

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
OCTOBER 9, 1991

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  
1991

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**PUBLIC LAWS**

**OF THE**

**STATE OF MAINE**

**AS PASSED AT THE**

**FIRST REGULAR SESSION**

**of the**

**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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**§1605. Plastic bags; recycling**

A retailer may use plastic bags to bag products at the point of retail sale only if the retailer:

**1. Location.** Locates inside the store or within 20 feet of the main entrance to the store a receptacle for collecting any used plastic bags; and

**2. Recycles.** Ensures that the plastic bags collected are recycled or delivered to a person engaged in recycling plastics.

**Sec. 2. Report.** The Maine Waste Management Agency, in cooperation with the Maine State Grocers Association, Inc., the Maine Merchants Association, Inc., and other appropriate organizations, shall report to the joint standing committee of the Legislature having jurisdiction over energy and natural resource matters on the operation of Title 38, section 1605 by January 1, 1993. The report must quantify the use of plastic and paper bags in the State and must estimate the average plastic bag recycling rate.

See title page for effective date.

**CHAPTER 476**

**H.P. 981 - L.D. 1426**

**An Act to Expand the Conflict of Interest Laws for Employees of the Maine State Housing Authority**

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

**30-A MRSA §4724, sub-§2**, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

**2. Acquisition of interest in project; accepting employment.** No employee or commissioner of any authority may, within 2 years of that service, or in the case of employees of the authority, during tenure or within 2 years of that service, voluntarily acquire any interest, direct or indirect, in any contract, project or property included or planned to be included in any project of that housing authority over which the employee or commissioner has exercised responsibility, control or decisions during tenure with the authority. ~~Not~~ ; nor may any employee or commissioner of any authority, if employment is accepted with any person who has an interest in any contract, property or project included or planned to be included in any project of that authority, work directly on that contract, project or property for that person if the employee or commissioner has exercised responsibility, control or decisions over that contract, project or property.

A. This subsection does not prohibit a manufactured housing inspector employed by the Maine State

Housing Authority from accepting employment by a person to work on manufactured housing which is manufactured after the date employment with the Maine State Housing Authority has terminated.

See title page for effective date.

**CHAPTER 477**

**H.P. 996 - L.D. 1445**

**An Act Concerning Snowmobile Registration Fees**

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

**Whereas**, it is essential to improve and maintain the 9,000 miles of snowmobile trails that exist in this State; and

**Whereas**, this legislation increases the registration fees payable by residents and nonresidents to supplement the funds already provided for in the State's Snowmobile Trail Fund; and

**Whereas**, it is essential to begin collecting these increased fees as soon as possible; 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. 12 MRSA §7824, sub-§2**, as amended by PL 1987, c. 88, §1, is further amended to read:

**2. Fee.** The annual snowmobile registration fee is ~~\$16~~ **\$20**.

**Sec. 2. 12 MRSA §7824, sub-§3, ¶A**, as amended by PL 1989, c. 918, Pt. D, §9, is further amended to read:

A. The registration fee for residents is credited as follows:

(1) \$4.75 of each fee is credited to the General Fund as undedicated revenue;

(2) ~~\$5.25~~ **\$9.25** of each fee is credited to the Snowmobile Trail Fund of the Department of Conservation, Bureau of Parks and Recreation; and

(3) \$6 of each fee is annually distributed to the municipality of the owner's residence as

shown on the owner's registration certificate, except that in unorganized territory, \$6 of each fee is annually distributed to the county of the owner's residence as shown on the owner's registration certificate and credited to the unorganized territory fund of that county established in Title 30-A, section 7502.

**Sec. 3. 12 MRSA §7824, sub-§3, ¶B,** as amended by PL 1989, c. 918, Pt. D, §9, is further amended to read:

B. The registration fee for nonresidents is credited as follows:

- (1) \$10.75 of each fee is credited to the General Fund as undedicated revenue; and
- (2) ~~\$5.25~~ \$9.25 of each fee is credited to the Snowmobile Trail Fund of the Department of Conservation, Bureau of Parks and Recreation.

**Sec. 4. 12 MRSA §7824, sub-§3, ¶D and E** are enacted to read:

D. The annual fee for each dealer number plate is credited as follows:

- (1) \$5 of each fee is credited to the General Fund as undedicated revenue; and
- (2) \$11 of each fee is credited to the Snowmobile Trail Fund of the Department of Conservation, Bureau of Parks and Recreation.

E. All other money received under this chapter, including dealer license fees, is credited to the General Fund as undedicated revenue.

**Sec. 5. 12 MRSA §7824, sub-§8, ¶A,** as enacted by PL 1979, c. 420, §1, is amended to read:

A. Whoever transfers the ownership or permanently discontinues the use of a registered snowmobile and applies for registration of another snowmobile in the same registration year ~~shall be~~ is entitled to a certificate of registration upon payment of a transfer fee of \$2 and ~~shall is~~ is not be required to pay the regular registration fee of ~~\$11.25~~ \$20.

**Sec. 6. 12 MRSA §7824, sub-§9,** as enacted by PL 1979, c. 420, §1, is amended to read:

**9. Reciprocity.** Reciprocity ~~shall be~~ is allowed to ~~nonresidents from residents of~~ all states, provinces, countries or districts ~~which allow that offer~~ similar privileges to residents of this State, ~~providing they are covered by provided those residents possess~~ a valid registration from that state, province, country or district. For purposes of this subsection, a state, province, country or district does not offer similar privileges if a fee is imposed on resi-

dents of this State holding a valid registration from this State for access to the trail system in that state, province, country or district or if, as determined by the commissioner, privileges and opportunities offered to snowmobile users in that state, province, country or district are not otherwise comparable to those offered in this State.

A. If the snowmobile is owned by a nonresident, but is primarily operated by a Maine resident, it must be registered under this section.

B. Nothing in this subsection ~~shall be construed to authorize~~ authorizes the operation of any snowmobile described in any manner contrary to this subchapter.

**Sec. 7. 12 MRSA §7825, sub-§3, ¶A,** as amended by PL 1989, c. 913, Pt. A, §14, is further amended to read:

A. Each registered dealer may receive dealer's number plates for a ~~\$5~~ \$16 annual fee for each plate.

**Sec. 8. Allocation.** The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1991-92	1992-93
<b>CONSERVATION, DEPARTMENT OF</b>		
<b>Snowmobile Trail Fund</b>		
All Other	\$290,000	\$290,000
Provides funds for additional grants to snowmobile clubs and municipalities for trails and equipment repairs.		

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective June 21, 1991.

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**CHAPTER 478**

**H.P. 813 - L.D. 1167**

**An Act to Ensure that County Sheriffs Continue to Provide Rural Patrols for Small Towns in the Counties**

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

**30-A MRSA §452,** as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read: