

# MAINE STATE LEGISLATURE

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L.D. 2463

(Filing No. H- 588 )

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

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

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

**'Emergency preamble.** Whereas, Acts of the  
Legislature do not become effective until 90 days  
after adjournment unless enacted as emergencies; and

Whereas, the State is experiencing an  
unanticipated loss of federal highway construction  
funds of approximately \$20,000,000 this biennium due  
to federal budget cuts; and

Whereas, the State's highway system is in need of  
considerable improvements to reach safe, modern  
standards; and

Whereas, the State is faced with the need to  
construct or reconstruct several bridges of unusual  
size and complexity; and

Whereas, in the judgment of the Legislature, these  
facts create an emergency within the meaning of the  
Constitution of Maine and require the following  
legislation as immediately necessary for the

1 preservation of the public peace, health and safety;  
2 now, therefore,

3 Be it enacted by the People of the State of Maine as  
4 follows:

5 Sec. 1. 23 MRSA §§610-H to 610-J are enacted  
6 to read:

7 §610-H. Legislative findings

8 The Legislature finds that the construction or  
9 replacement of several extraordinary bridges is vital  
10 to the economic well-being of the State and necessary  
11 to the movement of vehicular traffic.

12 The Legislature further finds that, due to the  
13 size and complexity of these structures, the costs  
14 associated with construction or replacement of these  
15 extraordinary bridges are so high that special funding  
16 provisions are warranted.

17 §610-I. Extraordinary bridges

18 For the First Regular Session of each Legislature,  
19 the department shall prepare a work program for the  
20 construction or major reconstruction of bridges that  
21 the department considers to be extraordinary bridges.  
22 Extraordinary bridges are those bridges which are a  
23 vital part of the State's arterial highway system and  
24 of such a size and complexity that they are  
25 extraordinarily expensive to construct or  
26 reconstruct. The work program shall be presented to  
27 the joint standing committee of the Legislature having  
28 jurisdiction over transportation and shall include  
29 estimates of scope of work, cost estimates and  
30 estimated completion dates.

31 §610-J. Extraordinary Bridge Construction Reserve

32 1. Deposit of funds. Annually, 1/19th of the  
33 revenues derived from the tax levied in Title 36,  
34 chapters 451 and 459 shall be deposited by the  
35 Treasurer of State in a separate reserve within the  
36 Highway Fund to be known as the Extraordinary Bridge  
37 Construction Reserve.

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1           2. Legislative approval of budget. Expenditures  
2 from the Extraordinary Bridge Construction Reserve are  
3 subject to legislative approval in the same manner as  
4 any other expenditures from the Highway Fund.

5           3. Use of funds. Money in the Extraordinary  
6 Bridge Construction Reserve may only be used to defray  
7 the costs associated with the construction or major  
8 reconstruction of bridges identified pursuant to  
9 section 610-I as extraordinary bridges. Permissible  
10 costs shall include preliminary engineering,  
11 right-of-way acquisition, construction and major  
12 reconstruction.

13           Sec. 2. 23 MRSA §1803-A is enacted to read:

14           §1803-A. One-time stipend

15           In fiscal year 1989, a one-time stipend payment  
16 shall be distributed to municipalities and counties as  
17 follows:

18           1. Supplementary stipend. The supplementary  
19 stipend for each municipality or county shall be 22%  
20 of the amount paid to the municipality or county under  
21 section 1803 in fiscal year 1988.

22           2. Payment. The supplementary stipend shall be  
23 paid to each municipality or county in a single  
24 payment in January 1989.

25           3. Sunset. This section is repealed June 30,  
26 1989.

