

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
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ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
JANUARY 4, 1984 TO APRIL 25, 1984

3. Awarding of grants. Awarding of grants, when available and necessary, to subsidize the cost of congregate housing services programs.

Sec. 4. 22 MRSA §5154 is enacted to read:

§5154. Voluntary certification of congregate housing services programs

The Department of Human Services, Bureau of Maine's Elderly may promulgate and adopt rules for a voluntary certification program for all congregate housing services programs operating in the State, regardless of their funding source. The rules shall include:

1. Certification standards and guidelines. Establishing standards and guidelines for certification;

2. Decertification standards and guidelines. Establishing standards and guidelines for decertification;

3. Annual review. Conducting an annual review of participating congregate housing services programs to determine whether or not a certification should be awarded or renewed;

4. Issuance of certificates. Issuing certificates to participating programs which meet the standards and guidelines; and

5. Informing consumers. Informing consumers of programs which meet certification criteria and annually publishing a listing of all certified programs operating in this State.

Effective July 25, 1984.

CHAPTER 696

H.P. 1456 - L.D. 1908

AN ACT to Amend the Highway Transportation Reform Act.

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

Sec. 1. 29 MRSA §2709, sub-§1, as enacted by PL 1981, c. 469, §2, is amended to read:

1. Exemptions. There is exempt from this chapter the operation over the highways of motor vehicles transporting freight or merchandise for hire:

A. While being used within the limits of a single city or town in which the vehicle is registered by the Secretary of State or in which the owner maintains a regular and established place of business, or within 15 miles, by highway in this State, of the point in that single city or town where the property is received or delivered, but no person, firm or corporation may operate, or cause to be operated, any motor vehicle for the transportation of property for hire beyond those limits without a permit as required by this chapter; nor may any such person, firm or corporation participate in the transportation of property originating or terminating beyond the limits without holding such a permit unless the property is delivered to or received from a carrier over the highways operating under a permit issued by the bureau or railway, railway express or water common carrier, but nothing in this section may prevent a carrier from delivering and picking up with his exempt motor vehicle, in a city or town where he has a terminal, freight and merchandise transported or to be transported over territory for which a permit is required; nothing in this paragraph permits the transportation of freight or merchandise for hire, by motor vehicle, under any circumstances by any person, firm or corporation beyond the 15-mile limit as prescribed unless the person, firm or corporation holds a permit from the bureau;

B. While engaged, directly or through a contractor, exclusively in construction or maintenance work for any branch of the Government of the United States, or for any department of the State, or for any county, city, town or village;

C. While engaged exclusively in the transportation of the United States mail;

D. While engaged exclusively in the transportation of fresh fruits and fresh vegetables from farms to processing plants or quick freezing plants, places of storage or places of shipment, or the products of vining and cutting plants to

processing plants or quick freezing plants during the harvesting season to points within 50 miles thereof, by highway;

E. While engaged exclusively in the hauling of wood, pulpwood, logs ~~or~~, sawed lumber, wood chips, bark, hogged fuel or sawdust from the woodlot or forest area where cut ~~or~~, sawed or chipped to points within 100 miles thereof, by highway, or while hauling, within the distance, horses, crew, equipment and supplies to or from that woodlot or forest area;

F. While engaged exclusively in the transportation of livestock for exhibition purposes, including race horses, to and from agricultural fairs, race tracks and other exhibits;

G. While engaged exclusively in the hauling of milk and cream to receiving stations from points within a distance of ~~25~~ 50 miles by highway from them;

H. Of any bona fide agricultural cooperative association transporting property exclusively for the members of that association on a nonprofit basis, or of any independent contractor transporting property exclusively for the association;

I. Of any independent contractor while engaged exclusively in the transportation of seed, feed, fertilizer and livestock for one or more owners or operators of farms directly from the place of purchase of the seed, feed, fertilizer and livestock by the owners or operators of the farms to the farms, or in the transportation of agricultural products for one or more owners or operators of farms directly from the farm on which the agricultural products were grown to place of storage, processing or shipment within ~~60~~ 50 miles by highway of the farm;

J. While engaged exclusively in the transportation of Christmas trees, wreaths and greens;

K. While engaged exclusively in the transportation of disabled, collision-damaged, wrecked or repossessed highway motor vehicles within ~~35~~ 50 miles by highway from the carrier's regular place of business;

L. While engaged exclusively in the transportation of refuse, garbage and trash to disposal areas from points within a distance of ~~30~~ 50 miles by highway thereof; and

M. While engaged exclusively in the transportation of sand, gravel, loam, rocks, crushed rock, hot top, cold top and bituminous mixes in dump-truck type vehicles, but not including and tractor-trailer vehicles; and

N. While engaged exclusively in the transportation of buildings, houses and similar permanent type structures being relocated, but not including trailers and mobile homes.

Nothing under this chapter applies to persons, firms or corporations operating motor vehicles carrying property of which they are the actual and bona fide owners, if the ownership is in pursuance of a primary business, other than the transportation business, of those persons, firms or corporations.

The exemptions provided in this subsection apply to any nonresident owner or operator of any motor vehicle to the extent that the state, district or country of residence grants the same or similar privileges to residents of this State.

If a state, district or country requires a permit or charges residents of this State any fee for transportation exempted under this subsection, the bureau shall require a permit and charge fees as required by this chapter.

If any state, district, province or country prohibits, in any way, the transportation of wood, pulpwood or logs from that state, district, province or country to this State, or by law or regulation requires a citizen of this State to establish citizenship, a residence or place of business or to register a business in that state, district, province or country in order to transport wood, pulpwood or logs from that state, district, province or country to this State, similar provisions shall apply to residents of that state, district, province or country who transport wood, pulpwood or logs from Maine to that state, district, province or country. The limitations provided in this section shall not apply to the sale of sawlogs and pulpwood, but shall apply to the transportation and methods of transportation of sawlogs and pulpwood.

Any sawlogs and pulpwood harvested on lands owned by the State may be transported without the limitations provided by this section where the limitations are based solely on the source of the sawlogs and pulpwood being state-owned lands, if, for lands administered by the Department of Conservation, the Commis-

sioner of Conservation consents to the transport or, for lands administered by the Baxter State Park Authority, the authority consents to the transport. Such consent shall be given where it is necessary to avoid severe economic hardship or to avoid the disruption of land management plans.

Sec. 2. 29 MRSA §2709, sub-§3, ¶H, as enacted by PL 1983, c. 234, §5, is amended to read:

H. Motor carriers transporting passengers that receive state, municipal or federal subsidies administered by the Department of Transportation shall be required to submit their operating name and list of equipment to the bureau and shall be subject to the rules of the bureau pertaining to safety promulgated under section 2707. For the purpose of this section, the term subsidies shall include assistance that is provided by the State Government, municipal government or Federal Government that is used for purposes of planning to offset operating losses or to acquire capital equipment.

Effective July 25, 1984.

CHAPTER 697

S.P. 717 - L.D. 1963

AN ACT to Clarify Certain Provisions in the
Recodification of the General Assistance Law.

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

Sec. 1. 22 MRSA §4316, sub-§2, ¶A, as enacted by PL 1983, c. 577, §1, is amended to read:

A. Existing employment or participation in a vocational training or primary or secondary educational program which would, or in a training program which is either approved or determined, or both, by the Department of Labor to be reasonably expected to assist the individual in securing employment;

Sec. 2. 22 MRSA §4316, sub-§4, ¶A, as enacted by PL 1983, c. 577, §1, is amended to read: