

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1465

H.P. 1078 House of Representatives, May 8, 1987
Submitted by the Department of Conservation pursuant to
Joint Rule 24.

Reference to the Committee on Appropriations and
Financial Affairs suggested and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative WENTWORTH of Wells.

Cosponsored by Representative RIDLEY of Shapleigh and
Senator GOULD of Waldo.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Reestablish the Vehicle Rental
2 Agency in the Department of Conservation.
3

4 Emergency preamble. Whereas, Acts of the Legis-
5 lature do not become effective until 90 days after
6 adjournment unless enacted as emergencies; and

7 Whereas, the Vehicle Rental Agency in the Depart-
8 ment of Conservation is currently an operating, func-
9 tioning program; and

10 Whereas, its present statutory authority estab-
11 lished it on a pilot program basis to end on June 30,
12 1987, unless otherwise reenacted; and

13 Whereas, the state wishes this program to contin-
14 ue uninterrupted on an ongoing basis; and

1 Whereas, in the judgment of the Legislature,
2 these facts create an emergency within the meaning of
3 the Constitution of Maine and require the following
4 legislation as immediately necessary for the preser-
5 vation of the public peace, health and safety; now,
6 therefore,

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

9 **Sec. 1.** 12 MRSA §5031, sub-§3, as enacted by PL
10 1985, c. 453, is repealed and the following enacted
11 in its place:

12 3. Fee structure. Fees for the rental and lease
13 of vehicles shall be calculated to provide for rea-
14 sonable vehicle replacement, repair and maintenance
15 as well as provide sufficient working capital. Any
16 revenues over expenditures and needed working capital
17 shall be used to reduce fees.

18 **Sec. 2.** 12 MRSA §5031, sub-§4, as enacted by PL
19 1985, c. 453, is amended to read:

20 4. Vehicle fleet. The Commissioner of Conserva-
21 tion may transfer vehicles from existing department
22 programs to the Vehicle Rental Agency.

23 **Sec. 3.** 12 MRSA §5031, sub-§§5 and 6, as enacted
24 by PL 1985, c. 453, are repealed and the following
25 enacted in their place:

26 5. Credits. The Vehicle Rental Agency shall de-
27 velop a method of assigning credits to be used to re-
28 duce the charges to those programs from which vehi-
29 cles are transferred to the Vehicle Rental Agency.
30 These credits shall be calculated to assure adequate
31 revenues to support the Vehicle Rental Agency and to
32 reasonably compensate the programs.

33 6. Other departments and agencies. Other de-
34 partments and agencies, including federal, county and
35 municipal government agencies, may rent or lease ve-
36 hicles from the Vehicle Rental Agency when vehicles
37 are not being used by the Department of Conservation.

1 The department or agency heads may enter into agree-
2 ments with the Vehicle Rental Agency, with the ap-
3 proval of the Commissioner of Conservation, to pro-
4 vide regular and ongoing vehicle rental and lease
5 services and, in doing so, may transfer vehicles to
6 the Vehicle Rental Agency. Credits shall be assigned
7 to the departments or agencies in accordance with
8 subsection 5.

9 The Vehicle Rental Agency may enter into a
10 lease-purchase agreement for the purpose of acquiring
11 suitable structures and grounds for the operation of
12 the agency.

13 **Sec. 4. Appropriation.** The following funds are
14 appropriated from the General Fund to carry out the
15 purposes of this Act.

	<u>1987-88</u>	<u>1988-89</u>
17 <u>VEHICLE RENTAL AGENCY</u>		
18 Positions	(2)	(2)
19 Personal Services	\$ 40,095	\$ 41,809
20 All Other	62,525	70,787
21		
22 Total	<u>\$102,620</u>	<u>\$112,596</u>

23 **Emergency clause.** In view of the emergency cited
24 in the preamble, this Act shall take effect when ap-
25 proved.

26 **STATEMENT OF FACT**

27 The Vehicle Rental Agency was established in the
28 Department of Conservation by the 112th Legislature
29 as a pilot program. Its purpose was to evaluate the
30 efficiencies and economies of scale resulting from
31 placing the Department of Conservation's
32 Augusta-based vehicle fleet in a new organizational
33 structure, Vehicle Rental Agency, that would generate
34 revenues, provide professional management and care of
35 the fleet and essentially operate as a business.

1 Since the Vehicle Rental Agency went on line in
2 September 1985 it has: Reduced the Augusta-based
3 fleet from 70 to 45 vehicles; upgraded the remaining
4 fleet to smaller, more economical vehicles; met all
5 transportation needs of department Augusta-based pro-
6 grams as well as these of several other state agen-
7 cies; and greatly improved the condition, both in
8 terms of safety and operation, of the department's
9 vehicle fleet.

10 The bill permits the Vehicle Rental Agency to
11 continue. It also clarifies the purpose and function
12 of the Vehicle Rental Agency as follows.

13 The Maine Revised Statutes, Title 12, section
14 5031, subsection 3, clarifies that the revenues de-
15 rived from fees may also be used to repair and main-
16 tain vehicles, in addition to replacing them.

17 Title 12, section 5031, subsection 5, makes clear
18 that credits to agencies who have transferred vehi-
19 cles to Vehicle Rental Agency will be calculated to
20 assure, in the first instance, that Vehicle Rental
21 Agency generates sufficient revenues to remain via-
22 ble, and secondly, to reimburse agencies for the val-
23 ue of their vehicles.

24 Title 12, section 5031, subsection 6, permits the
25 Vehicle Rental Agency to rent vehicles to other gov-
26 ernment agencies when not needed by the department,
27 thus making better use of the fleet.

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