

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)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

Kennebec Journal
Augusta, Maine
1979

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND NINTH LEGISLATURE
1979

- (3) The method of entering into and withdrawing from the agreement;
- (4) The method of administering the regional program;
- (5) The method of involving parent and community participation; and
- (6) The member administrative unit which shall act as fiscal agent for the regional program.

D. The regional program shall be supported by funds included in the special education appropriations of each of the member administrative units.

Effective September 14, 1979

CHAPTER 439

S. P. 586 — L. D. 1651

AN ACT to Make Allocations from the Highway Fund for the Fiscal Years Ending June 30, 1981, and to Increase Revenues.

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

Whereas, the 90-day period will not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of departments and agencies will become due and payable on or immediately after July 1, 1979; 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,

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

PART A

Sec. 1. Allocation of Highway Fund. Undedicated income to the Highway Fund for the next fiscal years — from July 1, 1979, to June 30, 1980, and from July 1, 1980, to June 30, 1981, shall be segregated, apportioned and expended as designated in the following schedules:

| POLICY AREA CODE # | UMBRELLA IDENTITY Program | PAGE # | ALLOCATION FROM HIGHWAY FUND | |
|-----------------------|---|--------|---------------------------------|------------|
| | | | 1979-80 | 1980-81 |
| 00 | GENERAL GOVERNMENT | | | |
| 08 | DEPARTMENT OF FINANCE AND ADMINISTRATION | | | |
| 0078 | Bureau of Public Improvements Transportation Building Maintenance 2-051 | | | |
| | Unallocated | | \$ 287,997 | \$ 291,980 |
| 0135 | Bureau of Public Improvements State Police Headquarters 2-055 Building — Maintenance Unallocated | | \$ 51,635 | \$ 54,412 |
| 29 | DEPARTMENT OF THE SECRETARY OF STATE | | | |
| 0077 | Motor Vehicles — Administration..... 2-117 Unallocated | | 4,066,377 | 4,173,265 |
| 01 | ECONOMIC DEVELOPMENT | | | |
| 0097 | State Claims Board 2-213 Unallocated | | 80,700 | 86,450 |
| 06 | PUBLIC PROTECTION | | | |
| 16 | DEPARTMENT OF PUBLIC SAFETY | | | |
| 0329 | Public Safety — Motor Vehicle Inspection 2-679 Unallocated | | 234,203 | 185,483 |
| 0291 | State Police 2-681 Unallocated | | 8,443,538 | 8,607,628 |
| 07 | TRANSPORTATION | | | |
| 17 | DEPARTMENT OF TRANSPORTATION | | | |
| 0348 | Transportation — Accounting, Auditing & Other Services 2-711 Unallocated | | 364,000 | 364,000 |

| POLICY AREA CODE # | UMBRELLA IDENTITY Program | PAGE # | ALLOCATION FROM HIGHWAY FUND | |
|-----------------------|--|--------|---------------------------------|------------|
| | | | 1979-80 | 1980-81 |
| 0353 | Transportation — Compensation for Injuries..... | 2-713 | | |
| | Unallocated | | 618,263 | 642,224 |
| 0342 | Transportation — Amortization Office Building | 2-703 | | |
| | Unallocated | | 585,000 | 585,000 |
| 0341 | Transportation — Planning & Services..... | 2-715 | | |
| | Unallocated | | 730,809 | 768,000 |
| 0343 | Transportation — Special Resolves.... | 2-705 | | |
| | Unallocated | | 960 | 960 |
| 0345 | Salary Plan Unallocated | | 5,924,214 | 5,924,214 |
| 0339 | Highway — Administration..... | 2-701 | | |
| | Unallocated | | 3,694,645 | 3,827,050 |
| 0340 | Highway — Highway Safety | 2-739 | | |
| | Unallocated | | \$ 150,035 | \$ 159,275 |
| 0357 | Highway — Topographic Mapping | 2-747 | | |
| | Unallocated | | 10,000 | 10,000 |
| 0334 | Highway — Island Town Refunds | 2-729 | | |
| | Unallocated | | 20,000 | 20,000 |
| 0335 | Highway — Access Roads Unallocated | | 50,000 | |
| 0336 | Highway — State Aid Construction | 2-733 | | |
| | Unallocated | | 7,900,000 | 7,900,000 |
| 0337 | Highway — Special State Aid Construction..... | 2-735 | | |
| | Unallocated | | 250,000 | 250,000 |
| 0355 | Highway — Town Road Improvement Fund..... | 2-734 | | |
| | Unallocated | | 1,000,000 | 1,000,000 |
| 0330 | Highway — Summer Maintenance | 2-720 | | |
| | Unallocated | | 27,285,700 | 28,719,900 |

