

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 684

H.P. 511 House of Representatives, March 10, 1987
Reference to the Committee on State and Local Government
suggested and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative PARADIS of Augusta.
Cosponsored by Representative BAILEY of Farmington.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Enhance the Activities of the Maine
2 Highway Safety Committee.
3

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

6 Sec. 1. 5 MRSA §12004, sub-§10, ¶A, sub-¶(80-A)
7 is amended to read:

8 (80-A) Transpor- Maine Highway Expenses
9 tation: Safety Com~~mittee~~ Only
10 Highway Commission 25 MRSA §2902

11 Sec. 2. 25 MRSA §2901, as amended by PL 1981, c.
12 98, §3, is further amended to read:

13 §2901. Department; commissioner

1 There is hereby created and established the De-
2 partment of Public Safety to coordinate and effi-
3 ciently manage the law enforcement and public safety
4 responsibilities of the State of Maine, to consist of
5 the Commissioner of Public Safety, hereafter in this
6 chapter called "commissioner," who shall be appointed
7 by the Governor, subject to review by the Joint
8 Standing Committee on State Government joint standing
9 committee of the Legislature having jurisdiction over
10 state and local government and to confirmation by the
11 Legislature, to serve at the pleasure of the Gover-
12 nor, and the following as heretofore created and es-
13 tablished: The Bureau of State Police, the Bureau of
14 Liquor Enforcement, the Office of the State Fire Mar-
15 shal, the Maine Criminal Justice Academy, the Maine
16 Highway Safety Committee and the Vehicle Equipment
17 Safety Commission.

18 Sec. 3. 25 MRSA §2902, sub-§4, as amended by PL
19 1983, c. 812, §153, is further amended to read:

20 4. Maine Highway Safety Commission. The Maine
21 Highway Safety Committee Commission, as authorized by
22 Title 5, section 12004, subsection 10, which shall be
23 under the direction of the Commissioner of Public
24 Safety and advisory to the Governor. The committee
25 commission shall consist of not more than 25 members
26 selected by the Governor from state, civic and indus-
27 trial organizations and individuals with interests
28 relating to highway safety. The Commissioner of Pub-
29 lic Safety, the Commissioner of Transportation, the
30 Commissioner of Human Services and the Commissioner
31 of Educational and Cultural Services, the Secretary
32 of State and the Attorney General shall serve as ex-
33 officio members. The committee commission members
34 shall serve at the pleasure of the Governor and shall
35 be compensated in accordance with Title 5, chapter
36 379. The committee commission shall stimulate active
37 support for highway safety measures and programs and
38 shall advise the Governor and the Department of Pub-
39 lic Safety regarding these issues; and

40 Sec. 4. 29 MRSA §2246, 2nd ¶, as amended by PL
41 1983, c. 812, §177, is further amended to read:

42 The Secretary of State shall appoint the Advisory
43 and Review Board and the board shall consist of the

1 Chief of the State Police or his designee, represen-
2 tatives of the District Courts, district attorneys,
3 Motor Vehicle Department, Maine Highway Safety
4 Committee Commission, Maine Trial Lawyers Associa-
5 tion, insurance industry, Maine State Bar Associa-
6 tion, Maine Municipal Association, Maine Chiefs of
7 Police Association, the Maine Sheriffs Association
8 and the Highway Users Conference. Except for the
9 Chief of the State Police, or his designee, who shall
10 be a permanent member of the board, appointments
11 shall be for terms concurrent with the term of the
12 Secretary of State by whom they shall be appointed.
13 Board members shall be compensated according to the
14 provisions of Title 5, chapter 379.

15

STATEMENT OF FACT

16 The Maine Highway Safety Committee was authorized
17 in 1957 by the Legislature as a branch of the Execu-
18 tive Department. The committee continued to be a
19 part of the Executive Department until June 30, 1972,
20 when a governmental reorganization created the De-
21 partment of Transportation. At that time, the com-
22 mittee was moved from the Executive Department to the
23 newly created Department of Transportation. In 1980,
24 in another governmental reorganization, the Bureau of
25 Public Safety and the Maine Highway Safety Committee
26 were transferred to the Department of Public Safety
27 where they remain today.

28 During the years that the committee was aligned
29 with the Executive Department, the committee was very
30 active and the volunteer members were in the
31 forefront of highway safety activities. When
32 realigned with the Department of Transportation and
33 the Department of Public Safety, committee activities
34 were placed in the background of department functions
35 and the volunteer members have been difficult to re-
36 cruit and those that remained semi-active have become
37 greatly disenchanted.

38 A review of committees and commissions in State
39 Government composed of volunteers receiving only ex-
40 penses as remuneration for services rendered reveals
41 that this group is improperly named. Webster's Dic-

1 tionary also defines a committee as "a group of per-
2 sons appointed or elected to do certain things" while
3 a commission is defined as "a group of people ap-
4 pointed or elected with authority to do certain
5 things." The Maine Highway Safety Committee has been
6 authorized by the Legislature to promote and recom-
7 mend highway safety programs to foster a safer high-
8 way environment in the State.

9 As many states, including, New Hampshire, Oregon,
10 Louisiana, Connecticut, Washington and the Territori-
11 al Possessions of Puerto Rico, to name a few, cur-
12 rently have active highway safety commissions or
13 traffic safety commissions that report concurrently
14 to department heads with highway safety responsibili-
15 ties and Governor's offices, it appears that this mi-
16 nor adjustment in terminology creates a much stronger
17 role for these volunteers.

18 There is no fiscal note attached to the bill, as
19 no additional funding is required. Currently, com-
20 mittee expenses are paid with federal highway safety
21 funds administered by the Bureau of Safety and this
22 will continue.