

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 505

An Act Relating to the Northern New England Passenger Rail Authority

**PUBLIC 312
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY SAVAGE	OTP-AM	H-362 S-192 DAMON

LD 505 proposed to amend the Passenger Rail Service Act as follows:

1. It proposed to repeal the section of law pertaining to initial funding for the Northern New England Passenger Rail Authority.
2. It proposed to expand the membership of the board of directors of the Northern New England Passenger Rail Authority to include the Commissioner of the Department of Transportation, or designee and the Commissioner of the Department of Economic and Community Development or designee.
3. It proposed to change provisions relating to the liability of a passenger rail service provider to clarify that more than one passenger rail service provider may be covered under a single liability insurance policy.
4. It proposed to provide that any documents or records of the Northern New England Passenger Rail Authority relating to employment applications are confidential.

Committee Amendment "A" (H-362) proposed to do the following:

1. It proposed to add an emergency preamble and emergency clause to the bill.
2. It proposed to require members of the board of directors of the Northern New England Passenger Rail Authority who are appointed by the Governor to be confirmed by the joint standing committee of the Legislature having jurisdiction over transportation matters.
3. It proposed to direct the Department of Transportation to develop a plan to extend the current Downeaster passenger rail service northward from Portland to Brunswick and Rockland so that this extended service is in operation no later than January 1, 2008. It further proposed to direct the Department of Transportation to submit a report with its findings and recommendations to the Joint Standing Committee on Transportation no later than January 1, 2006.

Senate Amendment "A" to Committee Amendment "A" (S-192) proposed to require the Governor's appointees to the board of directors of the Northern New England Passenger Rail Authority to be confirmed by the Legislature instead of the joint standing committee of the Legislature having jurisdiction over transportation matters.

Enacted law summary

Public Law 2005, chapter 312 amends the Passenger Rail Service Act as follows:

1. It repeals the section of law pertaining to initial funding for the Northern New England Passenger Rail Authority.

Joint Standing Committee on Transportation

2. It expands the membership of the board of directors of the Northern New England Passenger Rail Authority to include the Commissioner of the Department of Transportation, or designee and the Commissioner of the Department of Economic and Community Development or designee.
3. It requires members of the board of directors of the Northern New England Passenger Rail Authority who are appointed by the Governor to be confirmed by the Legislature.
4. It changes provisions relating to the liability of a passenger rail service provider to clarify that more than one passenger rail service provider may be covered under a single liability insurance policy.
5. It provides that any documents or records of the Northern New England Passenger Rail Authority relating to employment applications are confidential.
6. It directs the Department of Transportation to develop a plan to extend the current Downeaster passenger rail service northward from Portland to Brunswick and Rockland so that this extended service is in operation no later than January 1, 2008. It also directs the Department of Transportation to submit a report with its findings and recommendations to the Joint Standing Committee on Transportation no later than January 1, 2006.

Public Law 2005, chapter 312 was enacted as an emergency measure effective June 7, 2005.

LD 510

An Act Concerning Dismantling of Railroad Track

CARRIED OVER

<u>Sponsor(s)</u> RICHARDSON J EDMONDS	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 510 proposes to amend the law establishing procedures for dismantling railroad track so that it applies to any track, not just state-owned track.

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

LD 511

**Resolve, Directing the State Police, Commercial Vehicle
Enforcement Division To Examine Enforcement Methods**

ONTP

<u>Sponsor(s)</u> SHERMAN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 511 proposed to direct the Department of Public Safety, Bureau of State Police, Commercial Vehicle Enforcement Division in conjunction with the Department of Transportation to examine the impact of its enforcement procedures, including, but not limited to, its fine structure and schedule of traffic infractions, on the trucking industry and on the State.