

# 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**

1. Review current policies and activities to enforce workers' compensation coverage requirements in the forest products harvesting industry, including review of practices in policy cancellations;

2. Identify ways to enhance efforts to enforce the workers' compensation coverage requirement in the forest products harvesting industry, identify the agency responsible for enforcement activity and determine the staff and other resources needed to enhance enforcement;

3. Review available data on the types and causes of accidents in the forest products harvesting industry and identify ways to prevent such accidents and if data is unavailable or incomplete, identify ways to improve data collection;

4. Work with the forest products harvesting industry to create incentive-based systems to enhance efforts to reduce the frequency and severity of accidents in the industry;

5. Consider how enforcement efforts and accident prevention in the forest products harvesting industry may be extended to enforcement and safety in other industries and work places; and

6. Report its findings, recommendations and implementing legislation regarding enforcement, accident prevention and other issues to the joint standing committee of the Legislature having jurisdiction over labor matters and the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters by January 15, 2003. Each of the 2 joint standing committees may report out legislation based upon the report to the First Regular Session of the 121st Legislature.

See title page for effective date.

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## CHAPTER 623

H.P. 1506 - L.D. 2009

### An Act to Amend the Laws Concerning Specialty License Plates

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

**Sec. 1. 12 MRSA c. 619, sub-c. IV-A** is enacted to read:

## SUBCHAPTER IV-A

### LOBSTER RESEARCH, EDUCATION AND DEVELOPMENT FUND

#### §6465. Lobster Research, Education and Development Fund

The Lobster Research, Education and Development Fund, referred to in this subchapter as the "fund," is established in the department. Balances in the fund may not lapse and must be carried forward and used for the purposes of this section.

**1. Sources and uses of fund.** Revenues from lobster special registration plate fees credited to the fund under Title 29-A, section 456-A may be used for research and education to support the development of the lobster industry in this State.

**2. Research, education and development board.** The commissioner shall appoint a research, education and development board and consult with the board regarding the expenditures from the fund. The board is composed of one member from each of the following organizations:

A. A statewide association representing the interests of persons who harvest lobster commercially;

B. An association representing the interests of persons who harvest lobster commercially in Washington and Hancock counties;

C. A southern Maine association representing the interests of persons who harvest lobster commercially;

D. A statewide import-export lobster dealers' association;

E. A statewide lobster pound owners' association;

F. A statewide lobster processors' association;

G. The Lobster Promotion Council under section 6455;

H. The Lobster Advisory Council established by Title 5, section 12004-I, subsection 58; and

I. An international lobster institute. This member must be a resident of the State.

**Sec. 2. 20-A MRSA c. 412-A** is enacted to read:

**CHAPTER 412-A****MAINE BLACK BEARS SCHOLARSHIP FUND****§10971. Maine Black Bears Scholarship Fund**

The Maine Black Bears Scholarship Fund is created and established as a nonlapsing fund administered by the University of Maine. All revenues credited to this fund must be distributed as need-based scholarships for students attending the University of Maine. Scholarships distributed under this section may be awarded only to students who demonstrate financial need. The University of Maine shall award the scholarships and adopt rules for determining eligibility, terms and conditions for scholarships. The fund may not be used for the costs of administering the scholarships.

**Sec. 3. 20-A MRSA §11631**, as amended by PL 2001, c. 70, §12, is further amended to read:

**§11631. University of Maine System Scholarship Fund**

The University of Maine System Scholarship Fund is created and established as a nonlapsing fund under the jurisdiction and control of the Finance Authority of Maine. All revenues credited to this fund must be distributed as need-based scholarships for students attending the University of Maine System. These scholarships may only be awarded to those students who are residents of the State, who pay tuition and who otherwise meet the eligibility requirements for a grant under the Maine State Grant Program under chapter 419-A. The Finance Authority of Maine shall award the scholarships and adopt rules for determining eligibility, terms and conditions for the scholarships. The fund may not be used for the costs of administering the scholarships. Fees credited from the University of Maine System registration plate pursuant to Title 29-A, section 456 may not be distributed as scholarships to students attending the University of Maine on or after July 1, 2004.

**Sec. 4. 29-A MRSA §§456-A and 456-B** are enacted to read:

**§456-A. Lobster registration plates**

**1. Lobster plates.** The Secretary of State, upon receiving an application and evidence of payment of the excise tax required by Title 36, section 1482, the annual motor vehicle registration fee required by section 501 and the contribution provided for in subsection 2, shall issue a registration certificate and a set of lobster special registration plates to be used in lieu of regular registration plates. These plates must bear identification numbers and letters.

