



# **118th MAINE LEGISLATURE**

## **SECOND REGULAR SESSION-1998**

Legislative Document

No. 2199

H.P. 1566

House of Representatives, February 6, 1998

An Act to Make Supplemental Allocations from the Highway Fund and Other Funds for the Fiscal Years Ending June 30, 1998 and June 30, 1999.

(EMERGENCY)

Reference to the Committee on Transportation suggested and ordered printed.

JOSEPH W. MAYO, Clerk

Presented by Representative DRISCOLL of Calais. (GOVERNOR'S BILL) Cosponsored by Senator O'GARA of Cumberland and Representatives: CLUKEY of Houlton, LINDAHL of Northport, SAVAGE of Union, WHEELER of Eliot, WINGLASS of Auburn, Senator: CASSIDY of Washington.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted 2 as emergencies; and 4 Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and 6 Whereas, certain obligations and expenses will become due 8 and payable prior to July 1, 1998; and 10 Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of 12 Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and 14 safety; now, therefore, 16 Be it enacted by the People of the State of Maine as follows: 18 PART A 20 Sec. A-1. Allocation. The following funds are allocated from 22 the Highway Fund for the fiscal years ending June 30, 1998 and June 30, 1999 to carry out the purposes of this Part. 24 1997-98 1998-99 26 ADMINISTRATIVE AND 28 FINANCIAL SERVICES. **DEPARTMENT OF** 30 Claims Board 32 Positions - Legislative Count (-0.500)(-0.500)Personal Services (\$7,473)34 (\$15,050)All Other 5,000 10,050 36 TOTAL (2, 473)(5,000)38 Provides for the allocation of funds through the 40 reduction in the hours of the 42 current Clerk Typist III position from 40 hours to 20 hours and provides All Other 44 funding for temporary clerical services to help 46 during high-demand cases. 48 Salary Plan 50

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_	Personal Services	(1,890,565)	(2,209,435)
2	Provides for the deallocation		
4	of funds no longer required		
6	to meet collective bargaining costs.		
U I	00000		
8	Departments and Agencies - Statewide		
10	Personal Services	(359,991)	(359,991)
12	Provides for the deallocation of funds resulting from		
14	higher than anticipated savings in workers'		
16	compensation.		
18	DEPARTMENT OF ADMINISTRATIVE AND		
20	FINANCIAL SERVICES		
	TOTAL	(2,253,029)	(2,574,426)
22	TRANSPORTATION,		
24	DEPARTMENT OF		
26	Bond Interest - Highway		
28	All Other		1,396,150
30	Provides for the allocation of funds for increased bond		
32	interest costs due to the		
24	anticipated May 1998 Highway		
34	Fund obligated bond sale of \$30,000,000.		
36			
38	Bond Retirement - Highway		
40	All Other	(640,000)	
40	Provides for the deallocation		
42	of funds that are no longer required as originally		
44	allocated.		
46	Bond Retirement - Highway		
48	All Other		2,360,000
50	Provides for the allocation		

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2 4	of funds for increased bond retirement costs due to the anticipated May 1998 Highway Fund obligated bond sale.		
6	Departmentwide		
8	Personal Services	150,000	150,000
10	Provides for the allocation of funds in order to offset a		
12	deallocation of funds authorized in Public Law		
14	1997, chapter 25, Part H.		
16	Highway Maintenance		
18	Personal Services	(28,800)	(57,600)
20	Provides for the deallocation of funds for emergency		
22	relief, which is a continuation of the capital		
24	improvement program resulting from the southern Maine flood		
26	of October 1996. These funds are available through federal		
28	funds.		
30	Highway Maintenance		
32	Personal Services	(60,000)	(235,000)
34	Provides for the deallocation of Highway Fund Personal		
36	Services funds due to the increased allocation of		
38	federal Personal Services within the Collector Road		
40	Demonstration Award Program.		
42	State Infrastructure Bank		
44	Capital Expenditures	433,800	101,600
46	Provides for the allocation of funds for the state match		
48	of federal funds for the State Infrastructure Bank.		
50	These funds will be		

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transferred to the dedicated 2 account. Island Town Refunds - Highway 4 (33,047)б All Other Provides for the deallocation 8 of funds that are no longer 10 required as originally allocated. 12 Local Road Assistance 14 Capital Expenditures (3,661)16 Provides for the deallocation of funds that are no longer 18 required as originally . 20 allocated. **DEPARTMENT OF TRANSPORTATION** 22 TOTAL (181,708)3,715,150 24 **SECTION A-1** 26 **TOTAL ALLOCATIONS** (2, 434, 737)1,140,724 Sec. A-2. Allocation. The following funds are allocated from 28 the Federal Expenditures Fund for the fiscal years ending June 30, 1998 and June 30, 1999 to carry out the purposes of this Part. 30 1997-98 1998-99 32 34 TRANSPORTATION. **DEPARTMENT OF** 36 Collector Road Program 38 Personal Services 60,000 235,000 40 Capital Expenditures (60,000)(235,000)42 TOTAL -0--0-44 Provides for the allocation of Personal Services funds 46 for the federal reimbursement engineering of services 48 within the Collector Road Demonstration Award Program

