

(3) Provides a method of controlling energy usage within its exterior envelope but that, as designed, does not have a peak design rate of energy usage of less than 3.5 B.T.U. per hour per square foot or 1 watt per square foot of floor area.

(l) "Industrial process" means:

- (1) A process used to produce or manufacture goods or products; or
- (2) The storage or shipment of materials, goods, or products.

(m) "Person" means any natural person, company, firm, cooperative, partnership, corporation, association, consortium, unincorporated organization, trust, estate, any entity organized for a common business purpose, or any federal, State, or local government and any agency or instrumentality of those governments.

(n) "Revenues" means, but is not limited to, all revenues and moneys received by the Administration from or in connection with any energy project, including proceeds of loans or bonds, grants, insurance, investments, rentals, rates, fees, and charges for the use of the services furnished or made available, and any other income inuring to the Administration, as the term "revenues" may be applied to a particular project, financing, or other matter.

(o) "Secretary" means the Secretary of BUSINESS AND Economic [and Employment] Development.

(p) (1) "Solar energy project" means, with respect to any commercial or industrial building, any addition, alteration, or improvement that is designed to utilize wind energy, energy produced by a wood burning appliance, or solar energy, either of the active type based on mechanically forced energy transfer or of the passive type based on convective, conductive, or radiant energy transfer (or some combination of these types), to reduce the energy requirements of the building.

(2) "Solar energy project" includes a solar process heat device, solar electric device, or any earth sheltered building in which the sheltering substantially reduces the consumption of energy by the building.

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(a) The Maryland Energy Financing Administration is hereby created as a unit of the Department. The Administration is constituted as a public instrumentality of the State of Maryland. The exercise by the Administration of the power conferred by this subtitle shall be considered to be the performance of an essential public function.

(b) (1) The Secretary, with the approval of the Governor, shall appoint the Director of the Administration who shall serve at the pleasure of the Secretary and shall be in the unclassified service of the State Personnel Management System.

(2) Subject to the administrative supervision of the Secretary, the Director shall operate and exercise the powers of the Administration in accordance with the provisions of this subtitle and of the law relating to the establishment of the Department of BUSINESS AND Economic [and Employment] Development.

(3) The Director shall receive such salary as provided in the State budget.