

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

*Second Regular Session and
Second Special Session*

Bill Summaries

*Joint Standing Committee
on
Transportation*

May 2004

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Maine State Legislature

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

121st Maine Legislature Second Regular Session and Second Special 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/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.....	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 April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

David C. Elliott, Director

Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Transportation

LD 1704

An Act To Amend the Maine Turnpike Authority's Budget for Calendar Year 2004

P & S 36

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH PH	OTP-AM	S-387

LD 1704 proposed to allocate \$1,000,000 in additional funds to the Maine Turnpike Authority's budget for calendar year 2004 by allocating additional toll revenues to State Police operations. The allocation of additional funds was proposed to address an unexpected increase in the cost of State Police operations on the Maine Turnpike. This unexpected increase in cost is partly due to a provision in Public Law 2003, chapter 40, Part C, section 1, which requires an increase in the overhead rate paid by the authority to the State Police for overhead services. The increase is also partly due to the result of an arbitration between the State of Maine and the Maine State Employees Association that will result in a retroactive payment of salaries and benefits to State Police personnel.

Committee Amendment "A" (S-387) proposed to reduce the allocation of additional funds to the Maine Turnpike Authority's budget for calendar year 2004 to \$598,852.

Enacted Law Summary

Private and Special Law 2003, chapter 36 allocates \$598,852 in additional funds to the Maine Turnpike Authority's budget for calendar year 2004 by allocating additional toll revenues to State Police operations. The allocation of additional funds addresses an unexpected increase in the cost of State Police operations on the Maine Turnpike. This unexpected increase in cost is partly due to a provision in Public Law 2003, chapter 40, Part C, section 1, which requires an increase in the overhead rate paid by the authority to the State Police for overhead services. The increase is also partly due to the result of an arbitration between the State of Maine and the Maine State Employees Association that will result in a retroactive payment of salaries and benefits to State Police personnel.

LD 1705

An Act To Simplify the Maine Turnpike Authority's Enforcement Procedures for Toll Violations

PUBLIC 591

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH PH	OTP-AM	H-763 MARLEY S-412

LD 1705 proposed to amend the Maine Turnpike Authority's procedures for collecting fees and fines for failure to pay tolls by establishing an administrative appeal process within the Maine Turnpike Authority. It would allow a toll evader to appeal a written notice of liability through the Maine Turnpike Authority's administrative procedures, after which a toll evader may choose to appeal the final decision of the Maine Turnpike Authority in Superior Court. The bill also proposed to provide that if the toll evader fails to pay all outstanding violations, does not dispute a notice of liability or does not comply with the decision of the Maine Turnpike Authority's appeal process, the Secretary of State, upon receipt of notice from the Maine Turnpike Authority, would suspend the registration and plates of a toll violator without providing written notice to the vehicle owner.