

# 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*

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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](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*  
*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

**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**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON WHEELER G	OTP-AM	S-16

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**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMONT WHEELER G	OTP-AM MAJ ONTP MIN	S-33

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

## Joint Standing Committee on Transportation

law is a traffic infraction. A fine of \$50 is assessed for the first offense, \$100 for the second offense and \$150 for the third or subsequent offense.

**LD 507**                      **An Act to Provide Property Tax Relief from the Cost of Public Transportation**                      **CARRIED OVER**

<u>Sponsor(s)</u> MARLEY		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 507 proposes to reduce the burden on property taxes in communities with public transportation by requiring the State to fund a higher portion of the operating costs of the nonprofit transportation providers. The bill sets the State's minimum contribution for fiscal year 2001-02 at 20% of the property taxes paid to a nonprofit provider in the prior fiscal year. The State's contribution increases by 5% of that amount in each of the next 2 fiscal years until it reaches 30%, where it remains for subsequent fiscal years.

**LD 517**                      **An Act to Establish the Identification Card of a Maine Indian Tribe as an Acceptable Form of Identification**                      **PUBLIC 80**

<u>Sponsor(s)</u> SOCTOMAH SHOREY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-85
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LD 517 proposed to require an official identification card issued by a federally recognized Indian tribe in the State to be considered an official state nondriver identification card.

**Committee Amendment "A" (H-85)** proposed to clarify the minimum required information that must be stated on the Maine Indian tribe identification card.

### *Enacted law summary*

Public Law 2001, chapter 80 requires an official identification card issued by a federally recognized Indian tribe in the State to be considered an official state nondriver identification card. The identification card must state, at a minimum, the name, date of birth and address of the cardholder.

**LD 521**                      **An Act to Adopt the Canadian Highway Weight Standards**                      **CARRIED OVER**

<u>Sponsor(s)</u> MORRISON SHOREY		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 521 proposes to adopt Canadian highway weight standards on a limited portion of Route 1 from Calais to the junction of Route 1 and Route 9 in Baileyville. The bill allows a maximum gross vehicle weight of 137,700 pounds for a combination vehicle consisting of a 3-axle truck tractor with a tri-axle semitrailer.