

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

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Augusta, Maine
2009

**REVISOR'S REPORT
2007**

CHAPTER 2

Sec. 1. 6 MRSA §172, sub-§7, as enacted by PL 2007, c. 563, §1, is corrected to read:

7. Founding entity. "Founding entity" means any municipality or county that has on its own or together with one or more other municipalities or counties developed an airport authority proposal for approval under this chapter.

EXPLANATION

This section corrects a clerical error.

Sec. 2. 12 MRSA §1890-B, as reallocated by PL 2007, c. 695, Pt. A, §13, is corrected to read:

§1890-B. Allagash Wilderness Waterway Permanent Endowment Fund

The Treasurer of State shall establish a dedicated, nonlapsing account called the Allagash Wilderness Waterway Permanent Endowment Fund and shall manage the account as a state-held trust. Subject to the approval of the Governor, the commissioner may accept funds from any source and may accept gifts in trust to be credited to the Allagash Wilderness Waterway Permanent Endowment Fund, except that a gift may not be accepted with any encumbrances or stipulations as to the use of the gift. Interest earned on investments in the fund must be credited to the fund. With the advice of the Allagash Wilderness Waterway Advisory Council under section ~~1894~~ 1890-A, the director may expend money from the fund for purposes consistent with section 1871 and an approved waterway management plan.

EXPLANATION

This section corrects a cross-reference.

Sec. 3. 12 MRSA §6038, as enacted by PL 2007, c. 615, §5, is reallocated to 12 MRSA §6040.

EXPLANATION

This section corrects a numbering problem created by Public Law 2007, chapters 606 and 615, which enacted 2 substantively different provisions with the same section number.

Sec. 4. 12 MRSA §6073-B, as enacted by PL 2007, c. 607, Pt. A, §1, is reallocated to 12 MRSA §6073-C.

EXPLANATION

This section corrects a numbering problem created by Public Law 2007, chapters 522 and 607, which enacted 2 substantively different provisions with the same section number.

Sec. 5. 17 MRSA §2859, sub-§1, as enacted by PL 1981, c. 43, is corrected to read:

1. Commencement of action. A municipality, acting through its building ~~inspector~~ official, code enforcement officer, fire chief or municipal officers, shall file a verified complaint setting forth such facts as would justify a conclusion that a building or structure is "dangerous," as that term is defined in section 2851; and shall state ~~therein~~ in the complaint that the public health, safety or welfare requires the immediate removal of that building or structure.

EXPLANATION

This section replaces the word "inspector" with the word "official" pursuant to Public Law 2007, chapter 699, section 24. This section also makes a technical change.

Sec. 6. 20-A MRSA §15689-A, sub-§16, as enacted by PL 2007, c. 539, Pt. W, §2, is reallocated to 20-A MRSA §15689-A, sub-§18.

EXPLANATION

This section corrects a numbering problem created by Public Law 2007, chapter 539, Pt. C, §12 and Pt. W, §2, which enacted 2 substantively different provisions with the same subsection number.

Sec. 7. 22 MRSA §674, sub-§5, as amended by PL 2007, c. 539, Pt. KK, §9, is corrected to read:

5. Coordination. The commissioner shall serve as the coordinator of radiation activities among the Maine Emergency Management Agency, Department of Public Safety, Department of Health and Human Services and Department of Environmental Protection. The commissioner shall:

A. Consult with and review regulations and procedures of the agencies and federal law to assure consistency and to prevent unnecessary duplication, inconsistencies or gaps in regulatory requirements; and

B. Review, prior to adoption, the proposed rules of all agencies of the State relating to use of con-

trol of radiation, to assure that these rules are consistent with Title 5, chapter 375, and rules of other agencies of the State. The review must be completed within 15 days.

