

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Transportation*

July 2006

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Sen. Bill Diamond
Sen. Christine R. Savage*

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Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second Regular Session

Summary of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 arranged alphabetically by committee name 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. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located 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/billsumm.htm).

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.....	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 (Pocket Veto).....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

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Enacted law summary

Resolve 2005, chapter 216 directs the Department of Transportation to undertake a comprehensive review of the department's current highway traffic noise policy. Under the existing statewide highway traffic noise policy adopted by the Department of Transportation, a property must abut a highway project in order to be eligible for a noise abatement program.

The law also provides that, if the department adopts a revised highway traffic noise policy, the scheduled improvement of Interstate 295 in South Portland and Portland is subject to the revised policy.

LD 2051 **Resolve, To Name the New Bridge in Augusta Spanning the Kennebec River "Cushnoc Crossing"** **RESOLVE 163**

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

LD 2051 proposed to name the new bridge in Augusta that connects Interstate 95 to Route 3 and crosses the Kennebec River north of the Father Curran Bridge "Cushnoc Crossing" and proposed to direct the Department of Transportation to erect signs that indicate the name of the new bridge.

Enacted law summary

Resolve 2005, chapter 163 names the new bridge in Augusta that connects Interstate 95 to Route 3 and crosses the Kennebec River north of the Father Curran Bridge "Cushnoc Crossing" and directs the Department of Transportation to erect signs that indicate the name of the new bridge.

LD 2058 **Resolve, Authorizing a Pilot Project To Allow Timber Harvesting Equipment To Be Moved during Nighttime** **RESOLVE 189**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON MARTIN	OTP-AM	H-942

LD 2058 proposed to exempt vehicles used in Aroostook County or Penobscot County for the trucking of equipment used in timber harvesting operations during nighttime from restrictions placed on roads concerning weight, speed, operation and equipment.

Committee Amendment "A" (H-942) proposed to replace the bill with a resolve and proposed to direct the Secretary of State, in consultation with the Commissioner of Transportation and the Chief of the State Police, to conduct a pilot project that allows permits for the transport of timber harvesting equipment by another vehicle between midnight and sunrise during the months of March and April over a way or bridge maintained by the Department of Transportation if certain conditions are met. The amendment also proposed to require the Secretary of State to submit a report to the joint standing committee of the Legislature having jurisdiction over

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transportation matters no later than the first business day in February 2009. The amendment proposed to give the joint standing committee of the Legislature having jurisdiction over transportation matters authority to report out legislation during the First Regular Session of the 124th Legislature. The amendment also proposed to repeal the pilot project 90 days after the adjournment of the First Regular Session of the 124th Legislature.

Enacted law summary

Resolve 2005, chapter 189 directs the Secretary of State, in consultation with the Commissioner of Transportation and the Chief of the State Police, to conduct a pilot project that allows permits for the transport of timber harvesting equipment by another vehicle between midnight and sunrise during the months of March and April over a way or bridge maintained by the Department of Transportation if certain conditions are met. The resolve also requires the Secretary of State to submit a report to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than the first business day in February 2009. The resolve gives the joint standing committee of the Legislature having jurisdiction over transportation matters authority to report out legislation during the First Regular Session of the 124th Legislature. It repeals the pilot project 90 days after the adjournment of the First Regular Session of the 124th Legislature.

LD 2119

An Act To Comply with the Federal Commercial Motor Vehicle Safety Act of 1986

PUBLIC 679

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE MCKENNEY		

LD 2119 proposed to make changes to ensure compliance with the federal Commercial Motor Vehicle Safety Act of 1986 to preserve receipt of federal highway funds. Specifically, the bill proposed to make state law consistent with applicable federal regulations granting waivers from the commercial driver licensing requirements for persons operating fire apparatus, military vehicles and farm trucks. The bill further proposed to authorize the Department of Public Safety, Bureau of State Police to adopt by reference the federal regulations establishing minimum fines for out-of-service violations.

Enacted law summary

Public Law 2005, chapter 679 makes changes to ensure compliance with the federal Commercial Motor Vehicle Safety Act of 1986 to preserve receipt of federal highway funds. Specifically, the bill makes state law consistent with applicable federal regulations granting waivers from the commercial driver licensing requirements for persons operating fire apparatus, military vehicles and farm trucks. The bill further authorizes the Department of Public Safety, Bureau of State Police to adopt by reference the federal regulations establishing minimum fines for out-of-service violations.