

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Transportation*

*August 2005*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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).

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:

- CARRIED OVER ..... Bill Carried Over to Second Regular Session
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
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
PUBLIC XXX..... Chapter # of enacted Public Law
RESOLVE XXX..... Chapter # of finally passed Resolve
UNSIGNED..... Bill held by Governor
VETO SUSTAINED..... Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

## *Joint Standing Committee on Transportation*

Part A authorized certain transfers of excess equity of the State Retiree Health Insurance Fund to the General Fund Compensation and Benefit Plan account and Highway Fund Compensation and Benefit Plan account within the Department of Administrative and Financial Services and to the Highway Fund unallocated surplus and other funds or entities of origin.

Part B made allocations of funds for approved reclassifications and range changes.

**Committee Amendment "A" (H-46)** proposed to make certain reclassification adjustments.

### *Enacted law summary*

Public Law 2005, chapter 37 does the following.

Part A authorizes certain transfers of excess equity of the State Retiree Health Insurance Fund to the General Fund Compensation and Benefit Plan account and Highway Fund Compensation and Benefit Plan account within the Department of Administrative and Financial Services and to the Highway Fund unallocated surplus and other funds or entities of origin.

Part B makes allocations of funds for approved reclassifications and range changes.

Public Law 2005, chapter 37 was enacted as an emergency measure effective April 1, 2005.

**LD 739**

**An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2006 and June 30, 2007**

**PUBLIC 36  
EMERGENCY**

Sponsor(s)  
MARLEY  
DAMON

Committee Report  
OTP-AM

Amendments Adopted  
H-72

LD 739 proposed to do the following:

Part A made allocations of funds.

Part B adjusted allocations of funds representing reduction proposals or adjustments to current services.

Part C required the calculation and transfer of statewide savings in the Highway Fund from extending the amortization schedule of the unfunded liability of the Maine State Retirement System for fiscal years 2005-06 and 2006-07 that are identified in Part B, section 1.

Part D required the calculation and transfer of statewide savings and identification of position eliminations in the Highway Fund from the review of the current organizational structure, systems and operations of information technology units.

**Committee Amendment "A" (H-72)** replaced the bill and proposed to do the following:

## *Joint Standing Committee on Transportation*

Part A made allocations of funds.

Part B adjusted allocations of funds representing reduction proposals or adjustments to current services.

Part C required the calculation and transfer of statewide savings in the Highway Fund from extending the amortization schedule of the unfunded liability of the Maine State Retirement System for fiscal years 2005-06 and 2006-07.

Part D required the calculation and transfer of statewide savings and identification of position eliminations in the Highway Fund from the review of the current organizational structure, systems and operations of information technology units.

Part E required the calculation and transfer of statewide savings in the Highway Fund from savings in the cost of health insurance for fiscal years 2005-06 and 2006-07.

Part F provided one-time funding to the Office of Program Evaluation and Government Accountability for the review of departments and agencies that are funded by the Highway Fund.

Part G used \$2,000,000 of the anticipated \$8,150,000 increase in the funding of the Urban-Rural Initiative Program for funding municipal sand and salt storage facilities on a one-time basis for fiscal year 2005-06 and fiscal year 2006-07. This Part also directed the Department of Transportation, in conjunction with the Department of Environmental Protection, to investigate and submit a report to the Joint Standing Committee on Transportation whether environmental and health benefits of constructing some or all Priority 3 sand and salt storage facilities outweigh the cost of such construction.

**Senate Amendment "A" to Committee Amendment "A" (S-42)** proposed to remove Part G of the committee amendment, which proposed to use \$2,000,000 from the Urban-Rural Initiative Program to fund municipal sand and salt storage facilities. (Not adopted)

**Senate Amendment "B" to Committee Amendment "A" (S-43)** proposed to remove the emergency preamble and the emergency clause from the bill. (Not adopted)

### *Enacted law summary*

Public Law 2005, chapter 36 does the following:

Part A makes allocations of funds.

Part B adjusts allocations of funds representing reduction proposals or adjustments to current services.

Part C requires the calculation and transfer of statewide savings in the Highway Fund from extending the amortization schedule of the unfunded liability of the Maine State Retirement System for fiscal years 2005-06 and 2006-07.

Part D requires the calculation and transfer of statewide savings and identification of position eliminations in the Highway Fund from the review of the current organizational structure, systems and operations of information technology units.

## Joint Standing Committee on Transportation

Part E requires the calculation and transfer of statewide savings in the Highway Fund from savings in the cost of health insurance for fiscal years 2005-06 and 2006-07.

Part F provides one-time funding to the Office of Program Evaluation and Government Accountability for the review of departments and agencies that are funded by the Highway Fund.

Part G uses \$2,000,000 of the anticipated \$8,150,000 increase in the funding of the Urban-Rural Initiative Program for funding municipal sand and salt storage facilities on a one-time basis for fiscal year 2005-06 and fiscal year 2006-07. This Part also directs the Department of Transportation, in conjunction with the Department of Environmental Protection, to investigate and submit a report to the Joint Standing Committee on Transportation whether environmental and health benefits of constructing some or all Priority 3 sand and salt storage facilities outweigh the cost of such construction.

Public Law 2005, chapter 36 was enacted as an emergency measure effective April 1, 2005.

**LD 763**

### **An Act Regarding the Collection, Use, Verification and Storage of Social Security Numbers**

**PUBLIC 250**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACOBSEN COURTNEY	ONTP MAJ OTP-AM MIN	H-368

LD 763 proposed to require an applicant for a driver's license to provide proof of citizenship or documentation that the applicant is a legal resident in the United States. This bill also proposed to require the Secretary of State to notify the United States Department of Homeland Security, United States Citizenship and Immigration Services if an applicant fails to provide such proof.

**Committee Amendment "A" (H-368)**, the committee minority report, replaced the bill and proposed to require the Secretary of State to collect, store and verify the social security numbers of all applicants for driver's licenses or nondriver identification cards. The amendment also proposed to prohibit the Secretary of State from issuing a driver's license or nondriver identification card to a person who does not have a valid social security number unless the person provides written proof to the Secretary of State that the person is ineligible to receive a social security number.

#### ***Enacted law summary***

Public Law 2005, chapter 250 requires the Secretary of State to collect, store and verify the social security numbers of all applicants for driver's licenses or nondriver identification cards. The law also prohibits the Secretary of State from issuing a driver's license or nondriver identification card to a person who does not have a valid social security number unless the person provides written proof to the Secretary of State that the person is ineligible to receive a social security number.