

2008 MAINE MINIMUM TAX WORKSHEET

Use this Worksheet to complete:

Form 1041ME, Schedule A, Line 2

Enclose a copy of your 2008 federal Form 1041, Schedule I



0809102

Name of Estate/Trust (as shown on Form 1041ME)	Estate/Trust EIN _____ - _____
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Do you owe a Maine Minimum Tax? Estates/trusts filing a Maine fiduciary income tax return must complete the Maine Minimum Tax Worksheet to determine whether they owe a Maine minimum tax only if the total of Maine tentative alternative minimum taxable income ("AMTI") (federal Form 1041, Schedule I, line 29 plus Maine addition income modifications [see the Maine Minimum Tax Worksheet for line 2]) is greater than the applicable Maine minimum tax exemption amount (see line 4 below). Estates/trusts not required to file federal Form 1041, Schedule I must complete a pro forma Schedule I to determine the federal alternative minimum taxable income amount for Maine purposes. Estates/trusts that do not owe a Maine minimum tax are not required to file the Maine Minimum Tax worksheet with their Maine return. See instructions and supporting Worksheets.

1. Federal alternative minimum taxable income (Federal Form 1041, Schedule I, line 29) 1. _____
2. Modifications (May be a positive or negative number) - **See instructions** 2. _____
3. Maine tentative alternative minimum taxable income (line 1 plus or minus line 2). If zero or less, enter zero..... 3. _____
4. **Exemption.** Enter amount from 2008 federal Form 1041, Schedule I, line 29 or line 50, whichever applies..... 4. _____
5. Line 3 minus line 4. If zero or less, enter zero..... 5. _____
6. **Apportionment factor.** Maine estates & trusts enter 100%. **Nonresident estates & trusts, see instructions** 6. _____ . _____ %
7. Maine alternative minimum taxable income (multiply line 5 by line 6). Enter result here 7. _____
8. Tentative minimum tax. **See instructions** 8. _____
9. Maine income tax (Form 1041ME, line 4) 9. _____
10. Alternative minimum tax (Subtract line 9 from line 8). If zero or less, enter zero 10. _____
11. Credit against the Maine minimum tax for minimum tax paid to other jurisdictions (For Maine resident estates/trusts only).
Enter line E from Worksheet below. 11. _____
12. Maine Minimum Tax (subtract line 11 from line 10. If zero or less, enter zero. Enter result on Form 1041ME, Schedule A, line 2a)... 12. _____

Maine Minimum Tax — Worksheet for Line 11 above — Maine resident estates/trusts only

Credit Against the Maine Minimum Tax for tax paid to other taxing jurisdictions

- A. Taxpayer's Maine tentative alternative minimum taxable income (Line 3 above) A. _____
- B. Amount of line A that is derived from other jurisdiction..... B. _____
- C. Percentage of income taxed by other jurisdiction (Divide line B by line A)..... C. _____ . _____ %
- D. Limitation of credit:
 1. Maine alternative minimum tax (Line 10 above) multiplied by percent on line C D(1). _____
 2. Minimum tax paid other jurisdiction on income taxed under the Maine minimum tax D(2). _____
- E. Allowable credit, the lesser of lines D(1) or D(2). Enter here and on line 11 above E. _____

2008 MAINE MINIMUM TAX CREDIT AND CARRYFORWARD TO 2009

Worksheet for 1041ME, Schedule A, Line 11

Enclose a copy of 2008 federal Form 8801

13. Enter the amount from the 2007 Form 1041ME, Schedule A, line 2c 13. _____
14. Minimum tax credit carryforward from 2007 (2007 Maine Minimum Tax Worksheet, line 21) 14. _____
15. Enter 2007 net state minimum tax on federal exclusion items – From the worksheet at for this line 15. _____
16. 2007 adjusted net state minimum tax (Line 13 plus line 14 minus line 15 – if zero or less, enter zero) 16. _____
17. Enter 2008 Maine income tax liability (2008 Form 1041ME, line 6 excluding minimum tax and minimum tax credit) 17. _____
18. Enter 2008 Maine tentative minimum tax (Line 8 above) 18. _____
19. Subtract line 18 from line 17 (If zero or less, enter zero) 19. _____
20. **Maine minimum tax credit:** Enter the lesser of line 16 or line 19 here and on Form 1041ME, Schedule A, line 11..... 20. _____
21. **Maine minimum tax credit carryforward to 2009** (Subtract line 20 from line 16)..... 21. _____

NOTE: If you have a Maine minimum tax credit carryforward to 2009, keep a copy of the worksheet to submit with your 2009 Maine estate or trust income tax return.

