

HC-3.4  
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#933

AS MODIFIED

AMENDMENT NO.

Calendar No.

Purpose: To provide a manager's amendment.

IN THE SENATE OF THE UNITED STATES—109th Cong., 1st Sess.

**H. R. 6  
AMENDMENT No. 0933**

To \_\_\_\_\_ and \_\_\_\_\_

By Grassley

To: HR 6

Ref: \_\_\_\_\_ and \_\_\_\_\_

6

Page(s)  
Ordered to be on the table with the following

AMENDMENT intended to be proposed by Mr. GRASSLEY (for himself and Mr. BAUCUS)

Viz:

- 1 On page 1, strike lines 4 and 5 and insert the fol-
- 2 lowing
- 3 **SEC. 1500. SHORT TITLE; AMENDMENT OF 1986 CODE.**

- 4 Beginning on page 2, strike line 5 and all that follows
- 5 through page 3, line 2, and insert the following:

- 6 **Subtitle A—Electricity**
- 7 **Infrastructure**

- 8 On page 7, lines 6 and 7, strike "low-head hydro-
- 9 electric facility or"

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1       On page 8, lines 10 and 11, strike “LOW-HEAD HY-  
2   DROELECTRIC FACILITY OR NONHYDROELECTRIC DAM”  
3   and insert “NONHYDROELECTRIC DAM”.

4       On page 8, strike lines 18 through 20 and insert the  
5   following:

6                   “(ii) the facility was placed in service  
7                   before the date of the enactment of this  
8                   paragraph and did not produce hydro-  
9                   electric power on the date of the enactment  
10                  of this paragraph, and

11       Beginning on page 8, line 24, strike “the installa-  
12   tion” and all that follows through page 9, line 1 and insert  
13   “there is not any enlargement of the diversion structure,  
14   or construction or enlargement of a bypass channel,”.

15       On page 9, strike lines 5 through 9.

16       On page 26, strike lines 14 and 15 and insert the  
17   following:

18                   (2) Section 1397E(c)(2) is amended by insert-  
19                   ing “, and subpart H thereof” after “refundable  
20                   credits”.

1 On page 68, lines 8 and 9, strike “the date of the  
2 enactment of this Act” and insert “December 31, 2004”.

3 On page 73, line 1, strike “**PATRONS**” and insert  
4 “**OWNERS**”.

5 On page 90, strike lines 4 through 7.

6 On page 90, line 21, strike “and, in the case” and  
7 all that follows through line 23.

8 On page 107, line 17, insert “a home inspector cer-  
9 tified by the Secretary of Energy as trained to perform  
10 an energy inspection for purposes of this section,” after  
11 “(IPIA),”.

12 On page 110, line 22, strike “(2)” and insert “(3)”.

13 On page 143, strike lines 1 through 6, and insert the  
14 following:

15 “(1) MAXIMUM CREDIT.—The credit allowed  
16 under subsection (a) for any taxable year shall not  
17 exceed—

18 “(A) \$2,000 with respect to any qualified  
19 solar water heating expenditures,

*PROPERTY*

1           “(B) \$2,000 with respect to any qualified  
2           photovoltaic property expenditures, and  
3           “(C) \$500 with respect to each <sup>Half</sup> kilowatt of  
4           capacity of qualified fuel cell property (as de-  
5           fined in section 48(d)(1)) for which qualified  
6           fuel cell property expenditures are made,

7           On page 149, between lines 6 and 7, insert the fol-  
8           lowing

9           (1) Section 23(c) is amended by striking “this  
10           section and section 1400C” and inserting “this sec-  
11           tion, section 25D, and section 1400C”.

12           (2) Section 25(e)(1)(C) is amended by striking  
13           “this section and sections 23 and 1400C” and in-  
14           serting “other than this section, section 23, section  
15           25D, and section 1400C”.

16           (3) Section 1400C(d) is amended by striking  
17           “this section” and inserting “this section and section  
18           25D”.

19           On page 149, line 7, strike “(1)” and insert “(4)”.

20           On page 149, line 15, strike “(2)” and insert “(5)”.

1       On page 149, lined 19 and 20, strike “Except as pro-  
2       vided by paragraph (2), the” and insert “The”.

3       On page 155, lines 2 and 3, strike “for use in a struc-  
4       ture”.

5       On page 155, line 12, insert “periods” before “be-  
6       fore”.

7       On page 210, between lines 19 and 20, insert the fol-  
8       lowing

9       (f.) WRITTEN NOTICE OF ELECTION TO ALLOCATE  
10      CREDIT TO PATRONS.—Section 40(g)(6)(A)(ii) (relating  
11      to form and effect of election) is amended by adding at  
12      the end the following new sentence: “Such election shall  
13      not take effect unless the organization designates the ap-  
14      portionment as such in a written notice mailed to its pa-  
15      trons during the payment period described in section  
16      1382(d).”.

17      On page 210, line 20, strike “(b)” and insert “(c)”.

18      Beginning on page 228, line 19, strike all through  
19      page 229, line 2, and insert the following:

1                   “(B) within 2 years after the date of such  
2                   first retail sale, such article is resold by the  
3                   purchaser or such purchaser makes a substan-  
4                   tial nonexempt use of such article,  
5                   then such sale or use of such article by such pur-  
6                   chaser shall be treated as the first retail sale of such  
7                   article for a price equal to its fair market value at  
8                   the time of such sale or use.

9                   On page 232, line 21, strike “and”.

10                  On page 232, between lines 21 and 22, insert the fol-  
11                  lowing

12                               (i) by adding at the end the following  
13                               new sentence: “For purposes of this sub-  
14                               section, any removal described in section  
15                               4081(a)(3)(A) shall be treated as a re-  
16                               moval from a terminal but only if such ter-  
17                               minal is located within a secured area of  
18                               an airport.”.