

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 698 Session of
2011

INTRODUCED BY FARNESE, TARTAGLIONE, FONTANA, COSTA, SCHWANK AND
LEACH, JUNE 3, 2011

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JUNE 3, 2011

AN ACT

1 Amending the act of July 9, 2008 (1st Sp.Sess., P.L.1873, No.1),
2 entitled "An act providing for alternative sources of energy;
3 establishing the Alternative Energy Development Program, the
4 Consumer Energy Program, the Home Energy Efficiency Loan
5 Program, the Home Energy Efficiency Loan Fund and the
6 Alternative Energy Production Tax Credit Program; and
7 providing for the powers and duties of the Department of
8 Environmental Protection," further providing for definitions
9 and for the Commonwealth Financing Authority.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. The definitions of "alternative energy production
13 project" and "clean energy project" in section 102 of act of
14 July 9, 2008 (1st Sp.Sess., P.L.1873, No.1), known as the
15 Alternative Energy Investment Act, are amended to read:

16 Section 102. Definitions.

17 The following words and phrases when used in this act shall
18 have the meanings given to them in this section unless the
19 context clearly indicates otherwise:

20 "Alternative energy production project." The development or
21 construction of the following:

1 (1) A facility that utilizes waste coal, alternative
2 fuels, biomass, solar energy, wind energy, geothermal
3 technologies, clean coal technologies, waste energy
4 technologies or other alternative energy sources as defined
5 in the act of November 30, 2004 (P.L.1672, No.213), known as
6 the Alternative Energy Portfolio Standards Act, to produce or
7 distribute alternative energy.

8 (2) A facility that manufactures or produces products,
9 including component parts, that provide alternative energy or
10 alternative fuels, improve energy efficiency or conserve
11 energy.

12 (3) A facility used for the research and development of
13 technology to provide alternative energy sources or
14 alternative fuels.

15 (4) A project for the development or enhancement of rail
16 transportation systems that deliver alternative fuels or
17 high-efficiency locomotives.

18 (5) A facility that manufactures or develops products or
19 materials used in solar, energy efficient lighting and
20 displays or batteries.

21 * * *

22 "Clean energy project." A project which does any of the
23 following:

24 (1) Replaces or supplements an existing energy system
25 that utilizes nonrenewable energy with an energy system that
26 utilizes alternative energy.

27 (2) Facilitates the installation of an alternative
28 energy system in an existing building or in new construction
29 or a major renovation of a building.

30 (3) Facilitates the construction of a new high

performance building, the retrofit of an existing building to meet high performance building standards or the preparation of a site for high performance building development, including equipment acquisition, construction, infrastructure and site preparation.

(4) Installs equipment to facilitate or improve energy conservation or energy efficiency, including heating and cooling equipment and solar thermal equipment.

(5) An energy service project.

(6) Facilitates the development or commercialization of materials for use in solar, energy efficient lighting and displays or batteries.

(7) Facilitates the purchase and installation of equipment used for the development, testing or manufacturing of products or materials used in solar, energy efficient lighting or batteries.

* * *

Section 2. Section 307 of the act is amended by adding subsections to read:

Section 307. Commonwealth Financing Authority.

* * *

(g.1) Grant requirements.--Notwithstanding any other provision of law or this act, grants awarded by the authority under subsection (a)(1)(iii) and (iv) shall be subject to the following:

(1) The maximum amount of the grant shall not exceed \$100,000 for every job projected to be created or retained by the business within three years after the approval of the grant. If the business fails to create or retain the projected number of jobs, the authority may require the

1 repayment of a portion of the grant based on the number of
2 jobs actually created.

3 (2) The authority may waive the job creation
4 requirements under paragraph (1) if the authority determines
5 that investing in the capital equipment needs of the business
6 will allow the business to further its development and
7 manufacturing capabilities and where the investment in
8 capital equipment is reasonably expected to lead to long-term
9 job creation and retention.

10 (g.2) Matching funds for projects.--The authority may
11 require applicants to make an investment in the proposed project
12 in order to receive a loan or grant under subsection (a). The
13 amount of the matching investment shall be 50¢ for every \$1 of
14 funds awarded by the authority. Nothing under this section shall
15 be construed as prohibiting the authority from imposing a
16 matching funds requirement for any other program created under
17 this section.

18 * * *

19 Section 3. This act shall take effect in 60 days.