

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST SPECIAL SESSION**  
**August 21, 2003 to August 22, 2003**

**The General Effective Date For**  
**First Special Session**  
**Non-Emergency Laws Is**  
**November 22, 2003**

**SECOND REGULAR SESSION**  
**January 7, 2004 to January 30, 2004**

**The General Effective Date For**  
**Second Regular Session**  
**Non-Emergency Laws Is**  
**April 30, 2004**

**SECOND SPECIAL SESSION**  
**February 3, 2004 to April 30, 2004**

**The General Effective Date For**  
**Second Special Session**  
**Non-Emergency Laws Is**  
**July 30, 2004**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2004**

in common or joint ownership. This subsection takes effect on the effective date of rules adopted pursuant to Title 12, section 8869, subsection 14.

See title page for effective date.

**CHAPTER 623**

S.P. 587 - L.D. 1631

**An Act To Prohibit the Sale of Water Containing Nicotine**

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

**Sec. 1. 22 MRSA c. 262-A, sub-c. 4** is enacted to read:

**SUBCHAPTER 4**

**NICOTINE WATER**

**§1560. Nicotine water**

**1. Definitions.** As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Nicotine water" means water that is sold in the State, that is intended for human consumption and that contains as an added ingredient nicotine or an alkaloid having similar physiological activity.

**2. Prohibition.** A person may not sell, furnish, give away or offer to sell, furnish or give away nicotine water in this State.

**3. Violation.** A person who violates this section commits a civil violation for which fines may be imposed under subsection 4.

**4. Fines.** The following fines apply to violations of this section.

A. A person who violates subsection 2 commits a civil violation for which a fine of \$500 may be adjudged.

B. A person who violates subsection 2 after having previously violated subsection 2 commits a civil violation for which a fine of \$1,000 may be adjudged.

C. A person who violates subsection 2 after having previously violated subsection 2 more than once commits a civil violation for which a fine of \$5,000 may be adjudged.

See title page for effective date.

**CHAPTER 624**

H.P. 1255 - L.D. 1733

**An Act To Clarify the Severance Pay Law**

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

**Sec. 1. 26 MRSA §625-B, sub-§3, ¶B**, as amended by PL 1999, c. 55, §1, is further amended to read:

B. The employee is covered by, and has been paid under the terms of, an express contract providing for severance pay that is equal to or greater than the severance pay required by this section;

**Sec. 2. Application.** This Act applies to all claims for severance pay that have not been paid, adjudicated or finally resolved and those pending on the date of enactment.

See title page for effective date.

**CHAPTER 625**

H.P. 1326 - L.D. 1804

**An Act To Clarify Property Eligible for Reimbursement of Property Taxes under the Business Equipment Tax Reimbursement Program**

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

**Sec. 1. 36 MRSA §6652, sub-§1-B, ¶¶A and B**, as enacted by PL 1997, c. 24, Pt. C, §14, are amended to read:

A. Office furniture, including, without limitation, tables, chairs, desks, bookcases, filing cabinets and modular office partitions; and

B. Lamps and lighting fixtures; and

**Sec. 2. 36 MRSA §6652, sub-§1-B, ¶C** is enacted to read:

C. All gambling machines or devices, including, but not limited to, electronic video machines, specifically designed or manufactured for use in the operation of any gambling or wagering activity. As used in this paragraph, "gambling machine or device" means any device, machine, paraphernalia or equipment that is used or usable in the playing phases of any gambling activity, whether that activity consists of gambling be-