

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

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

J.S. McCarthy Company
Augusta, Maine
2001

Needs and Opportunities
Associated with the
Production of Salmonid
Sport Fish in Maine.

LEGISLATURE		
TOTAL	\$4,920	\$4,920
TOTAL		
ALLOCATION	\$5,420	\$5,420

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

Effective June 28, 2001.

CHAPTER 463

S.P. 425 - L.D. 1380

An Act Regarding Uninsured Drivers

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

Sec. 1. 29-A MRSA §525, sub-§10, as repealed and replaced by PL 2001, c. 361, §13, is amended to read:

10. Suspension. If a person fails to file a fuel tax report or to pay any taxes, interest, penalties or audit assessment as required pursuant to Title 36, chapter 457 or 459 or any rule adopted pursuant to this section, the Secretary of State shall suspend the person's fuel tax license, all fuel decals issued to the person and that person's privilege to operate as a motor carrier. In order to be reinstated, the person must file all delinquent tax returns and pay all assessments, interest and penalties. In addition, the person must pay a \$30 §35 reinstatement fee pursuant to section 2486, subsection 1.

Sec. 2. 29-A MRSA §1601-A is enacted to read:

§1601-A. Notification of cancellation of insurance

1. Notice to Secretary of State required. A company insuring a motor vehicle registered in this State shall immediately notify the Secretary of State when that insurance coverage is cancelled or terminated or lapses. If the company knows that a replacement policy has been secured in place of the policy cancelled, terminated or lapsed, the company is not required to notify the Secretary of State.

2. Method of notification. The notice must be in writing and must be transmitted by the insurance company by electronic means as prescribed by the Secretary of State.

3. Content of notice. The notice must include the following:

A. Name, address and date of birth of the owner or owners of the motor vehicle; and

B. Vehicle identification number.

4. Suspension. Upon receipt of notice provided in subsection 1, the Secretary of State shall suspend, within 30 days and in accordance with section 2482, the owner's registration certificate and plates for that motor vehicle. The suspension continues until that person provides evidence of insurance to the Secretary of State.

Sec. 3. 29-A MRSA §2486, sub-§1, as amended by PL 1997, c. 25, Pt. Q, §2 and affected by §3, is further amended to read:

1. Reinstatement fee. Before a suspension is terminated and a license or certificate reinstated, a fee of \$30 §35, in addition to the regular license fee, must be paid to the Secretary of State.

Sec. 4. 29-A MRSA §2605, sub-§4, as amended by PL 1999, c. 790, Pt. D, §9, is further amended to read:

4. Rescission of suspension. On appearances or payment of the fine, whichever was the basis for the suspension, and on the condition of payment of a \$30 §35 reinstatement fee pursuant to section 2486, subsection 1 to the Secretary of State, the clerk of the court in which the suspension was ordered shall rescind the suspension and notify the Secretary of State who, upon receipt of the \$30 §35 reinstatement fee, shall delete any record of the suspension from that person's driving record.

Sec. 5. 29-A MRSA §2608, 3rd ¶, as amended by PL 1999, c. 790, Pt. D, §10, is further amended to read:

The clerk shall immediately notify that person of the suspension by regular mail or personal service. The suspension has the same force and effect as a suspension by the Secretary of State. The suspension remains in effect until the person answers or appears, either in person or by counsel, or pays the fine. On answer, appearance or payment of the fine, whichever was the basis for the suspension, and on condition of payment of a \$30 §35 reinstatement fee pursuant to section 2486, subsection 1 to the Secretary of State, the clerk of the court in which the suspension was ordered shall rescind the suspension and notify the Secretary of State who, upon receipt of the \$30 §35 reinstatement fee pursuant to section 2486, subsection 1, shall delete any record of the suspension from that person's driving record.

Sec. 6. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

2002-03

**SECRETARY OF STATE,
DEPARTMENT OF**

Administration - Motor Vehicles

Positions - Legislative Count	(4,000)
Personal Services	\$66,024
All Other	32,300

Allocates funds for 2 Clerk Typist III positions, 2 Clerk Typist II positions and operating costs necessary to administer a driver's license suspension and reinstatement process.

**DEPARTMENT OF THE
SECRETARY OF STATE
TOTAL**

_____ \$98,324

Sec. 7. Effective date. That section of this Act that enacts the Maine Revised Statutes, Title 29-A, section 1601-A takes effect July 1, 2003. Those sections of this Act that amend Title 29-A, section 525, subsection 10; section 2486, subsection 1; section 2605, subsection 4; and section 2608, 3rd paragraph take effect January 1, 2003.

See title page for effective date, unless otherwise indicated.

CHAPTER 464

H.P. 211 - L.D. 246

An Act to Ensure Appropriate Audit Procedures

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

Sec. 1. 22 MRSA §13, sub-§5 is enacted to read:

5. Audit methods. When conducting audits pursuant to this section, the department may not engage a private vendor to conduct the audit or base any auditor's compensation on a percentage of the alleged overpayment amount. The department shall disclose to the public any mathematical algorithm used in performance of an audit.

Sec. 2. Effective date. This Act takes effect July 1, 2003.

Effective July 1, 2003.

CHAPTER 465

S.P. 553 - L.D. 1711

An Act to Amend the Maine Clean Election Laws

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

Sec. 1. 21-A MRSA §1019, sub-§2, as repealed and replaced by IB 1995, c. 1, §14, is amended to read:

2. Content. This report must contain an itemized account of each contribution or expenditure aggregating in excess of \$50 in any election, the date and purpose of each and the name of each payee or creditor. Total contributions or expenditures of less than \$500 in any election need not be itemized. The report must state whether the contribution or expenditure is in support of or in opposition to the candidate and must include, under penalty of perjury, as provided in Title 17-A, section 451, a statement under oath or affirmation whether the expenditure is made in cooperation, consultation or concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of a candidate. ~~Any membership organization or corporation that makes a communication to its members or stockholders expressly advocating the election or defeat of a clearly identified candidate must report any expenditures aggregating in excess of \$50 for such a communication in any election, whether or not the communication is defined as an expenditure under section 1012, subsection 3, paragraph A.~~

Sec. 2. 21-A MRSA §1019-A is enacted to read:

§1019-A. Reports of membership communications

Any membership organization or corporation that makes a communication to its members or stockholders expressly advocating the election or defeat of a clearly identified candidate shall report any expenses related to such communications aggregating in excess of \$50 in any one candidate's election race, notwithstanding the fact that such communications are not expenditures under section 1012, subsection 3, paragraph A. Reports required by this section must be filed with the commission on forms prescribed and prepared by the commission and according to a reporting schedule that the commission shall establish by rule.