

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 652, L.D. 926, Bill, "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1992 and June 30, 1993"

Amend the bill by inserting after the enacting clause (page 1, line 19 in L.D.) the following:

**'PART A'**

Further amend the bill by inserting before the emergency clause the following:

**'PART B'**

**Sec. B-1. Allocation.** The following funds are allocated from the Highway Fund for the fiscal years ending June 30, 1992 and June 30, 1993 to carry out the purposes of this Act.

	<b>1991-92</b>	<b>1992-93</b>
<b>ADMINISTRATION, DEPARTMENT OF</b>		
<b>State Police Headquarters Building Maintenance</b>		
All Other	(\$4,539)	(\$2,255)
Provides for the deallocation of funds from a reduction in All Other expenditures.		
<b>DEPARTMENT OF ADMINISTRATION TOTAL</b>	<u>(\$4,539)</u>	<u>(\$2,255)</u>

**PUBLIC SAFETY, DEPARTMENT OF**

2

**Administration - Public Safety**

4

Positions - Legislative Count	(-1.0)	(-1.0)
Personal Services	(\$3,497)	(\$1,367)

6

8

10

12

14

16

Provides for the deallocation of funds from the deletion of one vacant Clerk Typist I position, one Clerk Stenographer II position and provides for the transfer of the Chief Accountant position from the General Fund.

**State Police**

18

Capital Expenditures	(\$212,747)	
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20

22

Provides for the deallocation of funds for the purchase of vehicles.

24

**DEPARTMENT OF PUBLIC SAFETY  
TOTAL**

26

	<u>(\$216,244)</u>	<u>(\$1,367)</u>
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28

**TRANSPORTATION, DEPARTMENT OF**

30

**Collector Road Program**

32

All Other	(\$1,050,520)	(\$2,041,223)
Capital Expenditures	(420,000)	(840,000)

34

<b>TOTAL</b>	<u>(\$1,470,520)</u>	<u>(\$2,881,223)</u>
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36

38

Provides for the deallocation of funds from the Collector Road Program.

40

**Highway and Bridge Improvement**

42

All Other	(\$3,416,169)	(\$3,500,183)
Capital Expenditures	(2,343,867)	(2,207,853)

44

46

<b>TOTAL</b>	<u>(\$5,760,036)</u>	<u>(\$5,708,036)</u>
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48

50

52

Provides for the deallocation of funds from the Highway and Bridge Improvement Program for fiscal year 1991-92 and fiscal year 1992-93.

2	<b>Highway Maintenance</b>		
4	Capital Expenditures		(\$4,300,000)
6	Provides for the deallocation		
8	of funds from the Highway		
10	Maintenance Program for		
	fiscal year 1992-93.		
	<b>Railroad Assistance Program</b>		
12	All Other	(\$1,000,000)	(\$1,000,000)
14	Provides for the deallocation		
16	of funds from the Railroad		
18	Assistance Program.		
20	<b>DEPARTMENT OF TRANSPORTATION</b>		
	<b>TOTAL</b>	<u>(\$8,230,556)</u>	<u>(\$13,889,259)</u>
22	<b>SECTION B-1</b>		
24	<b>TOTAL ALLOCATIONS</b>	<u>(\$8,451,339)</u>	<u>(\$13,892,881)</u>
26	<b>Sec. B-2. Allocation.</b> The following funds are allocated from		
28	the Highway Fund for the fiscal years ending June 30, 1992 and		
30	June 30, 1993, to the departments listed, the sums identified in		
	the following, in order to provide funding for approved		
	reclassifications and range changes.		
32		<b>1991-92</b>	<b>1992-93</b>
34	<b>PUBLIC SAFETY, DEPARTMENT OF</b>		
36	<b>Administration - Public Safety</b>		
38	Personal Services	\$913	\$913
40	<b>State Police</b>		
42	Personal Services	\$2,158	\$2,309
44	<b>DEPARTMENT OF PUBLIC SAFETY</b>		
	<b>TOTAL</b>	<u>\$3,071</u>	<u>\$3,222</u>
46	<b>SECRETARY OF STATE,</b>		
48	<b>DEPARTMENT OF THE</b>		
50	<b>Administration - Motor Vehicles</b>		
52	Personal Services	\$13,257	\$11,384

