

## §10202. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2021, c. 142, §1 (NEW).]

**1. Commercial PACE.** "Commercial PACE" means commercial property assessed clean energy. [PL 2021, c. 142, §1 (NEW).]

**2. Commercial PACE agreement.** "Commercial PACE agreement" means an agreement that authorizes the creation of a commercial PACE assessment on qualifying property and that is approved in writing by all owners of the qualifying property at the time of the agreement. [PL 2021, c. 142, §1 (NEW).]

**3. Commercial PACE assessment.** "Commercial PACE assessment" means an assessment made against qualifying property to finance an energy savings improvement. [PL 2021, c. 142, §1 (NEW).]

**4. Commercial PACE lien.** "Commercial PACE lien" means a lien secured against a qualifying property that is created by a commercial PACE assessment. [PL 2021, c. 142, §1 (NEW).]

**5. Commercial PACE ordinance.** "Commercial PACE ordinance" means an ordinance adopted by the legislative body of a municipality for the purpose of participating in a commercial PACE program. [PL 2021, c. 142, §1 (NEW).]

**6. Commercial PACE program.** "Commercial PACE program" means a program established under this chapter by the trust, a 3rd party contracted by the trust or a municipality, under which commercial property owners can finance energy savings improvements on qualifying property. [PL 2021, c. 142, §1 (NEW).]

**7. Energy savings improvement.** "Energy savings improvement" means an improvement or series of improvements to qualifying property that, as determined by the trust, are new and permanently affixed to qualifying property and that:

A. Will result in increased energy efficiency or substantially reduced energy use and:

(1) Meet or exceed applicable United States Environmental Protection Agency and United States Department of Energy Energy Star program or similar energy efficiency standards established or approved by the trust; or

(2) Involve weatherization of commercial or industrial property in a manner approved by the trust; or [PL 2021, c. 142, §1 (NEW).]

B. Involve a renewable energy installation, an energy storage system as defined in section 3481, subsection 6, an electric thermal storage system, electric vehicle supply equipment or heating equipment that meets or exceeds standards established or approved by the trust. Heating equipment that is not a renewable energy installation must be heating equipment that produces the lowest carbon emissions of any heating equipment reasonably available to the property owner, as determined by the trust, and must meet the requirements of section 10204, subsection 1, paragraph B. [PL 2021, c. 142, §1 (NEW).]

[PL 2021, c. 142, §1 (NEW).]

**8. Qualifying property.** "Qualifying property" means real commercial property that:

A. Does not have a residential mortgage; [PL 2021, c. 142, §1 (NEW).]

B. Is not owned by a residential customer or small commercial customer as defined in section 3106, subsection 1, paragraphs C and D, respectively; [PL 2021, c. 142, §1 (NEW).]

C. Consists of 5 or more rental units if the property is a commercial building designed for residential use; [PL 2021, c. 142, §1 (NEW).]

D. Is not owned by a federal, state or municipal government or public school; and [PL 2021, c. 142, §1 (NEW).]

E. Is located in a municipality that participates in a commercial PACE program pursuant to this chapter. [PL 2021, c. 142, §1 (NEW).]

[PL 2021, c. 142, §1 (NEW).]

**9. Renewable energy installation.** "Renewable energy installation" means a fixture, product, system, device or interacting group of devices installed behind the meter at a qualifying property, or on contiguous property under common ownership, that produces energy or heat from renewable sources, including, but not limited to, photovoltaic systems, solar thermal systems, highly efficient wood heating systems, geothermal systems and wind systems that do not on average generate more energy or heat than the peak demand of the property.

[PL 2021, c. 142, §1 (NEW).]

**10. Trust.** "Trust" means the Efficiency Maine Trust established in section 10103.

[PL 2021, c. 142, §1 (NEW).]

#### SECTION HISTORY

PL 2021, c. 142, §1 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.