27           Sec. 3. 23 MRSA §1851, first ¶, as enacted by  
28 PL 1987, c. 473, is amended to read:

29           The department may administer ~~bond issue~~ funds  
30 for the construction of municipal or county salt and  
31 sand storage facilities in order to reduce salt  
32 pollution of ground and surface waters. Any bonds  
33 issued under this section shall be paid for out of the  
34 Highway Fund. In administering these funds, the  
35 department shall provide reimbursement to municipal  
36 and county governmental entities for approved projects  
37 according to the order of priority established

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1 biannually by the Department of Environmental  
2 Protection. Allocation of funds shall be based upon  
3 1.25 times the ratio of miles of state and state-aid  
4 roads maintained for winter maintenance, as described  
5 in sections 1001 and 1003, to all miles maintained for  
6 winter maintenance by the municipality,  
7 quasi-municipal agency or county. The department  
8 shall establish guidelines to reimburse eligible local  
9 government entities in a consistent and timely manner.

10 Sec. 4. 23 MRSa §1852 is enacted to read:

11 §1852. Salt and sand storage facilities

12 In addition to the provisions of section 1851, and  
13 prior to calculating reimbursement under that section,  
14 the department shall reimburse municipalities and  
15 counties for 25% of the expenses incurred for the  
16 construction of salt and sand storage facilities  
17 approved under section 1851.

18 Sec. 5. 23 MRSa §1961 as amended by PL 1987, c.  
19 457, §1, is repealed and the following enacted in its  
20 place:

21 §1961. Legislative findings; cooperation with the  
22 Department of Transportation; bonds;  
23 governmental function

24 1. Legislative findings. The Legislature makes  
25 the following findings of fact: The economic and  
26 social well-being of the citizens of the State require  
27 that the transportation system be developed in a  
28 comprehensive manner and depend upon the safety,  
29 efficiency and modern functional state of the  
30 turnpike. The turnpike should be maintained as a  
31 closed toll facility whether or not there are turnpike  
32 bonds outstanding. Toll revenues should be utilized  
33 to pay for retirement of any outstanding debt,  
34 including interest thereon; to pay for operation and  
35 maintenance of the turnpike; to pay for reconstruction  
36 of the turnpike; and to repay the Federal Government  
37 for grants or loans, the proceeds of which were used  
38 for the construction or reconstruction of the turnpike  
39 or portions of the turnpike, interchanges and certain  
40 interconnecting access roads, but only to the extent  
41 that the repayment is required as a result of

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1 maintaining tolls on the turnpike.

2       2. Cooperation with the Department of  
3 Transportation. The Department of Transportation  
4 shall be provided each year a maximum amount of  
5 \$8,700,000 of the total annual operating revenue after  
6 money has been put aside to pay operating expenses and  
7 to meet the requirements of any resolution authorizing  
8 bonds of the authority. Any funds received by the  
9 department under this provision in excess of  
10 \$4,700,000 shall be expended for highway and bridge  
11 improvements within counties which contain turnpike  
12 mileage. These amounts are deemed necessary for use  
13 by the department for construction, reconstruction,  
14 operation and maintenance of access roads on the state  
15 highway system which serve and benefit users of the  
16 turnpike by providing direct and indirect access to  
17 and from the turnpike as part of the integrated  
18 highway system. Due to the utilization of the state  
19 highway system by users of the turnpike, the turnpike  
20 and its users have received and will continue to  
21 receive a benefit from, or have caused and will  
22 continue to cause, or both, the State acting by and  
23 through the Department of Transportation to incur  
24 costs for the construction, operation and maintenance  
25 of the state highway system, which provides direct and  
26 indirect access to and from the turnpike to areas in  
27 the State for which the State may properly be and  
28 should be compensated from the tolls to be collected.  
29 The Maine Turnpike Authority should be maintained to  
30 carry out the purposes of this chapter in cooperation  
31 with the Department of Transportation.

32       3. Bonds. It is the expectation of the  
33 Legislature that, by July 1, 1982, all bonds  
34 outstanding on June 1, 1981, and the interest on the  
35 bonds will be paid or a sufficient amount for the  
36 payment of all bonds and the interest to maturity on  
37 the bonds will be set aside in trust for the benefit  
38 of the bondholders and shall continue to be held for  
39 that purpose. It is the expectation of the Legislature  
40 that further bonds will have to be issued for the  
41 purposes provided in this section. It is expected that  
42 tolls on the turnpike will have to be increased to  
43 implement this chapter.

