

# 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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# 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

**LD 1234 An Act To Regulate the Use of Traffic Surveillance Cameras**

**PUBLIC 223**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CEBRA             | OTP-AM                  | H-225                     |

This bill prohibits the use of a traffic surveillance camera to prove or enforce a violation of the motor vehicle laws.

### **Committee Amendment "A" (H-225)**

The amendment provides that the prohibition of the use of traffic surveillance cameras does not apply to a photo-monitoring system used by the Maine Turnpike Authority for toll enforcement purposes.

### **Enacted Law Summary**

Public Law 2009, chapter 223 prohibits the use of a traffic surveillance camera to prove or enforce a violation of the motor vehicle laws. It provides that the prohibition of the use of traffic surveillance cameras does not apply to a photo-monitoring system used by the Maine Turnpike Authority for toll enforcement purposes.

**LD 1274 An Act To Establish a Gold Star Family Member License Plate**

**ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MCLEOD<br>RAYE    | ONTP                    |                           |

This bill establishes the Gold Star Family Member license plate for gold star medal recipients. Gold star medals are awarded by the Adjutant General to express formally condolence and appreciation to the closest surviving family members of members of the United States Armed Forces who, since September 11, 2001, are killed in action or die as a consequence of injuries that result in the award of a Purple Heart medal.

**LD 1315 An Act To Amend the Private Way Laws with Regard to Road Associations**

**PUBLIC 239**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| DUCHESNE<br>GOODALL | OTP-AM MAJ<br>ONTP MIN  | H-316                     |

This bill clarifies the reasons why a group of property owners benefited by a private way may call a meeting of a road association, what issues a road association may address and the ability of a road association to negotiate an easement for storm water management infrastructure. This bill also allows a town to use town equipment on a private way for water quality management.

### **Committee Amendment "A" (H-316)**

This amendment, which is the majority report of the Joint Standing Committee on Transportation, eliminates a

## *Joint Standing Committee on Transportation*

provision in the bill that specified the reasons that a meeting may be called by a road association. The amendment also allows a town to use town equipment on private roads, private ways or bridges for the purposes of protecting or restoring a great pond.

### **Enacted Law Summary**

Public Law 2009, chapter 239 clarifies a road association may continue until the association is dissolved by a majority vote of its members. It clarifies the ability of a road association to negotiate an easement for storm water management infrastructure. It also allows a town to use town equipment on private roads, private ways or bridges for the purposes of protecting or restoring a great pond.

### **LD 1316 An Act To Limit the Transport of Water for Export**

**ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SCHATZ            | ONTP                    |                           |

This bill precludes the use of any new transportation infrastructure, including a road, railroad, pipeline or port facility, to be used to transport water with a final destination of any port.

### **LD 1341 An Act To Reform Maine's Motor Fuel Tax Laws**

**ACCEPTED ONTP  
REPORT**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| CROCKETT P<br>PERRY J | ONTP MAJ<br>OTP-AM MIN  |                           |

This bill restructures the excise tax imposed on motor fuels by:

1. Reducing the motor fuel excise tax imposed on gasoline from the current inflation adjusted rate of 28.4¢ per gallon to 21¢ per gallon and on diesel fuel from the current inflation adjusted rate of 29.6¢ per gallon to 21¢ per gallon;
2. Creating a price-based excise tax component to be added to the excise tax on gasoline and diesel fuel. The new component is determined annually beginning in 2010 and is based on the average retail price of gasoline or diesel fuel for New England for the previous year. The maximum increase in the overall excise tax is limited to 10% annually, except for the first year of implementation;
3. Repealing the annual indexing of motor fuels to the rate of inflation; and
4. Transferring 8¢ per gallon and 70% of the amount in excess of 8¢ of the price-based excise tax component to the TransCap Trust Fund.

### **Committee Amendment "A" (H-382)**

This amendment incorporates a fiscal note.