

MAINE STATE LEGISLATURE

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STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
TRANSPORTATION

MAY 1992

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

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 far right of the title. Various types of final action are abbreviated as follows:

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

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, especially Laurette Knox who coordinated preparation of the overall document.

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

LD 2354 An Act to Make Supplemental Allocations from the Highway Fund and Other Funds for the Fiscal Years Ending June 30, 1992 and June 30, 1993

P & S 102
EMERGENCY

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
STROUT GOULD R R TWITCHELL MACOMBER	OTP-AM	H-1195

SUMMARY

Part A of this bill allocates funds from the Highway Fund for new and expanded programs. Part B of the bill allocates funds from the Highway Fund for approved reclassifications and range changes.

Committee Amendment "A" (H-1195) replaces the bill. The amendment deallocates (\$601,273) in fiscal year 1991-92 and allocates \$1,749,221 in fiscal year 1992-93 from the Highway Fund to provide funds for supplemental funding requests, approved reclassifications and range changes and transfers for certain programs.

The Committee Amendment also authorizes the DOT to borrow from the Municipal Bond Bank in anticipation of receipt of federal highway demonstration project funds which have been allocated but not received by the department for work on the Donald V. Carter Bridge, the "Million-dollar Bridge", the Brunswick-Topsham bypass and Carleton Bridge. The amendment provides an allocation of \$40,000,000 of such funds borrowed in anticipation of receipt of federal funds in fiscal year 1992-93 for use on those projects.

LD 2370 An Act to Enforce Registration of Motor Vehicles

PUBLIC 730

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LAWRENCE MORRISON	OTP-AM	H-1028

SUMMARY

Maine residents who are required to register their motor vehicles in this State but do so outside Maine to evade registration fees and taxes are subject to only a charge of operating an unregistered motor vehicle under current law. This bill defines that evasion as a separate offense constituting a Class E crime subject to at least a \$500 fine.

Committee Amendment "A" (H-1028) replaces the bill and establishes evasion of the payment of registration fees and excise taxes as a traffic infraction punishable by a fine of \$500 to \$1,000. This amendment also adds a fiscal note.

LD 2374 An Act to Amend the Fuel Use Tax to Provide Regulatory Oversight of Over-the-road Transportation of Hazardous Materials

ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LORD DONNELLY TITCOMB	ONTP	

SUMMARY

Public Law 1989, chapter 845 created an annual hazardous materials transportation license and fee. The fee was to be used to provide hazardous materials spill response capabilities, to enforce hazardous

materials transportation standards and to provide training for first responders. In June of 1991, the Maine Supreme Court in the case of American Trucking Associations, Inc. v. Secretary of State, 595 A2d 1014, found that the fee violated the Commerce Clause of the United States Constitution as a flat tax not based on use.

This bill establishes a new funding mechanism for hazardous materials cleanup response, enforcement and training through a per mile tax on trucks carrying hazardous materials.

LD 2380 Resolve, to Stop the Full Expansion of Route 201 Pending the Completion of a Regional Traffic Study LV/WD

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
FARNSWORTH BUSTIN TREAT MCCORMICK	LV/WD	

SUMMARY

This resolve stops the full expansion of Route 201 pending the completion of a study of regional traffic needs and alternatives already planned by the Department of Transportation. Plans to add turnouts of up to 150 feet could continue.

LD 2388 An Act to Authorize Bond Issues for Transportation and Public Infrastructure Capital Improvements and Other Activities Designed to Create and Preserve Jobs for Maine Citizens (Reported Pursuant to Joint Order HP1705) P & S 113

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
	OTP MAJ	H-1262 MELENDY
	ONTP MIN	

SUMMARY

The transportation portion of this bill was developed by the committee for the Housing and Economic Development Committee which reported the bill out pursuant to Joint Order. The bill implements one of the recommendations of the Jobs Commission—to present voters with a jobs stimulation bond initiative in the Spring for public works projects to be begun this construction season. The bill authorizes a \$106,000,000 bond package to create and protect jobs and to make necessary capital improvements in the public infrastructure of the State. The package will be presented to the voters as 2 questions on April 14. All funds are to be used for capital improvement projects ready for initiation during this year's construction season.

Part A establishes a multipart \$50,000,000 General Fund bond package to be used for immediate capital improvement projects, including \$30,000,000 for municipal infrastructure, \$5,300,000 for public schools, \$4,000,000 for the Maine Technical College System, \$2,000,000 for the University of Maine System, \$1,000,000 for residential group homes and \$700,000 for rural health clinics and centers. Part A also authorizes \$7,000,000 in bonds to be used by the Finance Authority of Maine to assist distressed but otherwise healthy businesses through establishment of a revolving loan fund.

Part B authorizes a \$56,000,000 bond issue to fund transportation infrastructure improvements, including \$25,000,000 for highway bridge improvements, \$10,000,000 for the local road assistance program,