

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TRANSPORTATION

May 2014

STAFF:

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

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STATE OF MAINE
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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 HOUSESHouse & 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
EMERGENCYenacted 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 126th 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

Joint Standing Committee on Transportation

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 law 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 law also requires that construction of a Priority 3 project be completed within 26 months of the notification of funds.

This law 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 law 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.

This law 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. Lastly, this law also requires the department, 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.

Public Law 2013, chapter 523 was enacted as an emergency measure effective April 5, 2014.

LD 1831 An Act To Allow Signs for Areas of Local, Regional and Statewide Interest on the Interstate System

PUBLIC 549

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-814

This bill is reported out by the Joint Standing Committee on Transportation pursuant to Resolve 2013, chapter 14, section 4.

This bill repeals the law mandating signs for specific destinations on the interstate system and enacts provisions governing the placement of interchange guide signs and supplemental guide signs directing travelers to destinations of local, regional or statewide interest. This bill directs the Department of Transportation and the Maine Turnpike Authority to remove signs from the interstate system if existing signs do not comply with the new provisions.

This bill also amends existing law to allow a third-party to operate or sponsor a safety patrol service on the Maine Turnpike.

Committee Amendment "A" (H-814)

This amendment specifies that, while the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires rules that establish a fee to be major substantive rules, rules adopted in accordance with Maine's traveler information services laws are to be routine technical rules.

This amendment removes the requirement that a college or university must be a nonprofit institution and further specifies that the institution must be accredited and authorized to confer a degree in accordance with Title 20-A, chapter 409.

This amendment clarifies that all determinations regarding compliance as it relates to interchange and supplemental guide signs are to be made by either the Maine Turnpike Authority or the Department of Transportation.