

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Establish an Income Tax Credit for the Purchase of Certain Wood-burning Boilers and Stoves

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

Sec. 1. 36 MRSA §5219-Z, sub-§1, ¶C, as enacted by PL 2005, c. 519, Pt. TTT, §2 and affected by §3, is amended to read:

C. "Pollution-reducing boiler or furnace system" means a boiler, wood or pellet stove or furnace system placed into operation on or after January 1, 2006 that, without increasing the total output of nitrogen-oxygen compounds, burns organic material while:

- (1) Eliminating the amount of emissions of oxides of nitrogen that would have resulted from using air for combustion; and
- (2) Meeting standards established by the department.

Sec. 2. 36 MRSA §5219-Z, sub-§2, as enacted by PL 2005, c. 519, Pt. TTT, §2 and affected by §3, is amended to read:

2. Tax credit. A business or individual that uses a pollution-reducing boiler or furnace system ~~on the site of its business~~, certified by the department, is entitled to a credit against taxes due under this Part. The amount of the tax credit is equal to 1.5¢ per kilowatt-hour or its equivalent in heat energy produced by the pollution-reducing boiler or furnace system, but in no case may the credit exceed the amount of tax owed pursuant to this Part. The department shall annually certify the number of kilowatt-hours or its equivalent in heat energy produced by a certified pollution-reducing boiler or furnace system. Tax credits earned pursuant to this section may be carried over from one tax year to the next.

Sec. 3. 36 MRSA §5219-Z, sub-§4, as enacted by PL 2005, c. 519, Pt. TTT, §2 and affected by §3, is repealed.

SUMMARY

This bill extends the income tax credit for pollution-reducing boilers and furnace systems to include wood and pellet stoves and permits individuals as well as businesses to take the credit. It also repeals the provision that would have eliminated this credit on December 31, 2009.