

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

2. It waives the requirements of current law that the design of the specialty plate be submitted by September 1st to the Secretary of State and that the Secretary of State then submit the authorizing legislation with respect to the specialty plate;
3. It removes the legislative members from the We Support Our Troops Advisory Board, adds 2 more public members to the board, establishes terms for the members of the board and provides for the filling of vacancies;
4. It removes provisions allowing persons to purchase the plates without registering a vehicle;
5. It modifies how fees raised by the plate are administratively handled;
6. It removes a provision providing for copyrighting the plate design;
7. It adds provisions relating to the issuance of vanity plates, number sequencing and weight limits on vehicles eligible for the plates;
8. It provides for an issuance date of November 1, 2007 only if the sponsor of the plate pays for the incremental costs associated with that issuance date. If that funding is not provided, the issuance date is moved to April 1, 2008; and
9. It adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2007, chapter 229 authorizes the issuance of a special registration plate to raise funds for members of the Maine National Guard and their families and residents of the State who are members of the Reserves of the Armed Forces of the United States and their families.

Public Law 2007, chapter 229 was enacted as an emergency measure effective June 5, 2007.

LD 972 An Act To Delay the Fiscal Sustainability of the Highway Fund

**ACCEPTED ONTP
REPORT**

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

This bill delays the adjustment for inflation of the excise tax on internal combustion engine fuel and distillates for one year until 2009.

Committee Amendment "A" (H-232)

This amendment incorporates a fiscal note.

LD 986 An Act To Establish an Agriculture Education Registration Plate

**PUBLIC 456
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIEH	OTP-AM	H-157

Joint Standing Committee on Transportation

This bill creates the Agriculture Education Plate Fund and establishes an agriculture education plate for motor vehicles that do not exceed 9,000 pounds. Ten dollars of each initial registration or renewal of registration of an agriculture education plate must be deposited in the fund to support agriculture education efforts.

Committee Amendment "A" (H-157)

This amendment:

1. Allows agriculture education registration plates to be issued for commercial trucks and farm trucks;
2. Replaces the provision of the bill establishing the Agriculture Education Plate Fund with provisions establishing the Maine Agriculture in the Classroom Council. The council will receive revenues generated by the specialty plate created by the bill and may receive revenues from other sources;
3. Adds an appropriations and allocations section; and
4. Adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2007, chapter 456 establishes an agriculture education registration plate. Ten dollars of each initial registration or renewal of registration of an agriculture education plate is deposited with the Maine Agriculture in the Classroom Council, which is created by this legislation, to support agriculture education efforts.

Public Law 2007, chapter 456 was enacted as an emergency measure effective June 28, 2007.

LD 1018 An Act To Require That a State Road Be in Good Condition before Being Turned over to a Municipality

PUBLIC 417

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS	OTP-AM	S-56

The bill requires that the Department of Transportation prepare and implement a capital and maintenance plan to ensure that a section of state or state aid highway is in good repair when transferred to a municipality.

Committee Amendment "A" (S-56)

This amendment replaces the bill. This amendment modifies a provision of law relating to the condition of a state or state aid highway when the responsibility for maintenance of that highway is transferred to a municipality in a compact area. The amendment provides that when the responsibility for maintenance of a section of state or state aid highway is to be transferred to a municipality as a result of population growth, determined using the decennial United States census, or the municipality meets the definition of a compact or built-up section, and when the municipality is not eligible to opt out of summer maintenance, the department shall prepare a capital and maintenance plan to ensure that the section of state or state aid highway is in good repair at the time of transfer. The amendment also removes language limiting application of the provision to certain municipalities that have previously opted out of summer maintenance of these highways.

Enacted Law Summary

Public Law 2007, chapter 417 modifies a provision of law relating to the condition of a state or state aid highway when the responsibility for maintenance of that highway is transferred to a municipality in a compact area. It provides that when the responsibility for maintenance of a section of state or state aid highway is to be transferred to a municipality as a result of population growth, determined using the decennial United States census, or the