44       4. Governmental function. It is declared that

1 the purposes of this chapter are public and that the  
2 authority shall be regarded as performing a  
3 governmental function in carrying out this chapter.

4 **Sec. 6. 23 MRSA §1965, sub-§1, ¶10, as enacted**  
5 **by PL 1981, c. 595, §3, is repealed and the following**  
6 **enacted in its place:**

7 O. Provide an annual amount not to exceed a  
8 maximum of \$8,700,000 subject to the limitations  
9 in section 1961 as the department shall request  
10 and the authority shall determine pursuant to  
11 section 1974, subsection 4, to be necessary for  
12 the use of the department each year for the  
13 construction, operation and maintenance of access  
14 roads and costs related thereto, after money has  
15 been set aside or adequate provision has been  
16 made, to pay operating expenses and to meet the  
17 requirements of any resolution authorizing bonds  
18 of the authority;

19 **Sec. 7. 23 MRSA §1974, sub-§4, as amended by PL**  
20 **1981, c. 698, §105, is further amended to read:**

21 4. Revenues for access roads and the state  
22 highway system. Subject to the terms and conditions  
23 of this chapter, the authority, semi-annually on July  
24 1st and January 1st of each fiscal year commencing  
25 July 1, 1983, shall, upon making the determination  
26 referred to in this subsection, authorize turnpike  
27 revenues to be transferred to the Department of  
28 Transportation for the costs of construction,  
29 reconstruction, operation and maintenance of access  
30 roads provided, first, that the department provide  
31 certification as to the utilization of all or a part  
32 of the state highway system by turnpike users with  
33 respect to the benefit received by the turnpike and  
34 its users and the costs incurred by the department for  
35 the construction, reconstruction, operation and  
36 maintenance of the access roads caused by the turnpike  
37 and its users and supporting the transfer of turnpike  
38 revenues for each 2-year period. The department shall  
39 not request and the authority shall not approve a  
40 transfer of turnpike revenues under this subsection in  
41 any year that exceeds the cost to the department for  
42 construction, reconstruction, operation and  
43 maintenance of access roads fairly attributable to

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1 vehicular traffic traveling to or from the turnpike.  
2 Based on the certification and such other information  
3 as the authority deems necessary, the authority shall  
4 determine whether or not the turnpike and users  
5 thereof are so benefited by the system, and thereupon  
6 the authority shall have and exercise sole discretion  
7 to determine the level of revenues to be so  
8 transferred to the department, but that transfer  
9 annually shall not exceed ~~\$4,700,000~~ \$8,700,000.  
10 In making its report, the department, as a basis for  
11 requesting those revenues, and the authority in  
12 determining the level of revenues to be transferred,  
13 may consider the following factors, no one of which  
14 may necessarily be determinative:

15 A. The existing access roads and the state  
16 highway system;

17 B. The traffic impact of the maintenance,  
18 construction or reconstruction on the existing  
19 road network;

20 C. Total cost of the state highway system;

21 D. The probable change in departmental  
22 expenditures resulting from maintenance,  
23 construction or reconstruction;

24 E. The relative number of vehicles using or  
25 expecting to use the access roads on the way to or  
26 from the turnpike;

27 F. The road distance or average road distance of  
28 the access roads or portions thereof from the  
29 nearest entrance to or exit from the turnpike;

30 G. The effect that maintenance, construction or  
31 reconstruction will have on the flow of traffic  
32 to, from and on the turnpike, and in diverting  
33 vehicular traffic off or away from the turnpike;

34 H. Proportionate usage of the state highway  
35 system by vehicles using the turnpike and vehicles  
36 not using the turnpike;

