

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-347)
109TH LEGISLATURE
FIRST REGULAR SESSION

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

Amend the bill by inserting before the enacting clause the following:

'Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the present law requires that contract carriers with grandfather rights provide service and carry goods according to the service they provided and goods that they carried between March 1, 1932 and June 30, 1933; and

Whereas, this test period is antiquated and prohibits many contract carriers from operating; and

Whereas, many contract carriers with grandfather rights are being investigated by the Public Utilities Commission; and

Whereas, the permits of these contract carriers will be based on the 1932-33 test year to the detriment of these carriers and the general public; 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,'

Further amend the bill in section 2, by striking out in the 3rd line from the end the following: "said period and December 31, 1978" and inserting in its place the following: 'said-period January 1, 1975 and October 1, 1978'

Further amend the bill by inserting at the end, before the statement of fact the following:

'Emergency clause. In view of the emergency cited in the preamble this Act shall become effective when approved.'

Statement of Fact

This amendment changes the test year by which permits 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 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 / amendment that is based upon routes, service and goods transported between 1975 and 1978.

This / amendment also provides that any contract carrier whose permits have been clarified previous to the effective date of this Act may request clarification based upon the new test Public Utilities Commission period. The / is required to clarify the permits within 30 days from the date of the request.

Reported by the Committee on Public Utilities
Reproduced and distributed under the direction of
the Clerk of the House.

5/7/79 (Filing No. H-347)