

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Transportation*

July 2006

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Members:

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Sen. Bill Diamond
Sen. Christine R. Savage*

*Rep. Boyd P. Marley, Chair
Rep. Charles D. Fisher
Rep. Rosaire "Ross" Paradis, Jr.
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Rep. Ronald F. Collins
Rep. William P. Browne
Rep. Douglas A. Thomas*

Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second 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 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 (Pocket Veto).....	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 August 23, 2006.

Joint Standing Committee on Transportation

2. It proposed to 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 proposed to 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 proposed to 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.

Committee Amendment "A" (H-873) proposed to allow municipalities to petition the Department of Transportation to finance proposed arterial and major collector road construction projects. The department would finance up to 50% of the cost of the proposed road construction from the Highway Fund. The road must meet state design standards and function as a major collector or arterial highway as defined in Department of Transportation rules. Participating municipalities shall have a department-approved transportation plan for state and state aid highways and comply with policies and procedures adopted by the department. The municipality may finance improvement projects with contributions of local funds. The amendment proposed to offer alternative financing mechanisms to the Department of Transportation subject to a municipality's voluntary decision to participate.

Enacted law summary

Public Law 2005, chapter 643 allows municipalities to petition the Department of Transportation to finance proposed arterial and major collector road construction projects. The department would finance up to 50% of the cost of the proposed road construction from the Highway Fund. The road must meet state design standards and function as a major collector or arterial highway as defined in Department of Transportation rules. Participating municipalities shall have a department-approved transportation plan for state and state aid highways and comply with policies and procedures adopted by the department. The municipality may finance improvement projects with contributions of local funds. The new law offers alternative financing mechanisms to the Department of Transportation subject to a municipality's voluntary decision to participate.

LD 1396

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

ONTP

Sponsor(s)
PLOWMAN

Committee Report
ONTP

Amendments Adopted

LD 1396 proposed to authorize the issuance of a special registration plate for members of the Maine National Guard that would help fund the Maine Military Family Relief Fund. The license plates issued would be for past and present members of Maine National Guard only.