

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
IN ACCORDANCE WITH MAINE REVISED STATUTES
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

factory to the State Tax Assessor, such excess may be refunded if it shall appear that the applicant has paid to another state or province under a lawful requirement of such jurisdiction a tax similar in effect to the tax levied in section 3203, on the use or consumption of the same fuel without the State, ~~to~~ the extent of the payment at the same rate per gallon that such tax was paid in this State on that number of gallons used in and a tax paid on in such other jurisdiction, but in no case to exceed the rate per gallon of the then current Maine state fuel tax. Upon receipt of the application, the State Tax Assessor, if satisfied after investigation that a refund is justified, shall so certify to the State Controller and it shall be paid out of the Highway Fund. This credit shall lapse at the end of the last quarter of the year following that in which the credit arose.

Effective July 25, 1984.

CHAPTER 809

S.P. 892 - L.D. 2408

AN ACT Requiring Proof of Financial
Responsibility for 2nd and Subsequent
Offenders Under the Drunk Driving Laws.

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

Sec. 1. 29 MRSA §782, sub-§1, as amended by PL 1977, c. 694, §509, is further amended to read:

1. Suspension of licenses. Upon receipt of an abstract of the record in cases of conviction or adjudication of any person for a violation of any state law relative to motor vehicles, the Secretary of State, in his discretion, may forthwith, pursuant and subject to chapter 17, suspend the license of the person so convicted or adjudicated and the registration certificates and registration plates issued for any motor vehicle, trailer or semitrailer registered in the name of such person unless and until such person gives and thereafter maintains for a period of 3 years proof of his financial responsibility in the limits of \$20,000 each individual, \$40,000 any one accident resulting in injury or death to one or more persons and \$10,000 for damage to property of others. Upon receipt of an attested copy of the court record

of a conviction or adjudication under section 1312-B, 1312-C or Title 15, section 3103, subsection 1, paragraph F, when the person has been previously convicted within a 6-year period of violating any of these provisions or subsection 10 of former section 1312, the Secretary of State shall not reinstate the person's license, right to operate a motor vehicle or right to apply for or obtain a license until the person gives and thereafter maintains for a period of 3-years proof of his financial responsibility in the limits provided in this subsection, provided that the period of suspension shall in no case be less than the original period of suspension imposed for the conviction or adjudication. The Secretary of State shall take action as required in this section upon receiving proper evidence of any such conviction or adjudication of any person in another state. The Secretary of State may waive the requirement of filing proof of financial responsibility at any time after 3 years from the date of request for compliance.

Sec. 2. 29 MRSA §1312-D, sub-§9 is enacted to read:

9. Proof of financial responsibility. In the case of any person previously convicted of violating subsection 10 of former section 1312; convicted of violating section 1312-B; adjudicated guilty of violating section 1312-C; or convicted of violating Title 15, section 3103, subsection 1, paragraph F, within a 6-year period of the most recent conviction or adjudication of any of these violations, the Secretary of State shall not reinstate that person's license, right to operate or right to apply for or obtain a license until that person has complied with the financial responsibility provisions of section 782.

Sec. 3. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

1984-85

SECRETARY OF STATE,
DEPARTMENT OF

Motor Vehicles	
Positions	(2)
Personal Services	\$32,996
All Other	5,594
Capital Expenditures	1,670
Total	<u>\$40,260</u>

Effective July 25, 1984.

CHAPTER 810

H.P. 1859 - L.D. 2460

AN ACT to Provide Operating Funds for the Spruce Budworm Management Program and to Assure an Accurate Accounting of its Costs.

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

Sec. 1. 12 MRSA §8426, sub-§1, as enacted by PL 1979, c. 737, §12, is amended to read:

1. Recommendation of the director. On or before January 1st of each year, the director shall report in writing to the Bureau of the Budget and to the Legislature his estimate of the costs of implementation of any spray project proposed for that calendar year, along with his estimate of the cost of funding program planning activities for the period beginning October 1st and ending on April 30th of the following year.

Sec. 2. 12 MRSA §8426, sub-§2, as amended by PL 1983, c. 109, §1, is further amended to read:

2. Authorization by Legislature. Following the recommendation made in accordance with subsection 1, the Legislature shall determine, not later than March 1st, the amount, if any, authorized for expenditure for any spray project in that calendar year, except for the 1983 project which shall be determined not later than March 20th. That excise tax shall be assessed and collected in accordance with section 8427, subsection 2. At the same time, the Legislature shall determine the amount, if any, authorized for expenditure for preproject planning during the period beginning October 1st and ending April 30th of the following year.

Sec. 3. 12 MRSA §8426, sub-§5 is enacted to read:

5. Treasurer of State; temporary loan. The Treasurer of State, upon the recommendation of the director, as approved by the Governor, may negotiate a temporary loan or loans in anticipation of excise