

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)

S. C. R.
D. C. R.

STATE OF MAINE
SENATE (Filing No. S-338)
108TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A " to S.P. 66, L.D. 137, Bill,
"AN ACT to Make Allocations from the Highway Fund for the
Fiscal Years Ending June 30, 1978 and June 30, 1979."

Amend the Bill by striking out everything after the
enacting clause and inserting in its place the following:

PART A

Sec. 1. Allocation of Highway Fund. Undedicated income to the High-
way Fund for the next fiscal years—from July 1, 1977 to June 30, 1978 and
from July 1, 1978 to June 30, 1979—shall be segregated, apportioned and
expended as designated in the following schedules:

CODE #	POLICY AREA	ALLOCATION FROM
	UMBRELLA IDENTITY	HIGHWAY FUND
	Program	PAGE # 1977-78 1978-79
00	GENERAL GOVERNMENT	
08	DEPARTMENT OF FINANCE AND ADMINISTRATION	
0078	BPI—Transportation Building	
	Maintenance 2-053	
	Unallocated	\$ 251,768 \$ 256,143
0135	BPI—State Police Headquarters	
	Building—Maintenance ... 2-057	
	Unallocated	45,059 46,279
29	DEPARTMENT OF THE SECRETARY OF STATE	
0077	Motor Vehicles—Administration 2-133	
0078	Motor Vehicles—Public Services	
0079	Motor Vehicles—Driver Improvement/ Fiscal Responsibility	
0087	Motor Vehicles—Driver Examination	
	Unallocated	3,657,600 3,642,700
	ECONOMIC DEVELOPMENT	
02	DEPARTMENT OF BUSINESS REGULATIONS	
0097	State Claims Board 2-233	
	Unallocated	76,101 81,390
06	PUBLIC PROTECTION	
16	DEPARTMENT OF PUBLIC SAFETY	
0329	Public Safety—Motor Vehicle	
	Inspection 2-691	
	Unallocated	220,103 140,422
0291	State Police 2-695	
	Unallocated	6,894,361 7,006,861

CODE #	POLICY AREA	PAGE #	ALLOCATION FROM HIGHWAY FUND	
	UMBRELLA IDENTITY Program		1977-78	1978-79
07	TRANSPORTATION			
17	DEPARTMENT OF TRANSPORTATION			
0348	Transportation—Accounting, Auditing & Other Services	2-717		
	Unallocated		339,000	364,000
0353	Transportation—Compensation for Injuries	2-719		
	Unallocated		336,100	337,300
0342	Transportation—Amortization— Office Building	2-711		
	Unallocated		585,000	585,000
0341	Transportation—Planning & Services	2-721		
	Unallocated		768,700	762,600
0343	Transportation—Special Resolves ...	2-713		
	Unallocated		960	960
0339	Highway—Administration	2-745		
	Unallocated		3,196,700	3,223,400
0340	Highway—Highway Safety	2-747		
	Unallocated		135,200	143,300
0357	Highway—Topographic Mapping ...	2-755		
	Unallocated		10,000	10,000
0334	Highway—Island Town Refunds ...	2-735		
	Unallocated		20,000	20,000
0335	Highway—Access Roads to Ski Areas	2-737		
	Unallocated		—	—
0336	Highway—State Aid Construction ..	2-739		
	Unallocated		6,200,000	6,200,000
0337	Highway—Special State Aid Construction	2-741		
	Unallocated		500,000	500,000
0355	Highway—Town Road Improvement Fund			
	Unallocated		1,000,000	1,000,000