37 I. Vehicle classification and travel  
38 characteristics;



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- 1 J. Origins and destinations of trips;
- 2 K. Fuel type and consumption;
- 3 L. Financial condition of the turnpike authority;  
4 the financial impact of that the maintenance,  
5 construction and reconstruction of access roads;  
6 and the probable availability of turnpike revenues  
7 to make these payments;
- 8 M. Existing sources of revenue; or
- 9 N. Such other factors deemed relevant including,  
10 but not limited to, expert opinion.
- 11 The authority shall cooperate with the department in  
12 any surveys or studies required to provide this  
13 report, the costs of which shall be borne by the  
14 department.
- 15 Pending the department's first report, which shall  
16 be submitted by May 17 1983, for the period ending  
17 June 30, 1983, it is determined that for the current  
18 period the aggregate sum to be transferred to the  
19 department from operating revenues of the authority  
20 for benefits received and costs incurred by the  
21 department caused by turnpike users due to their  
22 utilization of the turnpike, is \$47,700,000. In the  
23 event the authority subsequently determines that the  
24 aggregate sum transferred to the department during the  
25 period ending July 1, 1982 to June 30, 1983, exceeds  
26 by more than 10% the amount the authority would  
27 otherwise pay to the department under the provisions  
28 of this subsection, an amount equal to the amount of  
29 that excess shall be repaid by the department to the  
30 authority in such manner and at such times as may be  
31 agreed upon by the authority and the department,  
32 provided that, if within 6 months after the  
33 determination, the authority and the department have  
34 not so agreed and written notice thereof shall have  
35 been given to the department, the excess amount shall  
36 be repaid in 5 equal annual installments in each of  
37 the 5-years-next-succeeding.

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1           Sec. 8.   36   MRSA §2903, sub-§1, as amended by  
2           PL 1983, c. 852, §4, is further amended to read:

3           1.   Excise tax levied.   Except as provided in  
4           subsection 2, an excise tax is levied and imposed at  
5           the rate of ~~14¢~~ 19¢ per gallon upon internal  
6           combustion engine fuel sold or used within this State,  
7           including these sales when made to the State or any  
8           political subdivision thereof, for any purpose  
9           whatsoever, except the internal combustion engine fuel  
10          sold or used in such form and under such circumstances  
11          as shall preclude the collection of this tax by reason  
12          of the laws of the United States, or sold wholly for  
13          exportation from the State, or brought into the State  
14          in the ordinary standardized equipment fuel tank  
15          attached to and forming a part of a motor vehicle and  
16          used in the operation of that vehicle within the  
17          State, except that no tax may be levied upon internal  
18          combustion engine fuel, as defined in section 2902,  
19          bought or used by any person, association of persons,  
20          firm or corporation for the purpose of propelling jet  
21          or turbojet engine aircraft, or sold wholly for  
22          exportation from the State, or brought into the State  
23          in the fuel tanks of an aircraft, or on or after July  
24          1, 1983, sold in bulk to any political subdivision of  
25          the State. On the same fuel only one tax shall be  
26          paid to the State, for which tax the distributor first  
27          receiving the fuel in the State shall be primarily  
28          liable to the State, except when that fuel has been  
29          sold and delivered to a licensed exporter wholly for  
30          exportation from the State, or to another distributor  
31          in the State, in which case the purchasing distributor  
32          shall be primarily liable to the State for the tax.

33          ~~Internal combustion fuel, as defined in section~~  
34          ~~2902, which is held by retailers at the close of March~~  
35          ~~31, 1983, shall be subject to the 14¢ per gallon tax~~  
36          ~~rate. Retailers, as defined in section 1752,~~  
37          ~~subsection 10, shall be liable for the difference~~  
38          ~~between the 14¢ per gallon tax rate and the 9¢ per~~  
39          ~~gallon tax rate in effect prior to April 1, 1983.~~  
40          ~~Payment shall be made to the State Tax Assessor before~~  
41          ~~May 15, 1983, and it shall be accompanied by the~~  
42          ~~appropriate completed form described by the State Tax~~  
43          ~~Assessor.~~

