

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON TRANSPORTATION

July 2011

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STATE OF MAINE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Transportation

grant program funds to primary airports for eligible capital improvement projects as determined by the department. The amendment provides that state grant program funds may also be used for Federal Aviation Administration-eligible equipment. The amendment directs the department to evenly share the local match with the eligible municipality or other political subdivision in this State for the Federal Aviation Administration airport improvement program grant offer and award an amount contingent upon the availability of state grant program funds. The amendment further provides that airport improvement projects must be approved by the Federal Aviation Administration to be eligible for state grant program funds. The amendment provides that the department is not responsible for oversight or eligibility of airport improvement projects.

This amendment also provides that federal aid requests made by municipalities or other political subdivisions for primary airport improvement projects are not subject to approval by the Commissioner of Transportation.

House Amendment "A" To Committee Amendment "A" (H-479)

This amendment restores the language that provides that the Commissioner of Transportation must approve any project and project application for a request for federal aid under the federal Airport and Airway Improvement Act of 1982's airport improvement program before it is submitted to the Federal Aviation Administration by a municipality or other political subdivision of this State.

The amendment clarifies that the Department of Transportation may distribute funds from the Primary Airport Capital Improvement Grant Program to primary airports without prior project approval by the Commissioner of Transportation.

The amendment also requires municipalities and other political subdivisions when applying for and accepting federal aid to further any purpose related to the development of aeronautics to follow the procedures set out in the Maine Revised Statutes, Title 6, section 18, subsections 2 and 2-A.

Enacted Law Summary

Public Law 2011, chapter 351 establishes the Primary Airport Capital Improvement Grant Program as a discretionary state grant program administered by the Department of Transportation.

The law requires the department to distribute available state grant program funds to primary airports, which are airports that have at least 10,000 passenger boardings per year, for eligible capital improvement projects as determined by the department. The law also provides that airport improvement projects must be approved by the Federal Aviation Administration to be eligible for state grant program fund and clarifies that the department may distribute funds from the Primary Airport Capital Improvement Grant Program to primary airports without prior project approval by the Commissioner of Transportation.

The law directs the department to evenly share the local match with the eligible municipality or other political subdivision in this State for the Federal Aviation Administration airport improvement program grant offer and award an amount contingent upon the availability of state grant program funds.

LD 796

An Act To Continue the Axle Fine Waiver during the Midwinter Season

**PUBLIC 86
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS	OTP-AM	S-40

Joint Standing Committee on Transportation

This bill repeals the repeal date for the provision waiving axle fines during the midwinter season on public ways.

Committee Amendment "A" (S-40)

This amendment adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2011, chapter 86 repeals the repeal date for the provision waiving axle fines during the midwinter season on public ways.

Public Law 2011, chapter 86 was enacted as an emergency measure effective May 16, 2011.

**LD 815 An Act To Limit the Placement of Motor Vehicle Inspection Stickers in ONTP
Automobiles**

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

This bill requires that a motor vehicle inspection sticker be placed only in the lower left-hand corner of the vehicle's windshield and that the sticker must be at least 3 inches high and 4 inches wide.

**LD 845 An Act To Hold the Maine Turnpike Authority Accountable for Its ONTP
Obligation under Maine Law To Transfer Annual Surplus Revenue to
the Department of Transportation for Road and Bridge Projects around
the State**

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

Under current law, the Maine Turnpike Authority is required to transfer any operating surplus of the Maine Turnpike each year to the Department of Transportation. "Operating surplus" means the total annual operating revenues of the authority, after money has been put aside to pay reasonable operating expenses, to pay or to reserve for capital expenditures and to meet the requirements of any resolution authorizing bonds of the authority.

This bill directs the authority to submit an annual report to the joint standing committee of the Legislature having jurisdiction over transportation matters regarding the level and proper determination of operating surplus provided to the department each year. This bill also directs the Attorney General to investigate an allegation that the authority has failed to provide an operating surplus to the department.

This bill also directs the authority to submit a one-time report to the committee no later than January 15, 2012 regarding the amount of operating surplus provided to the department annually after December 31, 1999. The bill gives the committee the authority to submit a bill to the Second Regular Session of the 125th Legislature concerning the subject matter of the report.