

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1776, L.D. 2444, Bill, "An Act to Make Supplemental Allocations from the Highway Fund for the Fiscal Years Ending June 30, 1990, and June 30, 1991"

Amend the bill in Part A under the caption "SECRETARY OF STATE, DEPARTMENT OF THE" in the 3rd line (page 3, line 4 in L.D.) by striking out the following: "Fuel Use Decal Program" and inserting in its place the following: 'Administration - Motor Vehicles'

Further amend the bill in Part A under the caption "SECRETARY OF STATE, DEPARTMENT OF THE" in that part titled "Administration - Motor Vehicles" in the 4th and 5th lines (page 3, lines 27 and 28 in L.D.) by striking out the following: "reduced capital costs" and inserting in its place the following: 'delayed purchase of hardware and related software'

Further amend the bill in Part A under the caption "TRANSPORTATION, DEPARTMENT OF" in the 3rd part titled "Highway and Bridge Improvement" by striking out all of the 2nd line (page 5, line 4 in L.D.) and inserting in its place the following:

'All Other	(\$200,000)	(\$300,000)
Capital Expenditures	(100,000)	(300,000)
Total	<u>(\$300,000)</u>	<u>(\$600,000)'</u>

Further amend the bill in Part B under the caption "SECRETARY OF STATE, DEPARTMENT OF THE" in the first part titled "Administration - Motor Vehicles" in the 2nd line (page 7, line 40 in L.D.) by striking out the following: "\$41,200" and inserting in its place the following: '\$29,000'

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2 Further amend the bill in Part B under the caption
"SECRETARY OF STATE, DEPARTMENT OF THE" in the 4th part
4 titled "Administration - Motor Vehicles" in the 4th and 5th lines
(page 8, lines 31 and 32 in L.D.) by striking out the following:
"Driver License Examiner" and inserting in its place the
6 following: 'Motor Vehicle Section Manager'

8 Further amend the bill in Part B under the caption
"SECRETARY OF STATE, DEPARTMENT OF THE" in the 5th part
10 titled "Administration - Motor Vehicles" by striking out all of the
2nd line (page 8, line 38 in L.D.) and inserting in its place the
12 following:

14 'All Other \$27,000 '

16 Further amend the bill in Part B under the caption
"SECRETARY OF STATE, DEPARTMENT OF THE" in the 6th part
18 titled "Administration - Motor Vehicles" by striking out all of the
2nd and 3rd lines (page 9, lines 3 and 4 in L.D.) and inserting
20 in their place the following:

22 'Positions (0.5)
Personal Services \$47,400 '

24 Further amend the bill in Part B under the caption
26 "SECRETARY OF STATE, DEPARTMENT OF THE" in the 6th part
titled "Administration - Motor Vehicles" in the 5th line (page 9,
28 line 7 in L.D.) by striking out the following: "4" and inserting
in its place the following: '3'

30 Further amend the bill in Part B under the caption
32 "SECRETARY OF STATE, DEPARTMENT OF THE" by striking out
all of the last line (page 9, line 13 in L.D.) and inserting in
34 its place the following:

36 'TOTAL \$3,250 \$116,831 '

38 Further amend the bill in Part B under the caption
"TRANSPORTATION, DEPARTMENT OF" by inserting after that
40 part titled "Bond Retirement - Highway" the following:

42 'Highway Maintenance

44 All Other \$250,000 (\$250,000)
Capital Expenditures 1,750,000 (1,750,000)
46 Total \$2,000,000 (\$2,000,000)

48 Provides for the deallocation
50 of funds in fiscal year
1990-91 and the allocation of

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2 funds in fiscal year 1989-90
3 to start this year's
4 maintenance resurfacing early
5 to avoid cold weather paving.'

6 Further amend the bill in Part B under the caption
7 "TRANSPORTATION, DEPARTMENT OF" by striking out all of
8 the last 2 lines (page 9, lines 45 and 47 in L.D.) and inserting
9 in their place the following:

10	'TOTAL	\$2,577,100	(\$2,152,100)
12	TOTAL ALLOCATION, PART B	\$2,790,550	(\$1,356,238)'

14 Further amend the bill in Part C in section C-3 in the first
15 and 2nd lines (page 11, lines 7 and 8 in L.D.) by striking out
16 the following: "Notwithstanding any other provision of law, any"
17 and inserting in its place the following: 'Any'

20 Further amend the bill in Part C in section C-3 in the next
21 to the last line (page 11, line 11 in L.D.) by inserting after
22 the following: "software" the following: 'as well as for
23 financing approved in fiscal year 1988-89 for a Division of Motor
24 Vehicles building'

26 Further amend the bill by inserting after Part C the
27 following:

28 **PART D**

30 **Allocation.** The following funds are allocated from the
31 Federal Expenditure Fund to carry out the purposes of this Act.