**2. Contribution to Lobster Research, Education and Development Fund.** In addition to the regular motor vehicle registration fee prescribed by law for the particular class of vehicle registered, the initial contribution for lobster plates is \$20, which must be deposited with the Treasurer of State and credited as follows:

A. Ten dollars to the Lobster Research, Education and Development Fund established in Title 12, section 6465; and

B. Ten dollars to the Highway Fund for administrative and production costs.

**3. Design.** The Secretary of State, in consultation with the Lobster Promotion Council under Title 12, section 6455, shall determine a design for the lobster special registration plates. The joint standing committee of the Legislature having jurisdiction over transportation matters shall review the final design prior to manufacture of the plates. The Secretary of State shall issue upon request lobster plates that are also vanity plates. Lobster plates are issued in accordance with the provisions of this section and section 453.

**4. Renewal fee.** In addition to the regular motor vehicle registration fee prescribed by law, the annual renewal contribution for lobster special registration plates is \$15, which must be deposited with the Treasurer of State and credited as follows:

A. Ten dollars to the Lobster Research, Education and Development Fund established in Title 12, section 6465; and

B. Five dollars to the Highway Fund for administrative and production costs.

**5. Reimbursement for production and issuance costs for first 2,000 plates.** The sponsor of the lobster plate pursuant to section 468, subsection 1 shall provide \$20,000 to the Secretary of State on or before December 1, 2002 for costs associated with the production and issuance of plates. The Secretary of State shall deposit these funds in the Specialty License Plate Fund in accordance with section 469, subsection 2. The Secretary of State shall then deposit fees collected through the sale of the first 2,000 plates in the Lobster Research, Education and Development Fund established in Title 12, section 6465. Subsequently, the Treasurer of State shall reimburse the sponsor for the initial payment of \$20,000 from the Lobster Research, Education and Development Fund.

**6. Reimbursement for production and issuance costs for plates produced after first 2,000 plates.** The Secretary of State shall deposit to the Lobster Research, Education and Development Fund established in Title 12, section 6465 \$20 for each

initial set of lobster registration plates and \$15 for each renewal of lobster registration plates. The Treasurer of State shall transfer annually from the Lobster Research, Education and Development Fund to the Highway Fund \$10 for each initial set of lobster registration plates issued and \$5 for each renewal of lobster registration plates. This transfer is to reimburse the Secretary of State for costs associated with production and issuance of plates.

**7. Duplicate plates.** The Secretary of State shall issue a lobster plate in a 3-number and 3-letter combination sequence. Vanity plates may not duplicate vanity plates issued in another class of plate.

**8. Weight limit.** A lobster plate may be issued for a motor vehicle that does not exceed 9,000 pounds. A motor vehicle that exceeds 6,000 pounds is subject to the fees in section 504.

**9. Date of first issue.** The Secretary of State shall issue the first lobster plate on or after May 1, 2003.

#### **§456-B. Maine Black Bears registration plates**

**1. Maine Black Bears plates.** The Secretary of State, upon receiving an application and evidence of payment of the excise tax required by Title 36, section 1482, the annual motor vehicle registration fee required by section 501 and the contribution provided for in subsection 2, shall issue a registration certificate and a set of Maine Black Bears special registration plates to be used in lieu of regular registration plates. These plates must bear identification numbers and letters.

**2. Contribution to Maine Black Bears Scholarship Fund.** In addition to the regular motor vehicle registration fee prescribed by law for the particular class of vehicle registered, the initial contribution for Maine Black Bears plates is \$20, which must be deposited with the Treasurer of State and credited as follows:

A. Ten dollars to the Maine Black Bears Scholarship Fund established in Title 20-A, section 10971; and

B. Ten dollars to the Highway Fund for administrative and production costs.

**3. Design.** The Secretary of State, in consultation with the alumni association of the University of Maine, shall determine a design for the Maine Black Bears special registration plates. The joint standing committee of the Legislature having jurisdiction over transportation matters shall review the final design prior to manufacture of the plates. The Secretary of State shall issue upon request Maine Black Bears plates that are also vanity plates. Maine Black Bears

plates are issued in accordance with the provisions of this section and section 453.

**4. Renewal fee.** In addition to the regular motor vehicle registration fee prescribed by law, the annual renewal contribution for Maine Black Bears special registration plates is \$15, which must be deposited with the Treasurer of State and credited as follows:

A. Ten dollars to the Maine Black Bears Scholarship Fund established in Title 20-A, section 10971; and

B. Five dollars to the Highway Fund for administrative and production costs.

**5. Reimbursement for production and issuance costs for first 2,000 plates.** The sponsor of the Maine Black Bears plate pursuant to section 468, subsection 1 shall provide \$20,000 to the Secretary of State on or before June 1, 2003 for costs associated with the production and issuance of plates. The Secretary of State shall deposit these funds in the Specialty License Plate Fund in accordance with section 469, subsection 2. The Secretary of State shall then deposit fees collected through the sale of the first 2,000 plates in the Maine Black Bears Scholarship Fund established in Title 20-A, section 10971. Subsequently, the Treasurer of State shall reimburse the sponsor for the initial payment of \$20,000 from the Maine Black Bears Scholarship Fund.

