

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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	<u>1987-88</u>	<u>1988-89</u>
<u>PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF</u>		
Bureau of Insurance		
Positions	(1.0)	(1.0)
Personal Services	\$18,750	\$25,000
All Other	12,500	
Total	<u>\$31,250</u>	<u>\$25,000</u>

Effective September 29, 1987.

**CHAPTER 483**

S.P. 633 — L.D. 1855

**AN ACT to Extend the Period of Anticipatory Borrowing by Municipalities.**

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

30 MRSA §5152, sub-§1, as amended by PL 1971, c. 254, is further amended to read:

1. Anticipatory borrowing. The municipal officers authorized to issue securities may borrow money in anticipation of their sale by issuing temporary notes and renewal notes, the total face amount of which does not exceed at any one time outstanding the authorized amount of the securities, but the period of such anticipatory borrowing shall not exceed 2 3 years and the time within which such securities are to become due shall not be extended by such anticipatory borrowing beyond the time fixed in the vote authorizing their issue or, if no term is there specified, beyond the term permitted by law.

Effective September 29, 1987.

**CHAPTER 484**

S.P. 598 — L.D. 1758

**AN ACT Creating the Maine Transportation Capital Improvement Planning Commission.**

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

Sec. 1. 5 MRSA §12004, sub-§10, ¶A, sub-¶(83-A) is enacted to read:

(83-A)	<u>Transportation</u>	<u>Maine Transportation Capital Improvement Planning Commission</u>	<u>Not Authorized</u>	<u>23 MRSA §4501</u>
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Sec. 2. 23 MRSA c. 413 is enacted to read:

CHAPTER 413

MAINE TRANSPORTATION CAPITAL

IMPROVEMENT PLANNING COMMISSION

§4501. Commission

The Maine Transportation Capital Improvement Planning Commission, as established in Title 5, section 12004, subsection 10, shall be within the Department of Transportation.

§4502. Composition; appointment; term

1. Membership. The commission shall consist of no more than 17 members. Membership shall include one representative from each of the State's 8 designated planning and economic development regions who shall be appointed by the Governor and who shall serve as representatives of local government or regional planning agencies. In addition to these members, the Governor shall appoint one representative on the commission for each of the following areas: Air passenger or cargo service, rail service, truck service, surface passenger transportation, marine passenger service, marine cargo service and economic or community development. To the extent possible, the Governor shall consider representatives who are active members of established corridor committees. At least 2 members of the commission shall be current members of the joint standing committee of the Legislature having jurisdiction over transportation, consisting of one member from the House of Representatives appointed by the Speaker of the House to serve at his pleasure and one member from the Senate appointed by the President of the Senate to serve at his pleasure.

2. Qualifications. To be qualified to serve, members must have education, training, experience, knowledge, expertise and interest in transportation matters. Members must be residents of different geographical areas of the State who reflect experiential diversity and concern for transportation in the State.

3. Term; vacancy. Members shall be appointed for terms of 3 years, except that, of the members first appointed, 5 shall be appointed for terms of 3 years, 5 shall be appointed for terms of 2 years and 5 shall be appointed for terms of one year, as designated by the Governor at the time of appointment. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which a predecessor was appointed shall be appointed only for the remainder of that term. Members who are members of the current Legislature and who are appointed by the President of the Senate or the Speaker of the House shall serve at their pleasure. Any vacancy in the commission shall not affect its powers, but shall be filled in the same manner by which the original appointment was made.

4. Reappointment; termination. Members shall be eligible for reappointment for not more than 2 full consecutive terms and may serve after the expiration of their terms until their successors have been appointed, qualified and taken office. The appointing authority may terminate the appointment of any member of the commission for good cause and the reason for the termination of each appointment shall be communicated to each member so terminated. The appointment of any member of the commission shall be terminated if a member is absent from 3 consecutive meetings without good cause that is communicated to the chairman. An official, employee, consultant or any other individual employed, retained or otherwise compensated by or representative of the Executive Branch of State Government, other than the commissioner, shall not be a member of the commission, but shall assist the commission if so requested.

5. Chairman; officers. The commission shall elect biennially the chairman from among its members. The commission may elect such other officers from its members as it deems appropriate.

#### §4503. Administrative authority

1. Meetings. The commission shall meet at the call of the commissioner, who shall call meetings at least twice within a calendar year.

2. Subcommittee. The commission may establish subcommittees consisting of its own members to carry out the purposes of this chapter.

3. Quorum. A majority of the commission members shall constitute a quorum for the purpose of conducting the business of the commission and exercising all the powers of the commission. A vote of the majority of the members present shall be sufficient for all actions of the commission.

A majority of any subcommittee shall also constitute a quorum for the purposes of conducting the business for which the subcommittee was established. A vote of the majority of the subcommittee members present shall be sufficient for all actions of the subcommittee.

#### §4504. Duties

The commission shall:

1. Advise, consult and assist. Advise, consult and assist the commissioner on activities of State Government relating to transportation capital improvement planning. The commission shall be solely advisory in nature. The commission shall not become involved in the preparation or any aspect of the implementation of the department's biennial transportation improvement program;

2. Prepare a transportation capital improvement plan. Assist the department in the preparation of a

transportation capital improvement plan that identifies long-range capital improvement needs for the State's highways and bridges, ferries and related facilities, cargo ports, airports, public buses and related facilities and rail facilities. The capital improvement plan shall only address needs that are of a statewide significance. The needs to be addressed shall exclude those items to be addressed in the department's current biennial transportation improvement program. The capital improvement plan shall set forth goals, objectives, schedules and a budget that provides a balanced statewide response to the needs identified. The plan shall be updated every 2 years; and

3. Serve as advocate. Serve as advocate for the public in promoting policies which address the long-term transportation capital improvement needs of the entire State.

Effective September 29, 1987.

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## CHAPTER 485

H.P. 1356 — L.D. 1857

### AN ACT to Amend the Title Laws of Maine.

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

Sec. 1. 29 MRSA §1, sub-§10-C, as enacted by PL 1979, c. 464, §1, is repealed and the following enacted in its place:

10-C. Reconstructed vehicles. "Reconstructed vehicles" means vehicles that have been reconstructed in a way to change the original steering, braking system, suspension system or body design. Repairs to vehicles that replace parts with similar parts shall not be deemed reconstruction. Reconstructed vehicles include, but are not limited to, dune buggies, street rods, passenger cars converted to pickup trucks and manufactured vehicle bodies mounted on other manufactured chassis.

Sec. 2. 29 MRSA §2351, sub-§1-A, as enacted by PL 1983, c. 314, §2, is amended to read:

1-A. Component part. "Component part" means any part of a vehicle, other than a tire, having a manufacturer's identification number or an identification number issued by the Secretary of State of the following parts of a vehicle: Engine or motor; transmission; chassis, frame or equivalent part; door; hood; tailgate, deck lid or hatchback; quarter panel and fender. Motorcycle component parts shall also include the front fork and crankcase and, in the case of a truck, they shall also include the cargo bed, transfer case and sleeper.

Sec. 3. 29 MRSA §2351, sub-§1-B is enacted to read:

1-B. Dismantled vehicle. "Dismantled vehicle" means