

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON TRANSPORTATION**

May 2014

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**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION  
**LEGISLATIVE DIGEST OF BILL SUMMARIES AND**  
**ENACTED LAWS**

The *Digest* is arranged 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.

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 Second Regular Session of the 126<sup>th</sup> Legislature is August 1, 2014. 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*

**LD 1804**

**Resolve, To Require the Installation of a Fence on the Penobscot Narrows Bridge**

**ONTP**

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

This resolve directs the Department of Transportation to construct and maintain pedestrian barrier fencing on the Penobscot Narrows Bridge for the purpose of suicide prevention.

**LD 1817 An Act To Amend the Law Concerning the State Cost-share Program for Salt and Sand Storage Facilities**

**PUBLIC 523  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-751

This bill provides the state share for the remaining Priority 3 salt and sand storage facility project sites by creating a final process to notify a municipality or county of available funds and for that entity to respond to an offer of funding from the Department of Transportation.

This bill requires that a municipality or county with a Priority 3 project respond within two months of receiving a certified letter from the Department of Transportation notifying the municipality or county of funds available to construct a facility for the storage of salt and sand. This bill requires that final plans for a Priority 3 project be reviewed with the Department of Transportation within 14 months of the notification of funds. This bill also requires that construction of a Priority 3 project be completed within 26 months of the notification of funds.

This bill changes the timeframe during which a municipality or county would be exempt from meeting groundwater classifications adopted after January 1, 1980 with respect to salt and sand storage facilities from three years to 26 months from the date of an offer of a state grant for the construction of those facilities. If a municipality or county fails to meet any of the deadlines, it is no longer exempt from licensing requirements for waste discharges.

This bill makes technical changes by removing language applying to funding priorities that are no longer applicable because they have already been funded or a new mechanism is being proposed in the bill.

**Committee Amendment "A" (H-751)**

This amendment adds an emergency preamble and emergency clause to the bill. This amendment also requires the Department of Transportation to report by January 1, 2017 to the joint standing committee of the Legislature having jurisdiction over transportation matters on the status of funding Priority 3 municipal and county salt and sand storage facility projects and reimbursing qualified Priority 5 projects. This amendment also requires the Department of Transportation, in consultation with the Department of Environmental Protection, to provide proposed legislation to repeal those laws governing project funding that are no longer necessary because all funding has been completed.

**Enacted Law Summary**

Public Law 2013, chapter 523 provides the state share for the remaining Priority 3 salt and sand storage facility project sites by creating a final process to notify a municipality or county of available funds and for that entity to respond to an offer of funding from the Department of Transportation.

This law requires that a municipality or county with a Priority 3 project respond within two months of receiving a