**6. Reimbursement for production and issuance costs for plates produced after first 2,000 plates.** The Secretary of State shall deposit to the Maine Black Bears Scholarship Fund established in Title 20-A, section 10971 \$20 for each initial set of Maine Black Bears registration plates and \$15 for each renewal of Maine Black Bears registration plates. The Treasurer of State shall transfer annually from the Maine Black Bears Scholarship Fund to the Highway Fund \$10 for each initial set of Maine Black Bears registration plates issued and \$5 for each renewal of Maine Black Bears registration plates. This transfer is to reimburse the Secretary of State for costs associated with production and issuance of plates.

**7. Duplicate plates.** The Secretary of State shall issue a Maine Black Bears plate in a 3-number and 3-letter combination sequence. Vanity plates may not duplicate vanity plates issued in another class of plate.

**8. Weight limit.** A Maine Black Bears plate may be issued for a motor vehicle that does not exceed 9,000 pounds. A motor vehicle that exceeds 6,000 pounds is subject to the fees in section 504.

**9. Date of first issue.** The Secretary of State shall issue the first Maine Black Bears plate on or after November 1, 2003.

**Sec. 5. 29-A MRSA §468**, as enacted by PL 1997, c. 776, §12, is amended to read:

**§468. Specialty plate**

~~Beginning July 1, 1999, the~~ The Secretary of State may not issue a specialty license plate unless the specialty license plate is authorized by the Legislature. The Secretary of State shall administer a specialty license plate in accordance with the following provisions.

**1. Sponsor.** A person must register with the Secretary of State as the sponsor of a specialty license plate.

**2. Names, signatures and payment.** The Secretary of State may not manufacture an authorized specialty plate unless the sponsor pays in advance for the manufacture of at least 2,000 pairs of the specialty plate and provides a list with 2,000 names, signatures and current plate numbers of supporters who intend to purchase the specialty license plate. A payment of \$40,000 for 2,000 pairs of plates at \$20 per pair must be deposited in the Specialty License Plate Fund established under section 469. The Secretary of State shall provide one \$20 credit to purchase a pair of specialty license plates for each name and signature provided.

**3. Fee.** ~~The Secretary of State shall establish a fee for each pair of an authorized specialty plate of at least \$10 per pair in addition to a registration fee to cover the cost of manufacturing and producing a specialty plate \$20. The fee must be deposited in the Specialty License Plate Fund established under section 469.~~

**4. Minimum number manufactured.** The Secretary of State shall manufacture a minimum of 2,000 specialty license plates for each specialty plate authorized under this section.

**5. Design approval.** A sponsor must submit a proposed design for a specialty license plate for approval or modification by the Secretary of State. The joint standing committee of the Legislature having jurisdiction over transportation matters shall review the final design for a specialty license plate prior to manufacture of the plate.

**6. Duplicate plates.** The Secretary of State shall issue a specialty license plate in a 3-number and 3-letter combination sequence. Vanity plates may not duplicate vanity plates issued in another class of plate.

**7. Deadline for Secretary of State approval.** The sponsor must submit to the Secretary of State the names, signatures, payment and proposed design for the specialty license plate by September 1st. If the design is approved pursuant to subsection 5, the

Secretary of State shall submit proposed legislation seeking authorization of the specialty license plate to the following regular session of the Legislature.

**8. Weight limit.** A specialty license plate may be issued for an automobile or pickup truck that does not exceed 6,000 pounds.

**Sec. 6. 29-A MRSA §469, sub-§2**, as enacted by PL 1997, c. 776, §12, is amended to read:

**2. Purpose.** All money credited to the Specialty License Plate Fund must be used to cover the cost of manufacturing and producing a specialty plate authorized pursuant to section 468. ~~Fees collected for the manufacture and production of a specialty license plate may only be used to cover the cost of manufacturing and producing that specialty plate.~~

**Sec. 7. Appropriations and allocations.** The following appropriations and allocations are made.

**MARINE RESOURCES, DEPARTMENT OF**

**Bureau of Resource Management**

Initiative: Allocates funds for the newly established Lobster Research, Education and Development Fund.

<b>Other Special Revenue Funds</b>	<b>2001-02</b>	<b>2002-03</b>
All Other	\$0	\$40,000

**MARINE RESOURCES, DEPARTMENT OF**

**DEPARTMENT TOTALS**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$40,000</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$40,000</b>

**SECRETARY OF STATE, DEPARTMENT OF**

**Administration - Motor Vehicles**

Initiative: Allocates funds for the production of lobster registration plates and for Maine Black Bears registration plates.

<b>Other Special Revenue Funds</b>	<b>2001-02</b>	<b>2002-03</b>
All Other	\$0	\$40,000

**SECRETARY OF STATE, DEPARTMENT OF**

**DEPARTMENT TOTALS**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$40,000</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$40,000</b>

**SECTION TOTALS**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$80,000</b>
<b>SECTION TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$80,000</b>

See title page for effective date.