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An Act To Increase the Availability of Solar and Wind Power

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

Whereas, promoting renewable energy and energy efficiency are significant priorities of the American Recovery and Reinvestment Act of 2009; and

Whereas, significant funding from the American Recovery and Reinvestment Act of 2009 will be disbursed to the Public Utilities Commission in the immediate future for energy initiatives, including renewable energy initiatives such as the solar and wind energy rebate program; 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-§6, as amended by PL 2007, c. 661, Pt. D, §1, is further amended to read:

6. Limitation to residents of State; repeal. Participation in the solar and wind energy rebate program and fund established in this section is limited to residents of the State. This section is repealed December 31, ~~2010~~2015.

Sec. 2. Solar and wind energy rebate program; federal stimulus funds; report. The Public Utilities Commission, to the extent allowed, shall apply federal funds received by the commission under the American Recovery and Reinvestment Act of 2009, Public Law 111-5, to increase funding for the solar and wind energy rebate program established in the Maine Revised Statutes, Title 35-A, section 3211-C by \$500,000 per year for the 2-year period during which the federal funds are available. In the solar and wind energy rebate program annual report for December 1, 2010 required by Title 35-A, section 3211-C, subsection 5, the commission shall report the results of the funding expansion to the solar and wind energy rebate program made possible by the American Recovery and Reinvestment Act of 2009 and make recommendations regarding future funding of the solar and wind energy rebate program, including, but not limited to, funding level and sources of funds.

Sec. 3. Solar and wind energy rebate program rules; performance standard; payback calculation. The Public Utilities Commission shall amend the rules governing the solar and wind energy rebate program adopted pursuant to the Maine Revised Statutes, Title 35-A, section 3211-C, subsection 4 to:

1. Establish performance standards for solar and wind energy systems. The purpose of the standards must be to inform rebate program applicants about relevant performance criteria and the relative performance of different solar and wind energy systems; and

2. Require each applicant, as part of the application form, to complete a simple payback period calculation for the applicant's solar or wind energy system. For the purposes of this subsection, "simple payback period" is the estimated amount of time it will take to recover the initial investment through energy savings, determined by dividing the initial installed cost by the estimated annual energy cost savings.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Solar Rebate Program Fund Z012

Initiative: Allocates funds to the solar and wind energy rebate program now continued beyond its original sunset date of December 31, 2010 until the new sunset of December 31, 2015.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$0	\$250,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$250,000

Solar Rebate Program Fund Z012

Initiative: Allocates American Recovery and Reinvestment Act of 2009 funds for 2 years to increase the funding for the solar and wind energy rebate program.

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$500,000	\$500,000
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$500,000	\$500,000

PUBLIC UTILITIES COMMISSION		
DEPARTMENT TOTALS	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$0	\$250,000
FEDERAL EXPENDITURES FUND ARRA	\$500,000	\$500,000
DEPARTMENT TOTAL - ALL FUNDS	\$500,000	\$750,000

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

PUBLIC Law, Chapter 88 LD 220, item 1, 124th Maine State Legislature
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Effective May 8, 2009.