

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
118TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
TRANSPORTATION**

**JULY 1997**

**MEMBERS:**

*Sen. William B. O'Gara, Chair*

*Sen. John T. Jenkins*

*Sen. Vinton E. Cassidy*

*Rep. Joseph D. Driscoll, Chair*

*Rep. Gerald N. Bouffard*

*Rep. Paul Chartrand*

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**ONE HUNDRED EIGHTEENTH LEGISLATURE**  
**FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees**  
**August 1997**

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER</i> .....	<i>Bill carried over to Second Regular Session</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i> .....	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

*David E. Boulter, Director*  
 Offices Located in the State House, Rooms 101/107/135

**LD 1143**

**Resolve, to Name the New Topsham-Brunswick Bridge across the Androscoggin**

**RESOLVE 39**

Sponsor(s)  
TRIPP

Committee Report  
OTP-AM

Amendments Adopted  
H-423

LD 1143 proposed to name the new bridge built crossing the Androscoggin River between Topsham and Brunswick in honor of George J. Mitchell.

**Committee Amendment "A" (H-423)** proposed to replace the resolve. It proposed to name the new bridge spanning the Androscoggin River between the Town of Topsham and the Town of Brunswick the "Merrymeeting Bridge." It also proposed to direct that a plaque, designed and created by the towns of Topsham and Brunswick, be erected by the Department of Transportation near the bridge.

*Enacted law summary*

Resolve 1997, chapter 39 names the new bridge spanning the Androscoggin River between the Town of Topsham and the Town of Brunswick the "Merrymeeting Bridge" and it directs that a plaque, designed and created by the towns of Topsham and Brunswick, be erected by the Department of Transportation near the bridge.

**LD 1145**

**An Act to Amend the Maine Turnpike Authority Laws to Eliminate Conflicts of Interest**

**ONTP**

Sponsor(s)  
TUTTLE  
NUTTING

Committee Report  
ONTP

Amendments Adopted

LD 1145 proposed to prohibit a person from serving as a member of the Maine Turnpike Authority if that person or that person's family possesses or acquires an interest in any contract or proposed contract of the authority.

**LD 1182**

**An Act to Amend Coded Licenses**

**PUBLIC 318**

Sponsor(s)  
CAMERON

Committee Report  
OTP-AM

Amendments Adopted  
H-262

In the Second Regular Session of the 117th Legislature, the Legislature increased from six to 10 the number of years that a driver's license issued to a person who is convicted of operating under the influence must be coded. LD 1182 proposed to specify that the increase in the number of years that a license must be coded applies only to persons convicted on or after July 1, 1996, which was the effective date of the change in the law. The license of a person convicted prior to July 1, 1996 would need to be coded for six years. This bill would have applied retroactively to July 1, 1996.

**Committee Amendment "A" (H-262)** proposed to replace the bill and authorize the Secretary of State to remove the coded notation from a first-time OUI offender's license after six years, provided that the person has maintained a clean driving record.

*Enacted law summary*

Public Law 1997, chapter 539 authorizes the Secretary of State to remove the coded notation from a first-time OUI offender's license after six years, provided that the person has maintained a clean driving record.

**LD 1227                      An Act to Require the Department of Transportation to Improve                      PUBLIC 539**  
**the Conditions of Any Road That May be Turned Over to a                      EMERGENCY**  
**Municipality**

<u>Sponsor(s)</u> HARRIMAN BULL	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-318
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LD 1227 proposed to require the Department of Transportation to develop guidelines for determining whether a section of road is in good repair according to generally accepted engineering standards and require that a section of road be in good repair at the time of transfer to a municipality for future maintenance. It also proposed to require the department to provide a maintenance plan for the section of road being transferred. A municipality's maintenance responsibility within a compact area would be limited to state aid highways. The department could not transfer responsibility for sections of roads classified as regional highways, which are those state and state aid highways located within town boundaries upon which at least 50% of the traffic traversing the town boundaries. The bill also proposed a retroactive effective date of January 1, 1997 so that any regional highways transferred after that date are unauthorized.

**Committee Amendment "A" (S-318)** proposed to replace the bill and require the Department of Transportation to ensure that sections of state highways and state aid highways are in good repair before transferring maintenance responsibility for those sections to municipalities when municipalities are required to maintain the sections because of population growth. This provision would apply to sections of state or state aid highways scheduled to be transferred to municipalities on January 1, 1997 or later because of population growth.

The amendment also proposed to add a fiscal note.

*Enacted law summary*

Public Law 1997, chapter 539 requires the Department of Transportation to ensure that sections of state highways and state aid highways are in good repair before transferring maintenance responsibility for those sections to municipalities when municipalities are required to maintain the sections because of population growth. This provision applies to sections of state or state aid highways scheduled to be transferred to municipalities on January 1, 1997 or later because of population growth. This law is effective June 12, 1997.