Fuel Use Decal Program

2	Personal Services	\$724	\$727
4			
6	DEPARTMENT OF THE SECRETARY OF STATE		
8	TOTAL	<u>\$13,981</u>	<u>\$12,111</u>
10	TRANSPORTATION, DEPARTMENT OF		
12	Administration and Planning		
14	Personal Services	\$7,303	\$7,490
16	Highway Maintenance		
18	Personal Services	\$2,746	\$2,746
20	DEPARTMENT OF TRANSPORTATION TOTAL	<u>\$10,049</u>	<u>\$10,236</u>
22	SECTION B-2 TOTAL ALLOCATIONS	<u>\$27,101</u>	<u>\$25,569</u>

PART C

Sec. C-1. Allocation. The following funds are allocated from the Highway Fund for the fiscal years ending June 30, 1992 and June 30, 1993 to carry out the purposes of this Act.

		1991-92	1992-93
34	PUBLIC SAFETY, DEPARTMENT OF		
36	State Police		
38	Personal Services	\$2,300,000	\$5,700,000
40	Provides funds to reflect the		
42	2¢ per gallon gas tax		
44	surcharge for 12 months each		
46	fiscal year.		
48	DEPARTMENT OF PUBLIC SAFETY		
50	TOTAL	<u>\$2,300,000</u>	<u>\$5,700,000</u>
52	SECRETARY OF STATE, DEPARTMENT OF THE		
	Motor Vehicles - Administration		

COMMITTEE AMENDMENT "A" to H.P. 652, L.D. 926

2	Positions	(-11.0)	(-11.0)
	Personal Services	(\$193,343)	(\$195,851)
	All Other	404,720.	(29,887)
4	Capital Expenditures	74,456	(28,008)
6	<b>TOTAL</b>	<u>\$285,833</u>	<u>(\$253,746)</u>

8 Provides for the deallocation  
of funds due to the  
10 elimination of 5 Laborer  
positions, 3 Computer  
12 Operator positions, one  
Driver License Examiner I  
14 position, one seasonal Driver  
License Examiner I position,  
16 2 Clerk Stenographer I  
positions and one Clerk II  
18 position. Funds are  
allocated for 1/2 of the  
20 positions of Assistant  
Secretary of State and an  
22 Administrative Assistant.  
Also, this allocation  
24 includes capital equipment  
adjustments and general  
26 operating expenses for branch  
leases and plate operations.

**Fuel Use Decal Program**

30	Positions	(-1.0)	(-1.0)
32	Personal Services	(\$19,632)	(\$19,632)

34 Provides for the deallocation  
of funds due to the  
36 elimination of one Clerk  
Typist II position.

**DEPARTMENT OF THE SECRETARY  
OF STATE  
TOTAL**

<u>\$266,201</u>	<u>(\$273,378)</u>
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**TRANSPORTATION, DEPARTMENT OF**

**Bond Interest - Highway**

46	All Other	(\$186,450)
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48 Provides for a deallocation  
50 of funds no longer needed.