If the commissioner determines that proposed rules are inconsistent with rules of other agencies of the State or federal law, the commissioner shall consult with the agencies involved in an effort to resolve these inconsistencies. In the event no inconsistency is reported within 15 days, the proposed rules are presumed consistent for the purposes of this subsection. Upon notification by the commissioner that the inconsistency has not been resolved, the Governor may find that the proposed rules or parts of rules are inconsistent with rules of other agencies of the State or the Federal Government and may issue ~~or~~ an order to that effect, in which event the proposed rules or parts of rules do not become effective. The Governor may direct, in the alternative, upon a similar determination, the appropriate agency or agencies to amend or repeal existing rules to achieve consistency with the proposed rules.

EXPLANATION

This section corrects a clerical error and a grammatical error.

Sec. 8. 22 MRSA §1714-A, sub-§7, ¶E, as enacted by PL 2003, c. 673, Pt. YYY, §1, is corrected to read:

E. The business entity has admitted that ~~is~~ it has insufficient assets to satisfy the debt;

EXPLANATION

This section corrects a clerical error.

Sec. 9. 22 MRSA §1721, as enacted by PL 2007, c. 629, Pt. C, §1, is reallocated to 22 MRSA §1722.

EXPLANATION

This section corrects a numbering problem created by Public Law 2007, chapters 605 and 629, which enacted 2 substantively different provisions with the same section number.

Sec. 10. 24 MRSA §2317-B, sub-§12-D, as enacted by PL 2007, c. 695, Pt. C, §13, is corrected to read:

12-D. Title 24-A, sections ~~2763~~ 2764, 2847-P and 4256. Coverage for medically necessary infant formula, Title 24-A, sections ~~2763~~ 2764, 2847-P and 4256;

EXPLANATION

This section corrects a cross-reference to the Maine Revised Statutes, Title 24-A, section 2763, which is reallocated to Title 24-A, section 2764 in another section of this report.

Sec. 11. 24-A MRSA §2763, as enacted by PL 2007, c. 595, §2 and affected by §5, is reallocated to 24-A MRSA §2764.

EXPLANATION

This section corrects a numbering problem created by Public Law 2007, chapters 516 and 595, which enacted 2 substantively different provisions with the same section number.

Sec. 12. 25 MRSA §2465, sub-§3, as amended by PL 2005, c. 571, §1, is corrected to read:

3. Enforcement. Subject to Title 32, chapter 33, the Commissioner of Public Safety or the commissioner's designees, state oil and solid fuel compliance officers, duly appointed fire chiefs or their designees and municipal building ~~inspectors~~ officials and code enforcement officers may enforce the requirements of this section, the rules adopted pursuant to this section and Title 32, section 2313-A.

EXPLANATION

This section replaces the word "inspectors" with the word "officials" pursuant to Public Law 2007, chapter 699, section 24.

Sec. 13. 30-A MRSA §4103, sub-§2, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is corrected to read:

2. Licensing authority. The building ~~inspector~~ official is the licensing authority unless otherwise provided by the municipality.

Sec. 14. 30-A MRSA §4103, sub-§4, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is corrected to read:

4. Powers and duties of enforcement officers. Ordinances defining the duties of the building ~~inspector~~ official and other enforcement officers, not contrary to Title 25, chapter 313, may be enacted under a municipality's home rule authority. All enforcement officers designated by ordinance ~~shall~~ must be given free access at reasonable hours to all parts of buildings regulated by ordinance.

Sec. 15. 30-A MRSA §4103, sub-§5, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106

and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is corrected to read:

5. Appeal to municipal officers or board of appeals. An appeal may be taken from any order issued by the building ~~inspector~~ official, or from the licensing authority's refusal to grant a permit, to the municipal officers or to a board of appeals established under section 2691. If a municipality has by ordinance required that all such appeals be taken to a board of appeals, the procedure ~~shall~~ must be the same as in appeals directed to the municipal officers, unless the municipality has provided otherwise.

A. On an appeal in writing to the municipal officers, they shall at their next meeting affirm, modify or set aside the decision of the building ~~inspector~~ official or licensing authority according to the terms of the pertinent ordinance.

