

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
118TH LEGISLATURE

SECOND REGULAR SESSION  
AND  
SECOND SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
TRANSPORTATION

MAY 1998

*MEMBERS:*

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*Sen. John T. Jenkins*  
*Sen. Vinton E. Cassidy*

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**ONE HUNDRED EIGHTEENTH LEGISLATURE**  
**SECOND REGULAR AND SECOND SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees**  
**May 1998**

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

- 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 Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

10. Subject a physician who willfully signs a fraudulent application form used to obtain designated parking space privileges to a \$500 forfeiture;
11. Subject a person to additional forfeitures if the person commits multiple violations or refuses to pay the required fine. The Secretary of State would be required to reject the driver's license or vehicle registration renewal application of a person who failed to make the required payment; and
12. Distribute revenue created by violations of the provisions of the Maine Revised Statutes, Title 29-A, section 521, subsection 8 or Title 30-A, chapter 1, subchapter VI, article 9-A between the municipality enforcing these provisions and the Department of Public Safety, with the department receiving 25% to be used for the administration of this bill, including the compensation of the position of Director of Parking Enforcement as created by this bill.

**Committee Amendment "A" (S-538)** proposed to strike all the provisions of the bill and provide that local or county law enforcement agencies could enforce handicapped parking restrictions on private off-street parking areas.

**House Amendment "A" "to Committee Amendment "A" (H-961)** proposed to repeal a provision of law under which a person commits a traffic infraction if the person does not have a disability and uses a vehicle with disability registration plates or a windshield placard.

***Enacted law summary***

Public Law 1997, chapter 673 provides that local or county law enforcement agencies may enforce handicapped parking restrictions on private off-street parking areas. It also repeals a provision of law under which a person commits a traffic infraction if the person does not have a disability and uses a vehicle with disability registration plates or a windshield placard.

**LD 2199**

**An Act to Make Supplemental Allocations from the Highway Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operation of State Government for the Fiscal Years Ending June 30, 1998 and June 30, 1999**

**PUBLIC 674  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DRISCOLL O'GARA	OTP-AM	H-1058

LD 2199 proposed to do the following.

Part A:

1. Make supplemental allocations from the Highway Fund;
2. Make supplemental allocations from the Federal Expenditures Fund; and
3. Make supplemental allocations from Other Special Revenue funds.

Part B:

1. Make allocations from the Highway Fund for approved reclassifications and range changes; and
2. Make allocations from the Highway Fund as reductions to support approved reclassifications and range changes.

Part C:

1. Repeal the law that requires the transfer of funds from the Collector Road Program within the Department of Transportation to the Highway Fund as undedicated revenue;
2. Authorize the Department of Transportation to enter into lease-purchase contracts for the procurement of vehicles or equipment;
3. Lapse funds to the Highway Fund in fiscal year 1997-98;
4. Authorize the transfer of funds between all Highway Fund programs within the Department of Transportation; and
5. Require that the interest on money in the Special Revenue-Suspense Account be used for the purposes of that account.

Part D:

1. Require that interest earned by the Collector Road Improvement Fund be retained by the fund and made available for distribution in subsequent program years.

**Committee Amendment "A" (H-1058)** proposed to do the following.

Part A:

1. Make supplemental Highway Fund allocations and deallocations;
2. Make supplemental Federal Expenditures Fund allocations and deallocations;
3. Make supplemental Other Special Revenue allocations.

Part B:

1. Make Highway Fund allocations and deallocations to fund reclassifications.

Part C:

1. Repeal the law that transfers \$200,000 in fiscal year 1997-98 and \$300,000 in fiscal year 1998-99 from the Collector Road Program within the Department of Transportation to the Highway Fund as undedicated revenue;
2. Authorize the Department of Transportation to enter into lease-purchase agreements for the procurement of engineering vehicles or equipment;

3. Authorize the Department of Transportation to enter into lease-purchase agreements for the procurement of vehicles or equipment;
4. Lapse \$98,558 in fiscal year 1997-98 to the Highway Fund from the Statewide - Retiree Health Account;
5. Authorize the transfer of Personal Services savings between all Highway Fund programs within the Department of Transportation to cover any nonrecurring program costs;
6. Authorize the transfer of up to 75% from the balance remaining in the Highway Fund at the end of fiscal year 1997-98 to the Department of Transportation's Highway and Bridge Improvement Program; and
7. Authorize the Secretary of State to establish project positions by financial order.

Part D:

1. Make Supplemental Highway Fund allocations and deallocations;
2. Make supplemental Federal Expenditures Fund allocations; and
3. Make supplemental Other Special Revenue allocations.

Part E:

1. Make Highway Fund allocations and deallocations; and
2. Make Federal Expenditures Fund allocations and deallocations.

***Enacted law summary***

Public Law 1997, chapter 674 does the following.

Part A:

1. Makes supplemental Highway Fund allocations and deallocations;
2. Makes supplemental Federal Expenditures Fund allocations and deallocations;
3. Makes supplemental Other Special Revenue allocations.

Part B:

1. Makes Highway Fund allocations and deallocations to fund reclassifications.

Part C:

1. Repeals the law that transfers \$200,000 in fiscal year 1997-98 and \$300,000 in fiscal year 1998-99 from the Collector Road Program within the Department of Transportation to the Highway Fund as undedicated revenue;
2. Authorizes the Department of Transportation to enter into lease-purchase agreements for the procurement of engineering vehicles or equipment;
3. Authorizes the Department of Transportation to enter into lease-purchase agreements for the procurement of vehicles or equipment;
4. Lapses \$98,558 in fiscal year 1997-98 to the Highway Fund from the Statewide - Retiree Health Account;
5. Authorizes the transfer of Personal Services savings between all Highway Fund programs within the Department of Transportation to cover any nonrecurring program costs;
6. Authorizes the transfer of up to 75% from the balance remaining in the Highway Fund at the end of fiscal year 1997-98 to the Department of Transportation's Highway and Bridge Improvement Program; and
7. Authorizes the Secretary of State to establish project positions by financial order.

Part D:

1. Makes Supplemental Highway Fund allocations and deallocations;
2. Makes supplemental Federal Expenditures Fund allocations; and
3. Makes supplemental Other Special Revenue allocations.

Part E:

1. Makes Highway Fund allocations and deallocations; and
2. Makes Federal Expenditures Fund allocations and deallocations.

Chapter 674 was enacted as an emergency measure effective April 2, 1998.

**LD 2255**

**An Act to Allow a Public Utility Emergency Service Vehicle to Use a Siren and Red Light When Responding to an Emergency**

**ONTP**

Sponsor(s)  
USHER  
O'GARA

Committee Report  
ONTP

Amendments Adopted

LD 2255 proposed to allow a public utility emergency service vehicle to use a siren and red light. It also proposed to subject a public utility emergency service vehicle to the same laws regarding right-of-way as other authorized emergency vehicles.