

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 1363

An Act To Make Supplemental Highway Allocations for the Expenditures of State Government and To Change 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 405
EMERGENCY**

<u>Sponsor(s)</u> MARLEY DAMON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-663
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LD 1363 proposed to do the following:

Part A proposed to make supplemental allocations for fiscal years 2005-06 and 2006-07.

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

Part C proposed to make the following changes to Department of Transportation programs:

1. It would eliminate the Collector Road Improvement Fund.
2. It would authorize the transfer of any remaining Highway Fund balances in the Collector Road Program at the end of fiscal year 2004-05 to the Highway and Bridge Improvement program as a result of merging the Collector Road Program into the Highway and Bridge Improvement program.
3. It would authorize the transfer of any remaining Highway Fund balances in the Traffic Services program and the Bridge Maintenance program at the end of fiscal year 2004-05 to the Highway Maintenance program as a result of merging the Traffic Services program and Bridge Maintenance program into the Highway Maintenance program.
4. It would change the name of the Motor Transport Services program to Fleet Services.
5. It would change the name of the Highway Maintenance program to Maintenance and Operations.
6. It would change the name of the Administration and Planning program to Administration.
7. It would change the name of the Transportation Services program to Public Transportation.

Part D proposed to provide for a Maine National Guard specialty license plate.

Committee Amendment "A" (H-663) replaced the bill and proposed to do the following:

Part A proposed to make allocations of funds.

Part B proposed to make allocations for approved reclassifications and range changes.

Part C proposed to make various statutory changes necessary to complete a financial reorganization of the Department of Transportation.

Joint Standing Committee on Transportation

Part D proposed to make changes to accomplish range changes for the Chief of the State Police and Deputy Chief of the State Police.

Part E proposed to deallocate funds for the Department of Transportation.

Part F proposed to authorize the transfer of the unallocated balance of the Highway Fund at the end of fiscal year 2004-05 to the Department of Transportation for capital program needs.

Part G proposed to expand the use of the state infrastructure bank within the Department of Transportation to allow revolving loans to be made to state agencies, quasi-state government agencies and public and private utility districts.

Part H proposed to establish the funding ratio for the radio network debt service in fiscal year 2007-08.

Part I proposed to establish a certain amount of nonlapsing funds for the Department of the Secretary of State, Bureau of Motor Vehicles at the end of fiscal year 2004-05 and allows the transfer of those funds from Personal Services to All Other.

Part J proposed to allocate funds for the Department of Transportation crew reclassification.

Part K proposed to establish that the City of Portland is required to designate a light rail commuter corridor.

Part L proposed to deallocate funds for the State Police program within the Department of Public Safety.

Part M proposed to allocate funds for the Department of Administrative and Financial Services and the Department of Transportation.

Part N proposed to establish that a sportsman registration plate may not be issued until certain financial requirements are met.

Senate Amendment "A" to Committee Amendment "A" (S-364) proposed to repeal the laws that provide for the adjustment for inflation of the excise tax on internal combustion engine fuel and distillates effective January 1, 2007. This amendment was not adopted.

Enacted law summary

Public Law 2005, chapter 405 does the following:

Part A makes allocations of funds.

Part B makes allocations for approved reclassifications and range changes.

Part C makes various statutory changes necessary to complete a financial reorganization of the Department of Transportation.

Part D makes changes to accomplish range changes for the Chief of the State Police and Deputy Chief of the State Police.

Part E deallocates funds for the Department of Transportation.

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Part F authorizes the transfer of the unallocated balance of the Highway Fund at the end of fiscal year 2004-05 to the Department of Transportation for capital program needs.

Part G expands the use of the state infrastructure bank within the Department of Transportation to allow revolving loans to be made to state agencies, quasi-state government agencies and public and private utility districts.

Part H establishes the funding ratio for the radio network debt service in fiscal year 2007-08.

Part I establishes a certain amount of nonlapsing funds for the Department of the Secretary of State, Bureau of Motor Vehicles at the end of fiscal year 2004-05 and allows the transfer of those funds from Personal Services to All Other.

Part J allocates funds for the Department of Transportation crew reclassification.

Part K establishes that the City of Portland is required to designate a light rail commuter corridor.

Part L deallocates funds for the State Police program within the Department of Public Safety.

Part M allocates funds for the Department of Administrative and Financial Services and the Department of Transportation.

Part N establishes that a sportsman registration plate may not be issued until certain financial requirements are met.

Public Law 2005, chapter 405 was enacted as an emergency measure effective June 17, 2005.

LD 1396 **An Act To Create a Specialty License Plate for Members of the
Maine National Guard** **CARRIED OVER**

<u>Sponsor(s)</u> PLOWMAN		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1396 proposes to authorize the issuance of a special registration plate for past and present members of the Maine National Guard that will help fund the Maine Military Family Relief Fund.

This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

LD 1429 **An Act To Amend the Laws Governing the Size, Placement and
Use of Certain On-premises Signs** **ONTP**

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