

MAINE STATE LEGISLATURE

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RWS.

L.D. 957

DATE: 6-1-99

(Filing No. H-728)

MAJORITY
TRANSPORTATION

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10 Reproduced and distributed under the direction of the Clerk of
12 the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

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20 COMMITTEE AMENDMENT "A" to H.P. 690, L.D. 957, Bill, "An
22 Act to Make Supplemental Allocations from the Highway Fund for
the Fiscal Years Ending June 30, 2000 and June 30, 2001"

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Amend the bill by striking out everything after the enacting
clause and before the emergency clause and inserting in its place
the following:

PART A

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30
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Sec. A-1. Appropriation. The following funds are appropriated
from the General Fund to carry out the purposes of this Part.

1999-00

34
36

TRANSPORTATION, DEPARTMENT OF
Urban-Rural Initiative Program

38

All Other \$22,000,000

40
42
44
46

Provides for the
appropriation of funds to
restore current services
funding to the Local Road
Assistance program and to
augment the new Urban-Rural
Initiative Program.

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Sec. A-2. Allocation. The following funds are allocated from
the Highway Fund for the fiscal years ending June 30, 2000 and
June 30, 2001 to carry out the purposes of this Part.

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 690, L.D. 957

	1999-00	2000-01
2		
4	ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF	
6	Salary Plan	
8		
	Personal Services	\$481,948
10		
12	Provides for the allocation of funds for the salary plan.	
14	DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES	
16	TOTAL	481,948
18	PUBLIC SAFETY, DEPARTMENT OF	
20	State Police	
22		
	All Other	(90,000) (12,000)
24		
26	Deallocates funds allocated in Public Law 1999, chapter 152 for the purchase of fleet management system software and maintenance.	
28		
30	DEPARTMENT OF PUBLIC SAFETY	
32	TOTAL	(90,000) (12,000)
34	TRANSPORTATION, DEPARTMENT OF	
36	Highway and Bridge Improvement	
38		
40	Capital Expenditures	4,000,000 4,642,069
42		
44	Provides for the allocation of funds to meet current services needs.	
46		
48	Highway Maintenance	
50	Capital Expenditures	1,045,000 1,455,000

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 690, L.D. 957

2 Provides for the allocation
of funds for the replacement
4 of state-owned sand and salt
storage buildings.

6 **Highway Maintenance**

8	All Other	200,000	800,000
	Capital Expenditures	(200,000)	(800,000)
10		<hr/>	<hr/>
	TOTAL	0	0

12 Provides for the deallocation
14 of Capital Expenditures
funding for the construction
16 of state-owned sand and salt
facilities and the allocation
18 of All Other funding for the
municipal sand and salt
20 cost-sharing program.

22 **Urban-Rural Initiative Program**

24	All Other	150,000	23,000,000
----	-----------	---------	------------

26 Provides for the allocation
of funds to restore current
28 services funding to the Local
Road Assistance program and
30 to augment the new
Urban-Rural Initiative
32 program.

34	DEPARTMENT OF TRANSPORTATION		
	TOTAL	<hr/>	<hr/>
36		5,195,000	29,097,069
	TOTAL ALLOCATIONS	<hr/>	<hr/>
38		\$5,586,948	\$29,085,069

40 **PART B**

42 **Sec. B-1. 36 MRSA §2903, sub-§1**, as repealed and replaced by
PL 1997, c. 738, §2, is amended to read:

44
46 **1. Excise tax imposed.** An excise tax is imposed on
internal combustion engine fuel used or sold within this State,
including sales to the State or a political subdivision of the
48 State, at the rate of ~~19¢~~ 21¢ per gallon, except that the rate is
3.4¢ per gallon on internal combustion engine fuel, as defined in

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COMMITTEE AMENDMENT "A" to H.P. 690, L.D. 957

section 2902, bought or used for the purpose of propelling jet or turbojet engine aircraft.

Sec. B-2. 36 MRSA §2903, sub-§1-B is enacted to read:

1-B. Inventory tax. All internal combustion fuel on which the 19¢ per gallon tax rate in effect prior to August 1, 1999 has been imposed pursuant to subsection 1 that is held in inventory by a distributor or retail dealer as of the close of July 31, 1999 is subject to an inventory tax of 2¢ per gallon. Distributors and retail dealers holding such tax-paid inventory shall make payment of the inventory tax to the State Tax Assessor by September 15, 1999 accompanied by a form prescribed by the assessor.

Sec. B-3. 36 MRSA §3203, sub-§1, as enacted by PL 1997, c. 738, §10, is amended to read:

1. Generally. Except as provided in section 3204-A, an excise tax is levied and imposed on all suppliers of special fuel sold and on all users of special fuel used in this State for each gallon of distillate at the rate of 20¢ 22¢ per gallon and for each gallon of low-energy fuel at the rate of 18¢ 20¢ per gallon.

Sec. B-4. 36 MRSA §3203-B is enacted to read:

§3203-B. Inventory tax

All special fuel on which the 20¢ per gallon tax rate in effect prior to August 1, 1999 has been imposed pursuant to section 3203, subsection 1 that is held in inventory by a distributor or retail dealer as of the close of July 31, 1999 is subject to an inventory tax of 2¢ per gallon. Distributors and retail dealers holding such tax-paid inventory shall make payment of the inventory tax to the State Tax Assessor by September 15, 1999 accompanied by a form prescribed by the assessor.

