

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

Rep. Charles D. Fisher

Rep. Gary J. Wheeler

Rep. David A. Lindahl

Rep. Dean F. Clukey

Rep. Steven M. Joyce

Rep. Christine R. Savage

Rep. Robert J. Winglass

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Maine State Legislature

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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:

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

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

Committee Amendment "A" (H-262) proposed to replace the bill and authorize the Secretary of State to remove the coded notation from a first-time OUI offender's license after six years, provided that the person has maintained a clean driving record.

Enacted law summary

Public Law 1997, chapter 539 authorizes the Secretary of State to remove the coded notation from a first-time OUI offender's license after six years, provided that the person has maintained a clean driving record.

LD 1227

An Act to Require the Department of Transportation to Improve the Conditions of Any Road That May be Turned Over to a Municipality

**PUBLIC 539
EMERGENCY**

<u>Sponsor(s)</u> HARRIMAN BULL	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-318
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LD 1227 proposed to require the Department of Transportation to develop guidelines for determining whether a section of road is in good repair according to generally accepted engineering standards and require that a section of road be in good repair at the time of transfer to a municipality for future maintenance. It also proposed to require the department to provide a maintenance plan for the section of road being transferred. A municipality's maintenance responsibility within a compact area would be limited to state aid highways. The department could not transfer responsibility for sections of roads classified as regional highways, which are those state and state aid highways located within town boundaries upon which at least 50% of the traffic traversing the town boundaries. The bill also proposed a retroactive effective date of January 1, 1997 so that any regional highways transferred after that date are unauthorized.

Committee Amendment "A" (S-318) proposed to replace the bill and require the Department of Transportation to ensure that sections of state highways and state aid highways are in good repair before transferring maintenance responsibility for those sections to municipalities when municipalities are required to maintain the sections because of population growth. This provision would apply to sections of state or state aid highways scheduled to be transferred to municipalities on January 1, 1997 or later because of population growth.

The amendment also proposed to add a fiscal note.

Enacted law summary

Public Law 1997, chapter 539 requires the Department of Transportation to ensure that sections of state highways and state aid highways are in good repair before transferring maintenance responsibility for those sections to municipalities when municipalities are required to maintain the sections because of population growth. This provision applies to sections of state or state aid highways scheduled to be transferred to municipalities on January 1, 1997 or later because of population growth. This law is effective June 12, 1997.