

MAINE STATE LEGISLATURE

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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

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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

The law authorizes the issuance of up to \$30,000,000 of TransCap Trust Fund revenue bonds for capital highway projects with an estimated useful life of 10 years or greater. It allocates \$25,000,000 of the bond proceeds for capital projects having a useful life of at least 10 years and \$5,000,000 to eliminate the proposed reduction of municipal Urban-Rural Initiative Program funds in fiscal year 2010-11.

The law further ensures that the Department of Transportation may use all funds available in the TransCap Trust Fund for its Highway and Bridge Capital program for projects with an estimated useful life of 10 years or greater.

It also requires the Joint Standing Committee on Transportation to find a solution to fund 600 miles of maintenance surface treatment paving per year without further impacts to the TransCap Trust Fund and to submit a bill to implement the solution.

Public Law 2009, chapter 413 was enacted as an emergency measure effective June 16, 2009.

LD 338 An Act To Improve the Visibility of Automobiles ONTP

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

This bill requires that a motor vehicle's headlights must be on during atmospheric conditions unfavorable to visibility.

LD 343 An Act To Establish a Specialty License Plate To Increase Funding for Autism Programs ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY J	ONTP	

This bill establishes a specialty license plate to increase funding for autism programs.

LD 356 An Act To Increase the Safety of Automobile Drivers ACCEPTED ONTP REPORT

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

This bill requires an operator of a vehicle to be properly secured in the operator's seat belt instead of simply secured. This requires the chest strap to be used by operators in addition to the lap belt.

Joint Standing Committee on Transportation

Committee Amendment "A" (S-11)

This amendment incorporates a fiscal note.

LD 383 An Act To Ensure That All Toll and Intermodal Transportation ONTP
Facilities and Roadway Lighting within the Maine Turnpike Corridor
Are Consistent with Maine's Quality of Place Goals

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL BOWMAN	ONTP	

This bill provides that all contracts and agreements relating to the construction or reconstruction of toll facilities and intermodal transportation facilities and to the replacement or installation of permanent outdoor luminaires within the Maine Turnpike corridor must be certified by the Executive Department, State Planning Office as meeting quality of place goals as established by the State Planning Office by rule.

LD 386 An Act To Establish a Process for the Determination of a Reasonable ACCEPTED ONTP
Price in the Use of Eminent Domain by the Maine Turnpike Authority **REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL BOWMAN	ONTP MAJ OTP-AM MIN	

This bill requires that, when taking property by eminent domain, the Maine Turnpike Authority determine the fair market value of property or interests to be one of the following, whichever yields the highest value:

1. The average fair market value of the property or interests over the previous 5 years;
2. The average fair market value of the property or interests over the previous 10 years; or
3. The average fair market value of the property or interests over the previous number of years equal to the number of years between the previous 2 municipal property valuations for property tax purposes.

The bill also provides that the Maine Turnpike Authority may not acquire by eminent domain any property or interests unless the authority publicly documents that no other site or design is consistent with public convenience and necessity. The bill also provides that the Maine Turnpike Authority may not use the cost of a site or design as a factor when determining whether a site or design is consistent with public convenience and necessity.

Committee Amendment "A" (H-67)

This amendment incorporates a fiscal note.