

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1636

H. P. 1182

House of Representatives, March 17, 1971

Referred to Committee on State Government. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Jalbert of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

**AN ACT to Create a Commission to Prepare a Revision of the
Motor Vehicle Laws.**

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

Sec. 1. Commission; duties. A special commission shall be constituted and appointed to supervise the preparation in final legislative draft form of a proposed Motor Vehicle Code for the State of Maine to be presented to the regular session of the 106th Maine Legislature. The proposed Motor Vehicle Code shall include and consist of a complete revision, redraft and rearrangement of all sections of the Revised Statutes pertaining to motor vehicles and their operation including, without limitation, all such sections of Title 29 of the Revised Statutes and in any other Titles, the revision of which is deemed appropriate to these purposes. The proposed Motor Vehicle Code may, without limitation, incorporate such necessary repealers, amendments and modifications of existing laws as, in the judgment of such commission, are necessary and appropriate to accomplish such purposes. The proposed Motor Vehicle Code may include such new or modified provisions as, in the judgment of the commission, will best serve the interests of the people of the State; and the commission shall give due consideration to the 1968 revised edition of the Uniform Vehicle Code and to the motor vehicle laws of other states and the requirements for enforcement thereof and for the regulator and administrative requirements of the Maine Motor Vehicle Division. The commission shall employ a chief counsel and, subject to his recommendations, such additional counsel as may be required, to perform the necessary research and drafting of the code, the chief counsel to meet the requirements as set forth. The commission shall hold such public hearings as may be deemed necessary to acquaint the public and all interested segments thereof with its pro-

posals and recommendations and the commission shall have full access to all of the records of the Maine Motor Vehicle Division for the purpose of its investigations. It is the purpose and intent hereof to provide the commission with sufficient authority and funds to enable it to present the Maine Legislature a fully modern, integrated and consistent code of public laws dealing with motor vehicles and their operation in every aspect.

Sec. 2. Membership. The membership of the commission shall be constituted and appointed as follows: Two members of the Senate to be appointed by the President of the Senate; 3 members of the House of Representatives to be appointed by the Speaker of the House and there shall be 4 additional members to be appointed by the Governor, with the advice and consent to the Executive Council. The Secretary of State, the Director of the Motor Vehicle Division, the Director of the Maine Highway Safety Committee, the Chief of the State Police, the Engineer of Planning and Traffic, State Highway Commission and the Attorney General shall serve on the commission in an advisory capacity only. Each member shall serve until the commission shall have completed its work or until his prior death or resignation. In the event of the death or resignation of any member, his place shall be filled, upon written notice thereof from the commission, by the President of the Senate, Speaker of the House or Governor, as the case may be, in the same manner as the original appointment.

Sec. 3. Meetings. The commission shall be appointed promptly upon enactment hereof, and the Governor shall notify all members of the time and place of the first meeting. At that time the commission shall organize, elect a chairman, vice-chairman and secretary-treasurer, adopt rules as to the administration of the commission and its affairs which rules shall require a minimum of 10 days' notice of any public hearing to consider one or more aspects of the laws or prospective laws to be considered by the commission and thereafter shall meet as often as necessary until its work is completed. In all matters as to which there is disagreement, a majority vote shall prevail, and a quorum shall consist of at least 5 members. The commission shall maintain minutes of its meetings and such financial records as may be required by the State Auditor.

Sec. 4. Chief counsel. The commission shall contract for a chief counsel, who need not be a resident of this State, who shall have the responsibility for legal research and drafting required in connection with the preparation of the proposed Motor Vehicle Code, under the direction and supervision of the commission. No person shall be employed as chief counsel who shall not, by virtue of prior training, experience, ability and reputation, have clearly demonstrated the ability to perform the tasks to be assigned to him by the commission, and the commission shall, so far as practicable, employ only a person with prior experience in the preparation of motor vehicle codes in one or more other states, after due consideration of his references, past performance and work, and ability to perform the job to be assigned pursuant to this Act.

Sec. 5. Reimbursement of expenses. The members of the commission shall serve without compensation, but may be reimbursed for their reason-

able expenses in attending meetings, procuring supplies, correspondence and other related and necessary expenditures.

Sec. 6. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund the sum of \$3,000 for the fiscal year ending June 30, 1972, to carry out the purposes of this Act. Any unexpended balances shall not lapse but shall remain a continuing carrying account until June 30, 1975.

STATEMENT OF FACT

This Act creates a commission to study and prepare a revision of the motor vehicle laws.