1           Sec. 9.   36   MRSA §2903-A, as amended by PL  
2   1985, c. 481, Pt. A, §81, is further amended to read:

3   §2903-A. Finding of fact

4           The Legislature makes a finding of fact that the  
5   percentage relationship of "gasoline tax" paid by that  
6   segment of the nonhighway gasoline user, the motorboat  
7   user, is not less than ~~1-25%~~ 2.00% of the total  
8   "gasoline tax" revenue ~~7~~ but certainly is more  
9   than the 1-25% referred to. Based on this  
10   legislative "finding of fact" there is set aside  
11   ~~1-25%~~ 2.00% of the total excise tax, not to exceed  
12   \$2,000,000, on internal combustion engine fuel sold or  
13   used within the State, but not including internal  
14   combustion engine fuel sold for use in the propulsion  
15   of aircraft. From this ~~1-25%~~ 2.00% allocation  
16   shall be deducted the refunds paid out under section  
17   2908 to purchasers and users of internal combustion  
18   engine fuel for commercial motorboats; 20% of the  
19   balance of ~~1-25%~~ 2.00% after paying out such  
20   refunds shall be paid to the Treasurer of State to be  
21   made available to the Commissioner of Marine Resources  
22   for the purpose of conducting research, development  
23   and propagation activities by the department, and it  
24   is the responsibility of the Commissioner of Marine  
25   Resources to select activities and projects that will  
26   be most beneficial to the commercial fisheries of the  
27   State as well as the development of sports fisheries  
28   activities in the State; the remaining 80% of the  
29   balance of ~~1-25%~~ 2.00% after paying out such  
30   refunds shall be credited to the Boating Facilities  
31   Fund, established under Title 38, section 322, within  
32   the Maine State Bureau of Parks and Recreation. The  
33   State Tax Assessor shall certify to the State  
34   Controller, on or before the 15th day of each month,  
35   the amounts to be credited under the previous  
36   sentence, as of the close of the State Controller's  
37   records for the previous month. When refunds paid to  
38   purchasers and users of internal combustion engine  
39   fuel for commercial motorboats in any month exceed  
40   ~~1-25%~~ 2.00% of gasoline tax revenues for that month,  
41   such excess shall be carried forward in computing  
42   amounts to be credited to the Department of Marine  
43   Resources and to the Boating Facilities Fund under  
44   this section for the succeeding month or months. Funds  
45   credited to the Department of Marine Resources shall

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1 be allocated by the joint standing committee of the  
2 Legislature having jurisdiction over appropriations  
3 and financial affairs.

4 Sec. 10. 36 MRSa §2916 is enacted to read:

5 §2916. Inventory tax; internal combustion fuel

6 Internal combustion engine fuel which is held by  
7 retailers, as defined in section 1752, at 12 midnight,  
8 April 30, 1988, shall be subject to a 19¢ per gallon  
9 excise tax. Retailers shall be liable for the  
10 difference between the 19¢ per gallon tax rate  
11 existing on May 1, 1988, and the 14¢ per gallon tax  
12 rate in effect prior to May 1, 1988. Payment shall be  
13 made to the State Tax Assessor before June 15, 1988,  
14 accompanied by the appropriate completed form  
15 prescribed by the State Tax Assessor.

16 Sec. 11. 36 MRSa §3223 is enacted to read:

17 §3223. Inventory tax; special fuel

18 Special fuel subject to tax under this chapter,  
19 which is held by retailers, as defined in section  
20 1752, at 12 midnight, April 30, 1988, shall be subject  
21 to a 19¢ per gallon excise tax. Retailers shall be  
22 liable for the difference between the 19¢ per gallon  
23 tax rate existing on May 1, 1988, and the 14¢ per  
24 gallon tax rate in effect prior to May 1, 1988.  
25 Payment shall be made to the State Tax Assessor before  
26 June 15, 1988, accompanied by the appropriate  
27 completed form prescribed by the State Tax Assessor.

