

MAINE STATE LEGISLATURE

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UTILITIES AND ENERGY

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

124TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 70, L.D. 220, Bill, "An Act To Increase the Availability of Solar and Wind Power"

Amend the bill by striking out everything after the title and before the summary and inserting the following:

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 This section is repealed December 31, 2010 2015.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

COMMITTEE AMENDMENT

P. O. S.

1 program established in the Maine Revised Statutes, Title 35-A, section 3211-C by
2 \$500,000 per year for the 2-year period during which the federal funds are available. In
3 the solar and wind energy rebate program annual report for December 1, 2010 required
4 by Title 35-A, section 3211-C, subsection 5, the commission shall report the results of the
5 funding expansion to the solar and wind energy rebate program made possible by the
6 American Recovery and Reinvestment Act of 2009 and make recommendations regarding
7 future funding of the solar and wind energy rebate program, including, but not limited to,
8 funding level and sources of funds.

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

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

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

21 **Sec. 4. Appropriations and allocations.** The following appropriations and
22 allocations are made.

23 **PUBLIC UTILITIES COMMISSION**

24 **Solar Rebate Program Fund Z012**

25 Initiative: Allocates funds to the solar and wind energy rebate program now continued
26 beyond its original sunset date of December 31, 2010 until the new sunset of December
27 31, 2015.

28	OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
29	All Other	\$0	\$250,000
30			
31	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$250,000

32 **Solar Rebate Program Fund Z012**

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

35	FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
36	All Other	\$500,000	\$500,000
37			
38	FEDERAL EXPENDITURES FUND ARRA TOTAL	\$500,000	\$500,000

R.O.S.

COMMITTEE AMENDMENT "A" to S.P. 70, L.D. 220

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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

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

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SUMMARY

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This amendment replaces the bill. The amendment delays the sunset on the solar and wind energy rebate program from December 1, 2010 to December 1, 2015. The amendment directs the Public Utilities Commission to use federal stimulus funds made available under the American Recovery and Reinvestment Act of 2009 to increase funding for the solar and wind energy rebate program by \$500,000 per year for a 2-year period and to report the results of the funding expansion and recommendations regarding future funding of the program in the December 1, 2010 annual report of the solar and wind energy rebate program. The amendment also directs the commission to amend the rules governing the solar and wind energy rebate program to include performance standards as an educational tool for program applicants and to require applicants to complete a simple payback period calculation as part of the application form.

FISCAL NOTE REQUIRED

(See attached)



124th MAINE LEGISLATURE

LD 220

LR 112(02)

An Act To Increase the Availability of Solar and Wind Power

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Utilities and Energy
Fiscal Note Required: Yes

Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Appropriations/Allocations				
Other Special Revenue Funds	\$0	\$250,000	\$500,000	\$500,000
Federal Expenditures Fund ARRA	\$500,000	\$500,000	\$0	\$0
Revenue				
Other Special Revenue Funds	\$0	\$250,000	\$500,000	\$500,000
Federal Expenditures Fund ARRA	\$500,000	\$500,000	\$0	\$0

Fiscal Detail and Notes

This bill directs the Public Utilities Commission (PUC) to add \$500,000 of federal funds allowable under the American Recovery and Reinvestment Act of 2009 to the Solar and Wind Energy Rebate Program in FY 2009-10 and FY 2010-11. The bill also extends the Solar and Wind Energy Rebate Program from its current sunset date of December 31, 2010 to December 31, 2015 and provides allocations of \$250,000 for half of FY 2010-11 and \$500,000 annually thereafter to continue the program through December of 2015. Additional costs to the PUC associated with producing a report, amending rules, modifying the rebate application and processing additional rebate applications can be absorbed within existing resources.