

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2010 to April 12, 2010

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 12, 2010

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

Augusta, Maine
2010

CHAPTER 623
S.P. 386 - L.D. 1022

**An Act To Amend the Laws
Governing the Legislative
Youth Advisory Council**

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

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to allow new appointments to the Legislative Youth Advisory Council to be made immediately and to allow the council to begin to plan meetings and hold meetings immediately according to the altered provisions of the law; 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Sec. 1. 3 MRSA §168-A, as amended by PL 2007, c. 679, §§1 and 2, is repealed.

Sec. 2. 3 MRSA §168-B is enacted to read:

§168-B. Legislative Youth Advisory Council

The Legislative Youth Advisory Council, referred to in this section as "the council," is created to advise the Legislature on policy matters related to youth.

1. Membership. The council consists of 20 members appointed in accordance with this subsection. In appointing members, the appointing authorities shall strive to ensure a balance among members in terms of statewide geographic distribution and gender. All appointments are for the duration of the legislative term for which the members are appointed and expire upon the convening of the next Legislature. Members may be reappointed to subsequent terms on the council as long as they are eligible at the time of their reappointment.

A. The President of the Senate shall appoint the following 10 members:

(1) Two members of the Senate representing the 2 largest political parties in the Senate; and

(2) Eight youths who have attained 15 years of age and who are enrolled in programs that lead to a secondary school diploma or certificate of attendance or a general equivalency diploma or are enrolled in equivalent instruc-

tion programs under Title 20-A, chapter 211, subchapter 1-A. The youth members must be appointed from names recommended for appointment by the 2 appointed members of the Senate.

B. The Speaker of the House shall appoint the following 10 members:

(1) Two members of the House of Representatives representing the 2 largest political parties in the House; and

(2) Eight youths who have attained 15 years of age and who are enrolled in programs that lead to a secondary school diploma or certificate of attendance or a general equivalency diploma or are enrolled in equivalent instruction programs under Title 20-A, chapter 211, subchapter 1-A. The youth members must be appointed from names recommended for appointment by the 2 appointed members of the House of Representatives.

2. Chairs. The first appointed Senate member is the Senate chair of the council and the first appointed House member is the House chair of the council.

3. Compensation. Members of the council who are Legislators are entitled to the legislative per diem and to reimbursement of reasonable expenses incurred in attending meetings of the council. Youth members of the council are entitled to reimbursement of reasonable expenses incurred in attending meetings of the council only upon a demonstration of financial hardship.

4. Meetings. The council may hold 2 meetings in each calendar year in a location in the State chosen by the chairs. There is no quorum requirement for the meetings. Legislative members shall encourage the use of social networking media during and between meetings to facilitate communication and participation of council members and others interested in the council's work. The legislative members shall encourage the participation of youth members in the legislative process by providing opportunities during the legislative session for youth members to shadow legislative members, attend hearings and work sessions of legislative committees and testify before the committees on legislation of interest to youth. Shadowing and participatory activities are not considered meetings of the council.

5. Report. The council shall submit a biennial report to the Legislative Council no later than the 2nd Friday in February of even-numbered years, beginning in 2012. The report may include recommendations on policy issues before the Legislature pertaining to youth and may include recommended legislation.

6. Staff. The Legislative Council may authorize staff support for the council for meetings held during the legislative interim.

Sec. 3. 5 MRSA §12004-I, sub-§54-C, as enacted by PL 2001, c. 439, Pt. PPPP, §2 and affected by §4, is amended to read:

54-C.

Legislature	Legislative Youth Advisory Council	Legislative Per Diem and Expenses for Legislators and Expenses Only for Certain Members Youth Members upon <u>Demonstration of Financial Hardship</u>	3 MRSA §168-A <u>§168-B</u>
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Sec. 4. Funding. No funds are appropriated or allocated to the Legislative Youth Advisory Council in this Act. All activities of the Legislative Youth Advisory Council during fiscal years 2009-10 and 2010-11 must be funded from funds budgeted by the Legislative Council in the current biennium.

Sec. 5. Transition. Legislative members and youth members appointed to the Legislative Youth Advisory Council on or after January 1, 2009 under the Maine Revised Statutes, Title 3, former section 168-A are entitled to remain as members of the Legislative Youth Advisory Council formed under Title 3, section 168-B until the expiration of their terms upon the convening of the 125th Legislature.

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

Effective April 9, 2010.

CHAPTER 624

S.P. 647 - L.D. 1675

An Act To Reduce Noise Caused by Motorcycles and Improve Public Health

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

Sec. 1. 29-A MRSA §1758, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Without windshield. If the vehicle is not normally equipped with a windshield, the certificate of inspection must be kept with the registration certificate

of the vehicle. This subsection does not apply to motorcycles.

Sec. 2. 29-A MRSA §1758, sub-§3 is enacted to read:

3. Motorcycles; proof of inspection. If a motorcycle meets the inspection standard, upon payment of applicable inspection fees pursuant to section 1751, subsection 3-A a valid certificate of inspection and an official inspection sticker for the motorcycle must be issued. The certificate of inspection must be kept with the registration certificate of the motorcycle and the official inspection sticker must be affixed to the rear of the motorcycle:

A. On a mounting plate that must be securely fastened to the motorcycle frame or similar integral component of the motorcycle; or

B. On a rear fender or similar frame or integral body part of the motorcycle.

The official inspection sticker must be located so that it is completely and clearly visible from the rear of the motorcycle and may not be affixed to the registration plate.

Sec. 3. Working group; motorcycle noise. The Department of Public Safety, Bureau of State Police shall convene a working group to study issues relating to motorcycle noise. The working group must include, but is not limited to, representatives from affected citizen groups, local municipalities, the motorcycle industry, motorcycle enthusiast groups and local law enforcement agencies. The working group shall investigate and research industry sound testing standards, particularly the Society of Automotive Engineers Standard J2825, "Measurement of Exhaust Sound Pressure Levels of Stationary On-Highway Motorcycles," and the feasibility of incorporating United States Environmental Protection Agency noise emission labeling standards into state law. The report of the working group must include an analysis of motorcycle safety inspections and a requirement that an inspection sticker be displayed visibly on the motorcycle. The Bureau of State Police shall report to the joint standing committee of the Legislature having jurisdiction over transportation matters, with findings and recommendations, no later than January 15, 2011.

Sec. 4. Effective date. Those sections of this Act that amend the Maine Revised Statutes, Title 29-A, section 1758 take effect January 1, 2012.

See title page for effective date, unless otherwise indicated.