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2	and the deallocation of Capital Expenditures funds.		
4	Highway and Bridge Improvement		
6	All Other Capital Expenditures	577,200 2,000,000	3,861,000 15,000,000
8	TOTAL	2,577,200	18,861,000
10	Provides for the allocation	_,	,,
12	of Federal Expenditures funds (FHWA) for the supplemental		
14	reconstruction program, a total federal value of	,	
16	\$38,800,000.		
18	Highway and Bridge Improvement		
20	All Other	1,758,733	2,952,463
22	Capital Expenditures	18,330,310	32,767,088
24	TOTAL	20,089,043	35,719,551
2 <b>4</b>	Provides for the allocation		
26	of additional Federal Expenditures funds due to the		
28	passage of the bridge bond program.		
30	Highway Maintenance		
32	Personal Services	28,800	57,600
34	All Other	180,000	14,400
26	Capital Expenditures	100,000	216,000
36	TOTAL	308,800	288,000
38	Drevides for the allessing		
40	Provides for the allocation of funds for emergency relief grants, a continuation of the		
42	capital improvement program resulting from the southern		
44	Maine flood of October 1996.		
46	State Infrastructure Bank		
48	All Other	(4,900,000)	
50	Provides for the deallocation		

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2	of funds that are no longer needed as originally budgeted.		
4	Local Bridges		
6	All Other Capital Expenditures	31,812 116,972	452,452 2,761,717
8	TOTAL	148,784	3,214,169
10	Provides for the allocation	110,701	
12	of additional Federal Expenditures funds due to the		
14	passage of the bridge bond program.		
16	DEPARTMENT OF TRANSPORTATION		
18	TOTAL	18,223,827	58,082,720
20	SECTION A-2 TOTAL ALLOCATIONS	18,223,827	58,082,720
22		g funds are al	
	Dec. M.J. Minediani, The LOTTONTIC		
24	Other Special Revenue funds for the fi	iscal years end	ing June 20,
24 26		iscal years end purposes of th	ing June 20, his Part.
	Other Special Revenue funds for the fi 1998 and June 30, 1999 to carry out the	iscal years end	ing June 20,
26	Other Special Revenue funds for the fi	iscal years end purposes of th	ing June 20, his Part.
26 <b>28</b>	Other Special Revenue funds for the fi 1998 and June 30, 1999 to carry out the TRANSPORTATION,	iscal years end purposes of th	ing June 20, his Part.
26 28 30	Other Special Revenue funds for the fi 1998 and June 30, 1999 to carry out the TRANSPORTATION, DEPARTMENT OF	iscal years end purposes of th	ing June 20, his Part.
26 28 30 32	Other Special Revenue funds for the fi 1998 and June 30, 1999 to carry out the TRANSPORTATION, DEPARTMENT OF Highway Maintenance	iscal years end purposes of th <b>1997-98</b>	ing June 20, his Part. <b>1998-99</b>
26 28 30 32 34	Other Special Revenue funds for the fi 1998 and June 30, 1999 to carry out the TRANSPORTATION, DEPARTMENT OF Highway Maintenance All Other Provides for the allocation of All Other funds to accommodate municipal and	iscal years end purposes of th <b>1997-98</b>	ing June 20, his Part. <b>1998-99</b>
26 28 30 32 34 36	Other Special Revenue funds for the fi 1998 and June 30, 1999 to carry out the TRANSPORTATION, DEPARTMENT OF Highway Maintenance All Other Provides for the allocation of All Other funds to accommodate municipal and state cost-sharing agreements.	iscal years end purposes of th <b>1997-98</b>	ing June 20, his Part. <b>1998-99</b>
26 28 30 32 34 36 38	Other Special Revenue funds for the fi 1998 and June 30, 1999 to carry out the TRANSPORTATION, DEPARTMENT OF Highway Maintenance All Other Provides for the allocation of All Other funds to accommodate municipal and state cost-sharing agreements. Highway Maintenance	iscal years end purposes of th <b>1997-98</b> 250,000	ing June 20, his Part. <b>1998-99</b> 250,000
26 28 30 32 34 36 38 40	Other Special Revenue funds for the fi 1998 and June 30, 1999 to carry out the TRANSPORTATION, DEPARTMENT OF Highway Maintenance All Other Provides for the allocation of All Other funds to accommodate municipal and state cost-sharing agreements. Highway Maintenance All Other	iscal years end purposes of th <b>1997-98</b>	ing June 20, his Part. <b>1998-99</b>
26 28 30 32 34 36 38 40 42	Other Special Revenue funds for the fi 1998 and June 30, 1999 to carry out the TRANSPORTATION, DEPARTMENT OF Highway Maintenance All Other Provides for the allocation of All Other funds to accommodate municipal and state cost-sharing agreements. Highway Maintenance All Other Provides for the allocation of All Other funds to	iscal years end purposes of th <b>1997-98</b> 250,000	ing June 20, his Part. <b>1998-99</b> 250,000
26 28 30 32 34 36 38 40 42 44	Other Special Revenue funds for the fi 1998 and June 30, 1999 to carry out the TRANSPORTATION, DEPARTMENT OF Highway Maintenance All Other Provides for the allocation of All Other funds to accommodate municipal and state cost-sharing agreements. Highway Maintenance All Other Provides for the allocation	iscal years end purposes of th <b>1997-98</b> 250,000	ing June 20, his Part. <b>1998-99</b> 250,000

