

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*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*

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
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:

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
PASSED	Joint Order passed in both bodies
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 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

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>
---------------------------------	--	---------------------------------	--	---------------------------

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
---	--	-----------------------------------	--	--

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

Joint Standing Committee on Transportation

amendment to the Constitution of Maine to 50% of transportation funds that were appropriated by the Federal Government in the prior federal fiscal year.

LD 1927 **Resolve, to Rename the Highland Avenue Bridge the Major General Henry Merriam Bridge** **ONTP**

<u>Sponsor(s)</u> SHERMAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
------------------------------	--	---------------------------------	--	---------------------------

LD 1927 proposed to rename the Highland Avenue Bridge in Houlton the Major General Henry Merriam Bridge in honor of a Houlton native who won the Medal of Honor in the Civil War.

LD 1978 **An Act to Allow Maine to Participate in the Federal Pilot Program for Drivers Delivering Home Heating Oil** **PUBLIC 507**

<u>Sponsor(s)</u> MARLEY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-807
-----------------------------	--	-----------------------------------	--	------------------------------------

LD 1978 proposed to instruct the Commissioner of Public Safety to allow Maine to participate in the Federal Motor Carrier Safety Administration, or "FMCSA" pilot program that allows for a restart of drivers' hours in order to allow for flexibility in the hours-of-service regulations. This pilot program, which lasts for 3 years, is managed and monitored by the FMCSA and will provide data to the FMCSA for the purpose of evaluating current hours-of-service regulations.

Committee Amendment "A" (H-807) proposed to clarify that rules adopted pursuant to the bill are routine technical rules as defined by Title 5, chapter 375, subchapter II-A.

Enacted law summary

Public Law 2001, chapter 507 instructs the Commissioner of Public Safety to allow Maine to participate in the Federal Motor Carrier Safety Administration, or "FMCSA" pilot program that allows for a restart of drivers' hours in order to allow for flexibility in the hours-of-service regulations. This pilot program, which lasts for 3 years, is managed and monitored by the FMCSA and will provide data to the FMCSA for the purpose of evaluating current hours-of-service regulations.

LD 1982 **An Act to Reduce the Economic Impact of Seasonally Posted Roads** **ONTP**

<u>Sponsor(s)</u> SULLIVAN BENNETT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--	--	---------------------------------	--	---------------------------

LD 1982 proposed to allow municipalities to issue permits for vehicles to operate on any roads that may be posted. A municipality would be able to charge a fee for the permit subject to guidelines set by the Department of Transportation.