(1) The municipal officers may permit a variance from the terms of an ordinance when necessary to avoid undue hardship, provided there is no substantial departure from the intent of the ordinance.

(2) The municipal officers may permit an exception to an ordinance only when the terms of the exception have been specifically set forth by the municipality.

B. The failure of the municipal officers to issue a written notice of their decision, directed to the appellant, within 30 days after the appeal is filed, constitutes a denial of the appeal.

EXPLANATION

These sections replace the word "inspector" with the word "official" pursuant to Public Law 2007, chapter 699, section 24 and correct grammatical errors.

Sec. 16. 30-A MRSA §4452, sub-§5, ¶T, as amended by PL 2007, c. 661, Pt. A, §2 and c. 699, §18, is corrected to read:

T. Laws pertaining to limitations on construction and excavation near burial sites and established cemeteries in Title 13, section 1371-A and local ordinances and regulations adopted by municipalities in accordance with this section and section 3001 regarding those limitations; ~~and~~

Sec. 17. 30-A MRSA §4452, sub-§5, ¶U, as enacted by PL 2007, c. 661, Pt. A, §3, is corrected to read:

U. Standards under a wind energy development certification issued by the Department of Environmental Protection pursuant to Title 35-A, section 3456 if the municipality chooses to enforce those standards; ~~and~~

Sec. 18. 30-A MRSA §4452, sub-§5, ¶U, as enacted by PL 2007, c. 699, §18, is reallocated to 30-A MRSA §4452, sub-§5, ¶V.

EXPLANATION

These sections correct a lettering problem created by Public Law 2007, chapters 661 and 699, which enacted 2 substantively different provisions with the same paragraph letter, and make technical changes.

Sec. 19. 32 MRSA §1078, sub-§3, ¶B, as enacted by PL 2007, c. 620, Pt. A, §1, is corrected to read:

B. Perform an initial review of all applications for licensure as a dentist pursuant to section 1100-D and all submissions relating to continuing education of denturists pursuant to section 1100-E-1. Upon completion of its review of an application or submission, the secretary of the subcommittee shall ~~repost~~ report to the board the subcommittee's recommended disposition of the application or submission, including issuance, renewal, denial or nonrenewal of a denturist license. Notwithstanding the provisions of section 1100-E, the board shall adopt the subcommittee's recommended disposition of an application or submission unless no fewer than 2/3 of the board members who are present and voting vote to reject that recommended disposition.

EXPLANATION

This section corrects a spelling error.

Sec. 20. 35-A MRSA §3210, sub-§3-A, ¶A, as enacted by PL 2007, c. 403, §4, is corrected to read:

A. Except as provided in paragraph B, beginning January 1, 2008, as a condition of licensing pursuant to section 3203, each competitive electricity provider in this State must demonstrate in a manner satisfactory to the commission that the percentage of its portfolio of supply sources for retail electricity sales in this State accounted for by new renewable capacity resources is as follows:

- (1) One percent for the period from January 1, 2008 to December 31, 2008;
- (2) Two percent for the period from January 1, 2009 to December 31, 2009;
- (3) Three percent for the period from January 1, 2010 to December 31, 2010;
- (4) Four percent for the period from January 1, 2011 to December 31, 2011;
- (5) Five percent for the period from January 1, 2012 to December 31, 2012;

- (6) Six percent for the period from January 1, 2013 to December 31, 2013;
- (7) Seven percent for the period from January 1, 2014 to December 31, 2014;
- (8) Eight percent for the period from January 1, 2015 to December 31, 2015;
- (9) Nine percent for the period from January 1, 2016 to December 31, 2016; and
- (10) Ten percent for the period from January 1, 2017 to December 31, 2017.

New renewable capacity resources used to satisfy the requirements of this paragraph may not be used to satisfy the requirements of ~~section 3210~~, subsection 3.

EXPLANATION

This section corrects a cross-reference.

Sec. 21. 36 MRSA §2903, sub-§5, as amended by PL 2007, c. 538, Pt. L, §1, is reallocated to 36 MRSA §2903, sub-§6.