Maine Minimum Tax — Income Modification Worksheet for Line 2

Federal Alternative Minimum Taxable Income ("FAMTI") (from federal Form 1041, Schedule I, line 29):

1. ADDITIONS to federal alternative minimum taxable income.

- a. Income from municipal and state bonds, other than Maine to the extent not included in FAMTI above **1a.** _____
- b. Net Operating Loss Recovery Adjustment (See instructions. Attach a schedule showing your calculation)..... **1b.** _____
- c. Maine Public Employees Retirement System Contributions **1c.** _____
- d. Domestic Production Activities Deduction Add-back (See instructions) **1d.** _____
- e. Bonus Depreciation and IRC § 179 Add-back to the extent deducted in arriving at FAMTI (See instructions) **1e.** _____
- f. Other (See instructions). List the type and amount of income items included (attach a separate schedule, if necessary) **1f.** _____
- g. Total additions** (Add lines 1a through 1f)..... **1g.** _____

2. SUBTRACTIONS from federal alternative minimum taxable income.

- a. U.S. Government Bond interest included in FAMTI above **2a.** _____
- b. Social Security and Railroad Retirement Benefits included in FAMTI above **2b.** _____
- c. Interest from Maine Municipal General Obligation, Private Activity & Airport Authority Bonds included in FAMTI (See federal Form 6251, line 11) **2c.** _____
- d. Maine Public Employees Retirement System Pick-Up Contributions paid to the taxpayer during 2008 which have been previously taxed by the state..... **2d.** _____
- e. Contributions to Qualified Tuition Programs - 529 Plans (See instructions)..... **2e.** _____
- f. Bonus Depreciation and IRC § 179 Recapture (See instructions) **2f.** _____
- g. Other (See instructions). List the type and amount of income items included (attach a separate schedule, if necessary) **2g.** _____
(**Nonresident Estates or Trusts** - Do not enter non-Maine income)
- h. Total Subtractions** (Add lines 2a through 2g)..... **2h.** _____

3. Net Modification (Subtract line 2h from line 1g — enter here and on Minimum Tax Worksheet, line 2

[May be a negative amount]) **3.** _____

Maine Minimum Tax — Exclusion Items Worksheet for Line 15

Complete the following worksheet to compute the Maine minimum tax on exclusion items, line 15:

- a. Enter amount from 2008 federal Form 8801, line 4..... **a.** _____
- b. Modifications - see the Maine Minimum Tax Worksheet for Line 2 and related instructions.
Add income treated as exclusion items subject to Maine income tax that is not subject to federal income tax.
Subtract income treated as exclusion items that Maine or federal law prohibits from state taxation.
Include only amounts not already added or subtracted in calculating federal alternative minimum taxable income.
(May be a positive or negative number) **b.** _____
- c. Combine line a and line b. If zero or less, enter zero **c.** _____
- d. **Exemption.** Enter amount from 2008 federal Form 8801, line 9 **d.** _____
- e. Line c minus line d..... **e.** _____
- f. **Apportionment factor.** Maine resident estates & trusts enter 100%. **Nonresident estates & trusts, see instructions*** **f.** _____ %
- g. Multiply line e by line f, enter result here **g.** _____
- h. **Effective tax rate.** Divide line 8 of the 2007 Maine Minimum Tax Worksheet by line 7 of the 2007 Maine Minimum tax worksheet **h.** _____ %
- i. 2007 Maine minimum tax on exclusion items (Multiply line g by line h) **i.** _____
- j. 2007 Maine income tax (2007 Form 1041ME, line 4) **j.** _____
- k. Alternative Maine minimum tax on exclusion items (Line i minus line j). If zero or less, enter zero **k.** _____
- l. Credit against the Maine minimum tax on exclusion items for minimum tax paid to other taxing jurisdictions on exclusion items (For Maine estates/trusts only). Enter line E from worksheet below **l.** _____
- m. 2007 Maine minimum tax on exclusion items (Line k minus line l. If zero or less, enter zero. Enter the result here and on line 15 of the Maine Minimum Tax Worksheet)..... **m.** _____

***Apportionment factor for Nonresident estates/trusts** (line f above) – The factor is the amount of the taxpayer’s Maine-source income associated with the adjusted minimum taxable income on exclusion items (line c above) **divided** by the total adjusted minimum taxable income on exclusion items (line c above).

