

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:

Sen. William B. O'Gara, Chair

Sen. Judy Paradis

Sen. Vinton E. Cassidy

Rep. Joseph M. Jabar, Sr., Chair

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Staff:

Patrick Norton, Principal 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 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.

Public Law 1999, chapter 188, establishes a method for determining the boundaries of state or state aid highways in cases where there is no recorded layout of the highway or in cases where the boundary is uncertain and for transferring to abutting property owners any interest that may pass to the Department of Transportation upon the discontinuance by a town or county, of a way that has been reconstructed by the department.

LD 1638 **Resolve, to Review Traffic Congestion Including Truck Traffic along the Route 1 York Corridor and Route 236 Corridor** **RESOLVE 64 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE	OTP-AM MAJ	S-117
WHEELER G	ONTP MIN	S-463 MICHAUD

LD 1638 proposed to establish a study commission to review traffic congestion and related environmental problems along the U. S. Route 1 corridor and area roadways in the York County area and make recommendations to reduce traffic congestion.

Committee Amendment "A" (S-117) proposed to clarify that the study report is to go to the Joint Standing Committee on Transportation and to the Commissioner of Transportation and to add an appropriation and a fiscal note to the resolve.

Senate Amendment "A" to Committee Amendment "A" (S-463) proposed to expand the subject of the study to include traffic congestion along the Route 236 corridor between Kittery and Berwick, delete the authorization for legislative per diem for public members and revise the membership to include one representative of each of the following towns, appointed by the manager of each town: Berwick, Eliot, Kittery, Ogunquit, South Berwick, Wells and York.

Enacted law summary

Resolve 1999, chapter 64 establishes a study commission to review traffic congestion and related environmental problems along the U. S. Route 1 corridor and area roadways in the York County area and traffic congestion along the Route 236 corridor between Kittery and Berwick.

Chapter 64 was enacted as an emergency measure effective June 10, 1999.

LD 1639 **An Act to Amend the Laws Governing the Maine State Pilotage Commission** **PUBLIC 355 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'GARA	OTP-AM	S-168
JABAR		

LD 1639 proposed several changes to the laws pertaining to harbor pilots. This bill was submitted on behalf of the Department of Transportation.

Committee Amendment "A" (S-168) proposed to add a definition of the term "actively piloting," specify that only three of the seven members of the Maine Pilotage Commission may be licensed pilots and add provisions limiting the personal liability of pilots for damages to not more than \$5,000, except for damages or loss arising from the intentional, willful or reckless misconduct of the pilot.

Enacted law summary

Public Law 1999, chapter 355, changes the name of the "Maine State Pilotage Commission" to the "Maine Pilotage Commission," increases the number of members on the commission and changes the description of the jurisdictional area that certain members represent, increases fees, penalties and fines for violating provisions of law governing the piloting of vessels, requires the commission to submit its annual report to the Commissioner of Transportation rather than to the Commissioner of Professional and Financial Regulation, specifies that all complaints and investigative records of the commission are confidential during the pendency of an investigation and sets forth exceptions to that confidentiality, adds a definition of the term "actively piloting," specifies that only three of the seven members of the Maine Pilotage Commission may be licensed pilots and add provisions limiting the personal liability of pilots for damages to not more than \$5,000, except for damages or loss arising from the intentional, willful or reckless misconduct of the pilot.

Chapter 355 was enacted as an emergency measure effective May 28, 1999.

LD 1656 **An Act to Allow Local Control of Traffic on State Aid Roads Without Loss of State Highway Funds** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS	ONTP MAJ	
GOODWIN	OTP MIN	

LD 1656 proposed to allow municipalities and counties to regulate state aid highways and bridges in the same manner in which they are presently able to regulate other public ways within their jurisdictions, while leaving those roads as state aid highways and while allowing the municipality to continue to receive its share of the highway funds to maintain those roads.

LD 1667 **An Act to Amend Motor Vehicle Laws** **PUBLIC 470
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'GARA	OTP-AM	S-219
WHEELER G		S-230 MURRAY

LD 1667 proposed to make several changes to the motor vehicle laws. This bill was submitted on behalf of the Secretary of State.

Committee Amendment "A" (S-219) proposed to make the bill an emergency and to add several other provisions to the bill.

Senate Amendment "A" (S-230) was being presented on behalf of the Committee on Bills in the Second Reading to remove a section of law already enacted in an identical section in Public Law 1999, chapter 127, Part A, section 43.

Enacted law summary

Public Law 1999, chapter 470, does the following.

1. It repeals the Secretary of State's Motor Carrier Training Advisory Board since the board's duties duplicate the responsibilities of the Technical Review Panel for driver education programs under the Maine Revised Statutes, Title 29-A, section 1354, subsection 6.