EXPLANATION

This section corrects a numbering problem created by Public Law 2007, chapters 438 and 470, which enacted 2 substantively different provisions with the same subsection number. This section reallocates the chapter 470 version as amended by chapter 538.

Sec. 22. 36 MRSA §5122, sub-§2, ¶Z, as amended by PL 2007, c. 539, Pt. CCC, §7 and c. 689, §2 and affected by c. 689, §4, is corrected to read:

Z. For income tax years beginning on or after January 1, 2006, to the extent included in federal adjusted gross income and not otherwise removed from Maine taxable income, an amount equal to the total of capital gains and ordinary income resulting from depreciation recapture determined in accordance with the Code, Sections 1245 and 1250 that is realized upon the sale of property certified as multifamily affordable housing property by the Maine State Housing Authority in accordance with Title 30-A, section 4722, subsection 1, paragraph AA; ~~and~~

Sec. 23. 36 MRSA §5122, sub-§2, ¶AA, as enacted by PL 2007, c. 539, Pt. CCC, §8, is corrected to read:

AA. For taxable years beginning on or after January 1, 2009, an amount equal to the net decrease in the depreciation deductions allowable under sections 167 and 168 of the Code that would have been applicable to that property had the 50% bonus depreciation deduction under Section 103 of

the Economic Stimulus Act of 2008, Public Law 110-185 not been claimed with respect to such property for which an addition was required under subsection 1, paragraph AA in a prior year.

Upon the taxable disposition of property to which this paragraph applies, the amount of any gain or loss includable in federal adjusted gross income must be adjusted for Maine income tax purposes by an amount equal to the difference between the addition modification for such property under subsection 1, paragraph AA and the subtraction modifications allowed pursuant to this paragraph.

The total amount of subtraction claimed for property under this paragraph for all tax years may not exceed the addition modification under subsection 1, paragraph AA for the same property; ~~and~~

Sec. 24. 36 MRSA §5122, sub-§2, ¶AA, as enacted by PL 2007, c. 689, §3 and affected by §4, is reallocated to 36 MRSA §5122, sub-§2, ¶BB.

EXPLANATION

These sections correct a numbering problem created by Public Law 2007, chapters 539 and 689, which enacted 2 substantively different provisions with the same paragraph letter, and make technical changes.

Sec. 25. 38 MRSA §441, sub-§1, as amended by PL 1987, c. 737, Pt. C, §§87 and 106 and PL 1989, c. 6; c. 9, §2; c. 104, Pt. C, §§8 and 10; and c. 403, §10, is corrected to read:

1. Appointment. In every municipality, the municipal officers shall annually by July 1st appoint or reappoint a code enforcement officer, whose job may include being a local plumbing inspector or a building ~~inspector official~~ and who may or may not be a resident of the municipality for which ~~he~~ that person is appointed. The municipal officers may appoint the planning board to act as the code enforcement officer. The municipal officers may remove a code enforcement officer for cause, after notice and hearing. This removal provision ~~shall only apply~~ applies to code enforcement officers who have completed a reasonable period of probation as established by the municipality pursuant to Title 30-A, section 2601. If not reappointed by a municipality, a code enforcement officer may continue to serve until a successor has been appointed and sworn.

EXPLANATION

This section replaces the word "inspector" with the word "official" pursuant to Public Law 2007, chapter 699, section 24. The section also makes grammatical changes.

Sec. 26. 38 MRSA §585-K, as enacted by PL 2007, c. 582, §1, is reallocated to 38 MRSA §585-L.

EXPLANATION

This section corrects a numbering problem created by Public Law 2007, chapters 582 and 584, which enacted 2 substantively different provisions with the same section number.

Sec. 27. PL 2007, c. 539, Pt. KK, §9 is corrected to read:

Sec. KK-9. 22 MRSA §674, sub-§5, as repealed and replaced by PL 1987, c. 769, Pt. A, §70 and amended by PL 2003, c. 689, Pt. B, §6, is further amended to read:

EXPLANATION

This section corrects an amending clause.

