

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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amendment also removes the fee requirement.

Enacted Law Summary

Public Law 2011, chapter 605 authorizes the Secretary of State to provide a temporary registration permit to a member of the United States Armed Forces to operate a motor vehicle or trailer for 30 days if that service member has returned to the State from a deployment outside the continental United States. The law gives the Secretary of State discretion whether to adopt rules to establish the application criteria.

LD 1907

An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2012 and June 30, 2013

**PUBLIC 649
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CEBRA COLLINS	OTP-AM MAJ OTP-AM MIN	H-931

Part A makes appropriations and allocations.

Part B makes allocations of funds for approved reclassifications.

Part C increases the attrition rate for fiscal year 2012-13 from 5% to 6% for executive branch departments and agencies and the judicial branch. It also requires the State Budget Officer to calculate the savings in Part A that result from attrition and to transfer the savings by financial order upon approval of the Governor.

Part D requires the State Budget Officer to calculate the savings from a decrease in charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services for its services and to transfer those savings by financial order upon the approval of the Governor.

Part E does the following:

1. It renames the State Transit, Aviation and Rail Transportation Fund, or STAR, program the Multimodal Transportation program and changes the program from an enterprise fund program to an Other Special Revenue Funds program.
2. It repeals a provision that required the annual transfer of \$100,000 in gasoline tax revenue from the Highway Fund to the STAR program.
3. It renames several programs within the Department of Transportation as follows: the Administration - Aeronautics program is renamed the Multimodal - Aviation program; the Railroad Assistance Program is renamed the Multimodal - Freight program; the Marine Highway Transportation program is renamed the Multimodal - Island Ferry Service program; the Ports and Marine Transportation program is renamed the Multimodal - Ports and Marine program; and the Public Transportation program is renamed the Multimodal - Transit program.
4. It creates a new program, the Multimodal - Passenger Rail program.

Committee Amendment "A" (H-931)

This amendment is the majority report of the committee and it replaces the bill.

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Part A makes appropriations and allocations.

Part B makes allocations of funds for approved reclassifications.

Part C increases the attrition rate for fiscal year 2012-13 from 5% to 6% for executive branch departments and agencies and the judicial branch. It also requires the State Budget Officer to calculate the savings in Part A that result from attrition and to transfer the savings by financial order upon approval of the Governor. It also adds an appropriations and allocations section.

Part D requires the State Budget Officer to calculate the savings from a decrease in charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services for its services and to transfer those savings by financial order upon the approval of the Governor. It also adds an appropriations and allocations section.

Part E does the following:

1. It renames the State Transit, Aviation and Rail Transportation Fund, or STAR, program the Multimodal Transportation program and changes the program from an enterprise fund program to an Other Special Revenue Funds program.
2. It repeals a provision that required the annual transfer of \$100,000 in gasoline tax revenue from the Highway Fund to the STAR program.
3. It renames several programs within the Department of Transportation as follows: the Administration - Aeronautics program is renamed the Multimodal - Aviation program; the Railroad Assistance Program is renamed the Multimodal - Freight program; the Marine Highway Transportation program is renamed the Multimodal - Island Ferry Service program; the Ports and Marine Transportation program is renamed the Multimodal - Ports and Marine program; and the Public Transportation program is renamed the Multimodal - Transit program.
4. It creates a new program, the Multimodal - Passenger Rail program.

Part F carries \$170,263 in Personal Services unencumbered balance forward to the Highway Fund.

Part G carries forward from fiscal year 2011-12 any unexpended balance up to \$600,000 in the All Other line category in the Administration - Motor Vehicles program, Bureau of Motor Vehicles in the Department of the Secretary of State for the acquisition and installation of an international fuel tax agreement system to replace the IFTA Regional Processing Center in New York State.

Committee Amendment "B" (H-932)

This amendment is the minority report of the committee and it replaces the bill.

Part A makes appropriations and allocations.

Part B makes allocations of funds for approved reclassifications.

Part C increases the attrition rate for fiscal year 2012-13 from 5% to 6% for executive branch departments and agencies and the judicial branch. It also requires the State Budget Officer to calculate the savings in Part A that result from attrition and to transfer the savings by financial order upon approval of the Governor. It also adds an appropriations and allocations section.

Part D requires the State Budget Officer to calculate the savings from a decrease in charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services for its services and to

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transfer those savings by financial order upon the approval of the Governor. It also adds an appropriations and allocations section.

