

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 electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

JOINT STANDING COMMITTEE ON TRANSPORTATION

July 2009

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. JOSEPH C. PERRY
SEN. WALTER R. GOOLEY

REP. EDWARD J. MAZUREK, CHAIR
REP. GEORGE HOGAN
REP. ANN E. PEOPLES.
REP. CHARLES KENNETH THERIAULT
REP. CHARLES W. HARLOW
REP. MICHAEL E. CAREY
REP. WILLIAM P. BROWNE
REP. DOUGLAS A. THOMAS
REP. RICHARD M. CEBRA
REP. KIMBERLEY C. ROSEN

STATE OF MAINE

124TH LEGISLATURE
FIRST REGULAR SESSION



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 First Regular Session of the 124th 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:

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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Transportation

This bill allows a driver who for medical reasons cannot wear a seat belt to receive a placard indicating the driver is not required to wear a seat belt.

Committee Amendment "A" (H-11)

This amendment, which is the majority report of the Joint Standing Committee on Transportation, provides that a certificate from a physician, which documents a person's medical condition and the opinion of the physician, is valid for the period designated by the physician and may not exceed one year.

Enacted Law Summary

Public Law 2009, chapter 436 allows a driver who for medical reasons cannot wear a seat belt to receive a placard indicating the driver is not required to wear a seat belt. It also provides that a certificate from a physician, which documents a person's medical condition and the opinion of the physician, is valid for the period designated by the physician and may not exceed one year.

LD 269 An Act To Appropriate Funds To Equip State Trooper Cars with Cages ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAUDOIN NASS R	ONTP	

This bill includes a one-time General Fund appropriation of \$73,950 and a one-time Highway Fund allocation of \$71,050 to equip each state trooper vehicle with a security cage and an ongoing General Fund appropriation of \$15,300 and an ongoing Highway Fund allocation of \$14,700 to move the units from old vehicles to new vehicles.

LD 296 Resolve, To Name the Gorham Bypass RESOLVE 6

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

This resolve names the new Gorham bypass the Bernard P. Rines Bypass.

Enacted Law Summary

Resolve 2009, chapter 6 names the new Gorham bypass the Bernard P. Rines Bypass.

LD 297 An Act To Ensure That Medical Equipment Found in a Repossessed Vehicle Is Returned to the Owner PUBLIC 45

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAY SHERMAN	OTP-AM	H-26

Joint Standing Committee on Transportation

This bill provides that the lienholder of a repossessed vehicle must return medical equipment found within that vehicle to the owner of the vehicle.

Committee Amendment "A" (H-26)

This amendment, which replaces the bill, provides that if a consumer notifies a debt collector that unsecured property taken with a repossessed vehicle includes a medical device or equipment necessary for health and welfare and that the consumer does not have practicable means to retrieve the medical device or equipment, then the debt collector is required to make arrangements to have the medical device or equipment promptly returned to the consumer if the consumer has made a reasonable request that the medical device or equipment be returned. It also provides that the debt collector can add the cost of returning the medical device or equipment to the consumer's debt.

Enacted Law Summary

Public Law 2009, chapter 45 provides that if a consumer notifies a debt collector that unsecured property taken with a repossessed vehicle includes a medical device or equipment necessary for health and welfare and that the consumer does not have practicable means to retrieve the medical device or equipment, then the debt collector is required to make arrangements to have the medical device or equipment promptly returned to the consumer if the consumer has made a reasonable request that the medical device or equipment be returned. It also provides that the debt collector can add the cost of returning the medical device or equipment to the consumer's debt.

**LD 333 An Act Making Unified Highway Fund and Other Funds Allocations for
the Expenditures of State Government and Changing Certain
Provisions of the Law Necessary to the Proper Operations of State
Government for the Fiscal Years Ending June 30, 2009, June 30, 2010
and June 30, 2011**

**PUBLIC 413
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAZUREK DAMON	OTP-AM MAJ ONTP MIN	H-539 H-582 PIOTTI

Part A makes appropriations and allocations of funds for the 2009-2010 biennium.

Part B makes appropriations and allocations of funds for approved reclassifications and range changes.

Part C recognizes projected additional Personal Services savings in the Statewide Attrition account in the Department of Administrative and Financial Services for Highway Fund departments and agencies statewide from an increase in the attrition rate from 1.6% to 5% for the 2010-2011 biennium. It authorizes the State Budget Officer to transfer funds and adjust the allocations to the affected departments and agencies.

Part D requires the State Budget Officer to calculate the savings in each Highway Fund account for the Executive Branch Departments and Independent Agencies Statewide from not granting a 4% salary increase effective January 1, 2009 to unclassified employees whose salaries are subject to the Governor's adjustment or approval. It authorizes the transfer of the savings by financial order upon approval of the Governor. These transfers are considered adjustments to allocations in fiscal years 2009-10 and 2010-11.

Part E authorizes the Commissioner of Administrative and Financial Services to offer an employee retirement incentive program, designed to encourage employees who are eligible to retire to do so. It requires the State Budget Officer to calculate the savings and transfer the amounts by financial order upon approval of the Governor. It requires that the vacated positions remain vacant from August 1, 2009 to June 30, 2011.