

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TRANSPORTATION

August 2015

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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* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 127th 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. An appendix provides a summary of relevant session statistics.

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 First Regular Session of the 127th Legislature is October 15, 2015. 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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obtained by the Maine Turnpike Authority through other reasonable means, including but not limited to through databases compiled by law enforcement or other government agencies. The notice must contain a warning that if tolls are not paid, the owner's right to operate the motor vehicle in Maine may be suspended.

If the registered owner of a vehicle from another jurisdiction fails to pay or contest the notice of liability, the authority is directed to notify the Secretary of State. The Secretary of State then suspends the right of the owner to operate the vehicle in Maine and notifies the owner. The law also authorizes a law enforcement officer to remove a vehicle to a suitable parking place if it is being operated under a registration that is suspended for failure to pay tolls.

LD 1025 An Act To Require Motorized Scooters To Be Equipped with Flags ONTP

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

This bill provides that a motorized scooter may not be operated on a public way unless the motorized scooter is equipped with a reflective or fluorescent safety flag.

LD 1080 An Act Making Unified 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, 2016 and June 30, 2017 PUBLIC 268 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN COLLINS	OTP-AM	H-457

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to make unified appropriations and allocations for the expenditures of State Government, Highway Fund and other funds and change certain provisions of the law necessary to the proper operations of State Government for the fiscal years ending June 30, 2016 and June 30, 2017, as submitted by the Governor pursuant to the Maine Revised Statutes, Title 5.

Committee Amendment "A" (H-457)

This amendment strikes and replaces the concept draft. The amendment adds an emergency preamble and emergency clause.

Part A provides for the necessary expenditures of State Government and other purposes for the fiscal years ending June 30, 2016 and June 30, 2017.

Part B allows the Maine Municipal Bond Bank to issue from time to time up to \$50,000,000 of GARVEE bonds for highway and bridge needs.

Part C requires the State Controller to transfer at the close of fiscal years 2015-16 and 2016-17 amounts exceeding \$100,000 from the unallocated balance in the Highway Fund, after all commitments, to the Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs within the Department of Transportation for capital or all other needs.

Part D authorizes the Commissioner of Transportation to transfer Highway Fund Personal Services balances

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available at the end of each fiscal year of the biennium to the Department of Transportation, Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The funds may be allocated by financial order upon the recommendation of the State Budget Officer and the approval of the Governor.

Part E requires the State Controller to transfer \$5,710,148 in fiscal year 2015-16 and \$5,696,863 in fiscal year 2016-17 from the unallocated surplus of the Highway Fund to the TransCap Trust Fund.

Part F allows TransCap Trust Fund grants and loans to be authorized for capital projects with an anticipated useful life of five years.

Part G authorizes the Department of Administrative and Financial Services, on behalf of the Department of Public Safety, to enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of motor vehicles for the State Police.

Part H recognizes an increase in the attrition rate to three percent for the 2016-2017 biennium for judicial branch and executive branch departments and agencies.

Part I establishes a new internal service fund, the Industrial Drive Facility Fund account in the Department of Transportation, for the purposes of purchasing, operating, maintaining, improving and repairing the department's facility located on Industrial Drive in Augusta.

Part J eliminates the legislative review and approval requirement with respect to TransCap revenue bonds that are issued to refund previously issued TransCap revenue bonds that were issued with legislative approval.

Part K eliminates the legislative authorization requirement with respect to GARVEE bonds that are issued to refund previously issued GARVEE bonds that were issued with legislative approval.

Part L requires the State Controller to carry forward up to \$200,000 of any unexpended balance in All Other, Capital Expenditures and Unallocated line categories on June 30, 2015 in the Department of the Secretary of State, Administration - Motor Vehicles program, Highway Fund account to fiscal year 2015-16 to be expended for building repairs and maintenance to the main office of the Department of the Secretary of State in Augusta.

Enacted Law Summary

Public Law 2015, chapter 268 does the following.

Part A provides for the necessary expenditures of State Government and other purposes for the fiscal years ending June 30, 2016 and June 30, 2017.

Part B allows the Maine Municipal Bond Bank to issue from time to time up to \$50,000,000 of GARVEE bonds for highway and bridge needs.

Part C requires the State Controller to transfer at the close of fiscal years 2015-16 and 2016-17 amounts exceeding \$100,000 from the unallocated balance in the Highway Fund, after all commitments, to the Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs within the Department of Transportation for capital or all other needs.

Part D authorizes the Commissioner of Transportation to transfer Highway Fund Personal Services balances available at the end of each fiscal year of the biennium to the Department of Transportation, Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The funds may be allocated by financial order upon the recommendation of the State Budget Officer and the approval of the Governor.

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Part E requires the State Controller to transfer \$5,710,148 in fiscal year 2015-16 and \$5,696,863 in fiscal year 2016-17 from the unallocated surplus of the Highway Fund to the TransCap Trust Fund.

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Part L requires the State Controller to carry forward up to \$200,000 of any unexpended balance in All Other, Capital Expenditures and Unallocated line categories on June 30, 2015 in the Department of the Secretary of State, Administration - Motor Vehicles program, Highway Fund account to fiscal year 2015-16 to be expended for building repairs and maintenance to the main office of the Department of the Secretary of State in Augusta.

Public Law 2015, chapter 268 was enacted as an emergency measure effective June 30, 2015.

LD 1104 Resolve, To Exempt Local Fuel Delivery Vehicles from Hours-of-service Restrictions during Winter Months ONTP

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

This resolve directs the Department of Public Safety, Bureau of State Police to adopt major substantive rules amending the Maine Motor Carrier Safety Regulations to exempt intrastate motor carriers, vehicles and drivers delivering fuel oil and bulk petroleum products that operate less than 100 air miles from their regular place of business from hours-of-service restrictions annually from December 1st to May 1st.

LD 1110 An Act To Modernize Road User Fees CARRIED OVER

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

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to modernize current state road user fee funding mechanisms to promote equity and sustainability and to yield the predictable funding levels needed to