

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
127<sup>TH</sup> 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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127<sup>TH</sup> LEGISLATURE

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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 127<sup>th</sup> 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 &amp; 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&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; 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 127<sup>th</sup> 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.

*Joint Standing Committee on Transportation*

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.

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

## *Joint Standing Committee on Transportation*

support a safe and reliable highway and bridge system that supports economic opportunity.

In order to attain these goals, the bill proposes to require some or all of the following:

1. A review and revision, if necessary, of the funding levels, including any anticipated shortfalls, necessary to achieve the highway and bridge capital goals enumerated in the Maine Revised Statutes, Title 23, section 73, subsection 7, paragraphs A to D;
2. A mechanism to address the erosion of Highway Fund receipts that is caused in part by higher automobile fuel efficiency such as registration fee surcharges on electric or hybrid cars or the establishment of a voluntary vehicle miles traveled program that allows a user to self-report the miles traveled and pay a tax based on those miles;
3. A method of placing a more equitable share of the costs of the highway system on nonresidents such as reducing baseline fuel tax rates and adding a seasonal gasoline tax surcharge or imposing seasonal electronic tolling;
4. Reducing baseline fuel tax rates and adding a wholesale tax component;
5. Fuel tax surcharges that are tied to fuel prices or federal fuel taxes and that would be reduced or eliminated as fuel prices or the federal tax increases; and
6. The dedication of a portion of sales tax receipts from sales of transportation-related products, such as vehicles and tires, for transportation needs.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 1122      An Act Regarding the Use of Vehicles on Monhegan Island      ONTP**

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

This bill allows the Monhegan Island Plantation Board of Assessors to regulate the use of motor vehicles on roads on Monhegan Island. Any regulation of motor vehicles must be approved by the voters of Monhegan Island Plantation.

**LD 1133      An Act To Require Snow and Ice To Be Removed from Vehicles before Operation      ONTP**

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

This bill prohibits a person from operating a motor vehicle at 40 miles per hour or more on a public way without clearing the motor vehicle of solid precipitation. Operating a motor vehicle under such circumstances is a traffic infraction subject to a \$250 fine for a first offense and \$500 for a second or subsequent offense.