| POLICY AREA | | PAGE # | ALLOCATION FROM HIGHWAY FUND | |
|-------------|--|--------|------------------------------|------------------|
| CODE # | UMBRELLA IDENTITY | | 1979-80 | 1980-81 |
| | Program | | | |
| 0331 | Highway — Traffic Services | 2-723 | | |
| | Unallocated | | 1,852,680 | 2,083,273 |
| 0332 | Highway — Picnic Area..... | 2-725 | | |
| | Unallocated | | 105,307 | 107,604 |
| 0333 | Highway — Bridge Maintenance | 2-727 | | |
| | Unallocated | | 3,421,738 | 3,544,711 |
| 0338 | Highway — Radio Operations..... | 2-737 | | |
| | Unallocated | | 166,267 | 200,407 |
| 0354 | Highway — Winter Maintenance | 2-741 | | |
| | Unallocated | | 17,111,208 | 17,908,874 |
| 0296 | Highway — Railroad Crossing Protection..... | 2-719 | | |
| | Unallocated | | 30,000 | 30,000 |
| | Highway — Abolish, Reconstruct Railroad Crossings | 2-719 | | |
| | Unallocated | | 5,000 | 5,000 |
| | Highway Equipment Replacement Unallocated | | 1,500,000 | ----- |
| 0358 | Highway — Bond Interest | 2-749 | | |
| | Unallocated | | 2,688,667 | 3,276,497 |
| 0359 | Highway — Bond Retirement..... | 2-751 | | |
| | Unallocated | | \$ 5,180,000 | \$ 1,860,000 |
| 0406 | Highway — Highway and Bridge Improvements..... | 2-753 | | |
| | Unallocated | | <u>1,200,000</u> | <u>3,200,000</u> |
| | Total Allocations | | \$95,008,943 | \$95,786,207 |

Amounting to \$95,008,943 for the fiscal year ending June 30, 1980, and \$95,786,207 for the fiscal year ending June 30, 1981.

Sec. 2. Allocation of the Unappropriated Highway Fund Surplus. The Unappropriated Highway Fund Surplus, with the approval of the Governor, may be apportioned by the Department of Transportation for any of the purposes set forth in section 1. There is allocated from the Unappropriated Highway Fund Surplus \$4,000,000 for bond retirement which shall be segregated, apportioned and

expended as designated in the following schedule:

| POLICY AREA CODE # UMBRELLA IDENTITY | PAGE # | ALLOCATION FROM HIGHWAY FUND |
|--|--------|---------------------------------|
| Program | | 1980-81 |
| 07 TRANSPORTATION | | |
| 17 DEPARTMENT OF TRANSPORTATION | | |
| 0359 Highway — Bond Retirement..... 2-751 Unallocated | | \$4,000,000 |

Sec. 3. Allocation for special state aid construction. The allocation for state aid construction, special, shall be expended by the Department of Transportation on sections of improved state aid highways where, because of excessive maintenance or hazardous conditions, reconstruction is desirable; and for construction of unimproved sections of state aid highways located between improved sections in instances where the public use and safety require such construction.

Sec. 4. State police activities on the Maine Turnpike. The Maine Turnpike Authority shall assume the cost of state police activities on the Maine Turnpike and such costs shall be paid on the basis of monthly statements. Prior to December 1st of each year, the Chief of the State Police shall file a report with the Maine Turnpike Authority containing suggestions and information in regard to proposed state police activities on the turnpike for the succeeding period. The report shall include, but not be limited to, the following items: (1) Personnel, including information in regard to assignment of such personnel by shifts; (2) vehicles and equipment, including a schedule of replacements of the same; and (3) estimated cost of items (1) and (2) with any additional information that will assist the Maine Turnpike Authority in determining the level of service of state police activity proposed by the Chief of the State Police. The Maine Turnpike Authority and the Chief of the State Police, or his designee, shall review the information regarding the proposed patrol activities as contained in the report and such activities will be authorized when mutually agreed to by the Maine Turnpike Authority and the Chief of the State Police.

Moneys paid by the Maine Turnpike Authority to the Treasurer of State shall be credited 75% to the Highway Fund and 25% to the General Fund, it being understood that the state police personnel, the cost of which is paid by the Maine Turnpike Authority, shall be utilized exclusively for turnpike related activities, except for emergencies.

Sec. 5. Transfer of certain Town Road Improvement Funds authorized. The Department of Transportation may authorize the County Commissioners of Piscataquis County to transfer \$5,000 from the Town Road Improvement Fund account of Chesuncook Twp. to the Town Road Improvement Fund account of Lily Bay Twp. The transfer of these funds shall require the same kind of sign-off procedure on the part of property owners in Chesuncook Twp. that is utilized in the

transfer of state aid funds from one township to another township.

Sec. 6. 29 MRSA § 57-A, first sentence, as last amended by PL 1975, c. 770, § 145, is further amended to read:

Reports of records pertaining to convictions, adjudications, accidents, suspensions, revocations and other information required by commercial users shall be furnished by the Secretary of State at a fee of ~~\$2~~ \$3 for each request upon receipt of such request from an individual, insurance company or other party requiring such information.

Sec. 7. 29 MRSA § 152, first paragraph, first 2 sentences, as last amended by PL 1975, c. 589, §§ 1 and 2 are further amended to read:

Whoever transfers the ownership or discontinues the use of a registered motor vehicle, trailer or semitrailer and applies to the Secretary of State for registration of another motor vehicle, trailer or semitrailer in the same registration year shall be entitled to a certificate of registration permitting the use of number plates of the proper class of registration thereon upon payment of a transfer fee of ~~\$5~~ \$8, provided the fee is the same as that of the former vehicle. If the fee for the vehicle to be registered is greater, he shall pay in addition to the transfer fee of ~~\$5~~ \$8 the difference between the fee paid by him for the vehicle first registered and the fee for the vehicle to which the transfer is to be made.

Sec. 8. 29 MRSA § 242, sub-§ 1, ¶ A, first sentence is amended to read:

Used for the conveyance of passengers, ~~15~~ \$20.

Sec. 9. 29 MRSA § 245-A, first ¶, 3rd and 4th sentences, as amended by PL 1979, c. 227, are repealed and the following enacted in their place:

The Secretary of State shall furnish the person, partnership or corporation with one semipermanent plate for each such semitrailer or trailer, which plate shall expire either at the end of each 8-year or 12-year semipermanent plate program or, in the case of new semitrailers or new trailers, at the end of the 12th registration year following the year of issuance, depending upon the type of registration requested by the applicant. The fee shall be \$10 for each semitrailer registration and \$5 for each trailer registration for not more than 2,000 pounds, GVW, for each registration year, or portion thereof; and there shall be no refund of payment of such fee, except that when a plate is returned within 120 days of the effective date of that year's registration with an affidavit that the plate has never been used and the Secretary of State is satisfied that the plate has never been used, the pro rata amount, based upon the unused portion of the semipermanent plate period at the time of surrender of the registration, shall be refunded.

Sec. 10. 29 MRSA § 245-A, last 2 paragraphs, as enacted by PL 1979, c. 157, are amended to read:

At the beginning of each 8-year or 12-year semipermanent plate program, it shall be lawful to use and display the number plates issued for the ensuing 8-year or 12-year semipermanent plate program on and after December 1st of the preceding calendar year.

The first display date of all 8-year or 12-year semipermanent plates issued after the commencement of the 8-year or 12-year semipermanent plate program shall be either on and after the date of purchase or on and after February 1st next following the date of issuance, depending upon the number of registration years paid for by the registrant.

Sec. 11. 29 MRSA § 246, first 2 ¶¶ are repealed and the following enacted in their place:

With each application for registration of a motor truck, tractors and truck tractors shall be paid an annual registration fee graduated as follows when equipped with pneumatic tires:

| | |
|--|-------|
| From 0 pounds gross weight to 6,000 pounds gross weight..... | \$ 20 |
| From 6,001 pounds gross weight to 9,000 pounds gross weight..... | \$ 25 |
| From 9,001 pounds gross weight to 11,000 pounds gross weight..... | \$ 40 |
| From 11,001 pounds gross weight to 14,000 pounds gross weight..... | \$ 70 |
| From 14,001 pounds gross weight to 16,000 pounds gross weight..... | \$ 92 |
| From 16,001 pounds gross weight to 18,000 pounds gross weight..... | \$115 |
| From 18,001 pounds gross weight to 20,000 pounds gross weight..... | \$144 |
| From 20,001 pounds gross weight to 23,000 pounds gross weight..... | \$173 |
| From 23,001 pounds gross weight to 26,000 pounds gross weight..... | \$201 |
| From 26,001 pounds gross weight to 29,000 pounds gross weight..... | \$246 |
| From 29,001 pounds gross weight to 32,000 pounds gross weight..... | \$277 |
| From 32,001 pounds gross weight to 35,000 pounds gross weight..... | \$308 |
| From 35,001 pounds gross weight to 38,000 pounds gross weight..... | \$338 |
| From 38,001 pounds gross weight to 42,000 pounds gross weight..... | \$370 |
| From 42,001 pounds gross weight to 46,000 pounds gross weight..... | \$400 |
| From 46,001 pounds gross weight to 50,000 pounds gross weight..... | \$431 |
| From 50,001 pounds gross weight to 55,000 pounds gross weight..... | \$471 |
| From 55,001 pounds gross weight to 60,000 pounds gross weight..... | \$523 |
| From 60,001 pounds gross weight to 65,000 pounds gross weight..... | \$570 |
| From 65,001 pounds gross weight to 70,550 pounds gross weight..... | \$627 |
| From 70,551 pounds gross weight to 73,280 pounds gross weight..... | \$690 |

A registration fee of \$18 shall be paid for each thousand pounds or portion thereof of gross weight a vehicle is registered for in excess of 73,280 pounds.

Sec. 12. 29 MRSA § 347, 2nd sentence, as amended by PL 1975, c. 589, § 15, is further amended to read:

The annual fee for plates shall be \$15 \$20 per plate, except that on application for additional plates applied for during the period between the first day of September and the 31st day of December in any year, 1/2 of the plate fee shall be charged.

Sec. 13. **Termination date.** The fees established in sections 8 and 11 of this Act shall terminate on October 1, 1981, and the fees in effect immediately prior to the enactment of this Act shall prevail.

Sec. 14. **Effective date.** Sections 6, 7, 8, 9, 10, 11, 12, and 13 of this Act shall take effect on July 1, 1979.

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

Effective June 14, 1979 unless otherwise indicated

CHAPTER 440

H. P. 1465 — L. D. 1656

AN ACT Establishing the Municipal Cost Component for the Unorganized Territories.

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

Whereas, prompt determination and certification of the municipal cost components in the Unorganized Territory Tax District is necessary to the establishment of a mill rate and the levy of the Unorganized Territory Educational and Services Tax; 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,

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

Sec. 1. 36 MRSA § 1603, sub-§ 1, ¶ B, as enacted by PL 1977, c. 698, § 8, is repealed and the following enacted in its place:

B. The cost of all services the State funds in the unorganized territory that are funded locally by a municipality; the cost of forest fire protection to be included in the cost component shall be determined by multiplying the 100% valuation of all the property in the unorganized territory by the mill rate set for municipalities in Title 12, section 1601, or its successor; and

Sec. 2. Municipal cost components for services rendered. In accordance with the Maine Revised Statutes Annotated, Title 36, chapter 115, the Legislature determines that the municipal cost component for services and reimbursements to be rendered in fiscal year 1980 is \$5,824,000 broken down according to the following list:

| | |
|------------------------|------------|
| Public safety | \$ 150,000 |
| Forest fire protection | 1,500,000 |