

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

JOINT STANDING COMMITTEE ON TRANSPORTATION

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
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 that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Transportation

and to report to the Joint Standing Committee on Transportation by March 15, 2008.

Part R equalizes the 6-year cycle for driver's licenses by allowing the Secretary of State to issue certain driver's licenses that have expiration dates that are either longer or shorter than the usual license duration.

Public Law 2007, chapter 329 was enacted as an emergency measure effective June 19, 2007.

LD 812 Resolve, To Direct the Secretary of State To Examine Driver's License Laws

RESOLVE 24

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM	H-99

This bill restricts the issuance of driver's licenses and nondriver identification cards to residents of the State, except that nonresident students and persons on active military duty and the spouses and children of persons on active military duty may be issued nondriver identification cards.

Committee Amendment "A" (H-99)

This amendment replaces the bill with a resolve that directs the Secretary of State to establish a working group to examine the laws governing eligibility and documentation requirements for applicants for driver's licenses and nondriver identification cards. The working group is required to develop recommendations for limiting eligibility for driver's licenses and nondriver identification cards to Maine residents and to persons with legal presence status in the United States. The working group shall, at a minimum, examine issues related to standards of residency and proof of residency, standards for determining legal presence status, documentation requirements, methods of verification, the need for exceptions or provisions for special circumstances and the costs of implementing and enforcing such standards and limitations. The Secretary of State is required to report the findings and recommendations of the working group to the Joint Standing Committee on Transportation no later than January 15, 2008. The Joint Standing Committee on Transportation is authorized to submit a bill related to the subject matter of the working group's report to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 812 directs the Secretary of State to establish a working group to examine the laws governing eligibility and documentation requirements for applicants for driver's licenses and nondriver identification cards. The working group is required to develop recommendations for limiting eligibility for driver's licenses and nondriver identification cards to Maine residents and to persons with legal presence status in the United States. The working group, at a minimum, must examine issues related to standards of residency and proof of residency, standards for determining legal presence status, documentation requirements, methods of verification, the need for exceptions or provisions for special circumstances and the costs of implementing and enforcing such standards and limitations. The Secretary of State is required to report the findings and recommendations of the working group to the Joint Standing Committee on Transportation no later than January 15, 2008. The Joint Standing Committee on Transportation is authorized to submit a bill related to the subject matter of the working group's report to the Second Regular Session of the 123rd Legislature.

LD 830 An Act To Permit the Use of Pictorial Graphics and Photographs on Changeable Signs

PUBLIC 124

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROWNE	OTP-AM MAJ OTP-AM MIN	H-177 BROWNE H-62

Joint Standing Committee on Transportation

This bill allows the use of graphic, pictorial or photographic images on changeable signs.

Committee Amendment "A" (H-61)

The amendment, which is the majority report of the Joint Standing Committee on Transportation, clarifies that a changeable sign may consist only of alphabetic or numeric text on a plain background and may not include any graphic, pictorial or photographic images unless the municipality in which the sign is located adopts an ordinance to the contrary. Administration of the ordinance is the responsibility of the municipality.

Committee Amendment "B" (H-62)

The amendment, which is the minority report of the Joint Standing Committee on Transportation, clarifies that a changeable sign may consist only of alphabetic or numeric text on a plain background and may not include any graphic, pictorial or photographic images unless the municipality in which the sign is located adopts an ordinance to the contrary. Administration of the ordinance is the responsibility of the municipality.

The amendment also strikes from the bill a provision that repeals the limit on displays to no more than 50% of the surface area of a changeable sign (thus preserving that limit).

House Amendment "A" (H-177)

This amendment clarifies Committee Amendment "B" so that graphic, pictorial or photographic images are generally allowed on either a plain or colored background on a changeable sign unless a municipal ordinance does not allow those elements.

Enacted Law Summary

Public Law 2007, chapter 124 allows the use of graphic, pictorial or photographic images on changeable signs. Graphic, pictorial or photographic images are generally allowed on either a plain or colored background on a changeable sign unless a municipal ordinance does not allow those elements. If a municipal ordinance is adopted, the municipality must notify the Department of Transportation and administration of the ordinance is the responsibility of the municipality. Ordinances in effect on the effective date of this law are not superseded by this law.

LD 860 An Act To Amend Certain Laws Affecting Transportation

**PUBLIC 306
EMERGENCY**

Sponsor(s)

DAMON

Committee Report

OTP-AM

Amendments Adopted

S-177

This bill makes the following changes to the laws governing transportation.

1. It expands the powers of the Department of Transportation to conduct traffic survey interviews and other statistical studies on the state highway system as considered necessary for the use in planning and development of the statewide highway system.
2. It requires an abutter to install a culvert, at the direction of the Department of Transportation, when constructing an entrance to a state-owned highway. Current law requires the abutter to provide the culvert, at the owner's expense; the department then installs it.
3. It revises language relating to design-build projects to provide that the Department of Transportation may issue public notice requesting qualifications from interested firms through its website or through newspaper advertisements. Current law requires the notice to be through newspaper notice.
4. It provides more specific cross-references to federal laws governing the surface transportation program as they relate to reimbursement for the cost of relocating or burying overhead utilities in historic districts.
5. It revises the definition and overall length limit of saddle-mount vehicle transporters traveling on the Interstate