

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Transportation*

July 2006

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Members:

*Sen. Dennis S. Damon, Chair
Sen. Bill Diamond
Sen. Christine R. Savage*

*Rep. Boyd P. Marley, Chair
Rep. Charles D. Fisher
Rep. Rosaire "Ross" Paradis, Jr.
Rep. Sonya G. Sampson
Rep. George W. Hogan, Sr.
Rep. Edward J. Mazurek
Rep. Terrence P. McKenney
Rep. Ronald F. Collins
Rep. William P. Browne
Rep. Douglas A. Thomas*

Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second Regular Session

Summary of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla/billsumm.htm).

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:

CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed
ONTP.....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED (Pocket Veto).....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

Joint Standing Committee on Transportation

LD 437 **An Act To Create an Agriculture Recognition License Plate** **ONTP**

<u>Sponsor(s)</u> TRAHAN NUTTING J	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 437 proposed to authorize the issuance of an agriculture recognition registration plate to support programs that benefit the Maine Ag in the Classroom Association and other agricultural youth organizations approved by that association.

LD 492 **An Act To Create a Special Higher Education License Plate** **ONTP**

<u>Sponsor(s)</u> RECTOR ROSEN R	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 492 proposed to authorize the issuance of a higher education special registration plate to honor institutions of higher learning in Maine and to fund the Maine State Grant Program.

LD 501 **An Act To Amend the Operator's License and Nondriver Identification Card Requirements** **PUBLIC 469**

<u>Sponsor(s)</u> COLLINS DAMON	<u>Committee Report</u> OTP-AM MAJ OTP-AM MIN	<u>Amendments Adopted</u> H-736
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LD 501 proposed to require an applicant for a driver's license or a nondriver identification card who is a nonimmigrant to provide the Secretary of State written proof, evidence or documentation that the applicant's presence in the United States is authorized under federal law.

LD 501 also proposed that a driver's license or nondriver identification card issued to a nonimmigrant is not valid past the expiration date of the nonimmigrant's permission to remain in the United States.

Committee Amendment "A" (H-736), the committee majority report, replaced the bill and proposed to prohibit the acceptance of expired visas granted by the United States, expired documents issued by foreign countries and foreign passports showing an elapsed departure date as identification for the purpose of issuing state nondriver identification cards and driver's licenses.

Committee Amendment "B" (H-737), the committee minority report, proposed to add an appropriations and allocations section.

Joint Standing Committee on Transportation

Enacted law summary

Public Law 2005, chapter 469 prohibits the acceptance of expired visas granted by the United States, expired documents issued by foreign countries, and foreign passports showing an elapsed departure date as identification for the purpose of issuing state nondriver identification cards and driver's licenses.

LD 510 **An Act Concerning Dismantling of Railroad Track** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON J EDMONDS	ONTP	

LD 510 proposed to amend the law establishing procedures for dismantling railroad track so that it applies to any track, not just state-owned track.

LD 1159 **An Act To Promote Municipal-State Transportation Investment Partnerships** **PUBLIC 643**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER DAMON	OTP-AM	H-873

LD 1159, a concept draft pursuant to Joint Rule 208, proposed to do the following:

1. It proposed to apply to development projects that generate more than 100 passenger car equivalents at the peak hour that are located in an area designated as a growth management area in a local growth management plan that has been found by the State to be consistent with the growth management program; the compact area of an urban compact municipality; or a downtown as defined in the Maine Revised Statutes, Title 30-A, section 5222, subsection 8.

It proposed to require the Department of Transportation to match each dollar a municipality raises through the assessment of taxes on the real and personal property value created by the project through tax increment financing if the proceeds of that assessment are expended to make transportation improvements that are eligible for Highway Fund participation and will improve the level of service or substandard conditions. No state funds may be used to relieve the developer of financial obligations under a traffic movement permit approved by the Department of Transportation. Fifty percent of the unallocated surplus in the Highway Fund at the end of each fiscal year must be set aside in a non-lapsing account to support this provision, but such account may not exceed \$10,000,000. In addition, if the above circumstances are met, the bill proposed to require the Department of Administrative and Financial Services to match each dollar raised through municipal tax increment financing with the eligible expenditure of those funds being for transportation improvements or related utility and storm water improvements. The department's contribution would be financed and limited by a defined portion of the state tax increment of net new sales and income taxes generated by the development project.