

Circled words
are added to
the bill.

TAXATION
STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION

Proposed Amendment
from:
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Power Plus
3/23/22

COMMITTEE AMENDMENT “ ” to H.P. 1512, L.D. 2030, Bill, “An Act Regarding Taxation of Energy Storage Facilities and Equipment”

Amend the bill by striking Sec. 1, 2, 3 and inserting the following as new Sec. 1, 2, and 3:

Sec. 1. 36 MRSA § 691, sub-§2, ¶A, as amended by PL 2005, c.623, §1, is amended by enacting a new last blocked paragraph to read:

The limitation in this paragraph does not apply to a battery energy storage system of 1 megawatt or larger first placed in service in the State, or constituting construction in progress commenced in the State, after April 1, 2022. For purposes of this paragraph, “energy storage system” means commercial equipment, facilities, or devices that are capable of absorbing energy, storing the energy for a period of time, and discharging the energy after it has been stored.

Sec. 2. 36 MRSA §1760, sub-§112 is enacted to read:

112. **Energy storage equipment.** Beginning January 1, 2023, sales or use of battery energy storage systems of 1 megawatt or larger, including the sale or use of parts and accessories that are integral to such a battery energy storage system and the sale or use of materials for the construction, repair, or maintenance of such a battery energy storage system. For purposes of this section, “energy storage system” means commercial equipment, facilities, or devices that are capable of absorbing energy, storing the energy for a period of time, and discharging the energy after it has been stored.

Sec. 3. Application. That section of this Act that amends the Maine Revised Statutes, Title 36, section 691, subsection 2, paragraph A applies to property tax years after April 1, 2022.

SUMMARY

This amendment clarifies that only utility-scale battery energy storage systems of 1 or more megawatts qualify for a sales and use tax exemption and for the business equipment tax exemption (“BETE”) from property tax. In addition, to qualify for BETE, the battery energy storage system must be first taxable in Maine after April 1, 2022.