

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 2, 2002 to April 25, 2002**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 25, 2002**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2002**

<b>Other Special Revenue Funds</b>	<b>2001-02</b>	<b>2002-03</b>
Positions - Legislative Count	(0.000)	(1.000)
Personal Services	\$0	\$500
All Other	0	500
Total	\$0	\$1,000

See title page for effective date.

**CHAPTER 709**

**S.P. 133 - L.D. 457**

**An Act to Clarify that the Sales Tax Exemption for Purchase of Manufacturing Equipment Applies Equitably**

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

**Sec. 1. 36 MRSA §1760, sub-§31, ¶A**, as enacted by PL 1999, c. 516, §6 and affected by §7, is amended to read:

A. For use by the purchaser directly and primarily in either the production of tangible personal property intended to be sold or leased ultimately for final use or consumption; or in the production of tangible personal property pursuant to a contract with the United States Government or any agency thereof, or, in the case of sales occurring on or after March 1, 2003 but prior to July 1, 2003, in the generation of digital television broadcast signals or, in the case of sales occurring after June 30, 2003, in the generation of radio and television broadcast signals. This exemption applies even if the purchaser sells the machinery or equipment and leases it back in a sale and leaseback transaction. This exemption also applies whether the purchaser agrees before or after the purchase of the machinery or equipment to enter into the sale and leaseback transaction and whether the purchaser's use of the machinery or equipment in production commences before or after the sale and leaseback transaction occurs. As used in this paragraph, "digital television broadcast signal" means an over-the-air signal transmitted by a television station licensed under 47 Code of Federal Regulations, Part 73; and

See title page for effective date.

**CHAPTER 710**

**H.P. 1741 - L.D. 2216**

**An Act to Correct Recently Enacted Legislation**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, certain legislation enacted or passed into law during the Second Regular Session of the 120th Legislature must be immediately corrected or clarified in order to effectuate legislative intent; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 1 MRSA §71, sub-§11**, as amended by PL 1973, c. 788, §1, is further amended to read:

**11. Statutory references.** Wherever in the Revised Statutes the word "Title" or "chapter" or "subchapter" appears without definite reference, it refers to the Title or chapter or subchapter in which the word "Title" or "chapter" or "subchapter" appears; if the chapter or subchapter is given a number without reference to a numbered Title, it refers to the chapter or subchapter of the Title in which the numbered chapter or subchapter appears. Wherever in the Revised Statutes a numbered section appears without reference to a numbered Title, it refers to the section of the Title in which the numbered section appears.

Wherever in the Revised Statutes or any legislative Act a reference is made to several sections, subsections, paragraphs, subparagraphs, divisions, subdivisions or sentences, the section, subsection, paragraph, subparagraph, division, subdivision or sentence numbers given in the reference are connected by the word "to," the reference includes both the sections, subsections, paragraphs, subparagraphs, divisions, subdivisions or sentences whose numbers are given and all intervening sections, subsections, paragraphs, subparagraphs, divisions, subdivisions and sentences.

Wherever in the Revised Statutes the designation of a division of the statutes larger than a section is numbered with the use of a Roman numeral, it may be known and cited by its Arabic equivalent.

**Sec. 2. 5 MRSA §13070-J, sub-§1, ¶D**, as amended by PL 2001, c. 642, §1 and affected by §12