Worksheet for line l above – Maine estates/trusts only

- A.** Taxpayer’s Maine tentative alternative minimum taxable income on exclusion items (line c above) **A.** _____
- B.** Amount included in line A above that is derived from other jurisdiction..... **B.** _____
- C.** Percentage of income taxed by other jurisdiction (Divide line B by line A)..... **C.** _____ %
- D. Limitation of Credit:**
 - 1.** Net state minimum tax on exclusion items from line k above
\$ _____ multiplied by _____ % on line C..... **D1.** _____
 - 2.** Minimum tax on exclusion items paid other jurisdiction on income taxed under
the Maine minimum tax **D2.** _____
- E.** Allowable credit, the smaller of line D(1) or D(2). Enter here and on line l above..... **E.** _____

MAINE MINIMUM TAX WORKSHEET INSTRUCTIONS

Do you owe a Maine Minimum Tax?

Estates/trusts filing a Maine fiduciary income tax return must complete the Maine Minimum Tax Worksheet to determine whether they owe a Maine minimum tax only if the total of Maine tentative alternative minimum taxable income ("AMTI") (federal Form 1041, Schedule I, line 29 plus Maine addition income modifications [see the Maine Minimum Tax Worksheet for line 2]) is greater than the applicable Maine minimum tax exemption amount (see line 4). Estates/trusts not required to file federal Form 1041, Schedule I must complete a pro forma Schedule I to determine the federal alternative minimum taxable income amount for Maine purposes. Estates/trusts that do not owe a Maine minimum tax are not required to file the Maine Minimum Tax worksheet with their Maine return. See instructions and supporting Worksheets.

If you exceed these thresholds, you must complete a Maine Minimum Tax Worksheet to determine whether you owe Maine minimum tax. See instructions and supporting Worksheets attached or call (207) 626-8475 to order.

Line 2. The income modifications that apply to the Maine regular tax also apply to the Maine minimum tax. See Worksheet for Line 2 and related instructions for a description of the Maine income modifications. **Enter only amounts not already added or subtracted in calculating federal alternative minimum taxable income. The amount you enter on line 2 may be either a positive or negative number.**

Line 6. The apportionment factor for nonresident estates/trusts is the amount of the taxpayer's *Maine-source* income included on line 3 **divided** by the *total* income on line 3.

Line 8. Use the following tables to calculate the Maine tentative minimum tax.

<i>If line 7 is:</i>		<i>The Tax is:</i>
Not more than \$175,000		7.0% of the adjusted Maine alternative minimum taxable income
Greater than \$175,000		\$12,250 plus 7.6% of the excess over \$175,000

MAINE MINIMUM TAX INSTRUCTIONS — Income Modification Worksheet for Line 2

Line 1. ADDITIONS to federal alternative minimum taxable income. *Also include the taxpayer's distributive share of addition modification items from partnerships and S Corporations.* **Enter only amounts not already added in calculating federal alternative minimum taxable income.**

Line 1a. Income from municipal and state bonds, other than Maine. Generally, this is the amount from Form 1041ME, Schedule 1, line 1a. Enter income from municipal and state bonds, other than Maine, that is not included in your federal alternative minimum taxable income. For example, enter interest from City of New York bonds on this line. However, do not enter interest from Portland, Maine bonds.

Line 1b. Net Operating Loss Recovery Adjustment. Enter on this line any federal alternative minimum tax net operating loss carried to the tax year that has been previously used to offset addition modifications under the Maine minimum tax. Attach a schedule showing the alternative minimum tax loss and use of modifications. See example at right.

Line 1c. Maine Public Employees Retirement System (MPERS) Contributions. Enter on this line the amount of your 2008 MPERS Contributions from Form 1041ME, Schedule 1, line 1c. To calculate this amount, subtract the federal wages from the state wages appearing on the 2008 State of Maine W-2 form. These contributions are tax deferred for federal tax, but are subject to Maine income tax.

Line 1d. Domestic Production Activities Deduction Add-back. Enter the amount claimed as a domestic production activities deduction used to reduce federal alternative minimum taxable income.

