

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 243 proposed to permit municipal and volunteer firefighters and emergency medical services personnel to use any combination of 2 flashing red or white lights on personal vehicles while en route to or at the scene of fires or other emergencies. It would also provide that such vehicles are covered by the rules of operation applying to authorized emergency vehicles. The bill also proposed to require that a person may only use flashing lights on a personal vehicle upon completion of a state-certified emergency vehicle operators or emergency ambulance operators course.

Committee Amendment "A" (H-220) replaced the bill and proposed to allow municipal and volunteer firefighters and emergency medical services personnel to use either one flashing red light or any combination of 2 red or white lights on personal vehicles while en route to or at the scene of fires or other emergencies. It also proposed to require that a person may only use emergency lights on a personal vehicle upon completion of a state-certified emergency vehicle operators or emergency ambulance operators course.

Senate Amendment "A" to Committee Amendment "A" (S-270) replaced Committee Amendment "A" and proposed to remove the requirement that municipal and volunteer firefighters and emergency medical service personnel who are responding to the scene of an emergency in personal vehicles be trained in emergency vehicle operation. It also proposed to allow personal vehicles of municipal and volunteer firefighters and emergency medical services personnel to be equipped with flashing red or combination red and white lights facing to the front of the vehicle for use while en route to or at the scene of emergencies.

Enacted law summary

Public Law 2005, chapter 299 allows personal vehicles of municipal and volunteer firefighters and emergency medical services personnel to be equipped with flashing red or combination red and white lights facing to the front of the vehicle for use while en route to or at the scene of emergencies.

LD 252 **Resolve, To Name Interstate 295 Ronald Reagan Memorial Highway** **ONTP**

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

LD 252 proposed to name Interstate 295 the Ronald Reagan Memorial Highway.

LD 255 **An Act To Require a Person Operating Farm Equipment on Public Roads To Be Adequately Trained** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	ONTP MAJ	
MARTIN	OTP-AM MIN	

LD 255, a concept draft pursuant to Joint Rule 208, proposed to require that, prior to operating a farm vehicle on a public road, a person must demonstrate proficiency in the operation of that vehicle.

Joint Standing Committee on Transportation

Committee Amendment "A" (H-165), the committee minority report, proposed to direct the Department of the Secretary of State, Bureau of Motor Vehicles, in conjunction with the Department of Agriculture, Food and Rural Resources, the Department of Public Safety and the Maine Farm Bureau Association to examine the feasibility of implementing a mandatory training course for the operation of farm vehicles on public roads. The amendment further proposed to require the Bureau of Motor Vehicles to submit a report with its findings and recommendations to the Joint Standing Committee on Transportation no later than November 1, 2005. This amendment was not adopted.

LD 258 **An Act To Repeal Gasoline Tax Indexing** **ONTP**

<u>Sponsor(s)</u> MCKENNEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 258 proposed to repeal the annual inflation indexing of the excise tax on motor fuel.

LD 277 **An Act Regarding the Management and Use of Sears Island** **PUBLIC 277**

<u>Sponsor(s)</u> MCKENNEY COURTNEY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-439
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LD 277 proposed to require that Sears Island be managed primarily for industrial and commercial purposes.

Committee Amendment "A" (H-439) proposed to remove language from the bill that would require that Sears Island be managed primarily for industrial and commercial purposes. It further proposed to require the Commissioner of Transportation to bring before the joint standing committee of the Legislature having jurisdiction over transportation matters for review and approval any proposal that would alter the current land use, ownership or jurisdiction of lands owned by the State within the Port of Searsport presently under the jurisdiction of the Department of Transportation.