

# MAINE STATE LEGISLATURE

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L.D. 1587

DATE: 11/30/95

(Filing No. H- 681)

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
117TH LEGISLATURE  
FIRST SPECIAL SESSION

HOUSE AMENDMENT "B" to H.P. 1148, L.D. 1587, Bill, "An Act to Implement the Productivity Recommendations of the Department of Transportation and Make Adjustments to Highway Fund Appropriations and Allocations for Fiscal Years 1995-96 and 1996-97"

Amend the bill by adding before the enacting clause the following:

**Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds to match available federal funds for improvements to the Portland-South Portland Bridge; the Brunswick-Topsham Bypass; and the Waterville-Winslow Bridge.'

Further amend the bill in Part A in section 1 by striking out all of the 6th part designated "Highway and Bridge Improvement" (page 4, lines 46 to 50 and page 5, lines 2 to 11 in L.D.)

Further amend the bill in Part A in section 1 in that part designated "DEPARTMENT OF TRANSPORTATION TOTAL" (page 7, line 45 and 46 in L.D.) by striking out the figure: "36,483,707" and inserting in its place the following: '2,483,707'

Further amend the bill by striking out all of Part C and inserting in its place the following:

PART C

HOUSE AMENDMENT

**Sec. C-1. Calculation and transfer of targeted character and object code savings.** Based upon the allotment reserves and 30% savings plans required by Executive Order No. 2 of Fiscal Year 1995-96 and notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer shall calculate the amount of General Fund savings available in the following character and object codes of all departments and agencies of State Government:

1. Professional services, not-by-state;
2. Travel in-state;
3. Travel out-of-state;
4. Vehicle operation;
5. Repairs;
6. General operations;
7. Office supplies;
8. Miscellaneous supplies; and
9. Capital equipment.

**Sec. C-2. Implementation; detailed plan.** Each department and agency affected by this Part shall submit a detailed implementation plan in accordance with the requirements of this Part, which must be approved in advance of any implementation by the Commissioner of Administrative and Financial Services, upon the recommendation of the State Budget Officer. The Commissioner of Administrative and Financial Services, in approving each detailed plan, is authorized to adjust the reduction among accounts and line categories only under extenuating circumstances.

**Sec. C-3. Report.** The Commissioner of Administrative and Financial Services shall submit a report on the implementation of this Part to the Joint Standing Committee on Appropriations and Financial Affairs no later than January 3, 1996.

**Sec. C-4. Program or service eliminations.** In implementing this Part, the heads of all departments and agencies in State Government, along with the Commissioner of Administrative and Financial Services and the State Budget Officer, shall take all necessary precautions to ensure that no program or service otherwise authorized by the Legislature is eliminated in fiscal year 1995-96 or 1996-97 as a result of this Part.

A. 4. 6

**Sec. C-5. Appropriation.** The following funds are appropriated from the General Fund for the fiscal years ending June 30, 1996 and June 30, 1997, to the departments listed, to carry out the purposes of this Part.

	1995-96	1996-97
<b>ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF</b>		
<b>Departments and Agencies - Statewide</b>		
All Other	(\$5,500,000)	(\$5,500,000)
Provides for the deappropriation of funds based on allotment reserves and 30% savings plans required by Executive Order No. 2 of Fiscal Year 1995-96 available in the following character and object codes of all departments and agencies in State Government: professional services, not-by-state; travel in-state; travel out-of-state; vehicle operation; repairs; general operations; office supplies; miscellaneous supplies; and capital equipment.		
<b>DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES</b>		
<b>TOTAL</b>	(5,500,000)	(5,500,000)
<b>TRANSPORTATION, DEPARTMENT OF</b>		
<b>Highway and Bridge Improvement</b>		
All Other	1,000,000	1,000,000
Capital Expenditures	4,500,000	4,500,000
Provides funds for 3 federal demonstration projects: the Portland-South Portland		

# HOUSE AMENDMENT

HOUSE AMENDMENT "B" to H.P. 1148, L.D. 1587

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Bridge; the Brunswick-Topsham  
Bypass; and the  
Waterville-Winslow Bridge.

<b>DEPARTMENT OF TRANSPORTATION</b>		
<b>TOTAL</b>	5,500,000	5,500,000
<b>SECTION C-5</b>		
<b>TOTAL APPROPRIATIONS</b>	-0-	-0-

**Sec. C-6. Allocation.** The following funds are allocated from the Highway Fund to carry out the purposes of this Part.

	1995-96	1996-97
<b>TRANSPORTATION,</b>		
<b>DEPARTMENT OF</b>		
<b>Highway and Bridge</b>		
<b>Improvement</b>		
All Other	1,000,000	1,000,000
Capital Expenditures	2,000,000	2,000,000
<b>TOTAL</b>	3,000,000	3,000,000

Provides for the allocation of funds for 3 federal demonstration projects: the Portland-South Portland Bridge; the Brunswick-Topsham Bypass; and the Waterville-Winslow Bridge.

<b>Highway and Bridge</b>		
<b>Improvement</b>		
All Other	(3,000,000)	(3,000,000)
Provides for the deallocation of funds no longer required due to savings resulting from the Commissioner of Transportation reprioritizing and delaying certain highway and bridge construction projects.		

<b>DEPARTMENT OF TRANSPORTATION</b>		
<b>TOTAL</b>	-0-	-0-

# HOUSE AMENDMENT

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**SECTION C-6**  
**TOTAL ALLOCATIONS**

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\$-0-                      \$-0-

**Sec. C-7. Contingent upon ratification on bond issue.** This Part does not take effect unless the bond issue under Part A of this Act is approved by the legal voters of the State.

