

# 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*

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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](http://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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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 1441**

**An Act to Amend the Laws Regarding Commercial Driver Education Instructors**

**ONTP**

Sponsor(s)  
BRAGDON

Committee Report  
ONTP

Amendments Adopted

LD 1441 proposed to prohibit an instructor in a commercial driving school from teaching driver education to a public school student if the instructor also teaches the student in any class at the public school and either utilizes the public school for teaching a driver education course without paying the standard fee applicable to use of the school's facilities or utilizes motor vehicles for driver education that are registered by the public school or the school administrative unit under which the public school is administered.

**LD 1444**

**Resolve, to Designate an East-West Highway and Install Signs on that Highway**

**RESOLVE 46**

Sponsor(s)  
MERES

Committee Report  
OTP-AM

Amendments Adopted  
H-581

LD 1444 proposed to direct the Department of Transportation to designate an East-West Highway in Maine, install signs indicating this highway and notify map makers of this action.

**Committee Amendment "A" (H-581)** proposed to strike language from the bill requiring signage designating a northeast corridor to an east-west highway.

*Enacted law summary*

Resolve 1997, chapter 46 directs the Department of Transportation to designate an East-West Highway in Maine, install signs indicating this highway and notify map makers of this action.

**LD 1451**

**An Act to Encourage the Planning and Implementation of Municipal Ordinances Concerning Bicyclists and Pedestrians**

**ONTP**

Sponsor(s)  
GIERINGER  
CLEVELAND

Committee Report  
ONTP

Amendments Adopted

LD 1451 proposed to amend certain provisions in the Maine Revised Statutes, Title 29-A concerning pedestrians and bicycles to provide that:

1. Motor vehicle operators yield the right-of-way to a pedestrian on a public way at an intersection or a pedestrian crossing within a crosswalk;
2. Pedestrians use a crosswalk if it is located within 100 feet of the location at which the pedestrian is crossing;

3. A bicyclist wear on the back of the torso fluorescent reflector strips at all times when motor vehicles are required to display headlights; and
4. A municipality may permit bicycles on a public way.

The bill also proposed to require the Department of Environmental Protection to adopt rules that require a commercial or retail mall developer to provide clearly visible pedestrian access in all areas where vehicles are present and to provide bicycle access facilities. The bill also proposed to require the Department of Transportation to design and implement, by rule, a grant program to award funds to a municipality that has adopted a pedestrian and bicycle access facilities plan consistent with state laws. These plans would have included, at a minimum, adequate infrastructure and facilities for safe and efficient bicycle and pedestrian access, a requirement that local site review ordinances include bicycle and pedestrian access review for new developments and clearly marked crossings for pedestrian access. The bill proposed to require the Secretary of State to create the Civil Traffic Violation Fund for fines collected for violation of civil traffic infractions enforced by local or municipal officials.

**LD 1461**                      **Resolve, Requiring the Department of Transportation to Investigate Increasing the Speed Limit on Certain Portions of the Interstate Highway System in Portland and Bangor**                      **ONTP**

<u>Sponsor(s)</u> CAMERON	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1461 proposed to direct the Department of Transportation to study increasing the interstate highway speed limits around Portland and Bangor and report its study results to the Second Regular Session of the 118th Legislature by January 1, 1998.

**LD 1466**                      **An Act to Provide Flexibility and Costs-savings in Department of Transportation Property Acquisition Procedures**                      **PUBLIC 272**

<u>Sponsor(s)</u> DRISCOLL	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-362
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LD 1466 proposed to enable the Department of Transportation to use alternative eminent domain valuation procedures, rather than appraisals, in cases in which the estimated value of an acquisition is less than \$5,000. In unsettled cases or when owners request, such low-value acquisitions still would be appraised. It proposed to eliminate the requirement that the Department of Transportation publish the entire notice of layout and taking for each condemnation. This would allow the department to eliminate publication of the lengthy metes and bounds description of each property interest. The department would continue to publish a list of affected owners and the type and extent of the interests acquired, along with a map of the location of the taking.

**Committee Amendment "A" (H-362)** adds a fiscal note to the bill

***Enacted law summary***

Public Law 1997, chapter 272 enables the Department of Transportation to use alternative eminent domain valuation procedures, rather than appraisals, in cases in which the estimated value of the acquisition is less than \$5,000. In unsettled cases or when owners request, such low-value acquisitions still would be appraised. The law