

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TRANSPORTATION

July 2013

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STATE OF MAINE

126TH LEGISLATURE

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th 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 126th Legislature is October 9, 2013. 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

LD 74 **Resolve, Directing the Department of Transportation To Place a Sign on Northbound Interstate 95 Directing Motorists to Lee Academy** **DIED BETWEEN HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TURNER CAIN	ONTP OTP	

This resolve directs the Department of Transportation to place a directional sign on Interstate 95 at the northbound exit of the highway that is located closest to Lee Academy and directs Lee Academy to assume all costs associated with the sign.

LD 75 **An Act To Ensure Pedestrian Safety in Roundabouts** **ONTP**

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

This bill requires the Department of Transportation to install whenever practicable a crosswalk at a high-use roundabout on a state highway at least 150 feet from the edge of the roundabout.

LD 108 **An Act To Rename Big Moose Mountain as Red Eagle Mountain** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON P		

This bill requires the Piscataquis County commissioners to change the name of Big Moose Mountain in the Moosehead Lake region to Red Eagle Mountain, to honor Chief Henry Red Eagle, a Maliseet Indian who was born and raised in the Moosehead region. The bill also requires the county commissioners to notify the appropriate authorities and agencies of the name change and requires that any existing road signs designating Big Moose Mountain be changed to refer to Red Eagle Mountain by the Department of Transportation and the Maine Turnpike Authority.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 109 **An Act Relating to Vehicles Delivering Home Heating Fuel** **PUBLIC 55**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS BURNS	OTP-AM	H-24

This bill clarifies that the provision of law stating that vehicles delivering home heating fuel are exempt from weight limits includes vehicles delivering firewood, wood pellets, propane and fuel oil, thus allowing such vehicles to use posted roads.

Joint Standing Committee on Transportation

Committee Amendment "A" (H-24)

This amendment, which strikes and replaces the bill, provides that rules adopted by the Department of Transportation to ensure proper use and prevent abuse of public ways under the jurisdiction of the department are routine technical rules.

In addition, under current law, county commissioners and municipal officers may impose restrictions on gross weight, speed, operation and equipment on public ways within their jurisdictions. The amendment clarifies that restrictions adopted by county commissioners and municipal officers are not rules subject to the Maine Administrative Procedure Act. The amendment also directs the department to include in the definition of "home heating fuel" oil, gas, coal, stove-length wood, propane and wood pellets.

Enacted Law Summary

Public Law 2013, chapter 55 provides that rules adopted by the Department of Transportation to ensure proper use and prevent abuse of public ways under the jurisdiction of the department are routine technical rules.

In addition, under current law, county commissioners and municipal officers may impose restrictions on gross weight, speed, operation and equipment on public ways within their jurisdictions. This law clarifies that restrictions adopted by county commissioners and municipal officers are not rules subject to the Maine Administrative Procedure Act. The law also directs the department to include in the definition of "home heating fuel" oil, gas, coal, stove-length wood, propane and wood pellets.

LD 120 An Act To Facilitate Regional Transit

CARRIED OVER

Sponsor(s)
PEOPLES
PLUMMER

Committee Report

Amendments Adopted

This bill, which is a concept draft, proposes to enact measures designed to enable the delivery of cost-effective, sustainable and customer-focused transportation services that will meet the current and future needs of the State.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 127 An Act Relating to Ways under the Jurisdiction of the Midcoast
Regional Redevelopment Authority and the Loring Development
Authority**

PUBLIC 48

Sponsor(s)
GERZOFISKY
PRIEST

Committee Report
OTP-AM

Amendments Adopted
S-15

This bill amends the definition of "public way" as used in the Maine Revised Statutes, Title 29-A to include a way owned by a quasi-municipal corporation or district.

Committee Amendment "A" (S-15)

This amendment, which strikes and replaces the bill, provides a law enforcement officer the authority to enforce the traffic laws on a way under the jurisdiction of the Midcoast Regional Redevelopment Authority and the Loring Development Authority.