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Date: (Filing No. H-)

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE OF CONFERENCE AMENDMENT “ ” to H.P. 1219, L.D. 1610,
Bill, “An Act To Amend the Law Regarding the Sale of Wood Pellets”

Amend the bill by striking out the title and substituting the following:

'An Act To Amend the Law Regarding the Sale of Wood Pellets and Wood'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation increases the amount of wood pellets presumed to meet the requirement of residential use and thus to qualify for a sales tax exemption; and

Whereas, this legislation clarifies the amount of wood presumed to meet the requirement of residential use and thus to qualify for a sales tax exemption; and

Whereas, this legislation needs to be in effect for this spring season to allow citizens of the State to benefit from the exemptions; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 36 MRSA §1760, sub-§9, as amended by PL 2009, c. 625, §7, is further amended to read:

9. Coal, oil and wood. Coal, oil, wood and all other fuels, except gas and electricity, when bought for cooking and heating in buildings designed and used for both human habitation and sleeping. Kerosene or home heating oil that is prepackaged or dispensed from a tank for retail sale in containers with a capacity of 5 gallons or less is presumed to meet the requirements of this subsection. ~~A~~ Until September 30, 2013, a purchase of ~~200~~ 1,000 pounds or less of wood pellets or of any 100% compressed wood product intended for use in a wood stove or fireplace is presumed to meet the

CONFERENCE AMENDMENT

1 requirements of this subsection. Beginning October 1, 2013, a purchase of any amount of
2 wood pellets is presumed to meet the requirements of this subsection. A purchase of less
3 than one cord of wood is presumed to meet the requirements of this subsection. For
4 purposes of this subsection, "cord" has the same meaning as in Title 10, section 2302,
5 subsection 1.

6 **Sec. 2. Suppliers of wood pellets.** The Maine State Housing Authority shall
7 amend its rules governing the awarding of contracts to suppliers of wood pellets for
8 purposes of carrying out its duties to receive, distribute and administer federal funds on
9 behalf of the State for fuel assistance pursuant to the federal Low-income Home Energy
10 Assistance Program administered through the United States Department of Health and
11 Human Services to give preference, all other factors being substantially equal, to a
12 supplier of wood pellets that is incorporated under the laws of, and has its principal place
13 of business within, a state in the United States of America.

14 **Emergency clause.** In view of the emergency cited in the preamble, this
15 legislation takes effect when approved.'

16 SUMMARY

17 This is a Committee of Conference report. This amendment incorporates all of the
18 substance of both Committee Amendment "A" and Senate Amendment "A" to Committee
19 Amendment "A" and it clarifies that the preference to United States suppliers of wood
20 pellets is given when all other factors are substantially equal. The amendment also
21 incorporates the substance of House Amendment "A" to Committee Amendment "A" and
22 sets a date of October 1, 2013 as the date when there will be no limit on the amount of
23 wood pellets that are presumed to be intended for residential use for purposes of sales tax
24 exemption.