

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON TRANSPORTATION**

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**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

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
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## 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 124<sup>th</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:

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 124<sup>th</sup> 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 resolve directs the Department of Transportation to conduct a transportation study, with assistance from the Maine Turnpike Authority, that will review operations of the Maine Turnpike Authority and compare its costs with the costs of the Department of Transportation, report on the positive and negative aspects of consolidating the Maine Turnpike Authority with the Department of Transportation, report on the positive and negative aspects of privatization of the Maine Turnpike Authority and report on the availability of new funding sources, such as GARVEE bonds through the Maine Municipal Bond Bank and federal grants. This resolve directs the department to submit a report with suggested legislation to the Joint Standing Committee on Transportation. The joint standing committee is authorized to submit legislation to the Second Regular Session of the 124th Legislature.

**LD 665      An Act To Enhance Safety on Maine's Bridges**

**ONTP**

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

This bill prohibits a pedestrian from loitering or remaining, without right, on a bridge that has no sidewalk. A person who violates the prohibition commits a civil violation for which a fine of not less than \$75 and not more than \$100 may be adjudged for the first violation, a fine of not less than \$100 and not more than \$500 may be adjudged for a 2nd violation and a fine of not less than \$500 and not more than \$1,000 may be adjudged for a 3rd or subsequent violation. This prohibition is modeled in part on a similar provision for railroad track and railroad bridge safety.

**LD 706      An Act To Impose a Maximum Speed Limit of 45 Miles Per Hour on Roads on Which a School Bus Stop Is Located**

**ONTP**

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

This bill imposes a maximum speed limit of 45 miles per hour on a public way on which a school bus stop is located and allows a municipality to petition to exempt a portion of that public way from the speed limit upon a showing that there is no school bus stop located in that portion and the portion is an appropriately safe distance from the nearest school bus stop.

**LD 707      An Act To Settle a Dispute between Andrea LaPointe and Michael Barden and the State**

**ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to require the Department of Transportation to enter into an agreement with Andrea LaPointe and Michael Barden, owners of 10 Academy Street in Hallowell. The agreement must include the following terms:

## *Joint Standing Committee on Transportation*

1. The Department of Transportation shall move its fence at 10 Academy Street in Hallowell 4 feet closer to the adjacent railroad tracks than the present position of the fence;
2. Andrea LaPointe and Michael Barden may have access to the area between the house at 10 Academy Street and the Department of Transportation fence only for purposes of maintenance on the house;
3. Andrea LaPointe and Michael Barden will amend the homeowner's insurance policy on the house at 10 Academy Street to conform to reasonable Department of Transportation specifications;
4. Andrea LaPointe and Michael Barden may lower the Department of Transportation fence at 10 Academy Street at their own expense;
5. Andrea LaPointe and Michael Barden may not park any vehicles in the area between the driveway at 10 Academy Street and the railroad tracks; and
6. The agreement may not be used as evidence in a subsequent legal hearing and does not allocate any rights between the parties concerning ownership or property or create an easement.

**LD 736      Resolve, Directing the Department of Transportation To Secure  
Funding To Complete the Aroostook North-South Highway Project**

**RESOLVE 139**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	OTP-AM	H-575 MARTIN J L S-60

This resolve directs the Department of Transportation to request all available federal funding included in the American Recovery and Reinvestment Act of 2009 or any successor or substantially similar legislation enacted by Congress for the purpose of extending and completing Interstate 95.

**Committee Amendment "A" (S-60)**

This amendment, which replaces the resolve, directs the Department of Transportation to secure full funding to complete the Aroostook North-South Highway project beginning with segments in Caribou and Presque Isle through all available funding options, including federal funding through stimulus legislation and the reauthorization of federal surface transportation legislation, bonds, Highway Fund allocations and public-private partnerships.

**House Amendment "B" To Committee Amendment "A" (H-575)**

This amendment removes the emergency preamble and emergency clause from the committee amendment. This amendment also removes the requirement that the Department of Transportation secure full funding to complete the Aroostook North-South Highway and instead requires the department to secure funding for the projects listed as "significant new capacity projects of all modes and extraordinary bridge replacement, removal or rehabilitation projects" in Public Law 2007, chapter 470, which includes the Aroostook North-South Highway.

**Enacted Law Summary**

Resolve 2009, chapter 139 directs the Department of Transportation to secure funding for the projects listed as "significant new capacity projects of all modes and extraordinary bridge replacement, removal or rehabilitation projects" in Public Law 2007, chapter 470, which includes the Aroostook North-South Highway.