

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-357)
109TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 577,
L.D. 725, Bill, "AN ACT Relating to Permits for Contract
Carriers."

Amend the Amendment by striking out everything after the
emergency preamble and inserting in place thereof the following:

'Further amend the Bill by striking out everything after
the enacting clause and inserting in its place the following:

Sec. 1. 35 MRSA §1555, sub-§3, next to the last sentence,
is amended to read:

Contract carriers now operating by virtue of so-called grand-
father rights granted by the commission pursuant to this sub-
section as originally enacted, and whose present permits, in
the opinion of the commission, need clarification, may be
directed, upon reasonable notice given as provided, to appear
before the commission for further public hearing, at which
hearing evidence of regular operation as a contract carrier
from March 1, 1932, to June 30, 1933, may be submitted, and the
carrier may ~~supplement same by also~~ submit as independent
evidence of the scope of his grandfather rights evidence of
other regular operation ~~subsequent to said period by the~~
carrier between January 1, 1975, and October 1, 1978, and the
commission shall issue an amended permit in accordance with
the facts found on the original and new evidence presented.

House Amendment "A" to Committee Amendment "A" to H.P. 577,
L.D. 725

-2-

Sec. 2. 35 MRSA §1555, sub-§3, as amended by PL 1977,
c. 46, is further amended by adding before the last sentence
the following new sentence:

Any contract carrier whose permits have been clarified pur-
suant to this subsection in the 6 months previous to the
effective date of this ^{sentence} shall be granted a hearing and his
permits clarified based upon the provisions of this sub-
section within 30 days following the effective date of this
sentence.

Emergency clause. In view of the emergency cited in the
preamble, this Act shall take effect when approved.'

Statement of Fact

This amendment removes section 1 of the bill which would
have significantly deregulated contract carriers. This
issue will be addressed by 2 other bills.

This amendment also changes the test year by which per-
mits granted to contract carriers are based. Present law
uses a test period of March 1, 1932, to June 30, 1933. The
bill extends the test period from March 1, 1932, through
December 1978. This amendment establishes a test period
from January 1, 1975 to October 1, 1978.

The purpose of a test period is to determine the routes
over which a contract carrier may travel, the destination
points to be served and the goods that may be transported by
a contract carrier with "grandfather rights." The present
test period is antiquated and prohibits many carriers from
operating. For example, one carrier is restricted to carrying

House Amendment "A" to Committee Amendment "A" to H.P. 577,

L.D. 725

-3-

coal from Portland to Lewiston. Another carrier is restricted to serving Bowdoin College.

As a result, a more realistic test period has been established by this bill that is based upon routes, service and goods transported between 1975 and 1978.

Filed by Mr. Davies of Orono
Reproduced and distributed under the direction of the
Clerk of the House.
5/8/79 (Filing No. H-357)