**Highway Maintenance**

2	All Other		(\$548,550)
4	Provides for a deallocation of funds no longer needed.		
6	<b>Railroad Assistance Program</b>		
8	All Other		\$735,000
10	Provides funds for grade crossing maintenance reimbursement.		
14	<b>Highway and Bridge Improvement</b>		
16	Capital Expenditures		\$6,300,000
18	Provides funds for the Scarborough Interchange project.		
22	<b>DEPARTMENT OF TRANSPORTATION</b>		
24	<b>TOTAL</b>	<hr/>	<hr/>
		\$-0-	\$6,300,000
26	<b>SECTION C-1</b>		
28	<b>TOTAL ALLOCATIONS</b>	<hr/>	<hr/>
		\$2,566,201	\$11,726,622
30	<b>Sec. C-2. Allocation.</b> The following funds are allocated from the Highway Fund to carry out the purposes of this Act.		
32		<b>1991-92</b>	<b>1992-93</b>
34	<b>ADMINISTRATION, DEPARTMENT OF</b>		
36	<b>State Police Headquarters Building Maintenance</b>		
38	Personal Services	(\$1,258)	(\$5,486)
40	Provides for a deallocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.		
46	<b>Transportation Building Maintenance</b>		
48	Personal Services	(\$3,752)	(\$16,589)
50	Provides for a deallocation of funds due to the over		
52			

2	budgeting of health benefits		
	and an adjustment of the		
	payroll.		
4			
6	<b>DEPARTMENT OF ADMINISTRATION</b>		
	<b>TOTAL</b>	<u>(\$5,010)</u>	<u>(\$22,075)</u>
8	<b>FINANCE, DEPARTMENT OF</b>		
10	<b>Claims Board</b>		
12	Personal Services	(\$219)	(\$3,297)
14	Provides for a deallocation		
	of funds due to the over		
16	budgeting of health benefits		
	and an adjustment of the		
18	payroll.		
20	<b>DEPARTMENT OF FINANCE</b>		
	<b>TOTAL</b>	<u>(\$219)</u>	<u>(\$3,297)</u>
22			
24	<b>PUBLIC SAFETY, DEPARTMENT OF</b>		
	<b>Administration - Public Safety</b>		
26	Personal Services	(\$4,276)	(\$19,475)
28	Provides for a deallocation		
	of funds due to the over		
30	budgeting of health benefits		
	and an adjustment of the		
32	payroll.		
34			
36	<b>Motor Vehicle Inspection</b>		
	Personal Services	(\$3,591)	(\$24,999)
38	Provides for a deallocation		
	of funds due to the over		
40	budgeting of health benefits		
	and an adjustment of the		
42	payroll.		
44			
46	<b>Highway Safety</b>		
	Personal Services	(\$1,580)	(\$8,949)
48	Provides for a deallocation		
	of funds due to the over		
50	budgeting of health benefits		



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2 and an adjustment of the  
3 payroll.

4 **State Police**

6 Personal Services (\$61,643) (\$392,890)

8 Provides for a deallocation  
9 of funds due to the over  
10 budgeting of health benefits  
11 and an adjustment of the  
12 payroll.

14 **Traffic Safety**

16 Personal Services (\$3,162) (\$20,752)

18 Provides for a deallocation  
19 of funds due to the over  
20 budgeting of health benefits  
21 and an adjustment of the  
22 payroll.

24 **DEPARTMENT OF PUBLIC SAFETY  
25 TOTAL**

(\$74,252) (\$467,065)

26 **SECRETARY OF STATE,  
28 DEPARTMENT OF THE**

30 **Administration - Motor Vehicles**

32 Personal Services (\$100,200) (\$502,410)

34 Provides for a deallocation  
35 of funds due to the over  
36 budgeting of health benefits  
37 and an adjustment of the  
38 payroll.

40 **Fuel Use Decal Program**

42 Personal Services (\$2,212) (\$9,395)

44 Provides for a deallocation  
45 of funds due to the over  
46 budgeting of health benefits  
47 and an adjustment of the  
48 payroll.

50 **DEPARTMENT OF THE SECRETARY  
51 OF STATE  
52 TOTAL**

(\$102,412) (\$511,805)

2 **TRANSPORTATION, DEPARTMENT OF**

4 **Administration and Planning**

6 Personal Services (\$31,582) \$204,513

8 Provides for a deallocation  
10 and an allocation of funds  
12 due to the over budgeting of  
health benefits and an  
adjustment of the payroll.

