

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

LD 321 An Act To Increase the Bonding Capacity of the Maine Turnpike Authority

PUBLIC 59

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	OTP-AM MAJ ONTP MIN	S-24

This bill increases the bond limit of the Maine Turnpike Authority to enable the Maine Turnpike Authority to complete the projects in its 20-year capital plan.

Committee Amendment "A" (S-24)

This is the majority report of the Joint Standing Committee on Transportation. This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2007, Chapter 59 increases the bond limit of the Maine Turnpike Authority to enable the Maine Turnpike Authority to complete the projects in its 20-year capital plan.

LD 327 An Act To Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2007

**PUBLIC 4
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY DAMON	OTP-AM	H-5 S-9 DAMON

This bill does the following.

Part A makes supplemental allocations of funds for fiscal year 2006-07.

Part B makes supplemental allocations of funds for approved reclassifications and range changes.

Part C authorizes the transfer of Personal Services balances in fiscal year 2006-07 in the Administration - Motor Vehicle program Highway Fund carrying account within the Department of the Secretary of State to All Other and Capital Expenditures by financial order upon recommendation of the State Budget Officer and approval of the Governor.

Committee Amendment "A" (H-5)

This amendment adjusts certain Highway Fund allocations to maintain a balanced Highway Fund budget for fiscal year 2006-07. It also amends current law to allow more funds from the unallocated balance of the Highway Fund at the close of fiscal year 2006-07 to be used for capital needs of the Highway and Bridge Improvement program within the Department of Transportation.

Senate Amendment "A" (S-9)

This amendment corrects Part D of Committee Amendment "A", which amended the wrong public law.

Enacted Law Summary

Joint Standing Committee on Transportation

Public Law 2007, chapter 4 makes supplemental allocations of funds for fiscal year 2006-07. It makes supplemental allocations of funds for approved reclassifications and range changes. It authorizes the transfer of Personal Services balances in fiscal year 2006-07 in the Administration - Motor Vehicle program Highway Fund carrying account within the Department of the Secretary of State to All Other and Capital Expenditures by financial order upon recommendation of the State Budget Officer and approval of the Governor.

Public Law 2007, chapter 4 was enacted as an emergency effective March 13, 2007.

**LD 328 Resolve, To Require an Engineering Study To Determine the Cost of
Extending Rail Service from Portland to Fryeburg**

**RESOLVE 18
EMERGENCY**

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

This resolve directs the Department of Transportation in collaboration with the Northern New England Passenger Rail Authority to conduct an engineering study to determine the cost of extending rail service from Portland to Fryeburg and submit the study with any proposed legislation to the Joint Standing Committee on Transportation no later than January 15, 2008.

Enacted Law Summary

Resolve 2007, chapter 18 directs the Department of Transportation in collaboration with the Northern New England Passenger Rail Authority to conduct an engineering study to determine the cost of extending rail service from Portland to Fryeburg and submit the study with any proposed legislation to the Joint Standing Committee on Transportation no later than January 15, 2008.

**LD 350 An Act To Protect Citizens from Physical Injury Due to Obstructed
Driveways**

ONTP

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

This bill requires that a bar, cable or similar obstruction, not including a gate, that is blocking a driveway leading onto public or private land from a public way be marked with reflective material that is highly visible during day or night and not be more than 3 feet high.

**LD 381 An Act To Require That Vehicles Transporting Poultry Fecal Matter Be
Covered**

ONTP

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

This bill requires that a motor vehicle hauling a load of poultry fecal matter be covered.