Line 1e. Bonus Depreciation/IRC Section 179 Expense Add-back. Federal alternative minimum taxable income must be increased by the net increase in depreciation applicable to the 50% bonus depreciation claimed for federal alternative minimum tax purposes under section 103 of the Economic Stimulus Act of 2008 and section 179 expense due to federal law changes during and since 2003. The amount of this modification is determined by recalculating the depreciation and/or section 179 expense on federal Form 4562 exclusive of all 50% bonus depreciation and section 179 expense increases. Enter on line 1e the difference between this recalculated Form 4562 amount and the original Form 4562 amount claimed for federal alternative minimum tax purposes. **If the difference is less than zero, enter zero.** Enclose both the actual and pro forma versions of federal Form 4562 with the

The following example illustrates the NOL Recovery Adjustment:

Corresponding Line on Maine AMT Worksheet:	NOL Year 2008	Carryforward Years 2009	2010
Federal alternative minimum taxable income prior to NOL deduction	- 60,000	35,000	25,000
		- 35,000	- 25,000
1. FAMTI after NOL deduction	- 60,000	0	0
2. ADDITION Modification 5122(1)(E)		-	10,000
Addition Modifications:			
2. Other	10,000	10,000	8,000
3. Maine Adjusted Gross Income	-50,000	10,000	18,000

The original \$60,000 loss in 2008, all of which is carried forward for federal purposes, is allowed to offset Maine addition modifications in 2008. The amount of the federal NOL carryforward must, therefore, be reduced by the amount used in the loss year to offset addition modifications. In this example, \$10,000 of the federal NOL carryforward was used to offset Maine addition modifications in the year of the loss. Thus, the federal NOL carryforward is, for Maine purposes, reduced by an addition modification in 2010. For additional information concerning the NOL recovery adjustment, see www.maine.gov/revenue.

Maine return. Property expensed under the provisions of section 179 at the federal level cannot be capitalized for Maine purposes. For more information and examples, see the related Guidance Document on the MRS web site at www.maine.gov/revenue (select Income/Estate Tax).

Line 1f. Other Additions. *List the source of each amount claimed in the space provided.* **Attach supporting documentation when claiming an amount on this line.** Enter on this line • the amount of loss, deductions, and other expenses of a financial institution subject to the Maine franchise tax included in federal alternative minimum taxable income due to an ownership interest in the financial institution that is a partnership, S corporation, or entity disregarded as separate from its owner • income taxes imposed by Maine or other states and interest or expenses incurred in the production of income exempt from Maine taxation deducted in arriving at federal alternative

minimum taxable income • amounts deducted as a business or other expense for federal alternative minimum tax purposes that are included in the credit base for the high-technology investment tax credit and the forest management planning credit • the amount deducted at the federal level for qualified tuition and other educational expenses under IRC § 222 • qualified mortgage insurance premiums excluded from federal alternative minimum taxable income • qualified payments and tax benefits from states or municipalities to firefighters and emergency medical responders that are excluded from federal alternative minimum taxable income pursuant to Code section 139B • the administrative expense deduction claimed for federal fiduciary income tax purposes that is also used to determine the taxable estate in calculating the Maine estate alternative minimum tax • the estate's/trust's share of the fiduciary adjustment of another estate/trust - additions only (36 M.R.S.A. § 5122(3) and 5164). You must attach a copy of your federal Schedule K-1 to verify your share of income. Generally, the amount entered on this line is equal to the estate's/trust's portion of Form 1041ME, Schedule 1, line 1f.

Line 2. SUBTRACTIONS from federal alternative minimum taxable income. NOTE: You may only subtract the items listed below on this schedule. *Also include the taxpayer's distributive share of subtraction modifications from partnerships and S Corporations.* Enter only amounts not already subtracted in calculating federal alternative minimum taxable income.

Line 2a. U.S. Government Bond Interest. Enter income from direct obligations of the United States Government, such as Series EE and Series HH Savings bonds, U.S. Treasury bills and notes. Include on this line only the amount of interest included in your federal alternative minimum taxable income.

Line 2b. Social Security and Railroad Retirement Benefits included in federal alternative minimum taxable income. Social Security benefits issued by the U. S. Government and Railroad Retirement benefits (Tier 1 and Tier 2) issued by the U.S. Railroad Retirement Board are not taxed by the State of Maine. Also, unemployment and sick benefits issued by the U. S. Railroad Retirement Board are not taxable to Maine. However, benefits issued by the Canadian Railroad Retirement Board are taxable as Maine income. Enter on this line amounts included in federal alternative minimum taxable income.

Line 2c. Interest from Maine Municipal General Obligation & Private Activity Bonds & Bonds issued by a Maine Airport Authority included in federal alternative minimum taxable income. You may have this type of interest included in your federal alternative minimum taxable income. Interest from these bonds is exempt from state income tax, even if taxed on the federal return. If you have interest of this type included in your federal alternative minimum taxable income, enter the amount on this line. Generally, this is the estate's/trust's portion of Form 1041ME, Schedule 1, line 2c.

