

# 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*

**LD 1148**                      **An Act To Recognize the Recipients of the Korea Defense Service Medal**                      **PUBLIC 420**

<u>Sponsor(s)</u> BROWN EDMONDS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u>
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LD 1148 proposed to add the Korea Defense Service Medal to the list of special commemorative decals for medals awarded that can be used with special veterans registration plates.

**Committee Amendment "A" (H-248)** proposed to add an appropriations and allocations section to the bill.

*Enacted law summary*

Public Law 2005, chapter 420 adds the Korea Defense Service Medal to the list of special commemorative decals for medals awarded that can be used with special veterans registration plates.

**LD 1159**                      **An Act To Promote Transportation Investments within Downtowns and Urban Compacts**                      **CARRIED OVER**

<u>Sponsor(s)</u> FISHER DAMON		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1159, a concept draft pursuant to Joint Rule 208, proposes to do the following:

1. It would apply to development projects that generate more than 100 passenger car equivalents at the peak hour that are located in:
  - A. 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;
  - B. The compact area of an urban compact municipality; or
  - C. A downtown as defined in the Maine Revised Statutes, Title 30-A, section 5222, subsection 8.

The Department of Transportation would be required 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 nonlapsing account to support this provision, but such account may not exceed \$10,000,000. In addition, if the above circumstances are met, the Department of Administrative and Financial Services would also be required to match each dollar raised through municipal

## *Joint Standing Committee on Transportation*

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.

2. It would provide that for such development projects, the Department of Transportation is authorized to use federal advance construction support with the up-front financing provided through private or municipal capital. The department would be authorized to apply funds required to be expended by the developer as a condition of a traffic movement permit to match federal funds and finance debt to support advance construction as long as the department uses those funds to complete a project that includes the improvements the developer is required to make under the traffic movement permit. The department would also be authorized to apply the proceeds of tax increment financing derived from the development project to match federal funds or support debt to finance the cost of advance construction.
3. It would provide a process for municipalities to build roads without federal or state financial participation that could be purchased by the State or assumed for maintenance responsibilities if the road meets state design standards and criteria for classification as a major collector or arterial highway.
4. It would provide a new structure for assessing traffic impact fees on a regional basis that would be expended to address deficiencies inside growth management areas, urban compacts or downtowns caused in part by through traffic generated on a regional basis.

**LD 1163**

**An Act To Amend the Laws Regulating Custom Vehicles**

**PUBLIC 321**

Sponsor(s)  
TRAHAN

Committee Report  
OTP-AM

Amendments Adopted  
H-517

LD 1163 proposed to define the terms "blue dot taillight," "custom vehicle" and "street rod," repeal the existing standards for street rods and establish registration, certification, title, safety and inspection requirements for street rods and custom vehicles.

**Committee Amendment "A" (H-517)** replaced the bill and proposed to define the term "custom vehicle" and establish registration and safety inspection requirements for custom vehicles. It also proposed to require the Chief of the State Police to convene a committee of interested parties to provide advice and technical assistance regarding custom vehicles and recommendations on potential inspection standards and procedures. It would further require the committee to report back to the Joint Standing Committee on Transportation no later than February 1, 2006 with any findings and recommendations.

### *Enacted law summary*

Public Law 2005, chapter 321 defines the term "custom vehicle" and establishes registration and safety inspection requirements for custom vehicles. It also requires the Chief of the State Police to convene a committee of interested parties to provide advice and technical assistance regarding custom vehicles and recommendations on potential inspection standards and procedures. It further requires the committee to report back to the Joint Standing Committee on Transportation no later than February 1, 2006 with any findings and recommendations.