

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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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:

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

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.

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
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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.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DRISCOLL	OTP-AM	H-362

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

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

eliminates the requirement that the Department of Transportation publish the entire notice of layout and taking for each condemnation. This permits the department to eliminate publication of the lengthy metes and bounds description of each property interest. The department will 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.

LD 1475

An Act to Amend Certain Motor Vehicle Laws

PUBLIC 437

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'GARA CASSIDY	OTP-AM	S-319

LD 1475 proposed to do the following.

1. Repeal the statutory provisions relating to state identification cards.
2. Allow for the issuance of vanity plates on trucks that are registered up to 9,000 pounds gross vehicle weight. It also proposed to repeal the language that requires a registrant to have the identical vanity plate prior to applying for a trailer vanity plate.
3. Allow the Secretary of State the ability to expand the environmental plate program.
4. Clarify the requirement for foreign long-term trailer registrants to have an agent.
5. Establish a separate account within the Highway Fund to reimburse municipalities for the difference between excise taxes based on the manufacturer's suggested retail price and the actual purchase price for heavy trucks.
6. Exempt mobile home dealers from the licensing requirement if they do not wish to hold trailer dealer plates. If a mobile home dealer wishes to hold trailer dealer plates, all requirements would need to be met before the license is issued.
7. Increase the record of sale retention time from three years to five years, which mirrors the requirements for other dealers and also meets the standards of the Federal Truth in Mileage Act of 1986.
8. Make clear which dealers are exempt from the salvage license fee.
9. Adopt an exemption provided in the Federal Motor Carrier Safety Regulations, 49 Code of Federal Regulations, Part 383.3(d)(3)(i), which authorizes states to waive the requirements for a commercial driver's license for back-up snow removal drivers employed by eligible units of local government. The vehicle would need to be operated within the boundaries of a city, town, county, district or other unit of local government created pursuant to law that has a total population of 3,000 or less. In addition, the vehicle would need to be operated by an employee of that local government for the purpose of removing snow or ice from a roadway by plowing, sanding or salting. The exemption would apply only when the employee who ordinarily operates the vehicle is unavailable or in need of additional assistance due to snow emergency. This bill would not affect the requirement that the customary operator of the vehicle have a commercial driver's license, nor would it affect other laws and rules concerning the safe operation of commercial vehicles.
10. Allow the State to comply with the anticipated federal enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. This Act requires, at a minimum, every applicant for a driver's license