14 **Bridge Maintenance**

16 Personal Services (\$53,808) \$117,351

18 Provides for a deallocation  
20 and an allocation of funds  
due to the over budgeting of  
22 health benefits and an  
adjustment of the payroll.

24 **Collector Road Program**

26 Personal Services (\$12,276) \$24,140

28 Provides for a deallocation  
and an allocation of funds  
30 due to the over budgeting of  
health benefits and an  
32 adjustment of the payroll.

34 **Highway Maintenance**

36 Personal Service (\$308,996) \$704,223

38 Provides for a deallocation  
and an allocation of funds  
40 due to the over budgeting of  
health benefits and an  
42 adjustment of the payroll.

44 **Local Bridges**

46 Personal Services (\$1,500) \$11,594

48 Provides for a deallocation  
and an allocation of funds  
50 due to the over budgeting of  
health benefits and an  
52 adjustment of the payroll.



2           **Sec. D-2. 36 MRSA §2903, sub-§1**, as repealed and replaced by  
PL 1989, c. 502, Pt. A, §133, is repealed and the following  
enacted in its place:

4           1. Excise tax imposed. Except as provided in subsection 2,  
6 an excise tax is imposed on internal combustion engine fuel as  
8 follows.

10           A. Except as provided in paragraph B, the excise tax on  
internal combustion engine fuel used or sold within this  
State, including sales to the State or a political  
12 subdivision of the State, is 19¢ a gallon.

14           B. Internal combustion engine fuel may be taxed only once  
under this section. The distributor that first receives the  
fuel in this State is primarily responsible for paying the  
16 tax except when the fuel is sold and delivered to a licensed  
18 exporter wholly for exportation from the State or to another  
distributor in the State, in which case the purchasing  
20 distributor is primarily responsible for paying the tax.

22           C. This subsection does not apply to internal combustion  
engine fuel:

24                   (1) Sold wholly for exportation from this State;

26                   (2) Brought into this State in the ordinary  
28 standardized equipment fuel tank attached to and a part  
of a motor vehicle and used in the operation of that  
30 vehicle in this State;

32                   (3) Sold in bulk to any political subdivision of this  
State;

34                   (4) Bought or used by any person to propel jet or  
36 turbojet engine aircraft;

38                   (5) Brought into this State in the fuel tanks of an  
40 aircraft; or

42                   (6) On which the collection of the tax imposed by this  
section is precluded by federal law or regulation.

44           This subsection is repealed on July 1, 1993.

46           **Sec. D-3. 36 MRSA §2903, sub-§1-A**, as enacted by PL 1987, c.  
793, Pt. B, §1, is repealed and the following enacted in its  
48 place:

50           1-A. Excise tax imposed. Except as provided in subsection  
52 2, an excise tax is imposed on internal combustion engine fuel as  
follows.

2           A. Except as provided in paragraph B, the excise tax on  
4           internal combustion engine fuel used or sold within this  
          State, including sales to the State or a political  
          subdivision of the State, is 17¢ a gallon.

6           B. Internal combustion engine fuel may be taxed only once  
8           under this section. The distributor that first receives the  
10           fuel in this State is primarily responsible for paying the  
12           tax except when the fuel is sold and delivered to a licensed  
14           exporter wholly for exportation from the State or to another  
          distributor in the State, in which case the purchasing  
          distributor is primarily responsible for paying the tax.

16           C. This subsection does not apply to internal combustion  
          engine fuel:

18                   (1) Sold wholly for exportation from this State;

20                   (2) Brought into this State in the ordinary  
22                   standardized equipment fuel tank attached to and a part  
24                   of a motor vehicle and used in the operation of that  
          vehicle in this State;

26                   (3) Sold in bulk to any political subdivision of this  
          State;

28                   (4) Bought or used by any person to propel jet or  
          turbojet engine aircraft;

30                   (5) Brought into this State in the fuel tanks of an  
32                   aircraft; or

34                   (6) On which the collection of the tax imposed by this  
          section is precluded by federal law or regulation.

