

# 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

### Enacted law summary

Public Law 2005, chapter 428 allows a 15-day reconciliation period at the Secretary of State's office to reconcile motor vehicle insurance cancellations with reinstatements and policies placed with a different company before the Secretary of State sends out a notification of suspension. The law further requires the Secretary of State to accept evidence of motor vehicle insurance for insured persons who are changing insurance carriers electronically as of January 1, 2007.

LD 650

An Act To Protect Maine's Groundfishing Industry

PUBLIC 260

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRIMLING MARLEY	OTP	

LD 650 proposed to clarify that a person who pays for fuel used in commercial groundfishing is eligible for a refund of the state taxes paid on that fuel, less the administrative fee of 1¢ per gallon.

### Enacted law summary

Public Law 2005, chapter 260 clarifies that a person who pays for fuel used in commercial groundfishing is eligible for a refund of the state taxes paid on that fuel, less the administrative fee of 1¢ per gallon.

LD 657

An Act To Amend the Axle Weight Laws

PUBLIC 426

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS MARTIN	OTP-AM	H-459 S-390 DAMON

LD 657 proposed to require that for vehicle weight violations for vehicles for which the law provides a tolerance, the base on which the fine is calculated must be the actual weight plus the tolerance allowed.

**Committee Amendment "A" (H-459)** replaced the bill and proposed to amend the calculation of tandem axle weight fines for 6-axle trucks hauling special commodities to clarify that the lower fine applies. It also proposed to amend the axle weight fine schedules to eliminate relatively steep fine increases for smaller violations for trucks hauling forest products. The amendment further proposed to eliminate axle weight fine violations during the months of January and February on most state roads.

**Senate Amendment "A" to Committee Amendment "A" (S-390)** proposed to repeal these provisions on September 15, 2007.

## *Joint Standing Committee on Transportation*

### *Enacted law summary*

Public Law 2005, chapter 426 reduces the fines assessed for excessive axle weight violations by changing the methodology of fine calculations for certain 4-axle and 6-axle commercial vehicles and eliminates axle weight fine violations during the months of January and February on most state roads. The law repeals these provisions on September 15, 2007.

**LD 690**                      **Resolve, Authorizing Relocation of a Certain Private Driveway on Route 26**                      **ONTP**

<u>Sponsor(s)</u> STRIMLING	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 690 proposed to authorize the Department of Transportation to allow the relocation of a private driveway on a limited-access portion of Route 26.

**LD 698**                      **An Act To Provide for the Temporary Suspension of the Tax on Motor Fuel**                      **ONTP**

<u>Sponsor(s)</u> NASS R	<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN	<u>Amendments Adopted</u>
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LD 698 proposed to suspend the tax imposed on internal combustion engine fuel and on special fuels if the retail price of those fuels exceeds by 50% or more the weekly average retail price of the fuel for the previous 52 weeks or calendar year. The bill also proposed to cap the inflation index on motor fuels at 2% annually.

**Committee Amendment "A" (S-111)**, the committee minority report, proposed to add a fiscal note to the bill.

**LD 712**                      **An Act To Reimburse the Town of St. Agatha and Other Towns in Category II for Costs Incurred in Erecting a Salt and Gravel Storage Shed as Mandated by the State**                      **ONTP**

<u>Sponsor(s)</u> PARADIS COWGER	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 712 proposed to allocate \$1,400,000 from the Highway Fund for the purpose of providing funds to municipalities for the construction of Priority 1 and Priority 2 sand and salt sheds.