

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
TRANSPORTATION**

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TRACY		H-281
KETTERER		
CARROLL D.		
LARRIVEE		

SUMMARY

Under present law, the Secretary of State must suspend a person's license when the Secretary of State determines from the arresting officer's report that the person operated a motor vehicle with an excessive blood-alcohol level. The Secretary of State may not restore the person's license until the person has completed the alcohol and other drug education, evaluation and treatment program, also known as DEEP, regardless of the outcome of the case in court. Therefore, people who are acquitted of operating-under-the-influence offenses are still required to complete the DEEP program.

This bill would eliminate the DEEP completion requirement when a person is acquitted of the charge or when the charge is dismissed.

This bill was carried over to the 2nd Regular Session by the Transportation Committee.

LD 648 An Act to Amend the Motor Vehicle Title Laws**PUBLIC 596**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GRAHAM	OTP-AM	H-307
SKOGLUND		
LIBBY		
LUDWIG		

SUMMARY

This bill would have allowed the Secretary of State, upon request of the owner, to issue a certificate of title for vehicles over 10 years old.

Committee Amendment "A" (H-307) replaces the original bill. It permits the Secretary of State to issue a warranty title for a classic vehicle more than 10 years old, but not old enough to be an antique auto or horseless carriage. The amendment sets the fee for a warranty title for classic vehicles, antique autos and horseless carriages at \$40. The amendment also adds an allocation and a fiscal note to the bill.

LD 653 An Act Concerning Abandoned Property**PUBLIC 458**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
STEVENS A	OTP-AM MAJ	H-475 MAJ REP
LIBBY	OTP-AM MIN	
BALDACCI		
CAHILL P		

SUMMARY

This bill would have added "personal items" to the prohibition against taking a vehicle or accessory from a garage or lot without permission and made such a taking a Class E crime rather than a misdemeanor. It would have required that notice requirements provided for in the abandoned vehicle statute, which demand that the owner claim the vehicle and pay fees or lose the vehicle, be mailed to the lienholder (along with the owner) only if the lienholder is known. It also would have required that, if the certified

notice is returned unclaimed or unable to be delivered, the notice be published at least twice in a general circulation newspaper in the county. The bill would have removed the penalty of \$25 per day for non-compliance with the inquiry and notice provisions of the statute.

Committee Amendment "A" (H-475) replaces the original bill. This amendment reorganizes the Maine Revised Statutes, Title 29, §2610, sub-§1 and limits the abandoned vehicle law to vehicles that are towed, left on private property or left at a place of business after being repaired. The amendment also removes the requirement that the holder of an abandoned vehicle must act within 30 days of receipt of the vehicle, instead placing a cap on storage fees if action is taken more than 30 days after receipt. The changes require the Secretary of State to delay issuing an ownership document until the holder of an abandoned vehicle has had the vehicle for at least 30 days and requires that the vehicle be released if the owner pays all charges before the Secretary of State acts. The amendment excludes vehicles towed for snow removal purposes from the abandoned vehicle law for 48 hours after being towed. The changes also remove the prohibition from removing personal items.

LD 664 An Act to Increase the Fees for Local Registration of Motor Vehicles

PUBLIC 111

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
SPEAR	OTP MAJ	
HOLLOWAY	ONTP MIN	
STROUT		
NUTTING		

SUMMARY

This bill authorizes a municipality to increase its service fee from \$2 to \$3 for motor vehicle registration renewals and from \$2 to \$4 for new motor vehicle registrations. The service fees are retained by the municipality issuing the registration.

LD 702 An Act Regarding the Relocation of Utility Facilities as a Result of State Highway Construction

CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MARTIN J		
THERIAULT		
GOULD R R		
HUSSEY		

SUMMARY

Under the Maine Revised Statutes, Title 23, §255, public utilities are entitled to reimbursement from the Highway Fund for up to 90% of the costs of facility relocation when required in connection with construction of interstate highways. No similar provision applies when a public utility's facility must be relocated in connection with state highway construction. The cost to the ratepayers of Maine utilities from required relocation due to highway construction is substantial. This bill would provide an incentive to the Department of Transportation and the State's utilities to work together to minimize the costs of relocation of utility facilities.

This bill was carried over to the 2nd Regular Session by the Transportation Committee.