

# MAINE STATE LEGISLATURE

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



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON TRANSPORTATION**

July 2011

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND  
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

*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; legislation died  
*DIED BETWEEN HOUSES*..... House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE*..... defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT*..... action incomplete when session ended; legislation died  
*EMERGENCY*..... enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE* ..... emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT* ..... legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*..... sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY* ..... ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX*..... chapter # of enacted public Law  
*RESOLVE XXX*..... chapter # of finally passed resolve  
*VETO SUSTAINED*..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125<sup>th</sup> Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

## *Joint Standing Committee on Transportation*

### **Committee Amendment "A" (H-60)**

This amendment corrects a technical error in the bill by directing the Maine Turnpike Authority, rather than the Department of Transportation, to place directional signs on Interstate 95 for Hebron Academy. The amendment also clarifies that the signs must be placed on the portion of Interstate 95 designated as the Maine Turnpike.

### **House Amendment "A" To Committee Amendment "A" (H-73)**

This amendment amends Committee Amendment "A" to add an emergency preamble and emergency clause to the resolve.

### **Enacted Law Summary**

Resolve 2011, chapter 23 directs the Maine Turnpike Authority to place directional signs on the portion of Interstate 95 designated as the Maine Turnpike for Hebron Academy.

Resolve 2011, chapter 23 was finally passed as an emergency measure effective April 20, 2011.

**LD 501**

### **An Act To Provide the Opportunity To Register with the Selective Service System When Obtaining a Driver's License or Nondriver Identification Card**

**PUBLIC 170**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CROCKETT FARNHAM	OTP-AM	H-157 H-229 CEBRA

This bill allows a male United States citizen or immigrant to register with the federal Selective Service System on the application for a driver's license.

### **Committee Amendment "A" (H-157)**

The amendment strikes and replaces the bill. The amendment provides that, before issuing or renewing a driver's license or nondriver identification card to a male United States citizen or immigrant who is at least 18 years of age and under 26 years of age, the Secretary of State shall provide the applicant a short statement on the requirements of the federal Military Selective Service Act and a corresponding federal Military Selective Service registration form.

The amendment also provides that if the eligible applicant consents to register with the federal Selective Service System, the Secretary of State shall forward the necessary information of the applicant to the federal Selective Service System.

The amendment also adds an appropriations and allocations section.

### **House Amendment "A" To Committee Amendment "A" (H-229)**

This amendment strikes an appropriations and allocations section that was inadvertently included in Committee Amendment "A".

### **Enacted Law Summary**

Public Law 2011, chapter 170 provides that, before issuing or renewing a driver's license or nondriver identification card to a male United States citizen or immigrant who is at least 18 years of age and under 26 years of age, the Secretary of State shall provide the applicant a short statement on the requirements of the federal Military Selective

*Joint Standing Committee on Transportation*

Service Act and a corresponding federal Military Selective Service registration form.

The law also provides that if the eligible applicant consents to register with the federal Selective Service System, the Secretary of State shall forward the necessary information of the applicant to the federal Selective Service System.

**LD 520 An Act To Allow a Waiver for On-premises Signs**

**PUBLIC 115**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAULIEU THOMAS	OTP-AM	H-201

Current law prohibits on-premises signs within 20 feet from the outside edge of the paved portion of any state or state aid highway with more than 2 travel lanes and a total paved portion in excess of 24 feet in width. This bill gives the Commissioner of Transportation the authority to grant a person a waiver of this requirement if the majority of on-premises signs on either edge of the public way within 1,000 feet of the location of the proposed on-premises sign are located within 20 feet from the outside edge of the paved portion of the public way or the proposed on-premises sign replaces an on-premise sign at the same location within 20 feet from the outside edge of the paved portion of the public way.

The bill also requires that the property owner assume all costs for removal and installation of the on-premise sign and record this fact with the registry of deeds.

**Committee Amendment "A" (H-201)**

This amendment adds to the provisions set out in the bill that permit a waiver for on-premises signs. The amendment provides that if an on-premises sign is granted a waiver, the owner of the on-premises sign does not gain any permanent property rights by installing the on-premises sign within the right-of-way of the public way. The amendment also provides that the Department of Transportation is not responsible for loss or damage to an on-premises sign granted a waiver from the use of the right-of-way of the public way for highway purposes. The amendment also provides that an on-premises sign granted a waiver may be removed at any time by the department without compensation to the owner of the on-premises sign and at the owner's expense to accommodate highway uses. The amendment gives the Commissioner of Transportation the authority to adopt rules to implement the law pertaining to granting a waiver for on-premises signs.

The amendment also changes the definition of "on-premise sign" to define instead "on-premises sign" and makes other grammatical corrections. It directs the Revisor of Statutes to apply the correct term in the relevant chapter of law.

**Enacted Law Summary**

Current law prohibits on-premises signs within 20 feet from the outside edge of the paved portion of any state or state aid highway with more than 2 travel lanes and a total paved portion in excess of 24 feet in width.

Public Law 2011, chapter 115 gives the Commissioner of Transportation the authority to grant a person a waiver of this prohibition if the majority of on-premises signs on either edge of the public way within 1,000 feet of the location of the proposed on-premises sign are located within 20 feet from the outside edge of the paved portion of the public way or the proposed on-premise sign replaces an on-premises sign at the same location within 20 feet from the outside edge of the paved portion of the public way.

The law also clarifies that if an on-premises sign is granted a waiver, the owner of the on-premises sign does not