

# 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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# STATE OF MAINE

126<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* 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**

manner. The cost of the analysis must be paid entirely by the private entity. The bill specifically prohibits any state department or agency from spending any funds for the facilitation and oversight of a comprehensive independent analysis of such a highway or utility corridor.

This bill requires that the plans for the proposed project be made available to the public for review. This bill also imposes public notice and hearing requirements and provides intervenor status to municipalities through which the proposed project may pass and to landowners whose land abuts the project similar to the public and local participation requirements for solid waste facility siting.

This bill also repeals Resolve 2011, chapter 147, "Resolve, To Require the Department of Transportation To Facilitate and Oversee a Study of the Feasibility of an East-west Highway," retroactive to the effective date of that resolve.

**LD 1296      An Act To Require the Secretary of State To Suspend a Person's License in Certain Instances Regardless of whether an Accident Report Has Been Filed      PUBLIC 123**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| WILLETTE          | OTP                     |                           |

This bill requires the Secretary of State to suspend the license of a motorist who is subject to an outstanding judgment for an unreported accident on a public way or in a place where public traffic may reasonably be anticipated that resulted in bodily injury or death or property damage of at least \$1,000.

**Enacted Law Summary**

Public Law 2013, chapter 123 requires the Secretary of State to suspend the license of a motorist who is subject to an outstanding judgment for an unreported accident on a public way or in a place where public traffic may reasonably be anticipated that resulted in bodily injury or death or property damage of at least \$1,000.

**LD 1304      Resolve, Establishing the East-west Highway Study Commission To Oversee Further Study or Planning for an East-west Highway      ONTP**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| MCCABE<br>JACKSON T | ONTP                    |                           |

This resolve establishes the East-west Highway Study Commission to oversee further study of an east-west highway.

**LD 1327      An Act To Provide Greater Options for Transportation of Public School Students for Cocurricular Activities      CARRIED OVER**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| MASTRACCIO<br>LANGLEY |                         |                           |

This bill provides that a motor vehicle with a carrying capacity of 10 to 15 passengers operated by a driver with an appropriate driver's license endorsement for a school bus designed to carry 15 passengers or fewer including the driver may be used for school activities other than conveying children to and from home and school.

*Joint Standing Committee on Transportation*

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 1356     An Act To Improve the Statutes Governing Road Associations**

**PUBLIC 198**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GOODALL           | OTP                     |                           |

This bill amends the provisions of law regarding the formation, scope and function of road associations formed for the purpose of repairing and maintaining a private road, a private way or bridge to:

1. Expand the description of what is includable as maintenance;
2. Require that notice to members of a road association must include the amount of assessment;
3. Specify what constitutes a majority vote of the road association;
4. Allow the road association to purchase liability insurance for the officers, directors and owners and to allow this cost and the costs of administration to be included in the assessment;
5. Require that the assessment must be based on a formula specified in the bylaws of the road association or approved by the owners;
6. Specify that the cap on the assessment of 1% of an owner's property valuation means the property valuation as determined by the municipality in which the property is located;
7. Remove the requirement that the assessment be collected in the same manner as town taxes and the imposition of a duty, and the corresponding liability for neglect of duty, on the commissioner or board of the road association for the collection of the assessment; and
8. Specify that the road association's commissioner or board may bring a civil action to enforce an assessment and specify the procedures and requirements for filing such an action.

**Enacted Law Summary**

Public Law 2013, chapter 198 amends the provisions of law regarding the formation, scope and function of road associations formed for the purpose of repairing and maintaining a private road, a private way or bridge to:

1. Expand the description of what is includable as maintenance;
2. Require that notice to members of a road association must include the amount of assessment;
3. Specify what constitutes a majority vote of the road association;
4. Allow the road association to purchase liability insurance for the officers, directors and owners and to allow this cost and the costs of administration to be included in the assessment;
5. Require that the assessment must be based on a formula specified in the bylaws of the road association or approved by the owners;