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2	leaseback agreements. Any interest income earned on money in this equipment		
4	money in this equipment leaseback account must be retained in the account and		
6,	used for the purpose of the account.		
8	State Infrastructure Bank		
10			
12	All Other	2,400,000	1,200,000
14	Provides for the allocation of funds to create the municipal and state loan		
16	program for federal highway projects.		
18	State Infrastructure Bank		
<b>2</b> 0	All Other	1,000	1,000
22	Provides for the allocation	1,000	1,000
24	of funds to create the municipal and state loan		
26	program for Federal Transit Authority projects.		
28			
30	State Infrastructure Bank		
32	All Other	200,000	300,000
	Provides for the allocation		
34	of funds to create the municipal and state loan		
36	program for transportation projects.		
38	DEPARTMENT OF		
40	TRANSPORTATION TOTAL	2,861,000	1,761,000
42		_,	_,,
44	SECTION A-3 TOTAL ALLOCATIONS	\$2,861,000	\$1,761,000
46	PART B	• •	
48		<b>.</b>	
50	<b>Sec. B-1. Allocation.</b> The following the Highway Fund for the fiscal years June 30, 1999 to the departments 1		30, 1998 and

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2	for approved reclassifications and range purposes of this Part.	changes to	carry out the
4		1997-98	1998-99
6	PUBLIC SAFETY, DEPARTMENT OF		
8			
10	State Police		
12	Personal Services All Other	\$591 (591)	\$1,193 (1,193)
14	TOTAL	-0-	-0-
16	Provides for the allocation of funds for approved		
18	reclassifications and range changes.		
20	DEPARTMENT OF PUBLIC SAFETY		
22	TOTAL	-0-	-0-
24	TRANSPORTATION, DEPARTMENT OF		
26	Bridge Maintenance		
28	- -	14 220	10 256
30	Personal Services All Other	14,339 (14,339)	10,356 (10,356)
32	TOTAL	-0-	-0-
34	Provides for the allocation of funds for approved		
36	reclassifications and range changes.		
38			· ·
40	Highway and Bridge Improvement		
42	Personal Services All Other	25,568 (25,568)	27,224 (27,224)
44	TOTAL	-0-	-0
<b>4</b> 6	Provides for the allocation of funds for approved		
48	reclassifications and range changes.		
50	<u>,</u>		

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2	Highway Maintenance		
2	Personal Services	1,926	2,973
4	All Other	(1,926)	(2,973)
6	TOTAL	-0-	-0-
8	Provides for the allocation of funds for approved		·
10	reclassifications and range changes.		
12			
14	Traffic Service	·	
16	Personal Services All Other	24,593 (24,593)	17,520 (17,520)
18	TOTAL	-0-	-0-
20	Provides for the allocation of funds for approved		
22	reclassifications and range changes.		
24			
26	DEPARTMENT OF TRANSPORTATION TOTAL	0	-0-
28	SECTION B-1	مادي موجد الكرومين الأور ومن الأور ومن المراجع المراجع والمراجع والمراجع والمراجع والمراجع والمراجع و	
	TOTAL ALLOCATIONS	\$-0-	\$-0-
30			
32	PART C		
34	Sec. C-1. PL 1997, c. 25, Pt. R is repe	aled.	¢
36	Sec. C-2. Lease-purchase authorized. Revised Statutes, Title 5, section 1587		-
38	law, the Maine Department of Transpectation of the stablish lease-purchase contracts in the stablish lease-purchase con	ortation is au	thorized to
40	or equipment that are necessary for ac of the authorized programs.	ccomplishing the	objectives
42	Sec. C-3. Retiree health; lapsed bala	MADA Notestete	tanding and
44	other provision of law, \$98,558 of un from fiscal year 1996-97 in the Highw	encumbered bala	nce forward
46	Health account in the Department of Ad Services lapse to the Highway Fund in f		
48	Services Tapse to the highway rund in I	iscai year 1997.	- 20 .

