

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Transportation*

August 2001

Members:

Sen. Christine R. Savage, Chair

Sen. William B. O'Gara

Sen. Kenneth T. Gagnon

Rep. Charles D. Fisher

Rep. Gerald N. Bouffard

Rep. Gary J. Wheeler

Rep. George H. Bunker, Jr.

Rep. Boyd P. Marley

Rep. Rosaire Paradis, Jr.

Rep. Edgar Wheeler

Rep. Ronald F. Collins

Rep. Terrence P. McKenney

Rep. Deborah K. McNeil

Staff:

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Maine State Legislature
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120th Legislature
First Regular Session

Summary Of Legislation Before The Joint Standing Committees
August 2001

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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*
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*
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 21, 2001**.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Transportation

LD 443

**An Act to Increase the Penalty for Misuse of Placards or
Registration Plates for Handicapped Motor Vehicle Operators**

PUBLIC 77

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| <u>Sponsor(s)</u> CLOUGH SAVAGE C | <u>Committee Report</u> OTP-AM | <u>Amendments Adopted</u> H-84 |
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LD 443 proposed to require that a removable windshield placard belonging to a person with a disability contain the person's name.

Committee Amendment "A" (H-84) replaced the bill and proposed to raise the penalty for the unauthorized use of disability registration plates or a windshield placard from \$100 to not less than \$100 nor more than \$500.

Enacted law summary

Public Law 2001, chapter 77 raises the penalty for the unauthorized use of disability registration plates or a windshield placard from \$100 to not less than \$100 nor more than \$500.

LD 463

**An Act to Authorize the Department of Transportation to Locate
and Construct Railroad Lines**

PUBLIC 74

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| <u>Sponsor(s)</u> SAVAGE C FISHER | <u>Committee Report</u> OTP-AM | <u>Amendments Adopted</u> S-46 |
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LD 463 proposed to authorize the Department of Transportation to locate and construct railroad lines.

Committee Amendment "A" (S-46) added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 74 authorizes the Department of Transportation to locate and construct railroad lines.

LD 492

**An Act to Reimburse Communities that have Constructed Sand
and Salt Sheds and are Rated Priority 1 or 2**

INDEF PP

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| <u>Sponsor(s)</u> NUTTING J DUGAY | <u>Committee Report</u> OTP-AM | <u>Amendments Adopted</u> S-148 |
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LD 492 proposed to allocate \$1,100,000 from the Highway Fund for the purpose of providing funds to municipalities for the construction of Priority 1 or Priority 2 sand and salt storage buildings.

Joint Standing Committee on Transportation

Committee Amendment "A" (S-148) proposed to increase the funding for salt and sand storage buildings from \$1,100,000 to \$2,200,000. The additional \$1,100,000 was proposed to fund the Department of Transportation's Priority 1 salt and sand storage projects.

LD 493 **An Act to Require the Department of Transportation to Coordinate with Municipalities Regarding Landscaping and Planting** **PUBLIC 39**

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| <u>Sponsor(s)</u> GAGNON WHEELER G | <u>Committee Report</u> OTP-AM | <u>Amendments Adopted</u> S-16 |
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LD 493 proposed to require the Department of Transportation to consult with a municipality concerning planting done along state and state aid highways within that municipality.

Committee Amendment "A" (S-16) proposed to clarify that "recognized tree board" or "tree warden" means a person or persons designated as such by a municipality and listed with the Department of Conservation.

Enacted law summary

Public Law 2001, chapter 39 requires the Department of Transportation to consult with a recognized tree board or tree warden of a municipality concerning planting done along state and state aid highways within that municipality.

LD 497 **An Act to Reduce Noise Pollution** **PUBLIC 73**

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| <u>Sponsor(s)</u> LEMONT WHEELER G | <u>Committee Report</u> OTP-AM MAJ ONTP MIN | <u>Amendments Adopted</u> S-33 |
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LD 497 proposed to prohibit the operation of a sound system in a vehicle at a volume that is greater than is reasonable or proper with due regard to the location of the vehicle and the effect on persons in proximity to the vehicle. It proposed that it is a prima facie violation of this prohibition if the vehicle is located near buildings and the buildings or windows in the buildings are shaken or rattled by the sound of the sound system.

Committee Amendment "A" (S-33), the committee majority report, proposed to clarify the prohibition on operating a sound system in a vehicle by adding that the vehicle must be driven on a public way and that the volume of the sound system must be audible at a distance of greater than 25 feet and exceed 85 decibels.

Enacted law summary

Public Law 2001, chapter 73 prohibits the operation of a sound system in a vehicle on a public way at a volume that is audible at a distance of greater than 25 feet and that exceeds 85 decibels or that is greater than is reasonable or proper with due regard to the location of the vehicle and the effect on persons in proximity to the vehicle. It provides that it is a prima facie violation of this prohibition if the vehicle is located near buildings and the buildings or windows in the buildings are shaken or rattled by the sound of the sound system. A violation of this