

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
119TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
TRANSPORTATION

JULY 1999

**MEMBERS:**

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*Sen. Judy Paradis*

*Sen. Vinton E. Cassidy*

*Rep. Joseph M. Jabar, Sr., Chair*

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**ONE HUNDRED NINETEENTH LEGISLATURE**  
**FIRST REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing and Select Committees**  
**August 1999**

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. 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 and select committees.

The document is organized for convenient reference to information on bills considered by the 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:

*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  
*ENACTMENT FAILED*..... Bill failed to get vote required for enactment or final passage  
*NOT PROPERLY BEFORE THE BODY*..... Ruled out of order by the presiding officers; bill died  
*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 September 18, 1999.

**Committee Amendment "A" (S-107)** proposed to remove several sections of the bill that have been addressed by other bills during this session and to remove a section that proposed to make selling or equipping a vehicle with certain after market items a Class E crime. The amendment also proposed to repeal obsolete language pertaining to the Joint Standing Committee on Transportation's review of rules adopted by the Chief of the State Police and enacts the standard language required to ensure legislative review of major substantive rules under the Administrative Procedure Act. The amendment also proposed to add a fiscal note to the bill.

***Enacted law summary***

Public Law 1999, chapter 183, moves language prohibiting a skidder with chains being driven on a paved way from a section regarding registration to new section under rules of the road, repeals unnecessary language regarding adoption of the Federal Code of Regulations by reference, requires special mobile equipment to be equipped with adequate brakes, clarifies that the prohibition against aftermarket tinting of windows in motor vehicles applies only to vehicles required to be registered in the State, prohibits reading while operating a motor vehicle, prohibits the towing wheels of a semitrailer or trailer clarifies from crossing the center part of a rotary or traffic circle, prohibits driving through a parking area to avoid a traffic control device such as a red light, expands the prohibition against riding in a towed vehicle to include a vehicle being towed by a wrecker or by use of a towbar, clarifies that the penalty for refusing to follow the direction of a law enforcement officer attempting to divert vehicular or pedestrian traffic for a special event applies to vehicle operators and to pedestrians, prohibits riding in the trunk of a moving vehicle, expands the prohibition against passing a stopped school bus to include buses stopped in parking areas, repeals obsolete language pertaining to the Joint Standing Committee on Transportation's review of rules adopted by the Chief of the State Police and enacts the standard language required to ensure legislative review of major substantive rules under the Administrative Procedure Act.

**LD 957**

**An Act to Make Supplemental Allocations from the Highway Fund for the Fiscal Years Ending June 30, 2000 and June 30, 2001**

**PUBLIC 473  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JABAR O'GARA	OTP-AM	H-752 H-755 JABAR

LD 957 proposed a Part II Highway Fund Budget.

**Committee Amendment "A" (H-728)** was the majority report of the committee and proposed the following:

Part A: appropriate funds from the General Fund and allocates funds from the Highway Fund.

Part B: increase the gas tax by 2¢ effective August 1, 1999.

Parts C and D: restructure the Local Road Assistance Program as the new Rural Road Initiative and Urban Compact Initiative.

Part E: require the Department of Transportation to report to the Legislature regarding urban capital programming and municipal participation in state aid minor collector capital projects.

Part F: require municipal disbursements to be made according to formulas existing prior to the effective date of the Act.

Part G: delay the production of dealer plates by one year.

Part H: require the Department of Transportation, the Department of Administrative and Financial Services and the Department of Public Safety and the Secretary of State to submit a report recommending possible alternatives to the gas tax.

Part I: appropriate funds from the General Fund to the Department of Inland Fisheries and Wildlife to properly reflect the distribution of gasoline tax set aside required by the Maine Revised Statutes, Title 36, section 2903-B.

**Committee Amendment "B" (H-729)** was the minority report of the committee and proposed the following.

Part A: allocate funds from the Highway Fund.

Part B: increase the gas tax by 3¢ effective August 1, 1999, by an additional 1¢ effective July 1, 2000 and by an additional 1¢ effective July 1, 2001.

