

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2010 to June 29, 2011**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 28, 2011**

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

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**Augusta, Maine**  
**2011**

C. A person who has a fleet of 5 or more motor vehicles may petition the Secretary of State for a common expiration date of all vehicle registrations.

**Sec. 2. 29-A MRSA §1758, sub-§3,** as enacted by PL 2009, c. 624, §2 and affected by §4, is amended 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: on the registration plate.

~~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.~~ If the registration plate is reassigned to another motorcycle pursuant to section 463, subsection 4, the certificate of inspection and the official inspection sticker expire upon reassignment.

**Sec. 3. PL 2009, c. 624, §4** is amended to read:

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

**Sec. 4. Motorcycle registration plates; registration sticker; direction to the Secretary of State.** Before March 1, 2012, the Secretary of State shall design and issue one registration sticker for motorcycle registration plates to be used in lieu of issuing new motorcycle registration plates each calendar year as provided in the Maine Revised Statutes, Title 29-A, section 451, subsection 3. This registration sticker must clearly indicate both the year and month of registration expiration.

**Sec. 5. Proof of inspection.** Before March 1, 2013, if a motorcycle meets the inspection standard under the Maine Revised Statutes, Title 29-A, section 1751, either a valid certificate of inspection or an official inspection sticker for the motorcycle is acceptable proof of inspection for purposes of Title 29-A, section 1758, subsection 3.

**Sec. 6. Registration transition.** Motorcycle registrations issued after the effective date of this Act expire on March 31, 2012. Registration fees required by the Maine Revised Statutes, Title 29-A, section

515, subsection 1 and payment of excise tax under Title 36, section 1482 must be prorated accordingly.

A motorcycle registration that is renewed on or after March 1, 2012 has a registration period from April 1st to March 31st of the next calendar year. No portion of the fee is refundable, but, beginning March 1, 2012, credit toward the registration fee and excise tax must be given and registration fees required by Title 29-A, section 515, subsection 1 and payment of excise tax under Title 36, section 1482 must be prorated accordingly.

**Sec. 7. Effective date.** Those sections of this Act that amend the Maine Revised Statutes, Title 29-A, section 405, subsection 1 and section 1758, subsection 3 take effect March 1, 2012.

See title page for effective date, unless otherwise indicated.

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**CHAPTER 168**

**S.P. 139 - L.D. 435**

**An Act To Improve the Rate of Organ and Tissue Donation by Establishing the Organ Donation 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,** there is a shortage of organs and tissue available to individuals with life-threatening conditions; and

**Whereas,** increasing the rates of organ and tissue donation is a critical function of the Organ Donation Advisory Council; 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. 5 MRSA §12004-I, sub-§36-E** is enacted to read:

**36-E.**

<u>Human</u>	<u>Organ</u>	<u>Not Au-</u>	<u>29-A MRSA</u>
<u>Services</u>	<u>Donation</u>	<u>thorized</u>	<u>§1402-B</u>
	<u>Advisory</u>		
	<u>Council</u>		

**Sec. 2. 29-A MRSA §1402-A, sub-§4, ¶B,** as enacted by PL 2003, c. 394, §4 and affected by §6, is repealed.

**Sec. 3. 29-A MRSA §1402-A, sub-§4, ¶D,** as enacted by PL 2003, c. 394, §4 and affected by §6, is repealed.

**Sec. 4. 29-A MRSA §1402-B** is enacted to read:

**§1402-B. Organ Donation Advisory Council**

**1. Appointment; composition; term; compensation.** The Organ Donation Advisory Council, established by Title 5, section 12004-I, subsection 36-E, referred to in this section as "the council," consists of 10 members as follows:

A. The Secretary of State or the secretary's designee;

B. The Commissioner of Health and Human Services or the commissioner's designee;

C. A representative of the Department of the Secretary of State, Bureau of Motor Vehicles, appointed by the Secretary of State;

D. The president of a statewide medical society, appointed by the President of the Senate;

E. A representative of a federally designated organ procurement organization serving the State, appointed by the Speaker of the House of Representatives;

F. Three members of the public with experience in the field of organ and tissue donation or transplantation, at least one of whom must be a recipient of a donated organ or tissue and at least one of whom must be a donor or a family member of a donor, appointed by the President of the Senate; and

G. Two members of the public with experience in the field of organ and tissue donation or transplantation, at least one of whom must be a doctor experienced in organ and tissue transplantation, appointed by the Speaker of the House of Representatives.

All appointed members are appointed for a term of 3 years. A vacancy must be filled in the same manner as the position was originally filled for the unexpired portion of the term. An appointed member may not serve for more than 2 consecutive terms. Appointed members serve until their successors are appointed. Members serve without compensation.

**2. Meetings; reports.** The council shall meet at least 4 times a year and convene special meetings at the call of the chair, a majority of the members of the council or the Secretary of State. The members of the council shall elect a chair, except that the Secretary of State may not be chair. The council shall make an annual

report to the Governor that must include an account of all actions taken to further organ and tissue donation and file a copy of the report to the Secretary of State, the Secretary of the Senate and the Clerk of the House of Representatives.

**3. Duties.** The council shall:

A. Assist the Secretary of State in coordinating the efforts of all public and private agencies within the State concerned with the donation and transplantation of organs and tissues;

B. Advise the Secretary of State on policy and priorities of need in the State for a comprehensive program relating to organ and tissue donation and transplantation;

C. Assist the Secretary of State in developing strategies to increase donations that the council may find effective; and

D. Establish numerical goals for increasing organ and tissue donation rates in the State, to include a baseline account of current organ and tissue donation rates, as well as periodic benchmarks for success. The bureau may provide monthly donor designation rates for each branch office of the bureau to assist in identifying goals.

**Sec. 5. Staggered terms.** Notwithstanding the Maine Revised Statutes, Title 29-A, section 1402-B, subsection 1, of the initial appointments to the Organ Donation Advisory Council pursuant to Title 29-A, section 1402-B, subsection 1, the appointments made pursuant to paragraphs E and G and 2 of the appointments made pursuant to paragraph F are for 2 years.

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

Effective May 30, 2011.

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**CHAPTER 169**

**H.P. 719 - L.D. 975**

**An Act To Require  
Certification of Private  
Applicators of General Use  
Pesticides**

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

**Sec. 1. 22 MRSA §1471-C, sub-§22-A** is enacted to read:

**22-A. Private applicator of general use pesticides.** "Private applicator of general use pesticides" means a person who uses or supervises the use of general use pesticides for purposes of producing agricul-