Part E does the following:

1. It renames the State Transit, Aviation and Rail Transportation Fund, or STAR, program the Multimodal Transportation program and changes the program from an enterprise fund program to an Other Special Revenue Funds program.
2. It repeals a provision that required the annual transfer of \$100,000 in gasoline tax revenue from the Highway Fund to the STAR program.
3. It renames several programs within the Department of Transportation as follows: the Administration - Aeronautics program is renamed the Multimodal - Aviation program; the Railroad Assistance Program is renamed the Multimodal - Freight program; the Marine Highway Transportation program is renamed the Multimodal - Island Ferry Service program; the Ports and Marine Transportation program is renamed the Multimodal - Ports and Marine program; and the Public Transportation program is renamed the Multimodal - Transit program.
4. It creates a new program, the Multimodal - Passenger Rail program.

Part F carries \$170,263 in Personal Services unencumbered balance forward to the Highway Fund.

Part G carries forward from fiscal year 2011-12 any unexpended balance up to \$600,000 in the All Other line category in the Administration - Motor Vehicles program, Bureau of Motor Vehicles in the Department of the Secretary of State for the acquisition and installation of an international fuel tax agreement system to replace the IFTA Regional Processing Center in New York State.

Enacted Law Summary

Public Law 2011, chapter 649 makes appropriations and allocations for the fiscal years ending June 30, 2012, and June 30, 2013.

It makes allocations of funds for approved reclassifications.

It increases the attrition rate for fiscal year 2012-13 from 5% to 6% for executive branch departments and agencies and the judicial branch. It also requires the State Budget Officer to calculate the savings in Part A that result from attrition and to transfer the savings by financial order upon approval of the Governor. It also adds an appropriations and allocations section.

It requires the State Budget Officer to calculate the savings from a decrease in charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services for its services and to transfer those savings by financial order upon the approval of the Governor. It also adds an appropriations and allocations section.

It renames the State Transit, Aviation and Rail Transportation Fund, or STAR, program the Multimodal Transportation program and changes the program from an enterprise fund program to an Other Special Revenue Funds program.

It repeals a provision that required the annual transfer of \$100,000 in gasoline tax revenue from the Highway Fund to the STAR program.

It renames several programs within the Department of Transportation as follows: the Administration - Aeronautics program is renamed the Multimodal - Aviation program; the Railroad Assistance Program is renamed the

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Multimodal - Freight program; the Marine Highway Transportation program is renamed the Multimodal - Island Ferry Service program; the Ports and Marine Transportation program is renamed the Multimodal - Ports and Marine program; and the Public Transportation program is renamed the Multimodal - Transit program.

It creates a new program, the Multimodal - Passenger Rail program.

It carries \$170,263 in Personal Services unencumbered balance forward to the Highway Fund.

It carries forward from fiscal year 2011-12 any unexpended balance up to \$600,000 in the All Other line category in the Administration - Motor Vehicles program, Bureau of Motor Vehicles in the Department of the Secretary of State for the acquisition and installation of an international fuel tax agreement system to replace the IFTA Regional Processing Center in New York State.

Public Law 2011, chapter 649 was enacted as an emergency measure effective April 18, 2012.

LD 1912 An Act To Encourage Responsible Teen Driving

PUBLIC 654

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND	OTP-AM A OTP-AM B ONTP C	H-953 CEBRA S-551

This bill does the following.

1. It provides that a person who has reached 15 years of age and who has successfully completed a driver education course may be issued a special restricted license based on educational or employment need. The bill removes the right to a hearing for a person with special restricted license whose license has been suspended.
2. It provides that a person who is 15 years of age or older may apply for an instruction permit, except that a person who is 15 years of age or older and has not attained 18 years of age must complete a course in driver education before applying for an instruction permit. The bill increases the period the instruction permit is valid from 18 months to 2 years.
3. It provides that a person who has not attained 18 years of age who has been issued a driver's license may not: carry passengers other than intermediate family members unless accompanied by a licensed operator who meets certain requirements in law; operate a motor vehicle between the hours of 12 a.m. and 5 a.m.; or operate a motor vehicle using a mobile telephone. The bill increases the period of restrictions for an intermediate license holder from 180 days to either 270 days from license issuance or until the person attains 18 years of age, whichever occurs later.
4. It provides that if an intermediate license holder violates any of the restrictions of an intermediate license, the period of restrictions will be extended. The bill increases the additional period of restrictions from 180 days to 270 days.
5. The bill also increases the fines for an intermediate license holder who violates the restrictions of an intermediate license from the general penalty for a traffic infraction, which is not less than \$25 and not more than \$500, to not less than \$350.
6. The bill provides that the Secretary of State shall suspend without right to a hearing the license of an intermediate