

# 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*

**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>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKENNEY	ONTP	

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>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKENNEY COURTNEY	OTP-AM	H-439

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.

## *Joint Standing Committee on Transportation*

### *Enacted law summary*

Public Law 2005, chapter 277 requires 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.

**LD 279**                      **An Act To Require Trains in the State To Operate with a Minimum of 5 Employees**                      **ONTP**

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

LD 279 proposed to require railroad companies to operate each train with a minimum of 5 employees.

**LD 334**                      **An Act Allowing Certain Commercial Vehicles at Canadian Weight Limits To Travel from the Canadian Border at Calais to Baileyville**                      **PUBLIC 421**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOY	OTP-AM    MAJ	H-261
RAYE	ONTP        MIN	S-319    MARTIN
		S-388    DAMON

LD 334 proposed to authorize the Commissioner of Transportation to conduct a pilot project allowing certain commercial vehicles at Canadian weight limits to travel from the Canadian border at Houlton to New Limerick and from the Canadian border at Calais to Baileyville. It proposed to require trucks participating in the pilot project to display a credential obtained for a fee from the Secretary of State. The bill also proposed to require the Commissioner of Transportation to submit a report on the status of the pilot project and recommendations to the joint standing committee of the Legislature having jurisdiction over transportation matters for presentation to the First Regular Session of the 126th Legislature.

**Committee Amendment "A" (H-261)**, the committee majority report, proposed to shorten the length of the pilot project from 10 years to five years and limit the allowable route of travel to travel from the Canadian border at Calais to Baileyville. The amendment also proposed to require that the report of the Commissioner of Transportation be submitted to the joint standing committee of the 124th Legislature having jurisdiction over transportation matters and include information on the impact of the pilot project on road conditions.

**Senate Amendment "A" (S-319)** proposed to require the approval of the United States Department of Transportation, Federal Highway Administration prior to the pilot project's taking effect.

**Senate Amendment "A" to Committee Amendment "A" (S-388)** proposed to remove the appropriations and allocations section from the amendment.