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Sec. C-4. Transfer authorized. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of 2 law, for the fiscal years ending June 30, 1998 and June 30, 1999, 4 the Commissioner of Transportation is authorized to transfer, by financial order upon the recommendation of the State Budget approval by the Governor, identified Personal 6 Officer and Services savings to any other program or line category within the 8 Highway Fund to cover any nonrecurring program costs. The financial order must identify the specific savings in Personal Services after assuming all costs for that program, including 10 collective bargaining costs.

Sec. C-5. Interest income. Notwithstanding any provision of law to the contrary, interest income earned by the Special Revenue-Suspense Account must be retained in the account and used for the purpose of the account.

### PART D

Sec. D-1. 23 MRSA §1710, first ¶, as enacted by PL 1995, c. 498, Pt. B, §1 and affected by §3, is amended to read:

The Collector Road Improvement Fund, referred to in this 24 subchapter as the "fund," is established to provide for the 26 reconstruction and maintenance of collector roads. The of Transportation shall administer the fund. Department 28 Allocation of funds must be awarded competitively based on guidelines developed by the department after public hearing. These guidelines must establish a process by which the department 30 receives matching funds from public and private sources to support collector road improvements. The department may set 32 aside any available federal funds into the fund. Local and federal contributions to the fund accrue for redistribution in 34 subsequent program years and do not lapse. Interest income earned in this fund must be retained by the fund and made 36 available for redistribution from the fund in subsequent program 38 years.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

#### **FISCAL NOTE**

ALLOCATIONS

 46
 1997-98
 1998-99
 TOTAL

 48
 Highway Fund

 PART A, Section A-1
 (\$2,434,737)
 \$1,140,724
 (\$1,294,013)

 50
 PART B, Section B-1
 0
 0
 0

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20

22

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42

44

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2	HIGHWAY FUND TOTAL	( 2,434,737)	1,140,724	( 1,294,013)
4	Federal Expenditures Fund			
6	PART A, Section A-2	18,223,827	58,082,720	76,306,547
8	FEDERAL EXPENDITURES	10 000 007	<u> </u>	76 206 547
10	FUND TOTAL	18,223,827	58,082,720	76,306,547
	Other Special Revenue Funds	5		
12	PART A, Section A-3	2,861,000	1,761,000	4,622,000
14	OTHER SPECIAL REVENUE FUNDS	_,,	_,	-,,
16	TOTAL	2,861,000	1,761,000	4,622,000
18	HIGHWAY FUND UNDEDICATED RE	EVENUE		
20		1997-98	1998-99	TOTAL
22	PART C, Section C-1 DOT - Repeal Transfer from			
24	Collector Road Program	( 200,000)	( 300,000)	( 500,000)
26	HIGHWAY FUND UNDEDICATED REVENUE			
28	TOTAL	( 200,000)	( 300,000)	( 500,000)
30	ADJUSTMENT TO BALANCE			
32		1997-98	1998-99	TOTAL
34	PART C, Section C-3	98,558	0	98,558
36	ADJUSTMENTS TO			
38	BALANCE TOTAL	\$98,558	\$0	\$98,558
		SUMMARY		
40	This bill does the fol	llowing.		
42		5		
44	Part A:			
	<ol> <li>Makes supplemental</li> </ol>	l allocations f	rom the High	way Fund;
46	2. Makes suppleme	ntal allocati	ons from	th <b>e</b> Federal
48	Expenditures Fund; and			che reactar

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3. Makes supplemental allocations from Other Special
 2 Revenue funds.

4 Part B:

6 1. Makes allocations from the Highway Fund for approved reclassifications and range changes; and

2. Makes allocations from the Highway Fund as reductions to 10 support approved reclassifications and range changes.

12 Part C:

8

22

26

 Repeals the law that requires the transfer of funds from the Collector Road Program within the Department of Transportation to the Highway Fund as undedicated revenue;

18 2. Authorizes the Department of Transportation to enter into lease-purchase contracts for the procurement of vehicles or 20 equipment;

3. Lapses funds to the Highway Fund in fiscal year 1997-98;

24 4. Authorizes the transfer of funds between all Highway Fund programs within the Department of Transportation; and

5. Requires that the interest on money in the Special 28 Revenue-Suspense Account be used for the purposes of that account.

30 Part D:

Requires that interest earned by the Collector Road
 Improvement Fund be retained by the fund and made available for
 distribution in subsequent program years.

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