

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> 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 123<sup>rd</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON TRANSPORTATION**

May 2008

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**STATE OF MAINE**  
123<sup>RD</sup> 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 123<sup>rd</sup> 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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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.<sup>1</sup> 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 123<sup>rd</sup> Legislature.

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

# 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

## *Joint Standing Committee on Transportation*

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.

**LD 2304    An Act To Require That a Person Be a Maine Resident in Order To Be Issued a Maine Driver's License**

**PUBLIC 659  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ OTP-AM MIN	H-994    MARLEY S-645    DAMON

This bill implements the recommendations of the working group convened by the Secretary of State to examine laws governing eligibility and documentation requirements for driver's licenses and nondriver identification cards pursuant to Resolve 2007, chapter 24. This bill provides that a Maine driver's license or nondriver identification card may not be issued to a person unless the person presents to the Secretary of State acceptable documentary evidence of the person's residence or domicile in Maine. A person on active duty in the United States Armed Forces, the spouse or child of a person on active duty in the United States Armed Forces or a student enrolled in a university, college or school within Maine are exempt from these requirements.

**House Amendment "B" (H-994)**

This amendment corrects an error in an amending clause.

**Senate Amendment "A" (S-645)**

This amendment allows a person whose legal domicile is a shelter to apply for a driver's license. This amendment also allows a person who cannot provide acceptable documentary evidence of residence to take an oath or affirmation before the Secretary of State swearing to the person's residence.

**Enacted Law Summary**

Public Law 2007, chapter 659 implements the recommendations of the working group convened by the Secretary of State to examine laws governing eligibility and documentation requirements for driver's licenses and nondriver identification cards pursuant to Resolve 2007, chapter 24. The enacted bill provides that a Maine driver's license or nondriver identification card may not be issued to a person unless the person presents to the Secretary of State acceptable documentary evidence of the person's residence or domicile in Maine. A person on active duty in the United States Armed Forces, the spouse or child of a person on active duty in the United States Armed Forces or a student enrolled in a university, college or school within Maine are exempt from these requirements. The enacted bill also allows a person whose legal domicile is a shelter to apply for a driver's license. It also allows a person who cannot provide acceptable documentary evidence of residence to take an oath or affirmation before the Secretary of State swearing to the person's residence.

Public Law 2007, chapter 659 was enacted as an emergency measure effective April 18, 2008.

**LD 2309    An Act To Enhance the Security of State Credentials**

**PUBLIC 648**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM MAJ ONTP MIN	H-1020 H-1026    MILLS J

This bill requires the Secretary of State to issue driver's licenses and nondriver identification cards only to individuals who present documentary evidence of legal presence in the United States. The bill requires any license