Line 2d. Maine Public Employees Retirement System (MPERS) Pick-Up Contributions. Enter contributions paid during 2008 that have been previously taxed by the state under the Maine alternative minimum tax. Use this line only if you retired after 1988 and are receiving retirement benefits from the MPERS. To calculate the amount for this line, subtract the state taxable gross amount from the federal taxable gross amount shown on the check stub of the last pension check received from MPERS in 2008 (in you have a 1099-R form issued by the MPERS, subtract the amount in box 12 from the amount in box 2a). Also include on this line MPERS rollover amounts previously taxed by the state under the Maine alternative minimum tax, whether or not included in federal alternative minimum taxable income.

Line 2e. Qualified Tuition Program Contributions. Enter on this line up to \$250, per beneficiary, of contributions made to a non-Maine qualified state tuition program ("529 college savings plan").

Generally, this is the estate's/trust's portion of Form 1041ME, Schedule 1, line 2e.

Line 2f. Bonus Depreciation/Section 179 Expense Recapture. Amounts required to be added to federal alternative minimum taxable income under 36 M.R.S.A. § 5122(1)(N) may be recaptured over the life of the applicable asset. For property placed in service in 2002, addition modifications may be recaptured in equal amounts over the remaining life of the asset beginning in 2004. For assets placed in service in 2003 through 2007, 5% of the addition modification is recaptured in the tax year immediately following the year the asset was placed in service with the remaining 95% recovered in subsequent tax years, in equal installments, over the remaining life of the applicable asset. Generally, this is the estate's/trust's portion of Form 1041ME, Schedule 1, line 2f.

Line 2g. Other Subtractions. *List the source of each amount claimed in the space provided. Attach supporting documentation when claiming an amount on this line.* Except for net operating losses carried forward from previous tax years pursuant to 36 M.R.S.A. § 5122, enter only amounts included in federal alternative minimum taxable income. Enter on this line • military compensation received by a nonresident servicemember • the amount of the reduction in the salaries and wages expense deduction directly related to claiming the federal Work Opportunity Credit or Empowerment Zone Credit to the extent allowed against federal alternative minimum tax. These amounts are reported on federal Form 5884, line 2 or federal Form 8844, line 2 (owners of pass-through entities, enter the share of the amount from line 3 of these forms to the extent not included on line 2). Note: do not enter wage amounts from Form 8844 related to the federal Renewable Community Credit • amounts received from a Holocaust victims settlement that are included in federal alternative minimum taxable income (36 M.R.S.A. § 5122(2)(O) • account proceeds from a Family Development Account administered by FAME (36 M.R.S.A. § 5216-C) • state income tax refunds • net operating losses carried forward from previous tax years pursuant to 36 M.R.S.A. § 5122(2)(H) or § 5122(2)(P) or, for individual owners of certain electing S corporations, net operating losses carried forward from previous tax years pursuant to § 5200-A(2)(H) or 5200-A(2)(L) • earnings from fishing operations that were contributed to a capital construction fund • income from investments in the Northern Maine Transmission Corporation • the estate's/trust's share of a fiduciary adjustment – **subtractions only** (36 M.R.S.A. §§ 5122(3) and 5164) • interest income and capital gains from the sale of bonds issued by the Waste Management Agency to the extent included in federal alternative minimum taxable income • all items of income, gain, interest, dividends, royalties, and other items of income of a financial institution subject to the Maine franchise tax that are included in federal alternative minimum taxable income due to an ownership interest in the financial institution that is a partnership, S corporation, or entity disregarded as separate from its owner • up to \$6,000 in pension income pursuant to 36 M.R.S.A. § 5122(2)(M) • the amount of military retirement benefits, not otherwise deducted, received by certain licensed dentists who practice an average or 20 hours or more per week in Maine and accept patients who receive MaineCare benefits • up to \$750 of property tax benefits provided by municipalities to senior citizens pursuant to 36 M.R.S.A. § 6232(1-A) • expenses incurred in the production of income subject to Maine tax, but exempt from federal tax (an example is expenses related to the production of non-Maine municipal bond interest) • long-term care insurance premiums paid by the estate or trust that have not been claimed as an itemized deduction on the decedent's federal income tax return or as a federal adjustment for self-employed individuals • the total of capital gains and ordinary income resulting from depreciation recapture pursuant to Code sections 1245 and 1250 realized on the sale of multifamily affordable housing property certified by the Maine State Housing Authority. A copy of the MSHA certificate must be attached to the return. Generally, this is the estate's/trust's portion of Form 1041ME, Schedule 1, line 2g.