

MAINE STATE LEGISLATURE

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April 19, 1961

Honorable Ralph W. Farris, Jr.
Chairman, Committee on Legal Affairs
Senate Chambers
State House, Augusta, Maine

Dear Senator Farris:

In reply to your memo of April 13th, we have examined L. D. 1420 and suggest the following amendments so as to make this legislation conform to the proposed Administrative Code:

(1) Section 7--Add the following words after the word "tramways" in line 6 of Section 7: "All regulations made by the board shall be adopted in the manner prescribed in Chapter 20-A subject, however, to the additional provisions contained in this section."

(2) Section 7--Delete the last two sentences of Section 7 and substitute therefor the following: "Regulations made by the board shall take effect in the manner prescribed in Chapter 20-A."

(3) Section 8--Delete Section 8 in its entirety.

(4) Section 12--Delete Section 12 in its entirety and substitute therefor the following: "Sec. 12. Complaints. Any person may make written complaint to the board setting forth any thing or act claimed to be done or omitted to be done by any registered operator which is alleged to be in violation of any rule, regulation or code adopted by the board, or setting forth any condition in passenger tramway construction, operation or maintenance which is alleged

to endanger the safety of the public. The Board may investigate the matter complained of, and if it shall appear to the Board that there are reasonable grounds therefor, the Board shall file a complaint with the Hearing Officer as designated in Chapter 20-A, and shall proceed in accordance with the procedure set forth in Chapter 20-A."

(5) Section 19--Delete the words "the Board" in line 7 of Section 19 and substitute therefor "the Hearing Officer as designated in Chapter 20-A."

(6) Section 20--Delete the words "before the Board" in line 8 of Section 20 and substitute therefor "before the Hearing Officer."

(7) Section 21--Delete Section 21 in its entirety and substitute therefor the following: "Sec. 21. Hearing. Any such operator, who is aggrieved by any such order, may, within 10 days of service of such order upon him apply to the Hearing Officer for a review of such order. It shall be the duty of the Hearing Officer to hear the same and to make such order as the facts may require."

(8) Section 22--Delete Section 22 in its entirety.

(9) Section 23--Delete Section 23 in its entirety and substitute the following therefor: "Sec. 23. Suspension of Registration. If any such operator fails to comply with a lawful order issued under sections 19 or 21 and within the time fixed thereby, the Board may suspend the registration of such operator for such time as it may consider necessary for the protection of the safety of the public."

AMENDMENT OF LEGISLATIVE DOCUMENT 1363

Section 1, 1, shall be amended by adding thereto "Passenger Tramway Safety Board."

Very truly yours,

Thomas W. Taveaner
Assistant Attorney General