

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2005

Sec. 2. 5 MRSA c. 383, sub-c. 4-A is enacted to read:

SUBCHAPTER 4-A

SMALL BUSINESS AND ENTREPRENEURSHIP

§13100. Small Business and Entrepreneurship

The commissioner shall create within existing budgeted resources the Office of Small Business and Entrepreneurship and appoint a director to operate the office.

1. Director. The director reports to the commissioner. The director is responsible for advocacy, policies and programs that stimulate investment and growth in small business and entrepreneurship. The director is the liaison to the public for gubernatorial initiatives on small business and entrepreneurship.

2. Duties. The director shall:

A. Advocate for small business and entrepreneurship throughout all levels of State Government;

B. Assist in the oversight and auditing of the State's investments in small business and entrepreneurship initiatives, programs and service providers;

C. Chair the Maine Entrepreneurship Working Group, which shall act as the advisory group to the Maine Small Business and Entrepreneurship Commission and subsequently the department;

D. Prepare a biennial state of small business and entrepreneurship report to the Legislature; and

E. Oversee the Business Answers program, the Maine Products Marketing Program and other department programs and initiatives relevant to small business and entrepreneurship.

Sec. 3. Transition. Members serving on the Maine Regulatory Fairness Board on the effective date of this Act continue to serve for the remainder of the terms for which they were appointed.

See title page for effective date.

CHAPTER 459

H.P. 1122 - L.D. 1586

An Act To Encourage the Use of Solar Energy

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

Sec. 1. 35-A MRSA §3211-A, sub-§4, ¶B, as enacted by PL 2001, c. 624, §4, is amended to read:

B. Do not exceed ~~45~~ .145 cent per kilowatt-hour;

Sec. 2. 35-A MRSA §3211-B is enacted to read:

§3211-B. Solar energy rebate program; fund

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.

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.

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.

2. Solar energy rebate program. To the extent that funds are available in the fund established in subsection 3, 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.

A. A solar photovoltaic system qualifies for a rebate of \$3 per watt on the first 2,000 watts of installed capacity and \$1 per watt for the next 1,000 watts if:

(1) For a system installed after July 1, 2005 but before January 1, 2007, the system is 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 is 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. A solar thermal system designed to heat water qualifies for a rebate of 25% of the cost of the system, including installation, or \$1,250, whichever is less, if the system is 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.

C. A solar thermal system designed to heat air qualifies for a rebate of 25% of the cost of the system, including installation, or \$1,250, whichever is less.

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

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.

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. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

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.

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, 2008.

Sec. 3. Standards. The Public Utilities Commission in establishing procedures and standards for demonstrating qualification for a rebate under the Maine Revised Statutes, Title 35-A, section 3211-B shall allow a person to demonstrate the date a system was installed by the date of a net metering arrangement with a transmission and distribution utility or a dated bill of sale for the system.

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

PUBLIC UTILITIES COMMISSION

Solar Rebate Program Fund (new)

Initiative: Allocates funds for the Solar Rebate Program Fund Other Special Revenue account.

OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
All Other	\$500,000	\$500,000
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$500,000	\$500,000

Conservation Program Fund 0967

Initiative: Provides an offsetting deallocation to the conservation program fund established under the Maine Revised Statutes, Title 35-A, section 3211-A.

OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
All Other	(\$500,000)	(\$500,000)
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OTHER SPECIAL REVENUE FUNDS TOTAL	(\$500,000)	(\$500,000)

PUBLIC UTILITIES COMMISSION DEPARTMENT TOTALS	2005-06	2006-07
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

See title page for effective date.

CHAPTER 460

S.P. 632 - L.D. 1687

An Act To Develop a New Judicial Facility in Bangor