

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
118TH LEGISLATURE

SECOND REGULAR SESSION  
AND  
SECOND SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
TRANSPORTATION

MAY 1998

*MEMBERS:*

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*Sen. John T. Jenkins*  
*Sen. Vinton E. Cassidy*

*Rep. Joseph D. Driscoll, Chair*  
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**ONE HUNDRED EIGHTEENTH LEGISLATURE  
SECOND REGULAR AND SECOND SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees  
May 1998**

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 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:

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

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

7. Adds an increased penalty of a 275-day license suspension for persons who appear to be operating a motor vehicle under the influence with passengers under 21 years of age and who refuse to submit to an OUI test; and
8. Adds an increase from one year to 2 years of the term for which a provisional license is issued to new drivers under 21 years of age with respect to moving violations. With respect to operating under the influence, the provisional license will continue to remain in effect until the driver is 21 years of age.
9. It also allows a work-restricted license to be issued to a person who violates a juvenile provisional license by operating a vehicle with any level of blood alcohol, but only if the violation is a first offense. Current law allows the work-restricted license but does not specify the violation to be a first offense.

**LD 2115**

**An Act to Allow the Department of Transportation to Provide Privately Contracted Ferry Services**

**PUBLIC 612  
EMERGENCY**

Sponsor(s)  
GOLDTHWAIT  
JONES K

Committee Report  
OTP-AM

Amendments Adopted  
S-496

LD 2115 proposed to authorize the Department of Transportation to carry out its responsibilities with respect to the Maine State Ferry Service by providing additional or substitute service with privately contracted vessels.

**Committee Amendment "A" (S-496)** proposed to add a provision to the original bill that specifies the Department of Transportation may use privately contracted vessels to provide Maine State Ferry Service during periods of facility repair or maintenance or during periods of extraordinary demand. The amendment also proposed to provide that use of private vessels must be in accordance with an agreement between the department and the State's collective bargaining agent. The amendment also proposed to add a fiscal note to the bill.

***Enacted law summary***

Public Law 1997, chapter 612 authorizes the Department of Transportation to carry out its responsibilities with respect to the Maine State Ferry Service by providing additional or substitute service with privately contracted vessels during periods of facility repair or maintenance or during periods of extraordinary demand. The law also provides that use of private vessels must be in accordance with an agreement between the department and the State's collective bargaining agent. Chapter 612 was enacted as an emergency measure effective March 23, 1998.

**LD 2123**

**Resolve, Relating to Commercial Vehicle Fee Reciprocity with New Brunswick**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DESMOND	OTP-AM MAJ	
PARADIS	ONTP MIN	

LD 2123 proposed to authorize the Commissioner of Transportation to set the entrance fee for a commercial vehicle to Maine from New Brunswick, Canada at the same level as the fee charged by New Brunswick for a vehicle to enter New Brunswick from Maine.

**Committee Amendment "A" (H-920)** proposed to require the Secretary of State to set the fee required under the resolve. The resolve originally required the Commissioner of Transportation to set the fee.

**LD 2144                      An Act to Make Allocations from Maine Turnpike Authority Funds                      P & S 77**  
**for the Maine Turnpike Authority for the Calendar Year Ending**  
**December 31, 1999**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-871
	ONTP MIN	H-896 DRISCOLL

LD 2144 proposed to make allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 1999 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

**Committee Amendment "A" (H-871)** proposed to add a fiscal note to the bill.

**House Amendment "A" to Committee Amendment "A" (H-896)** proposed to replace the fiscal note on the committee amendment to make technical corrections.

***Enacted law summary***

Private and Special Law 1997, chapter 77 makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 1999 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

**LD 2149                      An Act to Implement the Recommendations of the Working Group                      PUBLIC 750**  
**on Motor Vehicle Fines, Enforcement and Reimbursement and to**  
**Change Certain Provisions of the Tax Relief Funds**