

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Transportation*

August 2005

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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 June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Transportation

LD 80 **An Act To Amend the Law Governing Use of Seat Belts** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE	OTP MAJ	
SAMPSON	ONTP MIN	

LD 80 proposed to allow a police officer to detain and cite a vehicle operator or passenger 18 years of age or older solely for failing to wear a seat belt. Current law prohibits the enforcement of the seat belt law unless the driver has been stopped for another violation of a law.

LD 88 **An Act To Eliminate Automobile Inspection Requirements** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODCOCK	ONTP MAJ	
	OTP MIN	

LD 88 proposed to repeal statutory provisions that require motor vehicles registered in the State to have an annual motor vehicle inspection.

LD 113 **An Act To Allow Animal Control Officers and Individuals Who Collect Trash To Use Flashing Amber Lights on Their Vehicles** **PUBLIC 15**

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

LD 113 proposed to allow animal control officers and businesses that collect trash to use flashing amber lights on their vehicles.

Enacted law summary

Public Law 2005, chapter 15 allows animal control officers and businesses that collect trash to use flashing amber lights on their vehicles.

LD 124 **An Act To Require Informational Signs on the Maine Turnpike for The Theater at Monmouth** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N	ONTP	
COWGER		

Joint Standing Committee on Transportation

LD 124 proposed to require that 2 directional signs for The Theater at Monmouth be placed on the Maine Turnpike near the Sabattus exit.

LD 128 An Act To Create a License Plate for the Elks Organization CARRIED OVER

<u>Sponsor(s)</u> MILLER		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 128 proposes to authorize the issuance of a special registration plate for the Benevolent Protective Order of Elks that will fund special programs of that fraternal and civic organization.

This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

LD 131 An Act To Equitably Maintain the Fiscal Sustainability of the Highway Fund DIED ON ADJOURNMENT

<u>Sponsor(s)</u> MARLEY DAMON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u>
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LD 131 proposed to delay the adjustment for inflation of the excise tax on internal combustion engine fuel and distillates from 2005 to 2007.

Committee Amendment "A" (H-96) proposed to replace the bill and would partially maintain the buying power of the Highway Fund by adjusting the fuel tax rate on gasoline to reflect inflation and by adjusting the fuel tax rate on diesel fuel so that it is equal to the gasoline tax rate as of July 1, 2006. (Not adopted)

Senate Amendment "A" to Committee Amendment "A" (S-54) proposed to remove the emergency preamble and emergency clause from the bill. (Not adopted)

Senate Amendment "B" to Committee Amendment "A" (S-98) proposed to repeal the laws that provide for the adjustment for inflation of the excise tax on internal combustion engine fuel and distillates effective July 1, 2007. (Not adopted)

Senate Amendment "C" to Committee Amendment "A" (S-99) proposed to replace the bill and would require the gas tax rate to remain at 25.2¢ per gallon and the tax on distillates to remain at 26.3¢ per gallon from July 1, 2005 until June 30, 2007. The amendment also proposed to delay the adjustment of the excise tax on internal combustion engine fuel and distillates from 2005 to 2007. (Not adopted)