

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

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

Sponsor(s)

COTTA

Committee Report

ONTP

Amendments Adopted

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

Sponsor(s)

PLOWMAN

Committee Report

OTP-AM

Amendments Adopted

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.

Joint Standing Committee on Transportation

Resolve 2007, chapter 176 was enacted as an emergency measure effective March 31, 2008.

LD 2244 An Act Concerning Traffic Safety Cameras

ONTP

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

Current law requires a police officer to observe a violation of a traffic control device, stop the violator, issue a summons and complaint and often go to court.

This bill is based on laws in other states that permit the use of evidence obtained from unmanned, automatic cameras to prosecute and prove traffic violations. Traffic light violation monitoring systems may be installed by the State or a county or municipality. The owner of the vehicle photographed or otherwise recorded violating a traffic control device is rebuttably presumed to be the violator, similar to current Maine law regarding passing a stopped school bus or a traffic violation at an emergency scene.

This bill also requires 50% of the revenue generated by a traffic light monitoring system to be returned to the county or municipality that installed and was operating the system at the time of the enforcement action.

LD 2259 An Act Regarding the Recommendations of the Committee To Study Appropriate Funding of the State Police

PUBLIC 537

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

This bill, which implements the minority report of the Committee To Study Appropriate Funding of the State Police, requires the Governor-elect or the Governor, in developing budgetary recommendations for funding the Department of Public Safety, Bureau of State Police, to review and use as a guide available data identifying or quantifying the activities of the Department of Public Safety, Bureau of State Police that may be eligible for funding from the Highway Fund pursuant to the Constitution of Maine, Article IX, Section 19. This provision applies to the preparation of the budget for the 2010-2011 biennium and thereafter. The bill also repeals the current provision of law that specifies a particular state funding split between the General Fund and the Highway Fund with respect to the bureau.

The bill also requires the Department of Public Safety, Bureau of State Police to report by January 30, 2009 to the joint standing committee of the Legislature having jurisdiction over transportation matters the activity data collected by the bureau during 2008 under its new data reporting system designed to track police officers' work activity.

Enacted Law Summary

Public Law 2007, chapter 537 requires the Governor-elect or the Governor, in developing budgetary recommendations for funding the Department of Public Safety, Bureau of State Police, to review and use as a guide available data identifying or quantifying the activities of the Department of Public Safety, Bureau of State Police that may be eligible for funding from the Highway Fund pursuant to the Constitution of Maine, Article IX, Section 19. This provision applies to the preparation of the budget for the 2010-2011 biennium and thereafter. The enacted bill also repeals the current provision of law that specifies a particular state funding split between the General Fund and the Highway Fund with respect to the bureau.

The enacted bill also requires the Department of Public Safety, Bureau of State Police to report by January 30, 2009