

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
SECOND REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TRANSPORTATION

June 2012

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STATE OF MAINE

125TH LEGISLATURE
SECOND REGULAR SESSION



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 Second 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.

<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; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ...	<i>ought-not-to-pass report accepted; legislation 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>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 125th Legislature is Thursday, August 30, 2012. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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on Transportation and allows the committee to submit a bill to the Legislature upon receipt and review of the report.

**LD 1124 An Act To Authorize the Use of Traffic Surveillance Cameras To Prove ONTP
and Enforce Violations of Overtaking and Passing School Buses**

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

This bill was carried over from the First Regular Session of the 125th Legislature.

The bill allows a municipality, law enforcement agency or school administrative unit to enforce violations of overtaking and passing a school bus through the use of traffic surveillance cameras and automated license plate recognition systems that are attached to a school bus, and requires a fine imposed for a violation of overtaking and passing a school bus to accrue to the municipality in which the violation occurred.

The bill also makes technical corrections by removing references to the term "forfeitures" to reflect the current usage in the statutes of the term "fine."

LD 1367 An Act To Restore Maine's Secondary Roads PUBLIC 652

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS	OTP-AM	S-452 S-561 COLLINS

This bill was carried over from the First Regular Session of the 125th Legislature.

The bill establishes the Secondary Roads Fund as a dedicated, nonlapsing account within the Department of Transportation for the purpose of financing capital improvements to state aid minor collector highways.

The bill provides that revenues generated from the use of land and assets, including, but not limited to, rights-of-way and other property owned by the department must be deposited into the Secondary Roads Fund. The bill also requires that any funds received by the department for damage to state property under the jurisdiction of the department must be deposited into the Secondary Roads Fund.

The bill increases the annual fee for a vanity registration plate by \$10, from \$25 to \$35, which is to be deposited into the Secondary Roads Fund.

The bill also requires that, except as otherwise provided, all fines for traffic infractions and other violations of the motor vehicle statutes accrue to the Secondary Roads Fund. The bill requires that any balance remaining in the Law Enforcement Agency Reimbursement Fund at the end of the fiscal year must be transferred to the Secondary Roads Fund.

Current law directs that state funding for the Bureau of State Police within the Department of Public Safety be allocated as follows: 49% from the Highway Fund and 51% from the General Fund. The bill provides that, beginning in fiscal year 2012-13, the proportional split between Highway Fund allocations and General Fund

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appropriations to the State Police budgetary appropriation program must be as follows: 25% must be allocated from the Highway Fund and 75% must be appropriated from the General Fund. The bill also provides that an amount equal to 24% of state funding for the Bureau of State Police be allocated from the Highway Fund to the Secondary Roads Fund.

The bill directs the Department of Transportation to set aside 10% of any available federal funds to be deposited into the Secondary Roads Fund for federally eligible projects. The bill also provides that federal funds may be used in lieu of local funds, except that the local share may not be less than 10% of the total project cost.

The bill authorizes the Commissioner of Transportation to authorize, for a fee, the placement of off-premises signs within the right-of-way of an interstate highway, a state highway or a state aid highway. The bill also provides that fees collected by the department for the placement of such off-premises signs must be deposited into the Secondary Roads Fund.

Committee Amendment "A" (S-452)

This amendment strikes from the bill the following:

1. The requirement that any balance remaining in the Law Enforcement Agency Reimbursement Fund at the end of the fiscal year must be transferred to the Secondary Roads Fund;
2. The requirement that any damages paid to the Department of Transportation must be transferred to the Secondary Roads Fund;
3. The requirement that any proceeds from leasing, letting or renting Department of Transportation property must be transferred to the Secondary Roads Fund;
4. The Commissioner of Transportation's authorization to allow, for a fee, the placement of off-premises signs within the right-of-way of an interstate highway, a state highway or state aid highway and the requirement that the fees collected by the Department of Transportation for the placement of such off-premises signs must be deposited into the Secondary Roads Fund;
5. The change to the proportional split between Highway Fund allocations and General Fund appropriations to the Department of Public Safety, Bureau of State Police budgetary appropriation program to 25% allocated from the Highway Fund and 75% appropriated from the General Fund and the requirement that an amount equal to 24% of state funding for the Bureau of State Police be allocated from the Highway Fund to the Secondary Roads Fund;
6. The increase of the annual fee for a vanity registration plate by \$10, from \$25 to \$35, to be deposited into the Secondary Roads Fund; and
7. The requirement that, except as otherwise provided, all fines for traffic infractions and other violations of the motor vehicle statutes accrue to the Secondary Roads Fund.

The bill establishes the Secondary Roads Fund as a dedicated account within the Department of Transportation for the purpose of financing capital improvements to state aid minor collector highways. The amendment changes the purpose of the Secondary Roads Fund to include financing capital improvements to state aid major collector highways as well as state aid minor collector highways and changes its name to the Secondary Road Program Fund.

The amendment also renames the Urban-Rural Initiative Program as the Local Road Assistance Program.

The bill provides that any revenue derived from the use of department land and assets for energy infrastructure development will no longer be deposited into the energy infrastructure benefits fund and will instead be deposited into the Secondary Roads Fund. The amendment clarifies that revenues generated from the use of designated

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statutory corridors, Interstate 295 and Interstate 95, not including that portion of Interstate 95 designated as the Maine Turnpike, must be deposited into the Secondary Road Program Fund. Current law directs the Maine Turnpike Authority to negotiate with the Department of Transportation to govern the conditions under which the authority will grant an occupancy agreement for use of Maine Turnpike Authority property as part of the Interstate 95 statutory corridor.

This amendment changes the effective date of the bill from July 1, 2012 to July 1, 2013.

Senate Amendment "A" To Committee Amendment "A" (S-561)

This amendment changes the percentage of revenue generated from the use of statutory corridors owned by the Department of Transportation and deposited into the Secondary Road Program Fund from 100% to 90%, with the remaining 10% deposited into the energy infrastructure benefits fund.

Enacted Law Summary

Public Law 2011, chapter 652 establishes the Secondary Road Program Fund as a dedicated account within the Department of Transportation for the purpose of financing capital improvements to state aid minor collector highways and state aid major collector highways.

The law also renames the Urban-Rural Initiative Program as the Local Road Assistance Program.

The law provides that 90% of the revenue derived from the use of statutory corridors owned by the Department of Transportation within energy infrastructure corridors must be deposited into the Secondary Road Program Fund and the remaining 10% must be deposited into the energy infrastructure benefits fund.

The effective date of Public Law 2011, chapter 652 is July 1, 2013.

LD 1593 Resolve, To Name Route 1-A between Brewer and Ellsworth the Korean War Veterans Memorial Highway RESOLVE 117

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN K ROSEN R	OTP-AM	H-693

This resolve names the portion of United States Route 1-A between the City of Brewer and the City of Ellsworth the Korean War Veterans Highway, to honor all United States Armed Forces veterans of the Korean War.

Committee Amendment "A" (H-693)

This amendment changes the name from Korean War Veterans Highway, as proposed in the bill, to the Korean War Veterans Memorial Highway.

Enacted Law Summary

Resolve 2011, chapter 117 names the portion of United States Route 1-A between the City of Brewer and the City of Ellsworth the Korean War Veterans Memorial Highway, to honor all United States Armed Forces veterans of the Korean War.