

MAINE STATE LEGISLATURE

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1

L.D. 2463

2

(Filing No. H- 643)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
113TH LEGISLATURE
SECOND REGULAR SESSION

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7 HOUSE AMENDMENT "D" to COMMITTEE AMENDMENT "A "
8 to H.P. 1799, L.D. 2463, Bill, "AN ACT to Fund a
9 Supplemental Highway Program and to Establish a
10 Program to Fund the Construction of Extraordinary
11 Bridges."

12 Amend the amendment by striking out all of section
13 1 and inserting in its place the following:

14 'Sec. 1. 5 MRSA §1513, sub-§4, as enacted by PL
15 1987, c. 349, Pt. H, §4, is amended to read:

16 4. Exception. Notwithstanding any other
17 provision of law, for the period starting July 1,
18 1988, and ending June 30, 1989, the fund may exceed
19 \$25,000,000 but not more than \$48,000,000 and
20 expenditures may be appropriated from the fund by the
21 2/3 vote of the Legislature upon recommendation of the
22 Governor only for the purpose of paying to the Maine
23 State Retirement System such amounts as may be deemed
24 appropriate after the conclusion of the study
25 authorized in Public Law 1987, chapter 68 and for
26 purposes set out in subsection 2. In addition, during
27 this same period, the sum of \$15,000,000 may be
28 appropriated from the fund by the 2/3 vote of the
29 Legislature only for the purpose of paying to the
30 Department of Transportation such amounts to replace
31 an unanticipated loss of federal highway construction

1 funds. The Highway Fund shall make a payment of
2 \$15,000,000 to the Rainy Day Fund or, if that fund is
3 at its ceiling, to the General Fund if the excise tax
4 levied on internal combustion engine fuel as
5 established in Title 36, section 2903, is increased.
6 In the event the federal highway funds are restored,
7 \$15,000,000 of those funds shall be transferred to the
8 Rainy Day Fund or, if that fund is at its ceiling, to
9 the General Fund and no additional payment from the
10 Highway Fund shall be required. This subsection shall
11 be repealed June 30, 1989.'

12 Further amend the amendment by striking out all of
13 sections 3 and 4.

14 Further amend the amendment in section 5 in that
15 part designated "§1961." in subsection 2 in the 3rd
16 line (page 5, line 4 in amendment) by striking out the
17 underlined words "a maximum amount" and inserting in
18 their place the words 'an amount'

19 Further amend the amendment in section 5, in that
20 part designated "§1961." in subsection 2, in the 4th
21 line (page 5, line 5 in amendment) by striking out the
22 following: "\$8,700,000" and inserting in its place the
23 following: '\$4,700,000'

24 Further amend the amendment in section 5, in that
25 part designated "§1961." in subsection 2, in the 8th
26 and 9th lines (page 5, lines 9 and 10 in amendment) by
27 striking out the following: "in excess of \$4,700,000"

28 Further amend the amendment in section 5, in
29 that part designated "§1961." by adding after
30 subsection 2 the following:

31 '2-A. Exception. Notwithstanding sections 1965
32 and 1974, in state fiscal year 1988-89, the Department
33 of Transportation shall be provided with an additional
34 payment of \$4,000,000 which shall be used for highway
35 and bridge improvements. The Highway Fund shall make
36 a payment of \$4,000,000 to the turnpike authority if

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1 the excise tax on internal combustion engine fuel as
2 established in Title 36, section 2903, is increased.
3 In the event the federal highway funds are restored,
4 \$4,000,000 of those funds shall be transferred to the
5 authority in lieu of a Highway Fund repayment.'

6 Further amend the amendment by striking out all of
7 sections 6 to 12.

8 Further amend the amendment by striking out all of
9 sections 14 and 15 and inserting in their place the
10 following:

11 'Sec. 14. Study of gross vehicle weight. In
12 the event of any statutory change allowing any vehicle
13 or combination vehicle to be operated or authorized to
14 be operated in this State with a maximum gross weight
15 of 100,000 pounds, the Department of Transportation
16 shall determine the cost to the State resulting from
17 the additional road and bridge consumption caused by
18 this additional weight allowance. This study and
19 analysis shall be completed prior to the issuance of
20 any permit allowing operation with a maximum gross
21 weight of 100,000 pounds. Permits issued under the
22 Maine Revised Statutes, Title 29, section 1655, shall
23 be subject to this section on or after November 1,
24 1989.

