

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Transportation*

July 2003

Members:

*Sen. Pamela Henderson Hatch, Chair
Sen. Dennis S. Damon
Sen. Christine R. Savage*

Rep. Ronld E. Usher, Chair

Rep. Boyd P. Marley

Rep. Rosaire "Ross" Paradis, Jr.

Rep. Lisa T. Marrache

Rep. Sonya G. Sampson

Rep. Terrence P. McKenney

Rep. Ronald F. Collins

Rep. Deborah K. McNeil

Rep. Arlan R. Jodrey

Rep. William P. Browne

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First 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 and joint 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 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).

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:

<i>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Transportation

Committee Amendment "A" (H-121), the committee minority report, proposed to replace the bill and to repeal the indexing of motor fuel tax rates. The amendment also proposed to increase the gasoline tax by 3¢ and increase the special fuels tax by 3¢. The amendment further proposed to add an emergency preamble and emergency clause to the bill. (Not adopted)

House Amendment "A" to Committee Amendment "A" (H-234) proposed to strike the language from the amendment that would increase the gasoline tax by 3¢ and increase the special fuels tax by 3¢. (Not adopted)

LD 1379

An Act To Make Additional Allocations From the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2003

**PUBLIC 41
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
USHER HATCH PH	OTP-AM	H-69

LD 1379 proposed to do the following:

Part A proposed to make allocations of funds for fiscal year 2002-03;

Part B proposed to make allocations of funds for approved reclassifications and range changes;

Part C proposed to authorize the Department of Administrative and Financial Services on behalf of the Department of the Secretary of State to enter into financing arrangements for the acquisition of software and systems for a motor vehicle database and computer system to support the operations of the Department of the Secretary of State as approved in Public Law 2001, chapter 361, section 35. It also authorized the Department of Transportation to establish lease-purchase contracts for the procurement of vans, buses and other transportation vehicles;

Part D proposed to amend Public Law 1997, chapter 674, the authority for lease-purchase for engineering vehicles or equipment and other vehicles and equipment for Motor Transportation Service; and

Part E proposed to lapse funds from the Highway Fund Compensation and Benefits Plan to the unallocated balance of the Highway Fund.

Committee Amendment "A" (H-69) proposed to remove funding from the bill for increased costs to the Secretary of State's office for computer-related costs.

Enacted Law Summary

Public Law 2003, chapter 41 does the following:

Part A makes allocations of funds for fiscal year 2002-03;

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

Joint Standing Committee on Transportation

Part C authorizes the Department of Administrative and Financial Services on behalf of the Department of the Secretary of State to enter into financing arrangements for the acquisition of software and systems for a motor vehicle database and computer system to support the operations of the Department of the Secretary of State as approved in Public Law 2001, chapter 361, section 35. It also authorizes the Department of Transportation to establish lease-purchase contracts for the procurement of vans, buses and other transportation vehicles;

Part D amends Public Law 1997, chapter 674, the authority for lease-purchase for engineering vehicles or equipment and other vehicles and equipment for Motor Transportation Service;

Part E lapses funds from the Highway Fund Compensation and Benefits Plan to the unallocated balance of the Highway Fund;

Public Law 2003, chapter 41 was enacted as an emergency measure effective April 11, 2003.

LD 1392 An Act To Reform Highway Reconstruction Project Cost-sharing ONTP

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

LD 1392 proposed to authorize the Department of Transportation to require a local match for a highway reconstruction project on a federally designated principal arterial, minor arterial or major collector based on posted highway speeds. The bill proposed to apply the match requirement equally to all municipalities. This bill also proposed to prohibit the Department of Transportation from requiring a local match for highway reconstruction projects located in whole or in part in urban compact areas.

LD 1414 An Act To Amend the Laws Regarding Storage of Sand and Salt PUBLIC 502 and To Provide Funding for State and Municipal Storage Facilities

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
USHER HATCH PH	OTP-AM	H-428 S-315 HATCH PH

LD 1414 proposed to amend the Highway Fund budget for fiscal years 2003-04 and 2004-05 to provide \$3,000,000 in funding for the construction of salt and sand storage facilities that will be owned by the Department of Transportation and for the reimbursement of municipal expense in constructing salt and sand storage facilities. The bill also proposed to revise enforcement deadlines for Department of Transportation compliance with groundwater classification of sand and salt storage areas to reflect funding and would require the Department of Transportation and the Department of Environmental Protection to work together to ensure the best possible expenditure of available funds.

Committee Amendment "A" (H-428) proposed to require the Department of Transportation to report annually to the Department of Environmental Protection regarding expenditures for sand and salt storage areas. The amendment also proposed to exempt the Department of Transportation from violation of best management practice rules governing sand and salt storage adopted by the Department of Environmental Protection if the Department of Transportation complies with the reporting requirements in the Maine Revised Statutes, Title 38, section 451-A.