

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:

Todd Jorgensen, Legislative Analyst

Office of Policy and Legal Analysis

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

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

Committee Amendment "A" (S-184) proposed to reduce certain fines for axle weight violations applicable to vehicles hauling special commodities. It also proposed to remove certain repeat violator provisions from the bill. The amendment would also repeal the 80,000 pound gross vehicle weight limit provision for vehicles hauling 53-foot semitrailers.

The amendment would require the Department of Transportation to report to the Legislature on recommended legislation to hold freight shippers and brokers responsible for overweight trucks. It proposed to establish an effective date of January 31, 2002 for the bill except that it provided that the section of the bill that directs the Commissioner of Transportation to report to the Joint Standing Committee on Transportation take effect 90 days after adjournment of the First Regular Session of the 120th Legislature.

House Amendment "A" (H-484) proposed that weight tolerances allowed for certain vehicles must be included in the allowed basic weights of those vehicles when calculating fines for overweight vehicles.

Enacted law summary

Public Law 2001, chapter 267 increases fines for the operation of a vehicle in excess of established weight limits. The law makes the vehicle registrant responsible for operation of a vehicle in excess of registered weight and repeals the reduced penalty provision for such a violation. It repeals the current vehicle-specific aggravated overweight and repeat offender provisions. It limits the maximum length of vehicles carrying tree-length logs to 74 feet without a special permit. The law reduces certain fines for axle weight violations applicable to vehicles hauling special commodities. Finally, it requires the Department of Transportation to report to the Legislature on recommended legislation to hold freight shippers and brokers responsible for overweight trucks.

Except for the provision that directs the Commissioner of Transportation to report to the Legislature, Public Law 2001, chapter 267 was enacted with an effective date of January 31, 2002.

LD 1414

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2002 and June 30, 2003

**P & S 23
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C FISHER	OTP-AM	S-51

LD 1414 proposed to do the following.

Part A would make allocations from the Highway Fund.

Part B would make allocations from the Highway Fund representing reduction proposals or adjustments.

Committee Amendment "A" (S-51) proposed to do the following.

Part A would make allocations from the Highway Fund.

Part B would make allocations from the Highway Fund representing reduction proposals or adjustments.

Joint Standing Committee on Transportation

Enacted law summary

Private and Special Law 2001, chapter 23 does the following.

Part A makes allocations from the Highway Fund.

Part B makes allocations from the Highway Fund representing reduction proposals or adjustments.

Private and Special Law 2001, chapter 23 was enacted as an emergency measure effective May 25, 2001.

LD 1416 **Resolve, to Authorize the Development of a New Railroad Bridge on the Union Branch Railroad Line over Back Cove in Portland** **RESOLVE 18**

<u>Sponsor(s)</u> FISHER		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1416 proposed to authorize the Department of Transportation or the Northern New England Passenger Rail Authority to develop and build a railroad bridge across the tidewaters of Back Cove in Portland.

Enacted law summary

Resolve 2001, chapter 18 authorizes the Department of Transportation or the Northern New England Passenger Rail Authority to develop and build a railroad bridge across the tidewaters of Back Cove in Portland.

LD 1427 **An Act to Prohibit Roadblocks for the Purpose of Enforcing the Seat Belt Law for Adults** **ONTP**

<u>Sponsor(s)</u> PERKINS WOODCOCK		<u>Committee Report</u> ONTP MAJ OTP MIN		<u>Amendments Adopted</u>
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LD 1427 proposed to prohibit the use of roadblocks for the purpose of determining whether the operator or any passenger 18 years of age or older in a motor vehicle is wearing a seat belt.

LD 1456 **An Act Relating to Restricted Licenses for Certain Drivers** **DIED BETWEEN BODIES**

<u>Sponsor(s)</u> SAVAGE W		<u>Committee Report</u> OTP-AM MAJ ONTP MIN		<u>Amendments Adopted</u>
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LD 1456 proposed to give the Secretary of State discretion to issue a restricted license to a person whose license is suspended for a second or subsequent OUI offense. As proposed, the restricted license would not be available