25 Sec. 15. Appropriation. Notwithstanding the
26 Maine Revised Statutes, Title 5, section 1513,
27 subsection 2, the following sums are appropriated from
28 the General Fund to carry out the purposes of this Act.

29 1987-88

30 FINANCE, DEPARTMENT OF

31 Maine Rainy Day Fund Program

32 Unallocated (\$15,000,000)

33 TRANSPORTATION,
34 DEPARTMENT OF

35 Highway and Bridge
36 Improvement

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1 All Other \$ 2,250,000
2 Capital Expenditures 12,750,000

3 Provides funds to
4 replace a loss of
5 federal funds. These
6 funds shall not lapse
7 but shall carry
8 forward to June 30,
9 1989.

10
11 TOTAL APPROPRIATIONS 0

12 Sec. 16. Allocation. The following funds are
13 allocated from the Highway Fund to carry out the
14 purposes of this Act.

15 1988-89

16 TRANSPORTATION,
17 DEPARTMENT OF

18 Highway and Bridge
19 Improvement

20 All Other \$4,500,000

21 Provides funds to
22 replace a loss of
23 federal funds.

24 Local Road Assistance
25 Program

26 All Other 3,500,000

27 Provides funds to
28 local communities
29 through the Local Road
30 Assistance Program as
31 a one-time stipend
32 payment during January
33 1989.

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1	DEPARTMENT OF TRANSPORTATION	
2		
3	TOTAL	<u>\$8,000,000</u>
4	<u>LEGISLATURE</u>	
5	Study Commission - Funding	
6	Personal Services	\$3,575
7	All Other	5,550
8	Provides funds for per	
9	diem, travel and	
10	related expenses of	
11	the members of the	
12	Joint Standing	
13	Committee on	
14	Transportation in	
15	order to study the	
16	Local Road Assistance	
17	Program.	
18		
19	Total	<u>\$9,125</u>
20		
21	TOTAL ALLOCATIONS	<u>\$8,009,125</u>

22 Further amend the amendment by renumbering the
23 sections to read consecutively.

24 Further amend the Bill by striking out all of the
25 fiscal note and inserting in its place the following:

26 'FISCAL NOTE

27 This bill transfers \$15,000,000 from the Maine
28 Rainy Day Fund to the Department of Transportation for
29 highway and bridge improvements in light of an
30 unanticipated loss of federal dollars. This bill
31 also provides an allocation of available Highway Fund

1 dollars and a one-time \$4,000,000 payments from the
2 Maine Turnpike Authority to augment the Maine Rainy
3 Day Fund appropriation. These funds will be used to
4 fund highway and bridge improvements, a one-time
5 stipend to the Local Road Assistance Program and a
6 study of the Local Road Assistance Program by the
7 Joint Standing Committee on Transportation.

8 The bill clarifies that the Rainy Day Fund
9 appropriation and the turnpike authority payment shall
10 be repaid if the gas tax is increased in the future or
11 if the federal highway funds are restored.

12 Any additional cost to the Department of
13 Transportation resulting from the study of gross
14 vehicle weight can be absorbed within existing
15 resources. It is anticipated that the study can be
16 completed in sufficient time so as not to reduce the
17 estimated revenue gain in the fiscal year 1988-89.'

18 STATEMENT OF FACT

19 This amendment deletes all references to the
20 proposed 5¢ increase in the gas tax and
21 correspondingly, the extraordinary bridge program,
22 salt and sand storage facility funding and increased
23 turnpike access road funding. It provides one-time
24 funding from the Maine Rainy Day Fund, Maine Turnpike
25 Authority funds and available Highway Fund dollars to
26 compensate for the decreased federal highway dollars,
27 to provide a stipend for the Local Road Assistance
28 Program and to authorize a study of the Local Road
29 Assistance Program by the Joint Standing Committee on
30 Transportation.

31 This amendment would require the department to
32 determine the cost to the State of allowing vehicles
33 to operate at 100,000 pounds, gross vehicle weight.

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