

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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

**STAFF:**

KAREN NADEAU-DRILLEN, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
&  
SUZANNE ROY, LEGISLATIVE ANALYST  
OFFICE OF FISCAL AND PROGRAM REVIEW  
5 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207)287-1635

**MEMBERS:**

SEN. DENNIS S. DAMON, CHAIR  
SEN. BILL DIAMOND  
SEN. CHRISTINE R. SAVAGE  
  
REP. BOYD P. MARLEY, CHAIR  
REP. CHARLES D. FISHER  
REP. GEORGE W. HOGAN, SR.  
REP. EDWARD J. MAZUREK  
REP. ANN E. PEOPLES  
REP. CHARLES KEN THERIAULT  
REP. WILLIAM P. BROWNE  
REP. DOUGLAS A. THOMAS  
REP. RICHARD M. CEBRA  
REP. KIMBERLEY C. ROSEN

**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.

---

<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

It requires the Secretary of State to study the most cost-effective way, such as facial recognition or fingerprint technology, to ensure that an applicant does not have more than one driver's license or nondriver identification card issued by the State and requires the Secretary of State to report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than October 1, 2009.

It also requires the Secretary of State to study the most cost-effective way to develop and implement policies and procedures in order to take and maintain photographs of applicants and requires the Secretary of State to report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than October 1, 2009.

The enacted bill requires the Secretary of State to submit legislation to the joint standing committee of the Legislature having jurisdiction over transportation matters that returns Maine law regarding the issuance of driver's licenses and nondriver identification cards to what it was prior to the effective date of this Act if the federal REAL ID Act of 2005 is repealed, and the joint standing committee may submit a bill to the session of the Legislature in which the Secretary of State submits this legislation.

### LD 2313 An Act To Keep Bridges Safe and Roads Passable

PUBLIC 647

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM MAJ ONTP MIN	H-1017

This bill provides the revenue to support the issuance of the TransCap Trust Fund revenue bonds authorized in this bill. This bill increases the registration fee for noncommercial vehicles by \$10 to \$35 per year; increases the registration fee for commercial motor vehicles weighing less than 6,000 pounds by \$10 to \$35 per year; increases the title fee by \$10 to \$33 per year; and increases the vanity plate fee by \$10 to \$25 per year. The bill transfers the amounts raised by the fee adjustments to the TransCap Trust Fund at the Maine Municipal Bond Bank.

The bill also authorizes the Maine Municipal Bond Bank, at the request of the Department of Transportation, to issue \$160,000,000 in TransCap Trust Fund revenue bonds through fiscal year 2012-13 for the purpose of making capital improvements to bridges.

The bill also establishes a bridge innovation and composites initiative. The Department of Transportation, working with the University of Maine, shall seek to expand the use of composite technologies in bridge maintenance and capital applications, use technology and products to inspect and extend the life of bridges and develop delivery models that expedite the design, rehabilitation and construction of bridges, reduce costs and reduce the impact on the traveling public.

#### Committee Amendment "A" (H-1017)

This amendment, which is the majority report of the Joint Standing Committee on Transportation, provides an effective date of September 1, 2008. The amendment also provides that the \$10 fee increases for the registration of noncommercial vehicles, registration of commercial motor vehicles weighing 6,000 pounds or less, certificates of title and vanity plates collected between the effective date of the Act and July 1, 2009 be deposited into the Highway Fund and allocated on a one-time basis for the Highway and Bridge Capital program during the fiscal year ending June 30, 2009. The amendment also clarifies that, beginning July 1, 2009, the \$10 fee increase must be transferred on a quarterly basis by the Treasurer of State to the TransCap Trust Fund. The amendment also adds an appropriations and allocations section.

#### Enacted Law Summary

Public Law 2007, chapter 647 provides revenue to support the issuance of the TransCap Trust Fund revenue bonds authorized in this measure. It increases the registration fee for noncommercial vehicles by \$10 to \$35 per year;

## Joint Standing Committee on Transportation

increases the registration fee for commercial motor vehicles weighing less than 6,000 pounds by \$10 to \$35 per year; increases the title fee by \$10 to \$33 per year; and increases the vanity plate fee by \$10 to \$25 per year.

It provides that the \$10 fee increases for the registration of noncommercial vehicles, registration of commercial motor vehicles weighing 6,000 pounds or less, certificates of title and vanity plates collected between the effective date of the Act and July 1, 2009 be deposited into the Highway Fund and allocated on a one-time basis for the Highway and Bridge Capital program during the fiscal year ending June 30, 2009. It also provides that, beginning July 1, 2009, the \$10 fee increase must be transferred on a quarterly basis by the Treasurer of State to the TransCap Trust Fund at the Maine Municipal Bond Bank.

The enacted bill authorizes the Maine Municipal Bond Bank, at the request of the Department of Transportation, to issue \$160,000,000 in TransCap Trust Fund revenue bonds through fiscal year 2012-13 for the purpose of making capital improvements to bridges.

It also establishes a bridge innovation and composites initiative. The Department of Transportation, working with the University of Maine, shall seek to expand the use of composite technologies in bridge maintenance and capital applications, use technology and products to inspect and extend the life of bridges and develop delivery models that expedite the design, rehabilitation and construction of bridges, reduce costs and reduce the impact on the traveling public.

Public Law 2007, chapter 647 has an effective date of September 1, 2008.

### LD 2324 An Act To Expedite the Maintenance and Repair of Maine's Transportation Network

PUBLIC 682

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON		H-1040 MARLEY H-1048 MARLEY

This bill authorizes \$50,000,000 in TransCap Trust Fund revenue bonds over the next 5 years for highway reconstruction projects. The bill requires a \$5,000,000 transfer from the Maine Budget Stabilization Fund to the trust fund by June 30, 2009 and a transfer for the 2009-10 and ensuing fiscal years of amounts that represent the percentage change of Highway Fund allocations to the Department of Public Safety, Bureau of State Police accomplished in this Act.

The bill provides 51% funding for the Bureau of State Police from the General Fund and 49% funding for the Bureau of State Police from the Highway Fund.

This bill was introduced in the Senate without reference to a joint standing committee.

#### House Amendment "A" (H-1040)

This amendment removes the transfer from the Maine Budget Stabilization Fund and instead transfers funds from the Highway Fund to the TransCap Trust Fund.

#### House Amendment "B" (H-1048)

This amendment strikes the emergency preamble and the emergency clause from the bill.

#### Enacted Law Summary

Public Law 2007, chapter 682 authorizes \$50,000,000 in TransCap Trust Fund revenue bonds over the next 5 years for highway reconstruction projects. The bill requires a \$5,000,000 transfer from the Highway Fund to the trust fund by June 30, 2009 and a transfer for the 2009-10 and ensuing fiscal years of amounts that represent the