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An Act To Clarify the Qualifications of Installers under the Solar Energy Rebate Program

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, installers of solar energy systems have to take a course to be qualified to install solar energy systems; and

Whereas, current law requires that a licensed plumber sign off on the installation of a solar thermal water system that is installed by a qualified solar thermal water system installer before a person may receive a solar energy rebate; and

Whereas, it is necessary that the rules be amended as soon as possible so that solar thermal water systems that have been installed by qualified installers may be approved and rebates may be issued without having a licensed plumber sign off on the installation; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 35-A MRSA §3211-C, sub-§1, ¶A-1 is enacted to read:

A-1. "Qualified solar thermal water system installer" means a person who has been certified by the commission to install solar thermal systems designed to heat water and who holds a current license from the State as a master plumber, as a master oil burner technician or as a propane and natural gas technician or has been certified as a type II, type III or universal heating, ventilation and air conditioning refrigeration technician through a certification program approved by the United States Environmental Protection Agency.

Sec. 2. 35-A MRSA §3211-C, sub-§1, ¶C, as reallocated by RR 2005, c. 1, §17, is amended to read:

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 for the purpose of space heating, domestic water heating or both space and domestic water heating. Solar thermal system types include forced circulation, integral collector storage, thermosyphon and self-pumping systems.

Sec. 3. 35-A MRSA §3211-C, sub-§2, ¶B, as amended by PL 2007, c. 29, §1, is further amended to read:

~~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~~qualified solar thermal water system installer and, if the solar thermal system is designed to heat potable water, it must be installed by a qualified solar thermal water system installer who holds a current license as a master plumber or by a qualified solar thermal water system installer working in conjunction with a master plumber.

Sec. 4. Rules amended. The Public Utilities Commission shall amend its rules pertaining to the solar energy rebate program under the Maine Revised Statutes, Title 35-A, section 3211-C.

1. The commission shall amend its rules to implement the provisions of this Act that amend Title 35-A, section 3211-C.

2. The commission shall amend its rules that pertain to requirements for obtaining a rebate to include language that states that an application for a solar thermal system rebate must include a copy of the certificate of competency issued by the commission to the installer and, if the solar thermal system incorporates the heating of potable water, the application must include a copy of the master plumber's license or license number.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective March 12, 2008.