, sub-§6, PL 2007, c. 158, §4 (amd))*

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Qualified solar energy system" means a solar photovoltaic system or a solar thermal system. [2005, c. 1, §17 (RAL).]

B. "Solar photovoltaic system" means a solar energy device with a peak generating capacity of 100 kilowatts or less used for generating electricity for use in a residence or place of business. [2005, c. 1, §17 (RAL).]

C. "Solar thermal system" means a configuration of solar collectors and a pump, heat exchanger and storage tank or fans designed to heat water or air. Solar thermal system types include forced circulation, integral collector storage, thermosyphon and self-pumping systems. [2005, c. 1, §17 (RAL).]

[2005, c. 1, §17 (RAL).]

**2. Solar energy rebate program.** To the extent that funds are available in the fund established in subsection 3 and the requirements of subsection 2-A are satisfied, an owner or tenant of residential or commercial property located in the State is entitled to a rebate for a qualified solar energy system that is installed in accordance with this subsection after July 1, 2005 that will be connected to the electrical grid. The commission shall set rebate levels for qualified solar energy systems. In setting rebate levels, the commission may consider market demand for qualified solar energy systems, program implementation experience and other factors relevant to the solar energy rebate program.

A. To qualify for a rebate, a solar photovoltaic system must meet the following installation requirements:

(1) For a system installed after July 1, 2005 but before January 1, 2007, the system must be installed by a master electrician who has completed a training course to prepare for certification by a North American board of certified energy practitioners or by a master electrician working in conjunction with either a person who has been certified by a North American board of certified energy practitioners or a person who has completed a training course to prepare for certification by a North American board of certified energy practitioners; or

(2) For a system installed on or after January 1, 2007, the system must be installed by a master electrician who has been certified by a North American board of certified energy practitioners or by a master electrician working in conjunction with a person who has been certified by a North American board of certified energy practitioners. [2007, c. 29, §1 (AMD).]

B. To qualify for a rebate, a solar thermal system designed to heat water must be installed by a licensed plumber who has been certified by the commission to install such systems or by a licensed plumber working in conjunction with a person who has been certified by the commission to install such systems. [2007, c. 29, §1 (AMD).]

C. [2007, c. 29, §1 (RP).]

In the case of a newly constructed residence, the rebate must be available to the original owner or occupant.

[ 2007, c. 158, §1 (AMD) .]

**2-A. Energy audit requirement; solar photovoltaic system.** To qualify for a rebate for a solar photovoltaic system under this section, an owner or tenant of residential or commercial property located in the State must demonstrate to the satisfaction of the commission that an energy audit, as defined by the commission by rule, has been completed.

[ 2007, c. 158, §2 (NEW) .]

**3. Funding level; fund.** The commission shall assess transmission and distribution utilities to collect funds for the solar energy rebate program in accordance with this subsection. The amount of all assessments by the commission under this subsection must result in total program expenditures by each transmission and distribution utility that do not exceed 0.005 cent per kilowatt-hour. To the extent practicable, the commission shall establish and collect the assessment in a manner that is consistent with the assessment made under section 3211-A. The commission shall establish a solar energy rebate program fund to be used solely for the purposes of this section. All assessments made under this subsection are deposited in the fund. Any interest on funds in the fund must be credited to the fund. Funds not spent in any fiscal year remain in the fund to be used for the purposes of this section. In each fiscal year, 25% of the fund is allotted to solar photovoltaic system rebates and 75% of the fund is allotted to solar thermal system rebates.

[ 2005, c. 1, §17 (RAL) .]

**4. Rules.** The commission shall adopt rules necessary to implement the provisions of this section, including procedures and standards for demonstrating qualification for a rebate under this section and a definition of "energy audit" for the purposes of subsection 2-A. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[ 2007, c. 158, §3 (AMD) .]

**5. Report.** The commission shall report by December 1st of each year to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters a description of actions taken by the commission pursuant to this section during the prior 12 months.

[ 2005, c. 1, §17 (RAL) .]

**6. Limitation to residents of State; repeal.** Participation in the solar energy rebate program and fund established in this section is limited to residents of the State. This section is repealed December 31, 2010.

[ 2007, c. 158, §4 (AMD) .]

SECTION HISTORY

RR 2005, c. 1, §17 (RAL). 2007, c. 29, §1 (AMD). 2007, c. 158, §§1-4 (AMD).