CODE #	POLICY AREA UMBRELLA IDENTITY Program	PAGE #	ALLOCATION FROM HIGHWAY FUND	
			1977-78	1978-79
0356	Highway—Bridge Construction	2-753		
	Unallocated		1,906,019	2,159,600
0330	Highway—Summer Maintenance	2-727		
	Unallocated		24,331,300	25,062,300
0331	Highway—Traffic Services	2-729		
	Unallocated		1,667,199	1,935,800
0332	Highway—Picnic Area	2-731		
	Unallocated		111,900	115,100
0333	Highway—Bridge Maintenance	2-733		
	Unallocated		2,990,000	3,050,700
0338	Highway—Radio Operations	2-743		
	Unallocated		155,000	185,600
0354	Highway—Winter Maintenance	2-749		
	Unallocated		14,579,500	15,072,000
0296	Highway—Railroad Crossing Protection	2-725		
	Unallocated		30,000	30,000
0358	Highway—Bond Interest	2-757		
	Unallocated		3,138,083	3,792,037
0359	Highway—Bond Retirement	2-759		
	Unallocated		930,000	1,610,000
0406	Highway—Highway and Bridge Improvements	2-761		
	Unallocated		4,390,000	2,910,000
Total Allocations			78,466,153	80,243,492

Amounting to ~~\$78,966,153~~ for the fiscal year ending June 30, 1978 and
80,243,492 for the fiscal year ending June 30, 1979.

Sec. 2. Allocation of the Unappropriated Highway Fund Surplus. The Unappropriated Highway Fund Surplus with the approval of the Governor, may be apportioned by the Department of Transportation for any of the purposes set forth in section 1. There is allocated from the Unappropriated Highway Fund Surplus ~~225,000~~ for bond retirement which shall be segregated, apportioned and expended as designated in the following schedule: 8,500,000

	PAGE #	1977-78	1978-79
07 TRANSPORTATION			
17 DEPARTMENT OF TRANSPORTATION		4,250,000	4,250,000
0359 Highway—Bond Retirement	2-759		

Sec. 3. Allocation for special state aid construction. The allocation for state aid construction (special) shall be apportioned to the 16 counties on the basis of number of miles of improved and unimproved designated state aid highways located within each county, such apportionments to be expended by the Department of Transportation on sections of improved state aid highways where, because of excessive maintenance or hazardous conditions, reconstruction is desirable; and for construction of unimproved sections of state aid highways located between improved sections in instances where the public use and safety require such construction.

Sec. 4. State Police activities on the Maine Turnpike. The Maine Turnpike Authority shall assume the cost of State Police activities on the Maine Turnpike and such costs shall be paid on the basis of monthly statements. Prior to December 1st of each year, the Chief of the Maine State Police shall file a report with the Maine Turnpike Authority containing suggestions and information in regard to proposed State Police activities on the turnpike for the succeeding period. The report shall include, but not be limited to, the following items: (1) Personnel including information in regard to assignment of such personnel by shifts, (2) vehicles and equipment including a schedule of replacements of the same, and (3) estimated cost of items (1) and (2) with any additional information that will assist the Maine Turnpike Authority in determining the level of service of State Police activity proposed by the Chief of the Maine State Police. The Maine Turnpike Authority and the Chief of the Maine State Police, or his designee, shall review the information regarding the proposed patrol activities as contained in the report and such activities will be authorized when mutually agreed to by the Maine Turnpike Authority and the Chief of the State Police.

Moneys paid by the Maine Turnpike Authority to the Treasurer of State shall be credited 75% to the Highway Fund and 25% to the General Fund, it being understood that the State Police personnel, the cost of which is paid by the Maine Turnpike Authority, shall be utilized exclusively for Maine Turnpike related activities except for emergencies.

PART B

Sec. 1. 23 MRSA §4208, is enacted to read:

The Department of Transportation is authorized to conduct Defensive Driving Courses for the purpose of promoting highway safety and to charge a registration fee of \$5 to participants in the Defensive Driving Courses conducted under the auspices of the Department. The fee shall be used to supplement federal funds to cover the cost of materials and to compensate certified instructors for their services in conducting the courses. Any balances remaining at the end of the fiscal year shall not lapse but shall be carried forward to be used for the purposes stated in this section.

