

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:

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
Rep. Charles D. Fisher
Rep. Gary J. Wheeler
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Rep. Steven M. Joyce
Rep. Christine R. Savage
Rep. Robert J. Winglass

Staff:

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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).

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.

<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 for the Maine Turnpike Authority for the Calendar Year Ending December 31, 1999** **P & S 77**

<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 on Motor Vehicle Fines, Enforcement and Reimbursement and to Change Certain Provisions of the Tax Relief Funds** **PUBLIC 750**

Sponsor(s)
LEMONT

Committee Report
OTP-AM

Amendments Adopted
H-926
S-759 MICHAUD

LD 2149 proposed to addresses reimbursement for municipal and county law enforcement agencies whose officers are required to be present in District Court as well as the moratorium on local traffic ordinances enacted in Public Law 1997, chapter 392.

The bill proposed to repeal the Maine Revised Statutes, Title 4, section 173, subsection 4, under which municipal law enforcement officers are paid \$10 by the State for each day or part of a say they are required to appear in District Court. The bill proposed to increase the reimbursement to \$40 a day, clarify that the reimbursement is paid to the municipality and clarify that the reimbursement is \$40 regardless of whether the officer is appearing during regular working hours, while off duty or while working overtime.

The bill proposed to create a separate fund out of which the Administrative Office of the Courts would pay the reimbursements to the municipalities and counties. Eight percent of all traffic infraction revenue would be deposited in the fund. At the end of each fiscal year, any balance remaining in the fund would be transferred to the General Fund.

The bill would repeal the sunset on the new law prohibiting municipalities from adopting ordinances that are the same as or conflict with the state laws governing speed and other traffic control limits. The bill would make the explicit prohibition permanent.

Committee Amendment "A" (H-926) would provide for the payment of the \$40 flat fee for each day a county law enforcement officer, designated by that officer's county, serves as the court officer to handle the county's case load before the court. The amendment also proposed to change the original bill by increasing from 8% to 9 1/2% the amount of revenue from traffic infraction fines that accrues to the Law Enforcement Agency Reimbursement Fund and reduces from 13% to 3.5% the amount of revenue from traffic infraction fines that accrues to the General Fund. The amendment proposed to keep in effect current provisions regarding the accrual of fines and forfeitures related to certain violations that are not traffic infractions.

The amendment also proposed to add a fiscal note to the bill.

Senate Amendment "B" to Committee Amendment "A" (S-759) proposed to reduce the reimbursement of municipal and county law enforcement officers who serve as court officers and witnesses from \$40 per day to \$25 per day. This amendment also proposed to reduce from 9 1/2% to 6 % the amount of revenue from traffic infraction fines that accrues to the Law Enforcement Agency Reimbursement Fund and increase from 3 1/2% to 7% the amount of revenue from traffic infraction fines that accrues to the General Fund.

The amendment also proposed to transfer the estimated remaining balance in the Tobacco Tax Relief Fund into the General Fund no later than December 31, 1998.

It also proposed to amend Public Law 1997, chapter 643, Part S to move up the transfer of funds from the Tax Relief Fund for Maine Residents and the Tobacco Tax Relief Fund from the end of fiscal year 1998-99 to no later than December 31, 1998.

It also proposed to amend Public Law 1997, chapter 643, Part T to move up the repeal of the Tax Relief Fund for Maine Residents and the Tobacco Tax Relief Fund from June 30, 1999 to December 31, 1998.

This amendment also proposed to add a fiscal note.

Enacted law summary

Public Law 1997, chapter 750 increases the state reimbursement of municipal law enforcement officers for each day or part of a day they are required to appear in District Court from \$10 to \$25 a day, clarify that the reimbursement is paid to the municipality and clarify that the reimbursement is \$25 regardless of whether the officer is appearing during regular working hours, while off duty or while working overtime. The law also provides for the payment of the \$25 flat fee for each day a county law enforcement officer, designated by that officer's county, serves as the court officer to handle the county's case load before the court.

The bill creates a separate fund out of which the Administrative Office of the Courts pays the reimbursements to the municipalities and counties. Six percent of all traffic infraction revenue would be deposited in the fund.

It makes permanent the prohibition in Public Law 1997, chapter 392 on municipalities adopting ordinances that are the same as or conflict with the state laws governing speed and other traffic control limits.

The amendment transfers the estimated remaining balance in the Tobacco Tax Relief Fund into the General Fund no later than December 31, 1998.

It also amends Public Law 1997, chapter 643, Part S to move up the transfer of funds from the Tax Relief Fund for Maine Residents and the Tobacco Tax Relief Fund from the end of fiscal year 1998-99 to no later than December 31, 1998.

It also amends Public Law 1997, chapter 643, Part T to move up the repeal of the Tax Relief Fund for Maine Residents and the Tobacco Tax Relief Fund from June 30, 1999 to December 31, 1998.

LD 2150

An Act to Create a Maine Children's Trust Fund Registration Plate

ONTP

Sponsor(s)
KONTOS

Committee Report
ONTP

Amendments Adopted

LD 2150 proposed to authorize a children's trust motor vehicle registration plate, with revenues, after administrative costs, to be paid to the Maine Children's Trust Incorporated for programs to prevent child abuse and neglect.

LD 2164

Resolve, to Enhance the Economy and Tourism Industry in Hancock County and Western Washington County by Requiring the Implementation of the Biennial Transportation Improvement Program Regarding Shared Use of the Calais Branch Rail Line

ONTP