36           This subsection takes effect on July 1, 1993.

38           Sec. D-4. 36 MRSA §2906, first ¶, as amended by PL 1983, c.  
40           862, §87, is further amended to read:

42           Every distributor, importer, or exporter, holding a valid  
44           certificate as such, shall, on or before the last 21st day of  
46           each month, render a report to the State Tax Assessor stating the  
48           number of gallons of internal combustion engine fuel received,  
50           sold and used in the State by ~~him~~ the distributor, importer or  
52           ~~exporter~~ exporter during the preceding calendar month, on forms ~~to be~~  
          furnished by the State Tax Assessor. Such reports shall ~~must~~  
          contain such further information pertinent thereto as the State  
          Tax Assessor shall ~~prescribe~~ prescribes and the State Tax  
          Assessor may make such other reasonable rules and ~~regulations~~  
          regarding the administration and enforcement of the Gasoline Tax

Act as he may deem the State Tax Assessor determines necessary or expedient, copies of which shall must be sent to such certificate holders. He The State Tax Assessor or his the State Tax Assessor's duly authorized agent shall must have access during reasonable business hours to the books, invoices and vouchers of such certificate holders which-may that show the fuel handled by the certificate holder. At the time of the filing of the report, each distributor and importer shall pay to the State Tax Assessor a tax at the rate set forth in section 2903 upon each gallon so reported as sold, distributed or used. An allowance of not more than 1% from the amount of fuel received by the distributor, plus 1% on all transfers in vessels, tank cars or full tank truck loads by a distributor in the regular course of his business from one of his the distributor's places of business to another within the State, may be allowed by the State Tax Assessor to cover the loss through shrinkage, evaporation or handling sustained by the distributor. The total allowance for such losses shall may not exceed 2% of the receipts by such distributor and no further deduction shall may be allowed unless the State Tax Assessor is satisfied on definite proof submitted to him the State Tax Assessor that a further deduction should be allowed by him for a loss sustained through fire, accident or some unavoidable calamity.

Sec. D-5. 36 MRSA §3203, as amended by PL 1987, c. 793, Pt. A, §12, is further amended to read:

**§3203. Tax levied**

An excise tax is levied and imposed upon on all suppliers of special fuel sold and on all users of special fuel used in this State ea for each gallon of distillate at the rate of ~~14¢~~ 20¢ per gallon and, ~~beginning July 1, 1988, at the rate prescribed in section 2903, plus 3¢ per gallon and, on for~~ each gallon of low-energy fuel at the rate ~~prescribed in section 2903, less 1 cent~~ of 18¢ per gallon, except sales of special fuel made to the State or any political subdivision of the State; the special fuel sold or used in such form and under such circumstances as shall ~~preclude~~ precludes the collection of this tax by reasons of the laws of the United States; sold only for exportation from this State; delivered into a tank used solely for heating or cooking purposes, sold for resale to a licensed or registered supplier; and sold to a person for the generation of power for resale or manufacturing. When special fuel is delivered by a supplier on a consignment basis to a consumer or to a retail outlet, whether the retail outlet is wholly owned by the supplier or not, it shall ~~be is~~ considered to have been "sold" within the meaning of the Special Fuel Tax Act. All taxes collected under this section shall must be credited to the Highway Fund. When kerosene is delivered into a separate tank for retail sale, the excise tax is not to be collected by the supplier, rather licensed users shall remit the tax in accordance with section 3207.

2           Sec. D-6. 36 MRSA §3203-A, sub-§4, as enacted by PL 1983, c.  
4           740, is amended to read:

6           4. Penalties. Any supplier who sells special fuel under  
8           this section with the knowledge that it will not be used for  
10           heating purposes and any person who purchases special fuel under  
12           this section and uses the fuel for any purpose other than heating  
~~shall be subject to a civil penalty of \$100 for each violation~~  
commits a Class E crime and is subject to a fine of not less than  
\$250, payable to the State, to be recovered in a civil action  
which may not be reduced.

