

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> 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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## 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 126<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 126<sup>th</sup> 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*

by department highway and bridges projects.

The law also repeals the law establishing the arterial and major collector highway capital projects program and several statutory sections authorizing and directing the Commissioner of Transportation to establish standards for and oversee the safety of certain railroad equipment, infrastructure and operations.

The law reduces the membership of the freight transportation advisory council from 20 members to 9 members, consolidates and simplifies terms describing mandatory qualifications of the members and adds a membership category to include a person with experience in general manufacturing.

The law removes the Waldo-Hancock Bridge, which no longer exists, from the list of historic bridges for which the State is financially liable, and it clarifies that all hearings, notices, reviews and orders under the Maine Aeronautics Act must comply with the Maine Administrative Procedure Act.

**LD 712**      **Resolve, Directing the Department of Transportation To Place Signs on Interstate 295 Directing Motorists to the Town of Harpswell**      **ONTP**

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

This resolve directs the Department of Transportation to place directional signs on the portions of Interstate 295 at the northbound and southbound Brunswick and Topsham exits of the highway to direct motorists to the Town of Harpswell, and to include on the signs the Harpswell communities of Orr's Island, Bailey Island and Cundy's Harbor.

**LD 721**      **An Act To Provide Transparency in Public-private Partnerships for Transportation Projects**      **PUBLIC 208**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE	OTP-AM	H-212

Under current law, materials used or submitted in connection with a proposal for a public-private partnership for a transportation project are confidential. This bill provides that those materials are public records.

**Committee Amendment "A" (H-212)**

This amendment, which strikes and replaces the bill, repeals the requirement that the Department of Transportation determine whether a public-private partnership proposal and corresponding transportation facility are in the best interest of the public. The amendment also provides that information obtained by the department relating to a public-private partnership transportation project proposal is a public record as defined in the Freedom of Access Act, except for information designated by the private entity as a trade secret or as information that, if disclosed, would result in a business or competitive disadvantage, loss of business, invasion of privacy or other significant detriment to the private entity to whom the information belongs or pertains.

**Enacted Law Summary**

Public Law 2013, chapter 208 repeals the requirement that the Department of Transportation determine whether a public-private partnership proposal and corresponding transportation facility are in the best interest of the public. The law provides that information obtained by the department relating to a public-private partnership transportation project proposal is a public record as defined in the Freedom of Access Act, except for information designated by the private entity as a trade secret or as information that, if disclosed, would result in a business or competitive