

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
SECOND REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TRANSPORTATION

April 2010

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
SECOND 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 Second 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:

<i>CARRIED OVER</i>	<i>Carried over to a subsequent session of the Legislature</i>
<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 HOUSES</i>	<i>House & 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&S XXX</i>	<i>Chapter # of enacted Private & 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 of the 124th Legislature is Monday, July 12, 2010. 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 1320 An Act To Ensure the Availability of Alcohol-free Motor Fuels

ONTP

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

This bill was carried over from the First Regular Session of the 124th Legislature by the Joint Standing Committee on Business, Research and Economic Development and re-referred to the Joint Standing Committee on Transportation during the Second Regular Session. This bill requires a retail dealer of gasoline and a distributor of gasoline to offer for sale or use nonethanol-blended unleaded premium grade gasoline.

LD 1501 An Act To Dedicate Surplus Transportation Funds to Highway Maintenance and Paving

**ACCEPTED ONTP
REPORT**

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

This bill requires the transfer of the uncommitted balance in the Highway Fund unallocated surplus account to the Department of Transportation Highway and Bridge Light Capital program for maintenance paving. The amount transferred to this program, when added to previous allocations to the program for the fiscal year, may not exceed an amount necessary to perform maintenance paving at a rate of 600 miles per year as calculated by the Department of Transportation and reported to the State Controller. Any remaining uncommitted balance must be transferred to the Department of Transportation Highway and Bridge Capital and Maintenance and Operations programs for capital needs.

This bill also includes a one-time Highway Fund deallocation of \$142,259 to the Department of Transportation Highway and Bridge Capital program and a corresponding one-time Highway Fund allocation to the Department of Transportation Highway and Bridge Light Capital program, to transfer the adjustment to allocation resulting from the uncommitted balance in the Highway Fund unallocated surplus account at the end of fiscal year 2008-09.

Committee Amendment "A" (S-361)

This amendment, which is the minority report of the Joint Standing Committee on Transportation, incorporates a fiscal note.

LD 1502 Resolve, To Name Route 16/27 in the Town of Stratton the Caleb Dalton Stevens Memorial Highway

RESOLVE 145

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

Joint Standing Committee on Transportation

This resolve names the portion of State Route 16/27 in the Town of Stratton as the Caleb Dalton Stevens Memorial Highway, in memory of an early pioneer settler of the region who traveled that route.

Enacted Law Summary

Resolve 2009, chapter 145 names the portion of State Route 16/27 in the Town of Stratton as the Caleb Dalton Stevens Memorial Highway, in memory of an early pioneer settler of the region who traveled that route.

LD 1503 An Act To Establish Emergency Zones on Public Ways To Minimize Accidents

PUBLIC 554

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN	OTP-AM	S-398

This bill defines emergency zones and allows the Commissioner of Transportation and the Executive Director of the Maine Turnpike Authority to lower the speed limit in those areas. Fines are doubled if a person violates this provision of law.

Committee Amendment "A" (S-398)

This committee amendment, which strikes and replaces the bill, requires an operator of a motor vehicle to proceed at a careful and prudent speed when approaching or passing through an emergency zone. The amendment defines "emergency zone" as any portion of a way where at least one stationary ambulance or emergency medical service, fire department, hazardous material response or police vehicle is located with emergency lights in use for the purposes of rendering medical assistance or responding to an event when the situation presents a risk of harm to a person using the way or an area immediately adjacent to the way.

Enacted Law Summary

Public Law 2009, chapter 554 requires an operator of a motor vehicle to proceed at a careful and prudent speed when approaching or passing through an emergency zone. The amendment defines "emergency zone" as any portion of a way where at least one stationary ambulance or emergency medical service, fire department, hazardous material response or police vehicle is located with emergency lights in use for the purposes of rendering medical assistance or responding to an event when the situation presents a risk of harm to a person using the way or an area immediately adjacent to the way.

LD 1555 An Act To Require the Bureau of Motor Vehicles To Accept Certification of Disability from the United States Department of Veterans Affairs

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J L DAMON	ONTP	

This bill requires the Department of the Secretary of State, Bureau of Motor Vehicles to accept certification of a person's disability from the United States Department of Veterans Affairs for the purpose of obtaining a disability registration plate or disability placard.