

MAINE STATE LEGISLATURE

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D. 1074

STATE OF MAINE
SENATE
107TH LEGISLATURE
FIRST SPECIAL SESSION

SENATE AMENDMENT "D" to S.P. 799, L.D. 2345, Bill, "AN ACT to Correct Errors and Inconsistencies in Laws of Maine."

Amend said Bill by inserting after section 18 the following:

'Sec. 18-A. 5 MRSA §1092, sub-§3-A, as enacted by PL 1975, c. 622, §23-A, is amended to read:

'3-A. Additional retirement benefits. Any participating local district, by filing with the board of trustees a duly certified copy of its actions, may provide an additional retirement benefit for all employees eligible for retirement benefits or allowances under subsections 2 or 3 of this section or under subsections 4, 8 and 9 of section 1121, of 2% of average final compensation for each year of membership service not included in the age and service conditions for retirement under these sections.'

Further amend said Bill by striking out all of section 20 and inserting in place thereof the following:

'Sec. 20. Effective date. Section 19 of this Act shall become effective on July 1, 1976.'

Amend said Bill by inserting after section 53 the following:

'Sec. 53-A. 11 MRSA §9-401, sub-§(1), ¶(a), as last amended by PL 1975, c. 269, §1, is repealed and the following enacted in place thereof:

(a) When the collateral is consumer goods, then in the debtor's residence unless the office of the clerk of the municipality of the debtor (i) is not a resident of this State or (ii) is a resident of an unorganized place, then in the office of the Secretary of State;'

Further amend said Bill by inserting after section 74 the following:

'Sec. 74-A. 19 MRSA §501, as enacted by PL 1975, c. 532, §3, is amended to read:
§501. Interest of debt due

Interest of 6% per year on any support debt due or owing to the department under section 493 495 may be collected by the commissioner.

Further amend said Bill by inserting after section 97 the following:

'Sec. 97-A. 26 MRSA §1024, sub-§4, ¶A, as enacted by PL 1975, c. 721, §2, is amended to read:

A. When collective bargaining is to take place between the university and the faculty or professional and administrative staff, the board of trustees shall appoint 3 currently enrolled students who are broadly representative of the various campuses to meet and confer with the university and who may meet and confer with the bargaining agent prior to collective bargaining.

Sec. 97-B. Effective date. Section 97-A of this Act shall become effective 91 days after adjournment.'

Further amend said Bill by inserting after section 99 the following:

'Sec. 99-A. 26 MRSA §1161, as amended, is further / amended by adding at the end the following new paragraph:

The Governor ← → has been and / is hereby authorized to apply for advances to the account of this State in the Unemployment Trust Fund in accordance with the provisions of Title XII of the Social Security Act, 42 U.S.C.A. §1321, as amended, or under any other Act of Congress extending such authority, in order to secure to this State and its citizens the advantages available under the provisions of ← → Title XII of the Social Security Act.'

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Further amend said Bill by inserting after section 107 the following:

'Sec. 107-A. 29 MRSA §245-A, 1st ¶, ^{last 3} / sentences, as enacted ← by PL 1975, c. 639, are repealed.

Sec. 107-B. 29 MRSA §245-A, 2nd ¶, as last amended by PL 1975, c. 589, §13, is further amended by inserting at the end the following new sentences:

With the concurrence of the Commissioner of Transportation, the Secretary of State is authorized to promulgate rules and regulations for the payment of the fees required under this section in annual or biennial installments. In promulgating such rules and regulations, the Secretary of State shall consider the financial impact of the registration fee on the registrants, the benefit or burden of such installment paying on the state revenues and the difficulty which the Motor Vehicle Division may encounter in administering this section. These provisions shall apply only to those semipermanent registration plates in force on the effective date of this Act.

Sec. 107-C. 29 MRSA §351, first sentence, as enacted by PL 1973, c. 529, §1, is amended to read:

No license shall be suspended or revoked, or renewal thereof refused, until a written copy of the complaint made has been furnished to the licensee against whom the same is directed and a public hearing thereon has been had before the Secretary of State or Deputy Secretary of State.

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Further amend said Bill by inserting after section 111 the following:

'Sec. 111-A. 29 MRSA §1312, sub-§2, 2nd sentence, as repealed and replaced by PL 1971, c. 547, is amended to read:
the
The Secretary of State, upon/receipt of a written statement under oath, within 20 days of the date, of the arrest of a person for operating or attempting to operate a motor vehicle while under the influence of intoxicating liquor, and that such person had refused to submit to a chemical test to determine his blood-alcohol level by analysis of his blood or breath, shall immediately notify the person, in writing, as provided in section 2241 that his license or permit and his privilege to operate have been suspended.'

Further amend said Bill by inserting after section 115 the following:

'Sec. 115-A. 29 MRSA §2276, sub-§1, 2nd sentence, as enacted by PL 1971, c. 410, is amended to read:
A copy of the show cause order and such transcript or abstract shall be served on the person named therein in the manner prescribed by law for the service of process at least 7 calendar days prior to the date of hearing. '

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Further amend said Bill by striking out all of sections 150, 151, 158 and 159.

Further amend said Bill by renumbering sections to read consecutively.

Statement of Fact

The purposes of this amendment are:

1. A necessary cross-reference to the retirement law;
2. Changes the effective date to agree with action recently taken by the Legislature;
3. Avoids the necessity of having to record mobile home security interest in 2 different places instead of one;
4. A reference correction;
5. Provides that the student representatives are to meet and confer with the university as well as the bargaining agent;
6. To clarify the authority of the State and the Governor to apply for advances to the state's account in the Unemployment Trust Fund;
7. Eliminates the conflict and places those sentences added by chapter 699 of the public laws of 1975 of the special session in a more appropriate paragraph;
8. Provides for the Secretary of State or the Deputy Secretary of State to hold hearings on dealer suspensions;
9. Guarantees a respondent at least 7 days' notice of a hearing under the habitual offender law;
10. To require officers to have a report into the Secretary of State's office within 20 days from the date of arrest;

11. To guarantee a respondent at least 7 days' notice of a hearing under the habitual offender law; and

12. To remove sections of the bill that are covered by other legislation.

Samuel W. Collins, Jr.
(Collins)
NAME:

COUNTY: Knox

Reproduced and distributed pursuant to Senate Rule 11-A.

April 9, 1976.

(Filing No. S-553).