

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-768)
110TH LEGISLATURE
SECOND REGULAR SESSION

6 COMMITTEE AMENDMENT "A" to H.P. 1925, L.D. 1905, Bill,
7 "AN ACT Making Adjustments to the Allocations from the
8 Highway Fund for the Fiscal Years Ending June 30, 1982 and
9 June 30, 1983."

10 Amend the Bill by striking out everything after the
11 enacting clause and before the emergency clause and insert-
12 ing in its place the following:

13 'Sec. 1. 23 MRSA §53, as amended by PL 1981, c. 492,
14 Pt. C, §2, is repealed and the following enacted in its
15 place:

16 §53. Classification of highways

17 1. Classification. The department shall cause charts
18 and maps to be made showing the location and mileage of all
19 highways in the State, and shall classify the highways of
20 the State, and may, from time to time, amend that classifi-
21 cation, namely: First, state highways, which mean a system
22 of connected main highways throughout the State which prima-
23 rily serve arterial or through traffic; 2nd, state aid high-
24 ways, which mean those highways not included in the system
25 of state highways which primarily serve as collector and
26 feeder routes connecting local service roads to the arterial
27 state highway system; and 3rd, town ways, which mean all
28 other highways not included in the first 2 classes, which
29 are maintained by the towns and primarily serve as local
30 service roads providing access to adjacent land. The cri-
31 teria to be used in the classification of highways shall be
32 considered rulemaking and subject to Title 5, chapter 375,
33 subchapter II.

34 2. Maintenance, repair and upkeep. The maintenance,
35 repair and upkeep of any and all state and state aid high-
36 ways that are reclassified as town ways pursuant to subsec-
37 tion 1 shall be the responsibility of the respective towns
38 in which those ways lie and any and all rights of the State

1 COMMITTEE AMENDMENT "A" to H.P. 1925, L.D. 1905

2 in those highways are transferred to the respective towns
3 for those purposes.

4 Sec. 2. 23 MRSA §3021, sub-§3, as enacted by PL 1975,
5 c. 711, §8, is repealed and the following enacted in its
6 place:

7 3. Town way. "Town way" means:

8 A. An area or strip of land designated and held by a
9 municipality for the passage and use of the general
10 public by motor vehicle;

11 B. All town or county ways not discontinued or aban-
12 doned before July 29, 1976; and

13 C. All state or state aid highways, or both, which
14 shall be classified town ways as of July 1, 1982, or
15 thereafter, pursuant to section 53.

16 Sec. 3. PL 1981, c. 492, Pt. A, §1, under the caption
17 "DEPARTMENT OF TRANSPORTATION," Highway-Local Road
18 Assistance Program, last 2 sentences are amended to read:

19 It is the intent that only approximately 90% of the roads
20 classified as local service roads be transferred in fiscal
21 year 1983, the remaining 10% roads to be transferred in the
22 following biennium. The 10% roads retained shall be from
23 those communities impacted the greatest by the reclassifica-
24 tion of roads.

25 Sec. 4. Allocations from Highway Fund. Allocations
26 from the Highway Fund for the fiscal years ending June 30,
27 1982 and June 30, 1983 are adjusted as follows:

	ALLOCATIONS FROM HIGHWAY FUND	
	<u>1981-82</u>	<u>1982-83</u>
31 <u>TRANSPORTATION,</u>		
32 <u>DEPARTMENT OF</u>		
33 Transportation - Planning Services		
34 Unallocated	\$ (5,000)	\$ (10,000)

1 COMMITTEE AMENDMENT "A" to H.P. 1925, L.D. 1905

2	Highway - Administration		
3	Unallocated	(15,000)	(30,000)
4	Highway - Traffic Services		
5	Unallocated	(500,000)	--
6	Highway - Winter Maintenance		
7	Unallocated	--	(880,000)
8	Highway - Summer Maintenance		
9	Unallocated	(3,265,000)	(310,000)
10	Highway - Bond Interest		
11	Unallocated	487,600	1,068,313
12	Highway - Bond Retirement		
13	Unallocated	--	(2,400,000)
14	Highway - Highway and Bridge		
15	Improvements		
16	Unallocated	--	(1,000,000)
17	Highway - State Aid		
18	Unallocated	<u> --</u>	<u> 700,000</u>
19	Total Allocations	\$ (3,297,400)	\$ (2,861,687)

20 **Sec. 5. Notice to Legislature of additional allowances**
 21 **needed.** Prior to December 1st of each year for which there
 22 are insufficient state funds to match all local state aid
 23 funds, the Commissioner of Transportation shall certify to
 24 the Legislature the amount of additional allocations needed
 25 for the State to fulfill its obligations. The certification
 26 shall itemize the obligation to each municipality. Each
 27 municipality itemized shall be notified by the commissioner
 28 of the additional allocations needed for the State to ful-
 29 fill its obligations to that municipality.

30 STATEMENT OF FACT

31 This deallocation in the Highway Fund for the Depart-
 32 ment of Transportation is necessary because of a loss of

1 COMMITTEE AMENDMENT "A" to H.P. 1925, L.D. 1905

2 revenue from the motor truck and truck tractor permit fees.
3 The bill is also amended by requiring the Department of
4 Transportation to notify the Legislature of additional allo-
5 cations of money needed to pay for outstanding obligations
6 in the State Aid Account.

7 This amendment also clarifies language and legislative
8 intent incorporated in the Highway Fund allocation in Public
9 Law 1981, chapter 492.

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Reported by the Committee on Transportation.
Reproduced and distributed under the direction of the Clerk
of the House.

4/13/82

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