
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1624 Session of
2009

INTRODUCED BY COHEN, GEORGE, DENLINGER, HARKINS, HORNAMAN,
KORTZ, LONGIETTI, MELIO, M. O'BRIEN, PARKER, PAYTON,
READSHAW, SIPTROTH AND YOUNGBLOOD, JUNE 5, 2009

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
JUNE 5, 2009

AN ACT

1 Providing for a grant program for the establishment and
2 operation of a solar and alternative energy testing
3 laboratory; and making an appropriation.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 CHAPTER 1

7 PRELIMINARY PROVISIONS

8 Section 101. Short title.

9 This act shall be known and may be cited as the Pennsylvania
10 Solar and Alternative Energy Testing Laboratory Act.

11 Section 102. Definitions.

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

15 "Accredited testing program." A laboratory testing program
16 that has been granted Solar Rating and Certification Corporation
17 accreditation.

1 "Department." The Department of Environmental Protection of
2 the Commonwealth.

3 "Eligible entity." Any of the following:

4 (1) A not-for-profit institution of postsecondary
5 education approved by the Department of Education under the
6 act of December 15, 1986 (P.L.1585, No.174), known as the
7 Private Licensed Schools Act.

8 (2) A not-for-profit scientific, research or industrial
9 standards-related organization located within this
10 Commonwealth.

11 (3) A not-for-profit organization that provides energy
12 conservation and renewable energy generation services.

13 (4) A not-for-profit subsidiary of any of the entities
14 described in paragraph (1), (2) or (3) or a combination
15 thereof and their subsidiaries.

16 "Program." The Pennsylvania Solar and Alternative Energy
17 Testing Laboratory Grant Program established under this act.

18 "SRCC." The Solar Rating and Certification Corporation.

19 CHAPTER 3

20 PENNSYLVANIA SOLAR AND ALTERNATIVE ENERGY

21 TESTING LABORATORY GRANT PROGRAM

22 Section 301. Establishment.

23 The Pennsylvania Solar and Alternative Energy Testing
24 Laboratory Grant Program is established and shall be
25 administered by the department to provide grants for the
26 establishment and operation of a solar and alternative energy
27 testing laboratory within this Commonwealth that will be
28 certified by the SRCC.

29 Section 302. Duties of department.

30 (a) Guidelines and procedures.--

1 (1) The department shall develop guidelines, procedures
2 and all applications necessary to implement the grant
3 program. The department shall submit the guidelines,
4 procedures and applications to the Legislative Reference
5 Bureau for publication in the Pennsylvania Bulletin within 60
6 days of the effective date of this section.

7 (2) For a 14-day period starting two weeks after the
8 effective date of this section, the department shall accept
9 written and electronic comments about the potential role of a
10 solar and alternative energy laboratory and the potential
11 guidelines, procedures and applications for the grants.

12 (b) Criteria.--The department shall include in its criteria
13 in judging applicants:

14 (1) The financial and technical ability to become an
15 accredited testing program.

16 (2) The ability of the eligible entity to provide
17 additional alternative energy and energy efficiency testing,
18 evaluation and public education services that could be
19 provided free or at low cost to individuals, businesses and
20 organizations within this Commonwealth, especially to
21 individuals and businesses seeking to develop alternative
22 energy products or evaluating alternative energy products.

23 (3) The manner in which an applicant intends to offer
24 SRCC testing and these additional energy-related services
25 without allowing conflicts between the dual missions of the
26 solar and alternative energy testing laboratory.

27 CHAPTER 5

28 PENNSYLVANIA SOLAR AND ALTERNATIVE ENERGY LABORATORY

29 GRANT PROGRAM FUNDING PROVISIONS

30 Section 501. Award of grants.

1 (a) Authorization.--The department may approve an initial
2 grant or grants to an eligible entity within six months of the
3 effective date of this section for the purpose of creating and
4 operating an energy testing laboratory that will apply for SRCC
5 certification.

6 (b) Establishment and operation of conflict of interest
7 provisions.--As a condition of receiving funds from a grant
8 awarded under the program, the award-winning applicant must
9 agree to establish and operate a conflict of interest policy to
10 prevent conflicts of interests between the employees,
11 contractors and management of the applicant and potential or
12 actual users of the services provided by an alternative energy
13 testing laboratory.

14 Section 502. Program limitations.

15 Program limitations that may result from the misuse of the
16 grant funds are as follows:

17 (1) An applicant must apply for SRCC accreditation
18 within one year and shall offer testing and additional
19 services as described in the grant application to the
20 Commonwealth.

21 (2) The applicant agrees that noncompliance with the
22 conditions of the grant shall be grounds for the recapture of
23 funds provided to the applicant. If the applicant fails to
24 refund the moneys, the Commonwealth, in addition to any
25 rights or remedies it may have at law or in equity, reserves
26 the right to offset the amount due against any existing or
27 future sums of money owed the applicant by the department or
28 any Commonwealth agency or other department.

29 (3) The department or its duly authorized representative
30 shall have access to the records of the applicant for the

1 purpose of auditing financial transactions, determining
2 compliance with grant terms and evaluating project
3 performance.

4 (4) The applicant agrees to retain all cost-supporting
5 records and documentation for a period of three years from
6 the date that the applicant receives the final grant payment
7 from the department.

8 Section 503. Appropriation.

9 The sum of \$3,000,000 of Federal funds available to the
10 Commonwealth under the American Recovery and Reinvestment Act of
11 2009 (Public Law 111-5, 123 Stat. 115) is appropriated to the
12 Department of Environmental Protection for the purposes of this
13 act.

14 CHAPTER 7

15 MISCELLANEOUS PROVISIONS

16 Section 701. Reporting.

17 Entities receiving grants under this act shall report to the
18 department on a regular basis on the testing and other services
19 provided by a solar and alternative energy testing laboratory.
20 The department shall report to the General Assembly on an annual
21 basis on the operations and activities of a solar and
22 alternative energy testing laboratory.

23 Section 702. Expiration.

24 This act shall expire December 31, 2015.

25 Section 703. Effective date.

26 This act shall take effect immediately.