34		1989-90	1990-91
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36 **TRANSPORTATION, DEPARTMENT OF**

38 **Traffic Service**

40	Personal Services	\$163,000	\$700,000
	All Other	327,000	1,400,000
42		<hr/>	<hr/>
	Total	\$490,000	\$2,100,000

44 Provides for the allocation
45 of federal funds to complete
46 the highway striping program
47 within a federal program.
48

2	DEPARTMENT OF TRANSPORTATION		
	TOTAL	<u>\$490,000</u>	<u>\$2,100,000</u>
4	TOTAL ALLOCATION, PART D	\$490,000	\$2,100,000

6 **PART E**

8 **Sec. E-1. Examination of motor fuel tax evasion.** The Motor Fuel
10 Tax Evasion Committee is established and shall undertake a
12 comprehensive review to evaluate the fiscal impact caused by
14 individuals and businesses who evade paying the motor fuel tax as
mandated by the Maine Revised Statutes, Title 36, section 2903,
or any other applicable user fees.

16 1. The committee shall submit a report regarding its
18 comprehensive review of the fiscal impact caused by individuals
20 and businesses that evade paying motor fuel taxes and the effect
22 that evasion has on the transportation system of this State to
the Joint Standing Committee on Transportation, along with any
implementing legislation, by February 15, 1991, and shall submit
a copy of both to the the Office of the Executive Director of the
Legislative Council.

24 2. The committee is composed of the following 9 members:

26 A. The Commissioner of Transportation or a designee;

28 B. The Commissioner of Public Safety or a designee;

30 C. The Deputy Secretary of State for the Division of Motor
32 Vehicles or a designee;

34 D. The State Tax Assessor or a designee;

36 E. Two representatives of the trucking industry, appointed
by the Governor;

38 F. The Officer-in-Charge, Office of Motor Carriers, Federal
40 Highway Administration, United States Department of
Transportation, or a designee;

42 G. One Senator appointed by the President of the Senate; and

44 H. One member of the House of Representatives appointed by
the Speaker of the House of Representatives.

46 If a vacancy occurs in the membership of the committee, that
48 vacancy must be filled by the appointing authority as provided in
this subsection for the remainder of that term.

50 3. The Governor shall appoint the chair of the committee.

52

2 4. Legislative members of the committee are entitled to
3 legislative per diem for every day of attendance at scheduled
4 meeting in accordance with the Maine Revised Statutes, Title 3,
5 section 2. The public members and other members who are not
6 state or municipal employees or employees of councils of
7 government are entitled to expenses only in accordance with the
8 Maine Revised Statutes, Title 5, chapter 379.

9 5. The Department of Transportation shall provide staff
10 assistance to the committee.

11 6. The Department of Transportation shall absorb all costs
12 associated with this review, including committee members'
13 compensation, providing staff assistance and other related
14 expenses utilizing existing budgeted resources.

15 **Sec. E-2. Authorization of lease with option to purchase or**
16 **lease-purchase of Division of Motor Vehicles building.** Approval, as
17 required by the Maine Revised Statutes, Title 5, section 1587, is
18 given to the Department of the Secretary of State, Division of
19 Motor Vehicles, to enter into a lease with option to purchase or
20 lease-purchase financing arrangements for a Division of Motor
21 Vehicles building under which the principal for the financing
22 agreements must not exceed \$7,000,000. The rate of interest is
23 estimated to be 6.7% over a 10-year period and would result in a
24 total interest cost of approximately \$2,644,000. The Secretary
25 of State has the authority to encumber, mortgage and otherwise
26 give security interests in the building and real property
27 appurtenant to the building and to guarantee access to property
28 as part of any financing arrangement authorized under this
29 section. The Department of the Secretary of State, Division of
30 Motor Vehicles, shall finance the cost with "All Other" funds
31 within the department's regular budget. The Commissioner of
32 Transportation has the authority to pledge "All Other" highway
33 funds that are available for the purposes of collateral. The
34 Secretary of State may retain in the collection of user fees an
35 amount not to exceed the annual obligation under this financing
36 arrangement as authorized by this section.'

37 Further amend the bill by striking out all of the fiscal
38 note and inserting in its place the following:

39 **FISCAL NOTE**

	1989-90	1990-91	TOTAL
40 SUPPLEMENTAL ALLOCATION			
41 FROM HIGHWAY FUND			
42 PART A	(\$7,058,300)	(\$9,300,997)	(\$16,359,297)
43 PART B	2,790,550	(1,356,238)	1,434,312

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2	PART C	95,745	73,096	168,841
4	TOTAL	<u>(\$4,172,005)</u>	<u>(\$10,584,139)</u>	<u>(\$14,756,144)</u>
6	FEDERAL EXPENDITURE FUND			
8	PART D	\$490,000	\$2,100,000	\$2,590,000

10 Part E of the bill provides authorization to the Division of
12 Motor Vehicles to enter into a lease-purchase financial
14 arrangement for a new building and will result in a future cost
16 to the Highway Fund since the first payment would occur in fiscal
18 year 1991-92.'

20 **STATEMENT OF FACT**

22 This amendment makes certain changes to the allocations
24 outlined in the bill.

26 The amendment also:

- 28 1. Makes supplemental allocations from the Federal
30 Expenditure Fund in the fiscal years ending June 30, 1990, and
32 June 30, 1991; and
- 34 2. Establishes the Motor Fuel Tax Evasion Committee,
provides authorization to the Secretary of State to enter into a
lease with option to purchase a Division of Motor Vehicles
building and replaces the fiscal note.

Reported by the Committee on Transportation
Reproduced and distributed under the direction of the Clerk of the
House
4/4/90 (Filing No. H-1064)