

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Transportation*

May 2002

Members:

*Sen. Christine R. Savage, Chair
Sen. William B. O'Gara
Sen. Kenneth T. Gagnon*

*Rep. Charles D. Fisher, Chair
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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Maine State Legislature
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120th Legislature
Second Regular Session

Summary Of Legislation Before The Joint Standing Committees
May 2002

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 arranged alphabetically by committee name 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:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Transportation

Enacted law summary

Public Law 2001, chapter 513 clarifies the appropriate fine bases and fine schedules that apply for vehicle classes carrying special commodities.

Public Law 2001, chapter 513 was enacted as an emergency measure effective March 7, 2002.

LD 1867 An Act to Ensure the Safety of Maine Children While Riding in a PUBLIC 585 **Vehicle**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM MAJ	H-896
BENNETT	OTP-AM MIN	

LD 1867 proposed to require a child who weighs less than 40 pounds to be secured in a child safety seat. The bill also requires a child who weighs at least 40 pounds but less than 80 pounds and who is less than 8 years of age to be secured in a child booster seat when riding in a motor vehicle. A child under 12 years of age or who weighs less than 100 pounds is required to be secured in the back seat of a vehicle, if it is possible to do so, if that vehicle is equipped with a front-seat, passenger-side air bag.

Committee Amendment "A" (H-896) was the majority report of the Joint Standing Committee on Transportation. This amendment proposed to replace the bill and to require a child who weighs less than 40 pounds to be secured in a child safety seat. The amendment also proposed to require a child who weighs at least 40 pounds but less than 80 pounds and who is less than 8 years of age to be secured in a federally approved child restraint system when riding in a motor vehicle. It also proposed to require that a child under 12 years of age or who weighs less than 100 pounds be secured in the back seat of a vehicle, if possible, regardless of whether or not the vehicle is equipped with a front seat, passenger-side air bag.

Enacted law summary

Public Law 2001, chapter 585 requires a child who weighs less than 40 pounds to be secured in a child safety seat. It requires a child who weighs at least 40 pounds but less than 80 pounds and who is less than 8 years of age to be secured in a federally approved child restraint system when riding in a motor vehicle. It also requires that a child under 12 years of age who weighs less than 100 pounds be secured in the back seat of a vehicle, if possible, regardless of whether or not the vehicle is equipped with a front seat, passenger-side air bag.

LD 1881 An Act to Reduce Administration in the Right-of-way Process of the PUBLIC 485 **Department of Transportation**

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

Joint Standing Committee on Transportation

LD 1881 proposed to increase the dollar amount that the Department of Transportation can pay landowners for property without a formal appraisal from \$5,000 to \$15,000. A market analysis would be performed in place of the formal appraisal. In cases in which the landowner does not consent to the amount, a formal appraisal would be performed.

Enacted law summary

Public Law 2001, chapter 485 increases the dollar amount that the Department of Transportation can pay landowners for property without a formal appraisal from \$5,000 to \$15,000. A market analysis will be performed in place of the formal appraisal. In cases in which the landowner does not consent to the amount, a formal appraisal will be performed.

LD 1896 **An Act to Simplify the Process by Which a Financial Institution Transfers Motor Vehicle Title to a Lessee** **ONTP**

<u>Sponsor(s)</u> YOUNGBLOOD		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1896 proposed to expand the ability of a financial institution to sell a motor vehicle that it leased to the lessee of the vehicle. The bill also proposed to permit financial institutions to use agents rather than employees to accomplish such sales.

LD 1907 **RESOLUTION, Proposing an Amendment to the Constitution of Maine to Allow for Loans to be Repaid With Federal Transportation Funds** **CON RES 1**

<u>Sponsor(s)</u> SAVAGE C FISHER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-842 FISHER S-419
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LD 1907 proposed to amend the Constitution of Maine to allow the State to issue temporary debt to be repaid with federal transportation funds to facilitate the development of highways, bridges and other transportation projects.

Committee Amendment "A" (S-419) proposed to limit the amount of short-term debt that can be issued under the proposed amendment to the Constitution of Maine to 50% of federal transportation funds allocated in the prior fiscal year.

House Amendment "A" to Committee Amendment "A" (H-842) proposed to clarify that the transportation funds are funds that were appropriated by the Federal Government in the prior federal fiscal year.

Enacted law summary

Constitutional Resolution 2001, chapter 1 proposes to amend the Constitution of Maine to allow the State to issue temporary debt to be repaid with federal transportation funds to facilitate the development of highways, bridges and other transportation projects. It limits the amount of short-term debt that can be issued under the proposed