

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

An Act To Provide Affordable Installation of Alternative Energy Systems

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

Sec. 1. 35-A MRSA §3211-C, sub-§1, ¶A-3 is enacted to read:

A-3. "Eligible solar rebate applicant" means an owner or tenant of residential or commercial property in this State who has a qualified solar energy system installed on the property or a person who performs the installation of a qualified solar energy system for an owner or tenant of residential or commercial property in this State.

Sec. 2. 35-A MRSA §3211-C, sub-§1, ¶A-4 is enacted to read:

A-4. "Eligible wind rebate applicant" means an owner or tenant of residential or commercial property in this State who has a qualified wind energy system installed on the property.

Sec. 3. 35-A MRSA §3211-C, sub-§2, as amended by PL 2007, c. 661, Pt. D, §1, is further amended to read:

2. Solar and wind energy rebate program. To the extent that funds are available in the fund established in subsection 3 and the requirements of this subsection and subsection 2-A are satisfied, an owner or tenant of residential or commercial property located in the State an eligible solar rebate applicant 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 and an eligible wind rebate applicant is entitled to a rebate for a qualified wind energy system that is installed in accordance with this subsection after January 1, 2009 that will be connected to the electrical grid. There may be only one applicant per qualified solar energy system or qualified wind energy system installed. The commission shall set rebate levels for qualified solar energy systems and qualified wind energy systems. In setting rebate levels, the commission may consider market demand for qualified solar energy systems and qualified wind energy systems, program implementation experience and other factors relevant to the solar energy and wind 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.

B. To qualify for a rebate, a solar thermal system designed to heat water must be installed by a 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.

D. To qualify for a rebate, the electrical components of a qualified wind energy system must be installed by a master electrician or by a factory trained and approved dealer for the qualified wind energy system working under the supervision of a master electrician.

In the case of a newly constructed residence, the rebate must be available to the original owner or occupant or the person who performs the installation for the original owner or tenant.

Sec. 4. 35-A MRSA §3211-C, sub-§2-A, as enacted by PL 2007, c. 158, §2, is amended to read:

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~~ eligible solar rebate applicant must demonstrate to the satisfaction of the commission that an energy audit, as defined by the commission by rule, has been completed.

Sec. 5. 35-A MRSA §3211-C, sub-§2-B is enacted to read:

2-B. Pass-through requirement for solar rebates paid to installers. When an installer applies for a rebate for a qualified solar energy system, the installer shall pass through 100% of the rebate received for that qualified solar energy system to the owner or tenant for whom the installer installed the qualified solar energy system. For the purposes of this subsection, "installer" means a person who performs the installation of a qualified solar energy system for an owner or tenant of residential or commercial property in this State.

SUMMARY

Under current law governing the solar and wind energy rebate program, an owner or tenant of residential or commercial property may receive a rebate for a qualified solar energy system that is installed on the property. This bill amends the law to provide that the installer of a qualified solar energy system or the owner or tenant of the property on which the qualified solar energy system is installed may receive the rebate. If the installer receives the rebate, the installer is required to pass through 100% of the rebate to the property owner or tenant.