Sec. 28. PL 2007, c. 558, §3 is corrected to read:

Sec. 3. 38 MRSA §353-B, sub-§2, as amended by PL 2005, c. 602, §1, is further amended to read:

2. Maximum fee amounts and rates. Waste discharge license fees are as set out in this section.

A. The base, annualized license renewal service and maximum fees that may be assessed to categories of discharge activities are as follows.

Discharge Group	Base fee not to exceed	Maximum fee for individual in group	<u>Annualized license renewal service fee</u>
Publicly owned treatment facilities, greater than 6,000 gallons per day but less than 5 million gallons per day and no significant industrial waste	\$175	none	

Publicly owned treatment facilities, ~~6,000~~ 10,000 gallons per day or less

annual fee \$~~60~~ \$67 \$~~180~~ none \$150

Publicly owned treatment facilities, more than 10,000 gallons per day to 0.1 million gallons per day

annual fee \$219 none \$150

Publicly owned treatment facilities, more than 0.1 million gallons per day to 1.0 million gallons per day

annual fee \$219 none \$225

Publicly owned treatment facilities, more than 1.0 million gallons per day to 5.0 million gallons per day

annual fee \$219 none \$450

Publicly owned treatment facilities, greater than 5 million gallons per day or with significant industrial waste

annual fee \$770 none \$650

Major industrial facility, process wastewater (based on EPA list of major source discharges)	annual fee	\$1,850	none	<u>\$650</u>	Municipal combined sewer overflow	annual fee	\$115	\$1,400	<u>\$150</u>
					Sanitary waste-water, excluding overboard discharge	annual fee	\$60	\$1,200	<u>\$300</u>
Other industrial facility, process wastewater	annual fee	\$630	none	<u>\$300</u>	Sanitary overboard discharge, commercial sources	annual fee	\$210	\$1,200	
Food handling or packaging wastewater	annual fee	\$315	\$2,100	<u>\$150</u>	Sanitary overboard discharge, residential sources 600 gallons per day and less	annual fee	\$175	---	
Fish rearing facility over 0.1 million gallons per day	annual fee	\$230 <u>\$288</u>	\$1,400 <u>\$1,753</u>	<u>\$300</u>	Sanitary overboard discharge, residential sources more than 600 gallons per day	annual fee	\$200	\$600	
Fish rearing facility 0.1 million gallons per day or less	<u>annual fee</u>	<u>\$288</u>	<u>\$400</u>	<u>none</u>	Sanitary overboard discharge, public sources	annual fee	\$210	\$500	
Marine aquaculture facility	<u>annual fee*</u>	<u>\$288</u>	---	<u>none</u>	Aquatic pesticide application	annual fee*	\$200	---	<u>\$370</u>
Noncontact cooling water	annual fee	\$90	\$7,000	<u>\$60</u>	Snow dumps	annual fee*	\$125	---	<u>\$150</u>
Industrial or commercial sources, miscellaneous or incidental nonprocess wastewater	annual fee	\$115	\$2,100	<u>\$150</u>	Salt and sand storage pile	annual fee*	\$150	---	<u>\$225</u>

Log storage permit	annual fee*	\$200	---	<u>\$150</u>	*Discharge or license quantity fees do not apply to these categories.	
General permit coverage for industrial storm water discharges (except construction)	annual fee*	\$300	---		When a license authorizes multiple discharge points in different categories in the same license, the total maximum fee for the license may not exceed the maximum fee for the most significant category plus 1/2 of the maximum fee for each of the other applicable categories.	
					B. The annual rate per unit for various pollutants and groups of discharges used in computing discharge and license quantity fees may not exceed the limits set out in this paragraph. When a license authorizes the discharge of pollutants fitting more than one category, the appropriate fee is due for each group and type of pollutant.	
<u>General permit coverage for marine aquaculture facility</u>	<u>annual fee*</u>	<u>\$125</u>	---	<u>none</u>	License group or type of pollutant	
					Rate	
					Conventional pollutants, license rate	\$1.25 per pound
					Conventional pollutants, discharge rate	\$2.40 per pound
					Conventional pollutants, primary treatment only	\$0.55 per pound
Experimental discharge license	license fee*	\$500	---	<u>\$225</u>	Conventional pollutants, food handling or packing facilities	\$0.05 per pound
					Nonconventional or toxic pollutants	Variable*
<u>Mixing New or amended mixing zone</u> , in addition to other applicable fees	flat fee*	\$4,000	---		Heat (as licensed flow x temperature x 8.34)	\$0.045 per million BTU
					Flow: fish rearing facilities	\$45 per million gallons
					Flow: combined sewer overflows (based on treatment facility design)	\$55 per million gallons
Formation of sanitary district	flat fee*	\$300	---		Flow: nonprocess from industrial or commercial sources	\$175 per million gallons
Transfer of license for residential or commercial sanitary wastewater	flat fee*	\$100	---		Flow: publicly owned treatment facilities, greater than 6,000 <u>10,000</u> gallons per day	\$630 per million gallons
					Flow: process from industrial or commercial sources	\$630 per million gallons

Flow: treated storm water	\$17.50 per million gallons
Flow: sanitary, from commercial sources excluding overboard discharge	\$0.02 per gallon
Flow: from publicly owned facilities, 6,000 10,000 gallons per day or less	\$0.02 per gallon
Flow: sanitary from overboard discharge	\$0.05 per gallon

*The license rate per pound is \$10.50 divided by the licensed effluent concentration in ~~milligrams~~ milligrams per liter. The discharge rate per pound is \$21 divided by the licensed effluent concentration in ~~milligrams~~ milligrams per liter.

For the purposes of this section, the term "conventional pollutant" means oxygen-demanding compounds, suspended or dissolved solids, oil and grease. The term "nonconventional pollutants" means other chemical constituents subject to fees. Excluded from fees are the following: pH, residual chlorine, settleable solids, bacteria, whole effluent toxicity tests, color, any compound without numeric license limitations and effluent concentrations reported as being below acceptable detection limits.

Annual discharge or license quantity fees may be calculated using either pounds of pollutants or allowable flow, as is most appropriate for the circumstances of a particular discharge category, situation or location. License limits may be supplemented by applications and related supporting materials when necessary to calculate effluent quantities or concentrations.

EXPLANATION

This section corrects a clerical error.

Sec. 29. PL 2007, c. 559, §4, amending clause is corrected to read:

Sec. 4. 38 MRSA §585-E, sub-§6, as ~~amended~~ enacted by PL 2001, c. 233, §~~1~~ and 2, is ~~further~~ amended to read:

EXPLANATION

This section corrects an amending clause.

Sec. 30. PL 2007, c. 693, §14 is corrected to read:

Sec. 14. 36 MRSA §1752, sub-§11, as amended by PL 2007, c. 410, §1 and affected by §6 and amended by c. 437, §10, is further amended to read:

11. Retail sale. "Retail sale" means any sale of tangible personal property or a taxable service in the ordinary course of business ~~for any purpose other than for resale, except resale as a casual sale, in the form of tangible personal property.~~ "Retail sale" also means ~~any sale of a taxable service in the ordinary course of business for any purpose other than for resale, except resale as a casual sale.~~

A. "Retail sale" includes:

- (1) Conditional sales, installment lease sales and any other transfer of tangible personal property when the title is retained as security for the payment of the purchase price and is intended to be transferred later;
- (2) Sale of products for internal human consumption to a person for resale through vending machines when sold to a person more than 50% of whose gross receipts from the retail sale of tangible personal property are derived from sales through vending machines. The tax must be paid by the retailer to the State;
- (3) A sale in the ordinary course of business by a retailer to a purchaser who is not engaged in selling that kind of tangible personal property or taxable service in the ordinary course of repeated and successive transactions of like character; and
- (4) The sale or liquidation of a business or the sale of substantively all of the assets of a business, to the extent that the seller purchased the assets of the business for resale, lease or rental in the ordinary course of business, except when:

