

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
TRANSPORTATION**

JULY 1997

MEMBERS:

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Sen. John T. Jenkins

Sen. Vinton E. Cassidy

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OPLA Staff:

John G. Kelley, Legislative Analyst

Jill Ippoliti, Legislative Analyst

Office of Policy and Legal Analysis

Room 101/107/135, 13 State House Station

Augusta, ME 04333

(207)287-1670



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
 Telephone: (207) 287-1670
 Fax: (207) 287-1275

ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. 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 alphabetically 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:

| | |
|---|--|
| <i>CARRIED OVER</i> | <i>Bill carried over to Second Regular Session</i> |
| <i>CON RES XXX</i> | <i>Chapter # of Constitutional Resolution passed by both Houses</i> |
| <i>CONF CMTE UNABLE TO AGREE</i> | <i>Committee of Conference unable to agree; bill died</i> |
| <i>DIED BETWEEN BODIES</i> | <i>House & Senate disagree; bill died</i> |
| <i>DIED IN CONCURRENCE</i> | <i>One body accepts ONTP report; the other indefinitely postpones the bill</i> |
| <i>DIED ON ADJOURNMENT</i> | <i>Action incomplete when session ended; bill died</i> |
| <i>EMERGENCY</i> | <i>Enacted law takes effect sooner than 90 days</i> |
| <i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> | <i>Emergency bill failed to get 2/3 vote</i> |
| <i>FAILED ENACTMENT/FINAL PASSAGE</i> | <i>Bill failed to get majority vote</i> |
| <i>FAILED MANDATE ENACTMENT</i> | <i>Bill imposing local mandate failed to get 2/3 vote</i> |
| <i>INDEF PP</i> | <i>Bill Indefinitely Postponed</i> |
| <i>ONTP</i> | <i>Ought Not To Pass report accepted</i> |
| <i>OTP ND</i> | <i>Committee report Ought To Pass In New Draft</i> |
| <i>OTP ND/NT</i> | <i>Committee report Ought To Pass In New Draft/New Title</i> |
| <i>P&S XXX</i> | <i>Chapter # of enacted Private & Special Law</i> |
| <i>PUBLIC XXX</i> | <i>Chapter # of enacted Public Law</i> |
| <i>RESOLVE XXX</i> | <i>Chapter # of finally passed Resolve</i> |
| <i>UNSIGNED</i> | <i>Bill held by Governor</i> |
| <i>VETO SUSTAINED</i> | <i>Legislature failed to override Governor's Veto</i> |

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

LD 627 proposed to apportion 50% of the revenues collected through fines and forfeitures levied for traffic infractions to a municipality when law enforcement officers employed by the municipality issue the traffic summonses and the municipality employs less than three full-time officers.

LD 637 **An Act Concerning Shared Compensation for Traffic Violations for Municipalities** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CAMPBELL CAREY | ONTP | |

LD 637 proposed to authorize municipal officers to enact local traffic ordinances and collect fines for violations. It also proposed to add a surcharge on fines for certain traffic violations and return the surcharge to the municipality enforcing the ordinances.

LD 640 **An Act Requiring Qualified Investigation of Certain Truck-related and Bus-related Fatalities** **PUBLIC 172**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|----------------------------------|---------------------------|
| LEMKE NUTTING | OTP-AM MAJ ONTP MIN | H-149 |

LD 640 proposed a requirement that the investigators from the Maine State Police accident reconstruction program and the commercial vehicle enforcement unit investigate a fatal accident involving a bus or a truck that weighs 10,000 pounds or more. It also proposed that a prosecution arising out of such an investigation be conducted by the Department of the Attorney General.

Committee Amendment "A" (H-149) proposed requiring a law enforcement officer who investigates an accident involving a bus or truck with a gross vehicle weight rating or a registered weight of 10,000 pounds or more that results in the death of any person to request a certified accident reconstructionist and the Bureau of State Police Commercial Vehicle Enforcement Unit to assist in the investigation of the accident. The amendment also proposed requiring the Attorney General to designate an assistant attorney general familiar with federal commercial vehicle laws and regulations to serve as a resource to any district attorney who initiates a prosecution arising from an accident involving a bus or truck that weighs in excess of 10,000 pounds that results in the death of a person.

Enacted law summary

Public Law 1997, chapter requires a law enforcement officer who investigates an accident involving a bus or truck with a gross vehicle weight rating or a registered weight of 10,000 pounds or more that results in the death of any person to request a certified accident reconstructionist and the Bureau of State Police Commercial Vehicle Enforcement Unit to assist in the investigation of the accident. It also requires the Attorney General to designate an assistant attorney general familiar with federal commercial vehicle laws and regulations to serve as a resource to

any district attorney who initiates a prosecution arising from an accident involving a bus or truck that weighs in excess of 10,000 pounds that results in the death of a person.

LD 649 **An Act Regarding Registration Plates for Motorcycle Trailers** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| AHEARNE PARADIS | ONTP | |

LD 649 proposed to require that a registration plate issued for a trailer that is designed to be attached to or pulled by a motorcycle must be the same size as the registration plate issued for a motorcycle.

LD 653 **Resolve, Directing the Secretary of State to Consider a Lighthouse Design by Students of Noble Junior High School for the Next General Issue of License Plates** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| MACDOUGALL LAWRENCE | ONTP | |

LD 653 proposed to require the Secretary of State to consider a lighthouse design by students of Noble Junior High School when developing a license plate design for a new general issue of license plates.

LD 679 **An Act to Authorize the Department of Transportation to Use Design-build Contracting for Development of a New Bath-Woolwich Bridge** **P & S 2
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SMALL MAYO | OTP-AM | S-10 |

LD 679 proposed to authorize the Department of Transportation to use the design-build method of contracting for development of a proposed new Bath-Woolwich Bridge. Under the design-build contracting method, a single contract is awarded to a qualified firm for both the design and construction phases of a project.

Committee Amendment "A" (S-10) proposed to add a fiscal note to the bill.

Enacted law summary

Private and Special Law 1997, chapter 2 authorizes the Department of Transportation to use the design-build method of contracting for development of a proposed new Bath-Woolwich Bridge. Under the design-build contracting method, a single contract is awarded to a qualified firm for both the design and construction phases of a project. Chapter 2 was enacted as an emergency measure effective February 20, 1997.