## MAINE STATE LEGISLATURE

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	L.D. 1910
2	(Filing No. H-948)
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	STATE OF MAINE
8	HOUSE OF REPRESENTATIVES 114TH LEGISLATURE
10	SECOND REGULAR SESSION
12	
	COMMITTEE AMENDMENT " $\mathcal{A}$ " to H.P. 1379, L.D. 1910, Bill, "An
14	Act to Adjust Commercial Motor Vehicle Fees"
16	Amend the bill by inserting after the title and before the enacting clause the following:
18	enacting clause the following:
	'Emergency preamble. Whereas, Acts of the Legislature do not
20	become effective until 90 days after adjournment unless enacted as emergencies; and
22	¥¥7\$
24	Whereas, American Trucking Associations, Inc. and others filed suit against the State of Maine in 1989, complaining that
	the fuel use identification fee is unconstitutional; and
26	Whereas, it appears that the suit has been settled by an
28	agreement that received preliminary approval by the Kennebec
30	County Superior Court on February 21, 1990; and
30	Whereas, this Act implements the changes required by that
32	agreement; and
34	Whereas, in the judgment of the Legislature, these facts
	create an emergency within the meaning of the Constitution of
36	Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and
38	safety; now, therefore,'
40	Further amend the bill in section 1 in subsection 3 in the
42	5th line (page 1, line 10 in L.D.) by striking out the following: " $\$7.50$ " and inserting in its place the following: ' $\$5$ '
44	Further amend the bill by striking out all of section 2 and inserting in its place the following:

## COMMITTEE AMENDMENT "A" to H.P. 1379, L.D. 1910

2	'Sec. 2. Effective date. This Act takes effect on July 1, 1990, or on the date of final approval by the court of the settlement in American Trucking Associations, Inc., et al. v. G. William
6	<u>Diamond</u> , No. CV-89-410 (Me Super. Ct., Ken. Cty.), whichever is later.
8	Further amend the bill by inserting at the end before the statement of fact the following:
10	'Emergency clause. In view of the emergency cited in the
12	preamble, this Act takes effect on July 1, 1990, except as otherwise indicated in section 2.
14	
16	FISCAL NOTE
18	This bill adjusts the fuel use identification decal fee from
20	\$15 to \$5. Based on the effective date of this bill being July 1, 1990, enactment of the bill will have the following financial
22	impact on Highway Fund revenues:
24	1990-91
26	Loss of Highway Fund Revenues (\$2,864,000)
28	The reduction of the fuel use decal fee that has been facilitated by the American Trucking Associations, Inc. lawsuit
30	and the resulting loss of Highway Fund revenues will be addressed during the Highway Fund budget bill deliberations.'
32	
34	STATEMENT OF FACT
36	
38	This amendment reduces the fee for fuel use identification decals for motor vehicles from \$15 to \$5 so that the fee will simply cover the cost of administration of that program. The
40	decal is generally required for motor vehicles registered for a gross weight exceeding 26,000 pounds or designed to carry 20 or
42	more passengers and that use a fuel other than gasoline.
44	This amendment is related to a civil suit involving the fuel decal fee, American Trucking Associations, Inc., et al. v. G.
46	William Diamond, Secretary of State, Kennebec County Superior Court Docket No. CV-89-410. The effective date of the fee
48	reduction is July 1, 1990, or the date of final approval by the court of the settlement agreement, whichever is later.