

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

SECOND REGULAR SESSION
January 5, 2000 to May 12, 2000

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 11, 2000

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

J.S. McCarthy Company
Augusta, Maine
2000

and payable under this chapter, ~~shall~~, together with any and all interest accruing or penalties imposed under this chapter, notwithstanding any provisions thereof, become due and payable concurrently with that discontinuance. ~~It shall be the duty of the~~ The supplier, retailer or user to shall make a report and pay all such taxes, interest and penalties and ~~to~~ surrender to the State Tax Assessor the license certificate ~~theretofore~~ issued to that user by the State Tax Assessor.

Any person violating any of the provisions of this section commits a Class E crime.

Sec. 16. 36 MRSA §3214, as amended by PL 1985, c. 127, §1, is further amended to read:

§3214. Credit for tax paid on worthless accounts

The tax paid on sales made on credit and reported by a supplier or retailer pursuant to section 3209 found to be worthless and actually charged off may be credited upon the tax due ~~to~~ on a subsequent report, but if any such accounts are thereafter collected by the supplier or retailer, a tax ~~shall~~ must be paid upon the amounts so collected. The credit ~~shall be considered as being required to be~~ must be reported on the return for the month in which the charge-off occurred.

Sec. 17. Effective date. This Act takes effect on October 1, 2000.

Effective October 1, 2000.

CHAPTER 734

H.P. 1653 - L.D. 2322

**An Act to Create a Purple Heart
Motorcycle License Plate**

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

Sec. 1. 29-A MRSA §515-B is enacted to read:

**§515-B. Purple Heart medal recipients; special
motorcycle registration plates**

The Secretary of State, on application and upon evidence of payment of the excise tax required by Title 36, section 1482, the registration fee required by section 515 and a one-time additional fee of \$5, shall issue a registration certificate and a set of Purple Heart motorcycle registration plates, to be used in lieu of regular registration plates, to a person who is a Purple Heart medal recipient. The one-time additional fee of \$5 is credited to the Highway Fund for administrative

and production costs. Notwithstanding section 468, the Secretary of State may issue fewer than 2,000 of the plates authorized by this section, and this plate does not require a sponsor.

1. Application. An application for Purple Heart motorcycle registration plates must be accompanied by proof that the applicant has been awarded the Purple Heart medal. The Secretary of State shall verify the documentation presented by the applicant. Misrepresentation of documents is in violation of section 2103, subsection 5.

2. Surviving spouse. The surviving spouse of a Purple Heart recipient issued motorcycle registration plates in accordance with this subsection may retain and display the Purple Heart plates as long as the surviving spouse remains unmarried. Upon remarriage, the surviving spouse may not use the Purple Heart plates on a motorcycle, but may retain them as a keepsake. Upon the death of the surviving spouse, the family may retain the Purple Heart plates, but may not use them on a motorcycle.

3. Design. The Secretary of State shall determine the design of the Purple Heart motorcycle registration plate. Upon request and as provided by section 453, the Secretary of State shall issue Purple Heart motorcycle registration plates that are also vanity plates. Purple Heart vanity plates are issued in accordance with this section and section 453. The annual service fee of \$15 for vanity plates is credited to the Highway Fund.

4. Recognition plates. A Purple Heart recipient or the surviving spouse of a Purple Heart recipient who does not operate a motorcycle or register a motorcycle and who otherwise qualifies for the issuance of special Purple Heart motorcycle registration plates may apply to the Secretary of State for a special single plate recognizing that award. The Secretary of State shall design and identify these special single plates for recognition purposes only. Special single plates may not be attached to a motorcycle. Only one plate may be issued to each recipient and a one-time fee of \$5 charged.

The Secretary of State shall begin issuing Purple Heart motorcycle registration plates in accordance with this section no later than November 1, 2000.

Sec. 2. 29-A MRSA §523, sub-§2-A is enacted to read:

2-A. Disabled veterans motorcycle license plates. The Secretary of State shall issue a registration certificate and special designating plate for a motorcycle to be used in lieu of a registration plate issued in subsection 2 to any 100% disabled veteran if an applicant submits the following together with an application:

A. Evidence of payment of the excise tax required by Title 36, section 1482; and

B. Certification from the United States Veterans Administration or any branch of the United States Armed Forces as to the veteran's permanent disability and receipt of 100% service-connected benefits.

Notwithstanding section 468, the Secretary of State may issue fewer than 2,000 of the plates authorized by this subsection, and this plate does not require a sponsor. These special designating plates must bear the word "Veteran."

Sec. 3. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

2000-01

**SECRETARY OF STATE,
DEPARTMENT OF THE**

Bureau of Motor Vehicles

All Other \$1,329

Allocates funds to cover the costs of manufacturing Purple Heart motorcycle registration plates.

See title page for effective date.

CHAPTER 735

H.P. 1740 - L.D. 2446

An Act to Encourage Energy Efficiency in Government Facilities

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

Sec. 1. 5 MRSA §1770 is enacted to read:

§1770. Energy savings pilot program

1. Goal. The Legislature finds it is in the best interests of the State to significantly reduce its energy consumption to the extent possible without interfering with other goals, plans and policies of the State. The energy reduction goal, referred to in this section as the "goal," for facilities owned by the State is, by 2010, a 25% reduction in energy consumption relative to baseline consumption in 1998, as long as the achievement of the goal is accomplished in a manner that:

A. Is consistent with all applicable laws; and

B. Does not interfere with other goals, plans or policies of the State.

For purposes of this subsection, "facilities owned by the State" includes all facilities that consume energy and that are owned by the legislative, judicial or executive branches of government, any state department, agency or authority, the University of Maine System or the Maine Technical College System.

2. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Department" means the Department of Administrative and Financial Services.

B. "Energy service company" means a company with the technical, operational, financial and managerial capabilities to implement performance-based contracts that result in energy and operational cost savings including the capability:

(1) To design, implement and install energy efficiency and facility improvement measures;

(2) To secure necessary financial measures to support energy savings guarantees; and

(3) To ensure energy and operational cost savings.

C. "Performance-based contract" means a contract with an energy service company for evaluation, recommendation or implementation of one or more energy-saving measures. A performance-based contract may be structured as:

(1) A guaranteed energy savings performance contract that includes the design and installation of equipment and, if applicable, operation and maintenance of any of the energy-saving measures implemented and that guarantees annual savings that meet or exceed the total annual contract payments made by the State under the contract;

(2) A shared savings contract that includes provisions mutually agreed upon by the State and the energy service company as to the negotiated rate of payments based upon energy and operational cost savings and a stipulated maximum energy consumption level over the life of the contract; or

(3) Any other form of performance-based contract established by the department by rule.