- (a) The sale is to an affiliated entity and the transferee, or ultimate transferee in a series of transactions among affiliated entities, purchases the assets for resale, lease or rental in the ordinary course of business; or
- (b) The sale is to a person that purchases the assets for resale, lease or rental in the ordinary course of business or that purchases the assets for transfer to an affiliate, directly or through a series of transactions among affiliated entities, for resale, lease or rental by the affiliate in the ordinary course of business.

For purposes of this subparagraph, "affiliate" or "affiliated" includes both direct and indirect affiliates.

B. "Retail sale" does not include:

- (1) Any casual sale;
- (2) Any sale by a personal representative in the settlement of an estate, unless the sale is made through a retailer, or unless the sale is made in the continuation or operation of a business;
- (3) The sale, to a person engaged in the business of renting automobiles, of automobiles, integral parts of automobiles or accessories to automobiles, for rental or for use in an automobile rented on a short-term basis;
- (4) The sale, to a person engaged in the business of renting video media and video equipment, of video media or video equipment for rental;
- (5) The sale, to a person engaged in the business of renting or leasing automobiles, of automobiles for rental or lease for one year or more;
- (6) The sale, to a person engaged in the business of providing cable or satellite television services, of associated equipment for rental or lease to subscribers in conjunction with a sale of extended cable or extended satellite television services;
- (7) The sale, to a person engaged in the business of renting furniture, or audio media and audio equipment, of furniture, audio media or audio equipment for rental pursuant to a rental-purchase agreement as defined in Title 9-A, section 11-105; ~~or~~
- (8) The sale of loaner vehicles to a new vehicle dealer licensed as such pursuant to Title 29-A, section 953. ~~For purposes of this subparagraph, "loaner vehicle" means an automobile to be provided to the dealer's service customers for short term use free of charge pursuant to the dealer's franchise, as defined in Title 10, section 1171, subsection 6.~~
- (9) The sale of automobile repair parts used in the performance of repair services on an automobile pursuant to an extended service contract sold on or after September 20, 2007 that entitles the purchaser to specific benefits in the service of the automobile for a specific duration;
- (10) The sale, to a retailer that has been issued a resale certificate pursuant to section 1754-B, subsection 2-B or 2-C, of tangible personal property for resale in the form of tangible personal property, except resale as a casual sale;

(11) The sale, to a retailer that has been issued a resale certificate pursuant to section 1754-B, subsection 2-B or 2-C, of a taxable service for resale, except resale as a casual sale;

(12) The sale, to a retailer that is not required to register under section 1754-B, of tangible personal property for resale outside the State in the form of tangible personal property, except resale as a casual sale; or

(13) The sale, to a retailer that is not required to register under section 1754-B, of a taxable service for resale outside the State, except resale as a casual sale.

EXPLANATION

This section corrects a punctuation error and a formatting error.

Sec. 31. PL 2007, c. 695, Pt. I, §5 is corrected to read:

Sec. I-5. 12 MRSA §6721-A, sub-§6, as ~~amended~~ enacted by PL 2007, c. 557, §4, is repealed.

EXPLANATION

This section corrects an amending clause.

Sec. 32. PL 2007, c. 695, Pt. L, §1 is corrected to read:

Sec. L-1. 24-A MRSA §6915, as amended by PL 2007, c. 629, Pt. D, §3 and affected by §7, is further amended to read:

EXPLANATION

This section corrects an amending clause.

Sec. 33. Resolve 2007, c. 226, §1, sub-§5 is corrected to read:

5. Expiration. Any pilot project developed ~~pursuant~~ pursuant to this section must expire no later than June 30, 2010; and be it further

EXPLANATION

This section corrects a spelling error.