

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

Public Law 2007, chapter 538 was enacted as an emergency measure effective March 31, 2008.

LD 2199 An Act To Establish a Railroad Crossing Information Council

PUBLIC 657

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MARRACHE | OTP-AM | S-549 S-600 MARRACHE |

This bill requires railroad corporations to provide and maintain private crossings on land bisected by the railroad. It also prohibits railroad corporations from collecting maintenance and insurance fees from property owners using rights-of-way on private crossings.

Committee Amendment "A" (S-549)

This amendment replaces the bill. The amendment establishes a Railroad Crossing Information Council to serve as a repository of information for any member of the public who would like to establish a private crossing of a railroad. The Public Advocate serves as chair of the council and coordinates efforts of the council.

Senate Amendment "A" (S-600)

This amendment requires the Public Advocate to provide staff to the Railroad Crossing Information Council within budgeted resources of the Public Advocate.

Enacted Law Summary

Public Law 2007, chapter 657 establishes a Railroad Crossing Information Council to serve as a repository of information for any member of the public who would like to establish a private crossing of a railroad. The Public Advocate serves as chair of the council and coordinates efforts of the council. The enacted bill also requires the Public Advocate to provide staff to the Railroad Crossing Information Council within budgeted resources of the Public Advocate.

LD 2204 An Act To Amend the Laws Governing Commercial Vehicles

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| JACKSON | ONTP | |

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to alleviate unnecessary restrictions placed on commercial vehicles and unnecessary burdens placed on drivers of commercial vehicles.

LD 2209 An Act To Amend the Axle Weight Laws for Trucks Transporting Unprocessed Agricultural Products and Forest Products

**DIED ON
ADJOURNMENT**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|--------------------------------|---------------------------|
| THOMAS MARTIN | ONTP A OTP-AM B OTP-AM C | |

Joint Standing Committee on Transportation

This bill provides that a vehicle transporting unprocessed agricultural products or forest products that exceeds the axle weight limits and axle weight tolerance restrictions imposed under Maine law is not subject to a fine for a violation of those limits and restrictions unless the vehicle exceeds the maximum gross vehicle weight limits, including tolerances.

Committee Amendment "A" (H-871)

This amendment, which is one of 2 minority reports, replaces the bill. The amendment provides that any vehicle that exceeds the axle weight limits and axle weight tolerance restrictions imposed under Maine law is not subject to a fine for a violation of those limits and restrictions unless the vehicle exceeds the maximum gross vehicle weight limits, including tolerances.

Committee Amendment "A" to LD 2209 was not adopted.

Committee Amendment "B" (H-872)

This amendment incorporates a fiscal note.

House Amendment "A" (H-888)

This amendment strikes the emergency preamble and emergency clause from the bill. The amendment also provides that the axle weight limits and axle weight tolerances exemption in the bill does not apply on the Interstate Highway System, including that portion designated as the Maine Turnpike.

House Amendment "A" to Committee Amendment "B" was enacted in the House, but died on the Highway Table in the Senate on adjournment.

LD 2214 Resolve, To Provide Temporary Weight Limits for Trucks Carrying Forest Products ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| COTTA | ONTP | |

This resolve provides that, on and after the effective date of this resolve but before April 1, 2008, certain vehicles carrying forest products may weigh 5% more than they would otherwise be allowed to weigh.

LD 2239 Resolve, To Name a Road in Dexter after Harold Alfond RESOLVE 176 EMERGENCY

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PLOWMAN | OTP-AM | S-466 |

This resolve names the part of State Route 7 that runs through the Town of Dexter from Corinna to Garland the Harold Alfond Memorial Highway.

Committee Amendment "A" (S-466)

This amendment adds an emergency preamble and emergency clause to the resolve.

Enacted Law Summary

Resolve 2007, chapter 176 names the part of State Route 7 that runs through the Town of Dexter from Corinna to Garland the Harold Alfond Memorial Highway.