

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:

Sen. William B. O'Gara, Chair

Sen. John T. Jenkins

Sen. Vinton E. Cassidy

Rep. Joseph D. Driscoll, Chair

Rep. Gerald N. Bouffard

Rep. Paul Chartrand

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Rep. Christine R. Savage

Rep. Robert J. Winglass

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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 772

Resolve, Directing the Department of Transportation to Develop Guidelines for Municipal Public Works Departments

ONTP

Sponsor(s)
WINN

Committee Report
ONTP

Amendments Adopted

LD 772 proposed to direct the Department of Transportation to develop guidelines and provide training on repair and reconstruction of roads for use by municipal public works departments.

LD 774

An Act to Allow Flexible Toll Pricing on the Maine Turnpike

ONTP

Sponsor(s)
CHARTRAND
TREAT

Committee Report
ONTP MAJ
OTP-AM MIN

Amendments Adopted

LD 774 proposed to provide the Maine Turnpike Authority with greater flexibility in setting its toll rates, including commuter toll rates, in order to develop demand management, air quality promotion and other strategies envisioned in the Sensible Transportation Policy Act.

LD 813

An Act to Define the Projects That Public Works Departments May Undertake Without Procuring the Services of a Registered Professional Engineer

PUBLIC 304

Sponsor(s)
MILLS

Committee Report
OTP-AM

Amendments Adopted
S-214

Current law provides that public works departments may engage in construction without using a registered professional engineer as long as the contemplated cost for the project does not exceed \$5,000. LD 813 proposed to change the law to permit public works departments, without using a registered professional engineer, to engage in maintenance, construction and repair of roads and sidewalks and other routine construction whose costs do not exceed a value of 100 times the State's average weekly wage.

Committee Amendment "A" (S-214) proposed to replace the bill. Current law provides that state or local public works departments may undertake public works projects without engaging the services of a registered professional engineer as long as the contemplated cost for the project does not exceed \$5,000. The amendment proposed to change the law to permit public works departments to undertake projects without engaging the services of a registered professional engineer, provided the contemplated cost for the project does not exceed \$100,000 and the work does not create an undue risk to public safety or welfare, or a State agency does not require the services of a registered professional engineer to meet any provision of law or rule.

Enacted law summary

Public Law 1997, chapter 304 permits public works departments to undertake projects without engaging the services of a registered professional engineer, provided the contemplated cost for the project does not exceed

\$100,000 and the work does not create an undue risk to public safety or welfare, or a State agency does not require the services of a registered professional engineer to meet any provision of law or rule.

LD 838 **An Act to Permit Towns the Option of Winter Maintenance for Roads That are Turned Over to the Town for That Purpose** **ONTP**

<u>Sponsor(s)</u> FOSTER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 838 proposed to require the Department of Transportation, upon payment by a municipality of \$600, to perform snow maintenance work on a mile of state highway for which such maintenance has been transferred to the municipality because of population factors.

LD 848 **An Act to Establish a One-year Moratorium on the Municipal Adoption and Enforcement of Certain Traffic Ordinances** **PUBLIC 392 EMERGENCY**

<u>Sponsor(s)</u> JONES SL MURRAY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-516
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LD 848 proposed to return 2% of all fines collected for motor vehicle moving violations to the law enforcement agency charging the person with the moving violation. It also proposed that the money will be used only for technical purposes such as the purchase of computer equipment.

Committee Amendment "A" (H-516) proposed to replace the bill, change the title of the bill and make the bill an emergency.

The amendment proposed to enact a one-year moratorium on municipal adoption and enforcement of ordinances that conflict with speed or other traffic control limits imposed by the Department of Transportation pursuant to the Maine Revised Statutes, Title 29-A. The bill also proposed to authorize the Joint Standing Committee on Transportation to report out legislation on this issue to the Second Regular Session of the 118th Legislature.

Enacted law summary

Public Law 1997, chapter 392 enacts a one-year moratorium on municipal adoption and enforcement of ordinances that conflict with speed or other traffic control limits imposed by the Department of Transportation pursuant to the Maine Revised Statutes, Title 29-A. The law also authorizes the Joint Standing Committee on Transportation to report out legislation on this issue to the Second Regular Session of the 118th Legislature. This law takes effect June 2, 1997.