

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

(Governor's Bill)
(Emergency)
Third Special Session

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 2041

H. P. 2060

House of Representatives, May 21, 1980

Governor's Bill. The Committee on Transportation suggested and 2,500 ordered printed.

Presented by Mr. Carroll of Limerick, on behalf of the Governor.

Cosponsors: Mr. McPherson of Eliot, Mr. Strout of Corinth, and Mr. Brown of Mexico.

EDWIN H. PERT, Clerk of the House

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT to Revise Allocations from the Highway Fund for the Fiscal Years from July 1, 1979 to June 30, 1981, and to Provide Increased Revenues to the Highway Fund.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, revenues from motor fuel taxes are running substantially behind budget estimates; and

Whereas, sufficient funds are not going to be available for the allocations authorized for the current fiscal year, as well as the allocations authorized for the fiscal year beginning July 1, 1980; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 23 MRSA § 1103, as last amended by PL 1979, c. 127, §§ 151 and 152, is further amended by adding at the end a new paragraph to read:

Notwithstanding this section, for the fiscal year 1980-81 only, the department shall increase its apportionment of state aid by 35% of the state aid joint fund so expended for reconstruction of improved state or state aid highways or for construction of unimproved bridges and approaches under the Bridge Act, provided the bridge is located between sections of improved state aid highways.

Sec. 2. 29 MRSA § 532, 4th ¶, as amended by PL 1975, c. 589, § 19, is further amended to read:

The fee for said a motorcycle or motor driven cycle learner's permit shall be ~~\$5~~ **\$10 through February 28, 1981 and \$5 thereafter**, which shall include the first road test. The fee for all subsequent examinations shall be ~~\$3~~ **\$5 through February 28, 1981 and \$3 thereafter**.

Sec. 3. 29 MRSA § 542, first ¶, last sentence, as repealed and replaced by PL 1977, 212, § 2, is amended to read:

The fee for such license shall be ~~\$10~~ **\$16 through February 28, 1981 and \$10 thereafter**.

Sec. 4. 29 MRSA § 542, 2nd ¶, last sentence, as enacted by PL 1977, c. 212, § 2, is amended to read:

The fee for such license shall be ~~\$5~~ **\$8 through February 28, 1981 and \$5 thereafter**.

Sec. 5. 29 MRSA § 542, last ¶, last sentence, as enacted by PL 1977, c. 212, § 3, is amended to read:

The fee for all 2-year licenses shall be ~~\$5~~ **\$8 through February 28, 1981 and \$5 thereafter**.

Sec. 6. 29 MRSA § 582, sub-§§ 1 and 2, as enacted by PL 1975, c. 589, § 21, are amended to read:

1. Class 1 or 2 license. The examination fee shall be ~~\$8~~ **\$13 through February 28, 1981 and \$8 thereafter**, which shall include the first road test. All subsequent examination fees shall be ~~\$5~~ **\$8 through February 28, 1981 and \$5 thereafter**.

2. Class 3 license. The examination fee shall be ~~\$5~~ **\$10 through February 28, 1981 and \$5 thereafter**, which shall include the first road test. All subsequent examination fees shall be ~~\$3~~ **\$5 through February 28, 1981 and \$3 thereafter**.

Sec. 7. 29 MRSA § 2352, sub-§ 1, as repealed and replaced by PL 1975, c. 745, § 13, is amended to read:

1. Fees. The Secretary of State shall be paid the following fees:

A. ~~\$5.00~~ \$7 through February 28, 1981 and \$5 thereafter

(1) For a certificate of search of the records of the Motor Vehicle Division of each name or identification number searched against; and

(2) For a certificate of title issued pursuant to section 895-A;

B. ~~\$4.00~~ \$6 through February 28, 1981 and \$4 thereafter

(1) For filing an application for a first certificate of title including security interest;

(2) For filing notice of a security interest after the first certificate of title has been issued; and

(3) For a certificate of title after a transfer;

C. ~~\$3.00~~ \$5 through February 28, 1981 and \$3 thereafter

(1) For a corrected certificate of title; and

(2) For a duplicate certificate of title;

D. ~~\$1.00~~ \$2.50 through February 28, 1981 and \$1 thereafter

(1) For each subsequent security interest noted upon a certificate of title;

(2) For filing an assignment of a security interest; and

(3) For an ordinary certificate of title issued upon surrender of a distinctive certificate.

Sec. 8. PL 1979, c. 439, Part A, § 1, under the caption "29 DEPARTMENT OF SECRETARY OF STATE," for the years 1979-80 and 1980-81, is amended to read:
0077 Motor Vehicles-Administration..... 2-117

| | | |
|-------------|------------------|------------------|
| Unallocated | 4,066,377 | 4,173,265 |
| | <u>4,016,377</u> | <u>3,794,265</u> |

Sec. 9. PL 1979, c. 439, Part A, § 1, under the caption "16 DEPARTMENT OF PUBLIC SAFETY," for the years 1979-80 and 1980-81 is amended to read:
0291 State Police 2-681

| | | |
|-------------|-----------|------------------|
| Unallocated | 8,443,538 | 8,607,628 |
| | | <u>8,207,628</u> |

Sec. 10. PL 1979, c. 439, Part A, § 1, under the caption "07 TRANSPORTATION," for the years 1979-80 and 1980-81, is amended to read:
0341 Transportation-Planning & Services .. 2-715

| | | |
|-------------|----------------|----------------|
| Unallocated | 730,809 | 768,000 |
| | <u>630,809</u> | <u>668,000</u> |