**PART D**

**Sec. D-1. Authorization of bonds to provide for improvements to the Portland-South Portland Bridge, the Brunswick-Topsham Bypass and the Waterville-Winslow Bridge.** The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$17,000,000 for improvements as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 20 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

**Sec. D-2. Records of bonds issued to be kept by the Treasurer of State.** The Treasurer of State shall keep an account of each bond showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

**Sec. D-3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Part. Any unencumbered balances remaining at the completion of the project in section 6 lapse to the debt service account established for the retirement of these bonds.

**Sec. D-4. Interest and debt retirement.** The Treasurer of State shall pay interest due or accruing on any bonds issued under this Part and all sums coming due for payment of bonds at maturity.

**Sec. D-5. Disbursement of bond proceeds.** The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of the Commissioner of Transportation.

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2           **Sec. D-6. Allocations from Highway Fund bond issue.** The  
following proceeds of the sale of bonds must be expended as  
4           designated in the following schedule.

6           **TRANSPORTATION, DEPARTMENT OF**

8           **Highway Fund**

10                   Highway and bridge improvements                   \$17,000,000  
                    for the federal demonstration  
12                   projects.

14           **Sec. D-7. Contingent upon ratification of bond issue.** Sections 1  
to 6 do not become effective unless the people of the State have  
16           ratified the issuance of bonds as set forth in this Part.

18           **Sec. D-8. Appropriation balances at year end.** At the end of each  
fiscal year, all unencumbered appropriation balances representing  
20           state money carry forward. Bond proceeds that have not been  
expended within 10 years after the date of the sale of the bonds  
22           lapse to General Fund debt service.

24           **Sec. D-9. Bonds authorized but not issued.** Any bonds authorized  
but not issued, or for which bond anticipation notes are not  
26           issued within 5 years of ratification of this Part, are  
deauthorized and may not be issued; except that the Legislature  
28           may, within 2 years after the expiration of that 5-year period,  
extend the period for issuing any remaining unissued bonds or  
30           bond anticipation notes for an additional amount of time not to  
exceed 5 years.

32           **Sec. D-10. Referendum for ratification; submission at a primary**  
**34           election in June following passage of this Act; form of question; effective**  
**date.** This Part must be submitted to the legal voters of the  
36           State of Maine at a primary election in June following passage of  
this Act. The municipal officers of this State shall notify the  
38           inhabitants of their respective cities, towns and plantations to  
meet, in the manner prescribed by law for holding a statewide  
40           election, to vote on the acceptance or rejection of this Part by  
voting on the following question:

42                   "Do you favor a \$17,000,000 bond issue for economic  
44                   development for improvements to the Portland-South Portland  
Bridge, the Brunswick-Topsham Bypass and the  
46                   Waterville-Winslow Bridge?"

48           The legal voters of each city, town and plantation shall  
vote by ballot on this question and designate their choice by a

cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if a majority of the legal votes are cast in favor of the Part, the Governor shall proclaim the result without delay, and the Part becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Part necessary to carry out the purpose of this referendum.'

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

**FISCAL NOTE**

	1995-96	1996-97	BIENNIUM
<b>Highway Fund Allocations</b>			
PART A, Section A-1	(892,836)	6,083,568	5,190,732
PART C, Section C-6	-0-	-0-	-0-
<b>HIGHWAY FUND, TOTAL</b>	<b>(892,836)</b>	<b>6,083,568</b>	<b>5,190,732</b>
<b>Federal Expenditures Fund</b>			
PART A, Section A-2	(63,729)	(75,891)	(139,620)
<b>FEDERAL EXPENDITURES FUND, TOTAL</b>	<b>(63,729)</b>	<b>(75,891)</b>	<b>(139,620)</b>
<b>Highway Garage Fund</b>			
PART A, Section A-3	(180,621)	(188,717)	(369,338)
<b>HIGHWAY GARAGE FUND, TOTAL</b>	<b>(180,621)</b>	<b>(188,717)</b>	<b>(369,338)</b>
<b>GENERAL FUND APPROPRIATIONS</b>			
PART C, Section C-5	-0-	-0-	-0-
<b>GENERAL FUND, TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

This bill offsets additional General Fund appropriations of \$5,500,000 annually in fiscal years 1995-96 and 1996-97 through



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statewide deappropriations of \$5,500,000 annually in those same fiscal years. Departments and agencies statewide will need to cover these deappropriations by generating \$5,500,000 in additional budget reductions each year in certain "targeted" All Other and Capital Expenditures line category savings.

The estimated cost of sending this bond issue out to referendum will vary according to the total number of referenda enacted during the First Special and Second Regular Sessions of the 117th Legislature to be submitted to the voters at the June primary election in 1996. The estimated cost to the Secretary of State if one to 6 referenda are enacted is \$95,000. Each additional referendum costs an additional \$7,000.

If approved by the voters, the total cost of this bond issue to the Highway Fund is estimated to be \$28,156,250 with principal payments of \$17,000,000 and interest payments of approximately \$11,156,250.'

**STATEMENT OF FACT**

This amendment removes \$34,000,000 from the Highway and Bridge Improvement Account that would have been used for federal demonstration projects and appropriates \$11,000,000 from the General Fund and allocates \$6,000,000 from the Highway and Bridge Improvement Account for those projects. The remaining \$17,000,000 will come from a bond issue.

SPONSORED BY: Bob Hartnett (D-R)  
(Representative HARTNETT)

TOWN: Freeport