

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1096

S.P. 329

In Senate, March 15, 2011

An Act To Enhance Economic Development by Encouraging Job and Business Growth in Maine's Aviation Industry

Reference to the Committee on Taxation suggested and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator GERZOFKY of Cumberland.
Cosponsored by Representative PRIEST of Brunswick and
Senators: COLLINS of York, COURTNEY of York, DIAMOND of Cumberland, GOODALL
of Sagadahoc, HASTINGS of Oxford, HOBBS of York, PLOWMAN of Penobscot,
President RAYE of Washington, Representatives: BICKFORD of Auburn, BRYANT of
Windham, BURNS of Whiting, CAIN of Orono, CAREY of Lewiston, CLARKE of Bath,
HASKELL of Portland, KNIGHT of Livermore Falls, MAZUREK of Rockland.

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

2 **Sec. 1. 36 MRSA §1760, sub-§23-C, ¶B**, as enacted by PL 1999, c. 759, §2 and
3 affected by §5, is amended to read:

4 B. Semitrailers; and

5 **Sec. 2. 36 MRSA §1760, sub-§23-C, ¶C**, as amended by PL 2005, c. 618, §2
6 and affected by §5, is repealed.

7 **Sec. 3. 36 MRSA §1760, sub-§45, ¶A-2**, as amended by PL 2007, c. 438, §45, is
8 further amended to read:

9 A-2. If the property is a snowmobile or all-terrain vehicle as defined in Title 12,
10 section 13001 and the purchaser is an individual who is not a resident of the State; or

11 **Sec. 4. 36 MRSA §1760, sub-§45, ¶A-3**, as amended by PL 2007, c. 691, §1 and
12 affected by §2, is repealed.

13 **Sec. 5. 36 MRSA §1760, sub-§88**, as enacted by PL 2005, c. 519, Pt. EE, §2 and
14 affected by §3, is amended to read:

15 **88. Aircraft and parts.** Sales or leases of aircraft ~~that weigh over 6,000 pounds,~~
16 ~~that are propelled by one or more turbine engines or that are in use by a Federal Aviation~~
17 ~~Administration classified 135 operator~~ and sales of repair or replacement parts
18 exclusively for use in aircraft or in the significant overhauling or rebuilding of aircraft or
19 aircraft parts or components.

20 **Sec. 6. Retroactivity.** This Act applies retroactively to July 1, 2008.

21 **SUMMARY**

22 Current law provides an exemption from sales tax for aircraft purchased or leased by
23 a nonresident and immediately transported out of the State and for certain other
24 specifically designated aircraft.

25 This bill expands the current exemption to include sales and leases of all aircraft by a
26 person, regardless of the type of aircraft or the state of residency of the purchaser. This
27 bill also exempts sales of repair and replacement parts used exclusively in aircraft and in
28 the overhauling and rebuilding of aircraft.

29 The exemptions are retroactive to July 1, 2008.