

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

House Amendment "A" to Committee Amendment "A" (H-1109) proposed to repeal the provisions of the bill, as amended by Committee Amendment "A," effective July 1, 2003. This amendment was not adopted.

House Amendment "B" (H-1114) proposed to transfer the balance of the Maine Learning Technology Endowment to the Highway Fund and use the funds to decrease the excise tax imposed on gasoline and special fuels by 3¢ for one year beginning July 1, 2002 and ending June 30, 2003. This amendment also would deauthorize the financing arrangements for the endowment. This amendment was not adopted.

Enacted law summary

Public Law 2001, chapter 688 promotes the fiscal sustainability of the Highway Fund by annually indexing motor fuel taxes to reflect inflation, with the new rates taking effect each July 1st. The index is retroactive to 1999. The law also requires the Department of Transportation to submit a bill to the Legislature that repeals any forthcoming adjustment in fuel tax rates for each biennium.

LD 2047 **An Act to Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2003** **P & S 55**

| | | | | |
|-------------------|--|-------------------------|--|---------------------------|
| <u>Sponsor(s)</u> | | <u>Committee Report</u> | | <u>Amendments Adopted</u> |
| | | OTP-AM | | S-450 |

LD 2047 proposed to make allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2003 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

Committee Amendment "A" (S-450) added a fiscal note to the bill.

Enacted law summary

Private and Special Law 2001, chapter 55 makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2003 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

LD 2064 **An Act to Waive the Title Fee for Towed Abandoned Vehicles** **PUBLIC 563**

| | | | | |
|--------------------|--|-------------------------|--|---------------------------|
| <u>Sponsor(s)</u> | | <u>Committee Report</u> | | <u>Amendments Adopted</u> |
| FERGUSON GOOLEY | | OTP-AM | | S-462 |

LD 2064 proposed to exempt a towing company from paying a title fee for an abandoned motor vehicle if the towing company tows the vehicle at the request of the State Police and then claims the vehicle and declares that the vehicle is a total loss.

Joint Standing Committee on Transportation

Committee Amendment "A" (S-462) proposed to replace the bill and exempt from payment of a title fee a towing company that tows an abandoned vehicle at the request of a law enforcement officer, claims the vehicle and declares that the vehicle is a total loss, and properly notifies the vehicle owner that the vehicle is claimed under the abandoned vehicle law. The amendment also proposed to clarify that notification from the Secretary of State to the owner and lienholder must inform the owner that the owner must pay \$23 to transfer the title. If the owner or person in possession of the proper document fails to deliver the proper document and registration plates to the Secretary of State, the Secretary of State could suspend the owner's privilege to title or register a vehicle.

Enacted law summary

Public Law 2001, chapter 563 exempts from payment of a title fee a towing company that tows an abandoned vehicle at the request of a law enforcement officer, claims the vehicle and declares that the vehicle is a total loss, and properly notifies the vehicle owner that the vehicle is claimed under the abandoned vehicle law. The law also clarifies that notification from the Secretary of State to the owner and lienholder must inform the owner that the owner must pay \$23 to transfer the title. If the owner or person in possession of the proper document fails to deliver the proper document and registration plates to the Secretary of State, the Secretary of State may suspend the owner's privilege to title or register a vehicle.

LD 2082

An Act to Amend the Subdivision Review Criteria for Traffic

PUBLIC 560

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-867

LD 2082 was the recommendation of the Joint Standing Committee to Study Growth Management. It proposed to amend the subdivision review criteria for traffic by requiring a determination that the proposed subdivision will not reduce the posted speed of a mobility arterial or retrograde arterial.

Committee Amendment "A" (H-867) proposed to replace the bill and to amend the subdivision review criteria for traffic by requiring documentation from the Department of Transportation that includes a finding that the proposed subdivision conforms to the law regulating entrances to highways.

Enacted law summary

Public Law 2001, chapter 560 implements the recommendation of the Joint Standing Committee to Study Growth Management. It amends the subdivision review criteria for traffic by requiring documentation from the Department of Transportation that includes a finding that the proposed subdivision conforms to the law regulating entrances to highways.