28 Sec. 12. Division of funds from motor fuel tax  
29 increase. The funds raised by the 5¢ per gallon  
30 increase in the motor fuel tax shall be divided as  
31 follows:

32 1. Extraordinary bridges. The funds raised by 1¢  
33 of the increase shall be used to fund a program to  
34 construct or reconstruct extraordinary bridges.

35 2. Highway construction. The funds raised by 3  
36 1/2¢ of the increase shall be used for a state-funded,  
37 "pay-as-you-go" highway construction program. This  
38 program shall be targeted toward capital improvements  
39 on selected highways that have been determined to play

1 an important role in the economic well-being of the  
2 State. As part of this effort the State will provide  
3 funds for financial assistance to municipalities for  
4 their salt and sand storage facilities as allocated in  
5 this Act.

6 3. Local road assistance. The funds raised by  
7 1/2¢ of the increase shall be used for the Local Road  
8 Assistance Program. The purpose of this allocation is  
9 to provide financial assistance to local communities  
10 for use in maintaining and improving local roads.  
11 Funds will be provided from the Supplemental Highway  
12 Construction Program to fund a legislative study of  
13 the local road assistance funding formula.

14 Sec. 13. Study of the Local Road Assistance  
15 Program. The Joint Standing Committee on  
16 Transportation, with the assistance of the Department  
17 of Transportation, the Maine Municipal Association and  
18 other interested parties shall study the distribution  
19 of funds among municipalities and counties under the  
20 Local Road Assistance Program and report its findings  
21 and recommendations, including any proposed  
22 legislation to the Legislature on or before December  
23 6, 1988. The committee shall hold a public hearing in  
24 the course of the study. Members of the Joint  
25 Standing Committee on Transportation shall receive the  
26 legislative per diem, as defined in the Maine Revised  
27 Statutes, Title 3, section 2, for each day's  
28 attendance at meetings of the study, and shall receive  
29 reimbursement for expenses upon application to the  
30 Executive Director of the Legislative Council. Staff  
31 assistance shall be requested from the Legislative  
32 Council.

33 Sec. 14. Allocation. The following funds are  
34 allocated from the Highway Fund to carry out the  
35 purposes of this Act:

	<u>1987-88</u>	<u>1988-89</u>
37 <u>TRANSPORTATION,</u>		
38 <u>DEPARTMENT OF</u>		
39 Highway and Bridge Improvement		
40 All Other	\$ 87,000	\$ 1,050,000

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1	Capital Expenditures	493,000	5,950,000
2			
3	Total	<u>\$ 580,000</u>	<u>\$ 7,000,000</u>
4	Allocates funds of the		
5	Extraordinary Bridge		
6	Construction Reserve		
7	in accordance with the		
8	Maine Revised		
9	Statutes, Title 23,		
10	section 610-J, to be		
11	used for the		
12	construction or		
13	reconstruction of		
14	extraordinary bridges.		
15	Highway and Bridge Improvement		
16	Positions		(4)
17	Personal Services		\$ 85,750
18	All Other	\$ 348,000	3,407,881
19	Capital Expenditures	1,972,000	19,797,244
20			
21	Total	<u>\$2,320,000</u>	<u>\$23,290,875</u>
22	Allocates funds for a		
23	supplemental highway		
24	construction program.		
25	In addition, this		
26	allocation includes 4		
27	assistant engineer		
28	positions.		
29	Highway Maintenance - Summer		
30	All Other		\$ 1,200,000
31	Allocates funds to		
32	assist municipalities		
33	with sand and salt		
34	storage facilities.		
35	Local Road Assistance Program		
36	All Other		\$ 3,500,000

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1	Allocates funds to		
2	local communities		
3	through the Local Road		
4	Assistance Program as		
5	a one-time stipend		
6	payment during January		
7	of 1989.		
8	DEPARTMENT OF		
9	TRANSPORTATION		
10	TOTAL	\$2,900,000	\$34,990,875

11	<u>LEGISLATURE</u>		
12	Study Commissions - Funding		
13	Personal Services	\$	3,575
14	All Other		5,550
15			
16	Total	\$	<u>9,125</u>

17 Allocates funds for  
 18 per diem, travel and  
 19 related expenses of  
 20 the members of the  
 21 Joint Standing  
 22 Committee on  
 23 Transportation in  
 24 order to study the  
 25 Local Road Assistance  
 26 Program.

