

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during
the Second Regular Session of the 124th Maine Legislature coming from the

JOINT STANDING COMMITTEE ON TRANSPORTATION

April 2010

STAFF:

KAREN NADEAU-DRILLEN, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
&
SUZANNE ROY, LEGISLATIVE ANALYST
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1635

MEMBERS:

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STATE OF MAINE

124TH LEGISLATURE
SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 124th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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</i>	<i>Carried over to a subsequent session of the Legislature</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 HOUSES</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; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</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>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124th Legislature is Monday, July 12, 2010. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Transportation

to study the issue of motorcycle noise, including, but not limited to, industry sound testing standards, United States Environmental Protection Agency labeling guidelines for noise emissions, and motorcycle safety inspection requirements and to report to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 15, 2011.

LD 1678 Resolve, Directing the Department of Transportation To Review the Fiscal Impact on the State of the Closure of the Railroad Track between Madawaska and Millinocket **ONTP**

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

This resolve directs the Department of Transportation to review the fiscal impact upon the State of the proposed closure of railroad tracks between the Town of Madawaska and the Town of Millinocket and report its findings to the Second Regular Session of the 124th Legislature.

LD 1719 An Act To Encourage Tourism by Ensuring the Safety, Accessibility and Availability of Highway Rest Stops and Scenic Overlooks **ACCEPTED ONTP REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS	ONTP MAJ OTP-AM MIN	

The bill prohibits loitering at rest areas maintained by the Department of Transportation and the Maine Turnpike Authority. The bill requires that rest areas on Interstate 95 located in Pittsfield and Sidney be reopened. The bill directs the Department of Transportation to open and maintain the scenic overlook in the Town of Medway on Interstate 95 northbound, which overlooks Mount Katahdin.

Committee Amendment "A" (H-627)

This amendment, which is the minority report of the Joint Standing Committee on Transportation, strikes language directing the Department of Transportation to reopen and maintain the previously closed rest area on Interstate 95 southbound in the Town of Sidney. The amendment also adds an appropriations and allocations section to the bill.

LD 1728 An Act To Make Supplemental 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 Years Ending June 30, 2010 and June 30, 2011 **PUBLIC 600 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAZUREK DAMON	OTP-AM	H-799

Joint Standing Committee on Transportation

Part A makes allocations of funds for the fiscal years ending June 30, 2010 and June 30, 2011.

Part B provides funding for approved reclassifications and range changes.

Part C amends Public Law 2009, chapter 413, Part I, section 1 to recognize that a consolidated account will be established within each executive branch agency to account for technology-related expenditures.

Part D transfers excess equity reserves for workers' compensation for fiscal year 2009-10 to the unappropriated surplus of the Highway Fund by the close of fiscal year 2009-10. This Part also transfers amounts related to savings in the Highway Fund accounts arising from rate reductions for workers' compensation in fiscal year 2010-11.

Part E transfers excess equity reserves for retiree health insurance for fiscal years 2008-09 and 2009-10 to the unappropriated surplus of the Highway Fund by the close of fiscal year 2009-10. This Part also transfers amounts related to savings in the Highway Fund accounts arising from rate reductions for retiree health insurance in fiscal year 2010-11.

Part F requires the State Budget Officer to calculate the amount of savings in the Statewide Service Center account in Part A that applies against each Highway Fund account for executive branch departments and agencies statewide from a decrease in charges by the Department of Administrative and Financial Services, Division of Financial and Personnel Services associated with savings from a reduction in retiree health insurance rates. The State Budget Officer shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2010-11.

Committee Amendment "A" (H-799)

Part A makes allocations of funds for the fiscal years ending June 30, 2010 and June 30, 2011.

Part B provides funding for approved reclassifications and range changes.

Part C amends Public Law 2009, chapter 413, Part I, section 1 to recognize that a consolidated account will be established within each executive branch agency to account for technology-related expenditures.

Part D transfers excess equity reserves for workers' compensation for fiscal year 2009-10 to the unappropriated surplus of the Highway Fund by the close of fiscal year 2009-10. The Part also transfers amounts related to savings in the Highway Fund accounts arising from rate reductions for workers' compensation in fiscal year 2010-11.

Part E transfers excess equity reserves for retiree health insurance for fiscal years 2008-09 and 2009-10 to the unappropriated surplus of the Highway Fund by the close of fiscal year 2009-10. This Part also transfers amounts related to savings in the Highway Fund accounts arising from rate reductions for retiree health insurance in fiscal year 2010-11.

Part F requires the State Budget Officer to calculate the amount of savings in the Statewide Service Center account that applies against each Highway Fund account for executive branch departments and agencies statewide from a decrease in charges by the Department of Administrative and Financial Services, Division of Financial and Personnel Services associated with savings from a reduction in retiree health insurance rates. The State Budget Officer shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2010-11.

Part G restores longevity payments to employees whose compensation is funded by the Highway Fund in fiscal year 2010-11.

Part H provides that up to \$1,000,000 in savings from the Department of Secretary of State, Administration - Motor Vehicles program All Other line category may be carried forward for the eventual acquisition of a document

Joint Standing Committee on Transportation

management system to replace the department's microfilm system.

Enacted Law Summary

Public Law 2009, chapter 600 makes allocations of funds for the fiscal years ending June 30, 2010 and June 30, 2011.

It provides funding for approved reclassifications and range changes.

It amends Public Law 2009, chapter 413, Part I, section 1 to recognize that a consolidated account will be established within each executive branch agency to account for technology-related expenditures.

It transfers excess equity reserves for workers' compensation for fiscal year 2009-10 to the unappropriated surplus of the Highway Fund by the close of fiscal year 2009-10. It also transfers amounts related to savings in the Highway Fund accounts arising from rate reductions for workers' compensation in fiscal year 2010-11.

It transfers excess equity reserves for retiree health insurance for fiscal years 2008-09 and 2009-10 to the unappropriated surplus of the Highway Fund by the close of fiscal year 2009-10. It also transfers amounts related to savings in the Highway Fund accounts arising from rate reductions for retiree health insurance in fiscal year 2010-11.

It requires the State Budget Officer to calculate the amount of savings in the Statewide Service Center account that applies against each Highway Fund account for executive branch departments and agencies statewide from a decrease in charges by the Department of Administrative and Financial Services, Division of Financial and Personnel Services associated with savings from a reduction in retiree health insurance rates. The State Budget Officer shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2010-11.

It restores longevity payments to employees whose compensation is funded by the Highway Fund in fiscal year 2010-11.

It provides that up to \$1,000,000 in savings from the Department of Secretary of State, Administration - Motor Vehicles program All Other line category may be carried forward for the eventual acquisition of a document management system to replace the department's microfilm system.

Public Law 2009, chapter 600 was enacted as an emergency measure effective April 2, 2010.

**LD 1736 An Act To Improve Safety on Maine's Primary and Secondary Roads,
Reduce Road Maintenance Costs and Improve the Environment and the
Economy by Allowing Certain Heavy Commercial Vehicles on the
Interstate Highway System in Maine**

**PUBLIC 469
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	OTP-AM	S-366

This bill authorizes 6-axle combination vehicles consisting of 3-axle truck tractors with tri-axle semitrailers of up to 100,000 pounds gross vehicle weight to operate on the Maine Interstate Highway System, for as long as a federal law exempting the State from the 80,000-pound limit is in effect, if otherwise in compliance with all other requirements of the Maine Revised Statutes, Title 29-A. It also specifies that other currently authorized exemptions and exceptions do not apply to those vehicles. The bill would apply retroactively to December 16, 2009, the