

MAINE STATE LEGISLATURE

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STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
TRANSPORTATION

JULY 1989

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Sen. Robert R. Gould

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ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

**LD 552 Resolve, to Require Pedestrian Barrier Fences on the
Piscataqua River Bridge at the Maine-New Hampshire Border**

LV/WD

SPONSOR(S)
MCPHERSON
LAWRENCE
ESTES

COMMITTEE REPORT
LV/WD

AMENDMENTS ADOPTED

SUMMARY

This resolve requires the Department of Transportation to construct pedestrian barrier fences for safety purposes on the Piscataqua River Bridge on I-95 in Kittery. Construction of the fences would cost \$450,000.

LD 553 An Act Relating to Highway Maintenance Compact Areas

PUBLIC 46

SPONSOR(S)
MACOMBER
TWITCHELL
MCPHERSON
BAILEY

COMMITTEE REPORT
OTP

AMENDMENTS ADOPTED

SUMMARY

Under present law (23MRS §754) state and state-aid roads in compact sections of municipalities with population of 6000 or more are maintained by the municipality, but 23 MRS §705 suggests that the state would be the permit authority and install culverts. The bill removes this conflict and conforms to present practice: the abutter provides the culvert, and the state or town, as appropriate, installs and maintains it.

The bill also allows "compact areas" to include intermittent sections that are in fact not compact.

**LD 577 An Act Relating to Contracts Administered by the Department
of Transportation**

PUBLIC 165

SPONSOR(S)
THERIAULT
MILLS
STROUT D
MARTIN H

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-68

SUMMARY

Sections 1 and 2 would exempt "other improvements" legally under supervision of MDOT from appeal procedures under §1749 and competitive bid procedures under §1831. "Ways, roads, and bridges with appurtenances" under MDOT are already excluded. This conforms those sections to §1741, which as previously amended, excludes ways, roads or bridges with appurtenances and other public improvements under MDOT from all the requirements for public improvements under Title 5, chapter 141-155.

Section 3 of the bill applies to the situation where a subcontractor has a claim against an MDOT contractor. It would authorize the Department to withhold additional money, in addition to the previously-authorized 5 percent, from its final payment to the contractor in order to settle the claim of the subcontractor.