27			
28	GRAND TOTAL	\$2,900,000	\$35,000,000

29 Sec. 15. Allocation. The following funds are  
 30 allocated from the Highway Fund to carry out the  
 31 purposes of this Act:

32		<u>1988-89</u>
33	<u>TRANSPORTATION,</u>	
34	<u>DEPARTMENT OF</u>	

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1	Highway and Bridge Improvement	
2	All Other	\$ 600,000
3	Capital Expenditures	3,400,000
4		
5	Total	<u>\$ 4,000,000</u>
6	Allocates anticipated	
7	funds from the Maine	
8	Turnpike Authority for	
9	highway and bridge	
10	improvements within	
11	counties that contain	
12	turnpike mileage.	

13           **Emergency clause.**     In view of the emergency  
14 cited in the preamble, this Act shall take effect May  
15 1, 1988.

16   FISCAL NOTE

17           Enactment of this bill would result in:

18           1.     An increase in Highway Fund revenue of  
19 approximately \$2,900,000 for fiscal year 1987-88 and  
20 \$35,000,000 for fiscal year 1988-89;

21           2.     A Highway Fund allocation to the Department of  
22 Transportation, Highway and Bridge Improvement,  
23 Account #05739.5, in the amount of \$580,000 for fiscal  
24 year 1987-88 and \$7,000,000 for fiscal year 1988-89.  
25 This allocation provides funds for the construction or  
26 reconstruction of extraordinary bridges;

27           3.     A Highway Fund allocation to the Department of  
28 Transportation, Highway and Bridge Improvement,  
29 Account #05739.5, in the amount of \$2,320,000 for  
30 fiscal year 1987-88 and \$23,290,875 for fiscal year  
31 1988-89.     This allocation provides funds for a  
32 supplemental Highway Construction Program.     In  
33 addition, this allocation includes 4 assistant  
34 engineer positions;

35           4.     A Highway Fund allocation to the Department of



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1 Transportation, Highway Maintenance Summer, Account  
2 #05745.5, in the amount of \$1,200,000 for fiscal year  
3 1988-89. This allocation provides funds to assist  
4 municipalities with sand and salt storage facilities;

5 5. A Highway Fund allocation to the Department of  
6 Transportation, Local Road Assistance Program, Account  
7 #05733.2, in the amount of \$3,500,000 for fiscal year  
8 1988-89. This allocation would provide funds to local  
9 communities through the Local Road Assistance Program  
10 as a one-time stipend payment during January 1989;

11 6. A Highway Fund allocation to the Legislature,  
12 Study Commissions-Funding, Account #05052.1, in the  
13 amount of \$9,125 for fiscal year 1988-89. This  
14 allocation provides funds for per diem, travel and  
15 related expenses of the members of the Joint Standing  
16 Committee on Transportation in order to study the  
17 Local Road Assistance Program;

18 7. An increase in Highway Fund Revenue of  
19 \$4,000,000 for fiscal year 1988-89 resulting from  
20 anticipated funds from the Maine Turnpike Authority.  
21 A Highway Fund allocation to the Department of  
22 Transportation, Highway and Bridge Improvement,  
23 Account #05739.5, in the amount of \$4,000,000 for  
24 fiscal year 1988-89. This allocates anticipated funds  
25 from the Maine Turnpike Authority for highway and  
26 bridge improvements within counties which contain  
27 turnpike mileage;