0339 Highway-Administration 2-701

| | | |
|-------------|------------------|------------------|
| Unallocated | 3,694,645 | 3,827,050 |
| | <u>3,594,645</u> | <u>3,527,050</u> |

| | | | | |
|------|-------------------------------------|-------|-----------------------|-----------------------|
| 0336 | Highway-State Aid Construction..... | 2-733 | | |
| | Unallocated | | 7,900,000 | 7,900,000 |
| | | | <u>400,000</u> | <u>6,763,000</u> |
| 0355 | Highway-Town Road Improvement | | | |
| | Fund..... | 2-734 | | |
| | Unallocated | | 1,000,000 | 1,000,000 |
| | | | | <u>600,000</u> |
| 0330 | Highway-Summer Maintenance | 2-720 | | |
| | Unallocated | | 27,285,700 | 28,719,900 |
| | | | | <u>27,219,900</u> |
| 0332 | Highway-Picnic Area | 2-725 | | |
| | Unallocated | | 105,307 | 107,604 |
| | | | | <u>-0-</u> |
| 0354 | Highway-Winter Maintenance..... | 2-741 | | |
| | Unallocated | | 17,111,208 | 17,908,874 |
| | | | <u>16,386,208</u> | <u>17,408,874</u> |
| 0358 | Highway-Bond Interest | 2-749 | | |
| | Unallocated | | 2,688,667 | 3,276,497 |
| | | | <u>2,469,267</u> | <u>3,065,897</u> |
| 0359 | Highway-Bond Retirement | 2-751 | | |
| | Unallocated | | 5,180,000 | 1,860,000 |
| | | | | <u>1,290,000</u> |
| 0406 | Highway-Highway and Bridge | | | |
| | Improvements..... | 2-753 | | |
| | Unallocated | | 1,200,000 | 3,200,000 |
| | | | | <u>1,800,000</u> |

Sec. 11. PL 1979, c. 439, Part A, § 1, the line "Total Allocation," for the years 1979-80 and 1980-81, is amended to read:

| | | |
|-------------------|-------------------------|-------------------------|
| Total Allocations | \$95,008,943 | \$95,786,207 |
| | <u>\$86,314,543</u> | <u>\$88,782,003</u> |

Sec. 12. PL 1979, c. 439, Part A, § 1, is amended to read:

Amounting to ~~\$95,008,943~~ **\$86,314,543** for the fiscal year ending June 30, 1980, and ~~\$95,786,207~~ **\$88,782,003** for the fiscal year ending June 30, 1981.

Emergency clause. In view of the emergency cited in the preamble, this Act

shall take effect when approved, except sections 1 to 10 of the Act shall take effect on July 1, 1980.

STATEMENT OF FACT

The purpose of this bill is to revise the allocations from and increase revenues to the Highway Fund to compensate for the expected shortfall of \$16,700,000 in revenues to this fund for the biennium of July 1, 1979 to June 30, 1981.

1. Revenue increases until March 1, 1981.

This bill increases operator's license fees by \$1.50 per year, driver examination fees by \$5 for initial examinations and \$3 for subsequent examinations, motorcycle license fees by \$5, and certificate of title fees by \$2 between July 1, 1980 and March 1, 1981.

| | |
|--|--------------------|
| A. Increased operator license fee revenues = | \$ 700,000 |
| B. Increased driver exam fee revenues = | 204,000 |
| C. Increased motorcycle license fee revenues = | 33,300 |
| D. Increased certificate of title fees = | 266,700 |
| Total increased fee revenues = | <u>\$1,204,000</u> |

2. Program reductions.

This bill reduces program allocations in the highway budget.

| Program | Actual Reduction 1979-80 | Actual Reduction 1980-81 | Actual Total Reduction 1979-81 |
|-----------------------------------|--------------------------------|--------------------------------|---|
| 1. Motor Vehicle Administration | \$50,000 | \$ 175,000= | \$ 225,000* |
| 2. State Police | | 400,000= | 400,000 |
| 3. Transportation: Planning | 100,000 | 100,000= | 200,000 |
| 4. Transportation: Administration | 100,000 | 300,000= | 400,000 |
| 5. State Aid Construction | 7,500,000 | 1,137,000= | 8,637,000 |
| 6. Town Road Improvement | | 400,000= | 400,000 |
| 7. Summer Maintenance | | 1,500,000= | 1,500,000 |
| 8. Picnic Area Construction | | 107,604= | 107,604 |
| 9. Winter Maintenance | 725,000 | 500,000= | 1,225,000 |
| 10. Highway Bond Interest | 219,400 | 210,600= | 430,000 |
| 11. Highway Bond Retirement | | 570,000= | 570,000 |
| 12. Highway & Bridge Improvement | | 1,400,000= | 1,400,000 |
| Total Actual Reductions | <u>\$8,694,400</u> | <u>\$6,800,204=</u> | <u>\$15,494,604</u> |

3. Total Revenues.

| | |
|-----------------------------|-------------------|
| A. Increased fee revenues = | \$ 1,204,000 |
| B. Program reductions = | <u>15,494,604</u> |

Total= \$16,698,604

*This figure represents the difference between \$429,000 in the program allocation and the increased revenues of \$204,000 from driver examination fee increases dedicated to the Motor Vehicle Division.