

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular or First Special Sessions of the 123rd Maine Legislature coming from the

JOINT STANDING COMMITTEE ON TRANSPORTATION

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR & FIRST SPECIAL SESSIONS



**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 Second Regular or First Special Sessions of the 123rd Maine Legislature.

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:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.¹ The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123rd Legislature.

¹ The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

Joint Standing Committee on Transportation

poles being moved from a staging area to the final point of installation only.

Committee of Conference Amendment "A" (H-1045)

This amendment is the report of the Committee of Conference.

This amendment incorporates the provisions of Committee Amendment "A" by maintaining the one dollar deposit to the Specialty License Plate Fund, but reduces the amount deposited to the Highway Fund by one dollar instead of reducing the amount deposited into the fund for which the license plate has been established, with the exception of the University of Maine System renewal plates. This amendment also corrects a cross-reference.

Enacted Law Summary

Public Law 2007, chapter 703 does the following:

1. Amends the long-term trailer registration requirements to provide administrative flexibility for the extension of long-term trailer registrations;
2. Amends the disability plate law to allow a registered nurse to approve an application;
3. Corrects a title fee to charge the regular title fee when issuing a new title due to change in branding;
4. Amends the permit fee for a long-term overweight permit to be consistent with trip permit fees adopted in 2001;
5. Provides that one dollar collected for each specialty registration plate initial contribution and annual renewal contribution must be deposited into a specialty license plate fund established for the purposes of covering the costs of manufacturing and producing specialty or recognition license plates. The amendment also provides that \$5 collected for each sportsman registration plate initial contribution and \$1 collected for each sportsman registration plate renewal contribution must be deposited into the Highway Fund;
6. Provides that violations of certain federal regulations applicable to commercial motor vehicle carriers and operators are traffic infractions under Maine law;
7. Removes conflicting language from the for-hire insurance requirement provisions; and
8. Clarifies that the overlimit permit exemption for the transportation of poles applies to utility poles being moved from a staging area to the final point of installation only.

LD 2101 Resolve, To Change the Name of the South Bridge between Lewiston and Auburn

RESOLVE 147

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WAGNER	OTP-AM	H-661

This resolve changes the name of the South Bridge between the cities of Lewiston and Auburn to the Bernard Lown Peace Bridge, in honor of former local resident Dr. Bernard Lown, a cardiologist who won the Nobel Peace Prize and advanced the science of heart defibrillation. Both city councils unanimously approved the renaming of the bridge in honor of Dr. Bernard Lown.

Committee Amendment "A" (H-661)

This amendment adds the state bridge number designated by the Department of Transportation to the resolve to clarify the location of the bridge.

Joint Standing Committee on Transportation

Enacted Law Summary

Resolve 2007, chapter 147 changes the name of the South Bridge between the cities of Lewiston and Auburn to the Bernard Lown Peace Bridge, in honor of former local resident Dr. Bernard Lown, a cardiologist who won the Nobel Peace Prize and advanced the science of heart defibrillation.

LD 2102 An Act To Allow Road Associations To Determine Assessments According to Majority Vote Cast at a Duly Held Meeting

PUBLIC 625

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KNIGHT	OTP-AM A OTP-AM B ONTP C	H-818 H-976 MARLEY S-560 DAMON

This bill amends the laws pertaining to road associations formed under the private ways laws by allowing them to make assessments using any method they choose that is endorsed by a majority vote at a duly held meeting. The bill establishes guidelines for notifying lot owners of any meeting scheduled to deal with maintenance and repair of the public easement, private way or bridge. The bill establishes a quorum that is necessary to hold a meeting and to vote on issues at the meeting. The bill establishes a board to run the meetings. The bill adds maintenance of a road to the laws pertaining to road repairs. The bill also adds public easements to the private ways laws.

Committee Amendment "A" (H-818)

This amendment is similar to the bill in that it amends the laws pertaining to road associations formed under the private ways laws by allowing them to make assessments using any method they choose that is endorsed by a majority vote at a duly held meeting. The amendment establishes guidelines for notifying lot owners of any meeting scheduled to deal with maintenance and repair of the private road, private way or bridge. The amendment adds maintenance of a road to the laws pertaining to road repairs.

The amendment, which is the majority report of the committee, also provides that maintenance includes, but is not limited to, snowplowing. The amendment also provides that e-mail is an acceptable form of communication for the purposes of calling a meeting. The amendment further changes the guidelines for notification of lot owners of meetings.

Committee Amendment "B" (H-819)

This amendment, which is the minority report of the committee, strikes the provision of law that provided that the assessment for the repair or maintenance of a private way or bridge is applied proportionally on the owners according to the assessed valuation for property tax.

Committee Amendment "B" to LD 2102 was not adopted.

Senate Amendment "A" (S-531)

This amendment removes the ability of the owners to vote by absentee ballot and specifies that any proxy appointed by an owner may not be an owner of a parcel of land that is benefited by the private road, private way or bridge that is the subject of the meeting.

Senate Amendment "A" to LD 2102 was not adopted.

Senate Amendment "B" (S-560)

This amendment incorporates the changes made by Senate Amendment "A" except that it removes language requiring the mailing of proxy forms or posting of information regarding proxy forms. It removes the language that