14           Sec. D-7. 36 MRSA §3216, first ¶, as repealed and replaced by  
16           PL 1989, c. 878, Pt. B, §33, is amended to read:

18           Any person who refuses or neglects to make any statement,  
20           report, payment or return required by this chapter, or who  
22           refuses or neglects to pay interest or penalties arising from the  
24           nonpayment of taxes required by this chapter, or who knowingly  
26           makes, or who aids or assists any other person in making, a false  
28           statement in a return or report to the State Tax Assessor, or in  
30           connection with an application for refund of any tax, or who  
32           knowingly collects or attempts to collect, or causes to be paid  
34           to that person or to any other person, either directly or  
36           indirectly, any refund of that tax without being entitled to that  
38           refund or is in violation of the affidavit as prescribed for  
40           registered sellers in section 3205, ~~is guilty of~~ commits a Class  
42           E crime and is subject to a fine of not less than \$250, which may  
44           not be reduced. Any fines collected pursuant to this section must  
46           be credited to the Highway Fund.

48           Sec. D-8. 36 MRSA §3217, as amended by PL 1989, c. 878, Pt.  
50           G, §6, is further amended to read:

52           **§3217. Additional violations**

          Any user, or any agent or employee of any user, who shall  
consume consumes any fuel in a registered motor vehicle within  
the State, when that user is not the holder of an uncanceled  
license as required by this chapter, or when that user has failed  
to file any report or pay tax, ~~penalty or interest~~ as required by  
this chapter ~~and chapter 7,~~ or when that user has refused or  
neglected to pay interest or penalties arising from the  
nonpayment of taxes required by this chapter commits a Class E  
crime and is subject to a fine of not less than \$250, which may  
not be reduced. Each day or part thereof during which any person  
shall ~~consume~~ consumes any fuel in a registered motor vehicle  
within the State, when that user is not the holder of an  
uncanceled license as required by this chapter, or when that user  
has failed to file any report or pay tax, ~~interest or penalty~~ as  
required by this chapter ~~and chapter 7,~~ shall ~~constitute~~ or when

2 that user has refused or neglected to pay interest or penalties  
3 arising from the nonpayment of taxes required by this chapter  
4 constitutes a separate violation within the meaning of this  
5 section. Any fines collected pursuant to this section must be  
6 credited to the Highway Fund.

7 **Sec. D-9. PL 1989, c. 921, Pt. E, §2** is amended by adding at the  
8 end a new sentence to read:

9 Funds expended pursuant to a financing arrangement may include  
10 the cost of equipment.

11 **Sec. D-10. PL 1991, c. 9, Pt. E, §40** is amended to read:

12 **Sec. E-40. Repayment to Highway Fund.** Funds advanced from  
13 the Maine Turnpike Authority under this Part, as an early payment  
14 of the Maine Turnpike Authority's fiscal year 1991-92 Highway  
15 Fund obligation, must be repaid returned to the Highway Fund in  
16 the amount of \$5,000,000 on August 1, 1991 and in the amount of  
17 \$10,000,000 on July 1, 1992 through increased gas taxes in the  
18 amount of \$8,700,000 in fiscal year 1991-92 and \$6,300,000 in  
19 fiscal year 1992-93.

20 **Sec. D-11. Funding for Bureau of State Police.** Notwithstanding  
21 Public Law 1987, chapter 793, Part B, section 4, for fiscal years  
22 1991-92 and 1992-93 only, funding for the Department of Public  
23 Safety, Bureau of State Police must be approximately equal to the  
24 following:

	1991-92	1992-93
25 Highway Fund	64%	78%
26 General Fund	36%	22%

27 State Police funding will return to a 50% General Fund  
28 appropriation and a 50% Highway Fund allocation for fiscal year  
29 1993-94 and thereafter.

