

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
TRANSPORTATION**

JULY 1999

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Sen. Vinton E. Cassidy

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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).

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.

LD 1179

An Act to Amend Weight Requirement Inequalities Between Hauling Wood Products and Hauling Other Products

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KASPRZAK		

LD 1179 proposes to amend the weight tolerance for certain trucks by allowing a maximum load of 64,000 pounds on the tri-axle unit of a 4-axle single-unit vehicle that carries certain materials. These materials include building materials that absorb moisture during delivery originating and terminating within the State, bark, sawdust, firewood, sawed lumber, dimension lumber, pulpwood, wood chips, logs, soil, unconsolidated rock material including limestone, bolts, farm produce, road salt, manufacturer's concrete products, solid waste or incinerator ash, highway construction materials, products requiring refrigeration and raw ore when transported from a mine or quarry to a place of processing. Under current law, the tolerance applies only to the tri-axle unit of a 4-axle single-unit vehicle that carries forest products.

LD 1184

An Act to Amend the Inspection Process for Motor Vehicles That Fail Inspection

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKENNEY	ONTP	

LD 1184 proposed to require that the owner of a motor vehicle that failed an inspection test be given a defect report and that a failure sticker be placed on the vehicle. The bill proposed to allow the owner one month to repair the defect that caused the vehicle to fail inspection. The bill also proposed to allow the inspection station to receive a refund for a partially used sheet of inspection stickers.

LD 1207

An Act to Amend the Local Highway Laws

PUBLIC 337

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARRIMAN	OTP-AM	H-573 JABAR S-169

LD 1207 proposed to provide towns with the same authority that cities have to regulate excavations of local highways. The term "municipal officers" is substituted for "city government" to include different forms of local government. Additionally, the bill proposed to include the reasonable cost of municipal inspections and of the reduced life of the roadway among the costs that may be assessed. The bill clarifies that municipalities have the right to protect local highways and this right may not be preempted by other laws governing the regulation of utilities. The bill adds a definition of the term "base material."

Committee Amendment "A" (S-169) proposed to remove the language in the bill allowing municipalities to charge a fee to cover the reduced life of a road resulting from a road cut. The amendment also proposed to add language allowing municipalities to require that a cut into a road within the first 5 years after the road is resurfaced be repaved for a distance at least 20 feet in from the furthest edges of the cut across the entire width of the road to minimize construction joints.

The amendment also proposed to allow municipalities to enter into agreements requiring the utility or other entity that creates the cut to repave the cut.

The amendment also proposed several technical corrections to the bill.

House Amendment "A" (H-573) proposed to amend the bill to correctly indicate the deletion of old language and the addition of new language.

Enacted law summary

Public Law 1999, chapter 337 allows municipalities to charge a fee to cover the reduced life of a road resulting from a road cut. The law also allows municipalities to require that a cut into a road within the first 5 years after the road is resurfaced be repaved for a distance at least 20 feet in from the furthest edges of the cut across the entire surface of the road.

LD 1226 An Act to Amend the Seat Belt Law Regarding the Enforcement of Penalties ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERKINS	ONTP MAJ	
CASSIDY	OTP-AM MIN	

LD 1226 proposed to restore statutory language that was repealed in 1997 which stated that a person not wearing a seat belt could only be fined for the primary violation, the reason the person was originally stopped.

Committee Amendment "A" (H-175) proposed to add an appropriation section and a fiscal note to the bill.

LD 1250 An Act to Allow a Change in a Vehicle Registration Date ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER	ONTP	
KILKELLY		

LD 1250 proposed to allow the owner of a registered motor vehicle to change the month in which the registration expires once every five years and to allow the registration agent to charge a fee of up to \$10 to accommodate the change.

LD 1307 An Act Regarding Required Lights on Plow Trucks ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LOVETT	ONTP	

LD 1307 proposed to require a truck equipped with a snow plow to operate all required auxiliary lights at all times when the vehicle is in operation on a public way.