28 8. An increase in Other Special Revenue to the  
29 Department of Conservation, Boating Facilities Fund,  
30 of approximately \$65,451 for fiscal year 1987-88 and  
31 \$789,927 for fiscal year 1988-89 in accordance with  
32 the Maine Revised Statutes, Title 36, section 2903-A;

33 9. An increase in Other Special Revenue to the  
34 Department of Conservation, Snowmobile Trail Fund, of  
35 approximately \$10,590 for fiscal year 1987-88 and  
36 \$127,806 for fiscal year 1988-89 in accordance with  
37 Title 36, section 2903-B;

38 10. An increase in Other Special Revenue to the  
39 Department of Marine Resources, Marine Resource  
40 Development, in the amount of approximately \$12,429

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1 for fiscal year 1987-88 and \$150,000 for fiscal year  
2 1988-89 in accordance with Title 29, section 2903-A;  
3 and

4 11. An increase in Other Special Revenue to the  
5 Department of Inland Fisheries and Wildlife, Licensing  
6 Services, in the amount of approximately \$1,160 for  
7 fiscal year 1987-88 and \$14,000 for fiscal year  
8 1988-89 in accordance with Title 36, section 2903-B.'

9

STATEMENT OF FACT

10 The amendment in sections 8, 10 and 11, like the  
11 original bill, provides for an increase in the  
12 "gasoline tax" of 5¢ per gallon, but the amendment in  
13 sections 12 and 14 allocates it differently. Under  
14 the amendment, the proceeds from 1¢ would go to  
15 extraordinary bridges, the proceeds from 3 1/2¢,  
16 rather than 4¢, would go to the supplemental state  
17 funded "pay-as-you-go" highway construction program  
18 and the proceeds from 1/2¢ would go to the Local Road  
19 Assistance Program which was not addressed in the  
20 original bill.

21 The amendment makes no change in the formula for  
22 the Local Road Assistance Program, but under section  
23 2, for fiscal year 1988-89 only, the funds raised by  
24 the additional 1/2¢ of the gasoline tax would be  
25 distributed as a bonus to each municipality or county  
26 equal to 22% of the payment to that municipality or  
27 county for fiscal year 1988-89. The bonus would be in  
28 addition to funds supplied under the present  
29 formulas. In section 13, the amendment establishes a  
30 study by the Joint Standing Committee on  
31 Transportation of the formulas by which funds are  
32 allocated under the Local Road Assistance Program,  
33 with a report to the Legislature on or before December  
34 6, 1987-88.

35 In section 1 the amendment, like the original  
36 bill, provides for the proceeds from 1¢ of the  
37 increase in gasoline tax to fund a program to  
38 construct or reconstruct extraordinary bridges.

39 The amendment, as mentioned, provides funding for  
40 supplementary the state-funded highway construction  
41 program. It also dedicates \$1,200,000 of these funds  
42 to assisting municipalities with salt and sand storage  
43 facilities. Sections 3 and 4 require the Department

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1 of Transportation to reimburse municipalities for at  
2 least 25% of the cost.

3 In sections 5, 6 and 7 the amendment, like the  
4 original bill, provides for an increase to \$8,700,000  
5 from the present \$4,700,000 in the funds supplied by  
6 the Maine Turnpike Authority to the Department of  
7 Transportation for roads which provide direct and  
8 indirect access to the Turnpike. In section 15, the  
9 amendment allocates the increase to highway and bridge  
10 improvements in the counties along the turnpike.

11 In section 9, the amendment, like the original  
12 bill increases the set-aside from the "gasoline tax"  
13 based on motorboat use from 1.25% to 2.00%. This more  
14 accurately reflects actual motorboat use.

15 Finally, the amendment adds an emergency clause,  
16 with an effective date of May 1, 1988.

17

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Reported by the Majority of the Committee on Transportation  
Reproduced and distributed under the direction of the Clerk of the  
House  
4/4/88 (Filing No. H-588)