30 **Sec. D-12. Repeal.** Section 2 of this Part is repealed July  
31 1, 1993.

32 **Sec. D-13. Effective date.** Section 3 of this Part takes effect  
33 July 1, 1993.'

34 Further amend the bill by inserting before the statement of  
35 fact the following:

36 **FISCAL NOTE**

	1991-92	1992-93
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2 APPROPRIATIONS/ALLOCATIONS

4	Highway Fund		
6	A	\$205,541,317	\$211,085,339
8	B-1	(\$8,451,339)	(\$13,892,881)
10	B-2	\$27,101	\$25,569
12	C-1	\$2,566,201	\$11,726,622
14	C-2	(\$699,106)	\$419,525
16		<u>\$198,984,174</u>	<u>\$209,364,174</u>

18 REVENUES

20	Highway Fund	\$10,820,000	\$12,180,000
----	--------------	--------------	--------------

22 This bill allocates \$198,984,174 in fiscal year 1991-92 and  
 24 \$209,364,174 in fiscal year 1992-93 from the Highway Fund. Funds  
 other than the Highway Fund appropriated or allocated in this  
 bill are provided for informational purposes only.

26 The excise tax on gasoline is increased by 2¢ per gallon,  
 28 generating additional Highway Fund revenue for \$10,820,000 in  
 fiscal year 1991-92 and \$12,180,000 in fiscal year 1992-93. This  
 30 increase is repealed on July 1, 1993.

32 The additional revenue derived from the tax must be used to  
 repay an advance payment from the Highway Fund provided pursuant  
 34 to Public Law 1991, chapter 9. This repayment will provide  
 \$8,700,000 in fiscal year 1991-92 and \$6,300,000 in fiscal year  
 36 1992-93 to the Highway Fund with the remaining balance of  
 \$8,000,000 allocated to the State Police in fiscal years 1991-92  
 38 and 1992-93.

40 This bill also establishes a Class E crime. The additional  
 work load and administrative costs associated with a minimal  
 42 number of new cases filed in District Court as a result of the  
 violation will be absorbed within the budgeted resources of the  
 44 Judicial Department. There will be an increase of revenue to the  
 Highway Fund from the collection of additional penalties.

46 Sentences imposed for a Class E offense must be served in a  
 48 county jail facility. The projected cost to a county for each  
 person sentenced under the new Class E crime is approximately  
 50 \$3,820 and is based upon an average length of stay of 67 days.'

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STATEMENT OF FACT

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This bill does the following.

Part A establishes the Highway Fund current services budget.

Part B of the bill:

1. Makes deallocations from the Highway Fund to support reduction proposals and adjustments; and
2. Makes allocations from the Highway Fund for approved reclassifications and range changes.

Part C of the bill:

1. Allocates funds for the 2¢ per gallon increase in the gas tax;
2. Makes adjusting allocations to the Secretary of State and the Department of Transportation;
3. Allocates funds for the Scarborough Interchange project; and
4. Makes adjusting allocations due to the over budgeting of health benefits and adjustments to the payroll.

Part D of the bill:

1. Increases the fee for the trip permit granted by the Secretary of State in lieu of special fuel tax licensing and reporting from \$5 to \$50. It also reduces the term of the permit from 5 to 3 days;
2. Increases the excise tax on gasoline by 2¢ per gallon and sunsets on July 1, 1993;
3. Makes the 21st day of the month the report and payment deadline for the fuel transaction report;
4. Provides that misuse of tax-exempt home heating fuel as a motor fuel is a Class E crime subject to a minimum fine of \$250, which may not be reduced;
5. Establishes a minimum fine of \$250 for failure to file a special fuel tax license application, for making fraudulent statements in connection with that license, for failure to pay the special fuel tax or for failure to pay interest and penalties associated with nonpayment of the tax;
6. Provides clarifying language for the lease-purchase