Sec. 2. 29 MRSA §201, 2nd ¶, as enacted by PL 1975, c. 702, §4 is amended to read:

Each official shall deduct and retain from the use taxes collected pursuant to this subchapter a fee of \$1 \$2.50 for each vehicle in respect to which a use tax certificate has been submitted in accordance with section 203 even though such certificate indicated that no use tax was due in respect to the vehicle in question.

³⁰
Sec. 3. / MRSA §2460, 2nd ¶, as enacted by PL 1965, c. 481, §5 and sub-§§1, 2 and 3, as last

amended by PL 1973, c. 625, §204, are further amended to read:

~~Just~~
/ In the case of such acquisition, just compensation shall be paid the owner for the relocation, removal or disposal of the following automobile graveyards and junkyards:

lawfully
1. In existence. Those which were operating and in existence on May 11, 1966 and located in areas adjacent to any portion of a highway incorporated in the Interstate or primary systems, which exceed federal restrictions and for which federal funds are available to defray the costs;

2. On certain highways. Those lawfully in operation along any highway made a part of the Interstate or Primary Systems on or after May 11, 1966; and

3. To be established. Those lawfully in operation and established on or after May 11, 1966.

Sec. 4. 30 MRSA §2460, as last amended by PL 1973, c. 625, §204, is further amended by inserting at the end the following:

nothing in this section shall deny the Department the right to participate with the owner when federal funds are available to defray costs of screening junkyards whenever it may be determined to be more feasible to screen rather than to be involved in the cost or impact of acquisition and relocation.

Sec. 5. Evaluation of allocation to State Police. The Department of Audit shall evaluate and determine the portion of state police activities related to highway transportation and that portion related to other responsibilities. The purpose is to consider on a factual basis that portion of the state police budget which should be supported from the Highway Fund and General Fund respectively. The department should complete its study and report its findings to the Bureau of Budget prior to October 1, 1978, for preparation of the next biennium's budget.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1977.'

Statement of Fact

The intent of the amendment is to allocate the existing \$4,300,000 unallocated surplus to highway programs that have not been funded or have been "under-funded." The amended bill provides \$2,000,000 for the Town Road Improvement Fund which will be distributed to Maine municipalities on the basis of the number of miles of town ways and

improved state aid roads outside the compact. The amended bill also provides \$1,400,000 for the summer maintenance program which will provide maintenance and resurfacing for 100 additional miles of highways in Maine for each year of the biennium. The amendment also provides \$900,000 to be matched with \$1,900,000 of federal funds to be used for "stop-gap" and resurfacing projects in the Highway and Bridge Improvement Program. An additional \$240,000 per annum is allocated to the Department of Secretary of State which has been confronted with substantial additional costs resulting from the Hay Plan; charges by executive agencies for such services as auditing, purchasing, computer work, increased postage, and other substantially increased costs. The \$240,000 is provided by increasing the fee for collecting sales taxes charged by the Motor Vehicle Division to the Bureau of Taxation.

The amended bill also provides that the Department of Transportation may charge \$5 for participants in the Defensive Driving Course and the moneys are to be used to compensate instructors and to pay for materials. Another new provision will permit the Department of Transportation ^{to} use federal funds to relocate or screen junk yards along federally funded roads. The purpose of this amendment is to comply with federal directives. Non compliance could mean the loss of some federal highway funds.

COMMITTEE AMENDMENT "A" to S.P. 66, L.D. 137

-8-

The amended bill also provides for a study of state police activities as they relate to their sources of funding. Presently the Highway Fund provides 75 percent and the General Fund provides 25 percent of the funds for State Police. The purpose of the study is to determine whether the ratio of 72/25 correlates with the activities of the State Police in the same ratio.

Reported by the Committee on Transportation.

Reproduced and distributed pursuant to Senate Rule 11-A.

June 24, 1977

(Filing No. S-338)