

# MAINE STATE LEGISLATURE

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



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

**JOINT STANDING COMMITTEE ON TRANSPORTATION**

May 2016

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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 Second 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.

*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 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 First Regular Session of the 127<sup>th</sup> Legislature is July 29, 2016. 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*

This bill was reported out of committee in the prior session and then carried over on the Special Appropriations Table.

This bill provides an ongoing General Fund appropriation to the Department of Transportation of \$3,000,000 beginning in fiscal year 2015-16. The bill also requires the State Controller to transfer, beginning June 1, 2016 and every June 1st thereafter, \$500,000 from the Multimodal Transportation Fund program, Other Special Revenue Funds account within the Department of Transportation, to the Multimodal Transit Fund program, Other Special Revenue Funds account within the Department of Transportation. The funds must be distributed to public transportation providers statewide to better meet the need for such services.

**LD 1110      Resolve, To Study Transportation Funding Reform**

**Died On  
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN A	OTP-AM	H-563

This bill was carried over from the First Regular Session of the 127th Legislature.

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 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.

**Committee Amendment "A" (H-563)**

This amendment replaces the concept draft with a resolve directing the Joint Standing Committee on Transportation to study how to reform and adequately supplement funding for the State's transportation infrastructure to promote equity, sustainability and predictability in a manner that allows the State to responsibly provide a safe and reliable transportation system. The committee is authorized to meet for this purpose up to four times when the Legislature is not in session, and the committee's report must be submitted by November 2, 2016. The joint standing committee of the Legislature having jurisdiction over transportation matters may submit legislation to the First Regular Session of

## *Joint Standing Committee on Transportation*

the 128th Legislature relating to the subject matter of the report. The amendment adds an emergency preamble and emergency clause.

**LD 1468      Resolve, To Improve the Safety of Ferries in the State**

**RESOLVE 86**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D KINNEY J	OTP-AM	S-374 S-483    COLLINS R

This bill amends the membership of the Maine State Ferry Advisory Board and requires the board to review Department of Transportation policies related to the Maine State Ferry Service prior to implementation. The bill requires the Department of Transportation to implement recommendations contained in the "Maine State Ferry Service, MaineDOT, Operational Safety Assessment (OSA) Report" dated April 4, 2008. The bill also requires the Department of Transportation to adopt rules in connection with the Maine State Ferry Service regarding staffing levels and duties, transportation of hazardous materials, transportation of medical samples, customer service and crew stations and duties.

### **Committee Amendment "A" (S-374)**

This amendment, which replaces the bill with a resolve, strikes from the bill provisions amending the membership of the Maine State Ferry Advisory Board within the Department of Transportation.

The amendment also strikes from the bill the requirement that the Department of Transportation implement recommendations contained in the report titled "Maine State Ferry Service, MaineDOT, Operational Safety Assessment (OSA) Report" and dated April 4, 2008. Instead, the amendment requires the Department of Transportation to execute a peer review assessment of Maine State Ferry Service processes to evaluate safety procedures and marine operations of the Maine State Ferry Service. The amendment requires the Department of Transportation to submit a report with the results of the peer review assessment to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than February 1, 2017.

The amendment revises the provisions in the bill relating to rulemaking. The amendment strikes the requirement that the Department of Transportation adopt rules relating to the Maine State Ferry Service regarding staffing levels and duties, transportation of hazardous materials and standard operating procedures relating to crew stations and duties. The amendment retains the requirement that the Department of Transportation adopt rules relating to the Maine State Ferry Service regarding transportation of medical samples and customer service and adds training to the rule-making requirement. The amendment requires the Department of Transportation to report on the progress of its rulemaking to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than February 1, 2017.

The amendment also adds an appropriations and allocations section.

### **Senate Amendment "A" To Committee Amendment "A" (S-483)**

This amendment strikes and replaces the appropriations and allocations section and increases the allocations from the Island Ferry Services Fund.

### **Enacted Law Summary**

Resolve 2015, chapter 86 requires the Department of Transportation to execute a peer review assessment of Maine State Ferry Service processes to evaluate safety procedures and marine operations of the Maine State Ferry Service. This law requires the Department of Transportation to submit a report with the results of the peer review assessment to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than February 1, 2017.