Parts C and D: restructure the Local Road Assistance Program as the new Rural Road Initiative and Urban Compact Initiative.

Part E: require the Department of Transportation to report to the Legislature regarding urban capital programming and municipal participation in state aid minor collector capital projects.

Part F: require municipal disbursements to be made according to formulas existing prior to the effective date of the Act.

Part G: delay the production of dealer plates by one year.

Part H: require the Department of Transportation, the Department of Administrative and Financial Services and the Department of Public Safety and the Secretary of State to submit a report recommending possible alternatives to the gas tax.

Part I: appropriate funds from the General Fund to the Department of Inland Fisheries and Wildlife to properly reflect the distribution of gasoline tax set aside required by the Maine Revised Statutes, Title 36, section 2903-B.

**Committee Amendment "C" (H-752)** was a unanimous committee report prepared after the bill was re-referred back to Committee following the failure of either earlier Committee amendment to pass. Committee amendment C proposed the following.

Part A: allocate funds from the Highway Fund.

Part B: increase the gas tax by 3¢ effective August 1, 1999.

Parts C and D: restructure the Local Road Assistance Program as the new Rural Road Initiative and Urban Compact Initiative.

Part E: require the Department of Transportation to report to the Legislature regarding urban capital programming and municipal participation in state aid minor collector capital projects.

Part F: require municipal disbursements to be made according to formulas existing prior to the effective date of the Act.

Part G: delay the production of dealer plates by one year.

Part H: require the Department of Transportation, the Department of Administrative and Financial Services and the Department of Public Safety and the Secretary of State to submit a report recommending possible alternatives to the gas tax.

Part I: appropriate funds from the General Fund to the Department of Inland Fisheries and Wildlife to properly reflect the distribution of gasoline tax set aside required by the Maine Revised Statutes, Title 36, section 2903-B.

Part J: assess an additional annual \$2 fee on registration fees for environmental registration plates, University of Maine System plates, antique vehicle registration plates, temporary registration plates, motor vehicles, commercial motor vehicles, farm trucks, motor homes, truck campers, trailers and semitrailers, special mobile equipment, motorcycles and parking control vehicles, stock cars, emergency vehicles, firefighter registration plates, specialty equipment, disability registration plates, special veterans registration plates and veterans vanity plates.

Part K: allocate funds from the Highway Fund.

**House Amendment "B" to Committee Amendment "C" (H-755)** proposed to clarify that a person is subject only to an additional \$2 fee payable at the time of registration for each vehicle registered.

***Enacted law summary***

Public Law 1999, chapter 473, enacts as law the provisions of Committee amendment "C" as amended by House Amendment "B".

Chapter 473 was enacted as an emergency measure effective June 10, 1999.

**LD 958**

**An Act Making Unified Appropriations and Allocations for the Expenditures of State Government and Highway Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2000 and June 30, 2001**

**PUBLIC 152  
EMERGENCY**

Sponsor(s)  
JABAR  
O'GARA

Committee Report  
OTP-AM

Amendments Adopted  
H-255

LD 958 proposed the Part I biennial Highway Fund Budget does the following.

**Committee Amendment "A" (H-255)** proposed several amendments to the bill.

***Enacted law summary***

Public Law 1999, chapter 152, does the following:

Part A allocates and appropriates funds for current services for the 2000-2001 biennium.

Part B makes allocations from the Highway Fund as adjustments to the amounts in Part A. Part B also makes additional allocations from the Federal Expenditures Fund.

Part C allocates funds from the Highway Fund to provide funding for approved reclassifications.

Part D deallocates funds from the Highway Fund to pay for approved reclassifications.

Part E provides that employees of the Northern New England Passenger Rail Authority, solely for the purposes of participating in the retirement and health insurance programs that apply to state employees, come under the state employee retirement provisions of the Maine Revised Statutes, Title 5, Part 20 and the state employee health insurance program of Title 5, chapter 13, subchapter II.