

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON TRANSPORTATION**

July 2007

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# STATE OF MAINE

123<sup>RD</sup> 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 123<sup>rd</sup> 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 901**      **An Act To Require Legislative Review before a Road's Designation or Classification May Be Changed**      **ONTP**

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

This bill, a concept draft pursuant to Joint Rule 208, proposes to require review by the Legislature before the designation or classification of a road may be changed.

**LD 906**      **An Act To Clarify Municipal Responsibility in Providing Emergency Service during a Declared Emergency**      **ONTP**

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

Under this bill, if a private road upon which individuals live is impassable because of a declared emergency, a town or village corporation must use its highway equipment to make that way passable. The town or village corporation may seek reimbursement after the fact for the actual cost of using the highway equipment.

**LD 921**      **An Act To Allow a Landowner To Erect Installations in or near a State or State Aid Highway**      **PUBLIC 191  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON MARTIN	OTP-AM	H-222

This bill provides that a landowner who owns land abutting a state or state aid highway may alter land within the right-of-way of that state or state aid highway in order to control erosion or otherwise improve the land.

### **Committee Amendment "A" (H-222)**

This amendment replaces the bill. The amendment allows the Commissioner of Transportation to allow construction of fixtures within the bounds a state or state aid highway located in a municipality if the construction is supported by the municipal officers, the road speed is no more than 35 miles per hour and the commissioner determines the construction will not adversely affect safety or the public welfare. The amendment also adds an emergency preamble and clause to the bill.

### **Enacted Law Summary**

Public Law 2007, chapter 191 permits the Commissioner of Transportation to allow construction of fixtures within the bounds a state or state aid highway located in a municipality if the construction is supported by the municipal officers, the road speed is no more than 35 miles per hour and the commissioner determines the construction will not adversely affect safety or the public welfare.

Public Law 2007, chapter 191 was enacted as an emergency measure effective May 30, 2007.