Sec. B-5. Application. Those sections of this Part that amend the Maine Revised Statutes, Title 36, section 2903, subsection 1 and section 3203, subsection 1 apply to transactions involving internal combustion fuel used or sold on or after August 1, 1999.

PART C

Sec. C-1. 23 MRSA §704, first ¶, as amended by PL 1971, c. 593, §22, is further amended to read:

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COMMITTEE AMENDMENT "A" to H.P. 690, L.D. 957

2 It shall--be is unlawful to construct or maintain any
 3 driveway, entrance or approach within the right-of-way of any
 4 state or state aid highway which that lies outside of the compact
~~or--built-up--section,--so--called~~ area of an urban compact
~~section,--so-called~~ municipality, as defined in section 754, without a written permit
 6 from the department, or if within the compact ~~or--built-up~~
~~section,--so-called~~ area, without a written permit from the proper
 8 town officials, and such the right-of-way shall--be--deemed is
~~considered~~ the full width of the right-of-way as laid out by the
 10 State, county or the town. The department is directed and towns
 12 are authorized ~~and-directed~~ to make such rules and regulations as
 14 to design, location and construction of driveways, entrances and
 16 approaches on said those highways as will adequately protect and
 18 promote the safety of the traveling public, but the department
 20 and the towns shall--in-no-case may not deny reasonable ingress to
 22 and egress ~~to~~ from property abutting the highway except on
 24 limited access highways. No A permit shall--be is not required
 for any existing driveway, entrance or approach unless the grade
 or location of the same is changed, but if any driveway, entrance
 or approach is changed in location or grade or improved, a permit
 shall--be is required. If any existing driveway, entrance or
 approach is changed in degree or kind of use, a permit shall--be
is required.

26 **Sec. C-2. 23 MRSA §705**, as repealed and replaced by PL 1989,
 c. 46, §1, is amended to read:

28 **§705. Culverts**

30 The Department of Transportation shall--be is responsible for
 32 administering the placement of culverts within the right-of-way
 on improved state and state aid highways lying outside the
 compact ~~section,--or--within--the--compact--section--of--a--municipality~~
 34 ~~having--a--population--of--less--than--6,000~~ area of an urban compact
~~municipality as defined in section 754.~~ Whenever ~~When~~ an abutter
 36 wants an entrance to be constructed on these highways, the
 abutter shall petition the department for a permit as provided
 38 under section 704. Should a permit be issued and a culvert is
 required, the abutter shall provide, at the abutter's expense, a
 40 culvert satisfactory to the department, which the department
 shall install and thereafter maintain.

42 For locations on town ways and on state and state aid
 44 highways within the compact area of a an urban compact
 municipality ~~having--a--population--of--6,000--and--over~~ pursuant to
 46 section 754, the municipality shall must be petitioned by the
 48 abutter pursuant to section 704. Should a permit be issued, the
 abutter shall provide, at the abutter's expense, a culvert
 50 satisfactory to the municipality, which the municipality shall
 install and thereafter maintain.

COMMITTEE AMENDMENT

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2 **Sec. C-3. 23 MRSA §754**, as amended by PL 1997, c. 539, §1 and
4 affected by §2, is repealed and the following enacted in its
place:

6 **§754. Town maintenance in compact areas**

8 **1. Jurisdiction.** Except as otherwise provided, all state
10 and state aid highways within compact areas of urban compact
12 municipalities, as defined in subsection 2, as determined by the
14 department must be maintained in good repair by the town in which
16 the highways are located at the expense of the town.
18 Municipalities must be notified one year in advance of changes in
compact or built-up sections that place additional maintenance
responsibilities on the municipalities. Municipalities may waive
the requirement of the one-year notice. When any town neglects to
maintain the highways within 14 days after notice given its
municipal officers by the department, the department may proceed
to make necessary repairs to that way, which must be paid for by
the State and the cost for the repairs must be withheld from
funds due the town under the Urban-Rural Initiative Program,
established in chapter 19, subchapter VI. The amounts collected
from these towns must be added to the fund for maintenance of
state and state aid highways.

26 **2. Urban compact municipalities and compact areas; opt-out**
28 **provision.** Urban compact municipalities and compact areas are
defined as follows and may opt out in accordance with this
subsection.

30 **A. Compact areas are compact or built-up sections as**
32 **defined in section 2 and include intermittent compact**
34 **sections separated by short intervals that are not compact.**
36 **The department may exclude from the compact area controlled**
38 **access highways within compact sections. Compact areas may**
40 **be designated only in urban compact municipalities. Compact**
42 **areas on local roads, for the purposes of calculation of**
distributions pursuant to chapter 19, subchapter VI, are
those road segments in urban compact municipalities lying
within compact areas as documented by the department as of
January 1, 1999.

44 **B. Urban compact municipalities are those in which the**
46 **population according to the last United States census**
48 **exceeds 7,500 inhabitants. Urban compact municipalities are**
also those in which the population according to the last
United States census is less than 7,500 inhabitants but more
than 2,499 inhabitants, and in which the ratio of people
whose place of employment is in a given municipality to
employed people residing in that same municipality according

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2 to the last United States census is 1.0 or greater, and when
3 the municipality has not exercised the opt-out provision of
4 this section.

5 C. Municipalities may opt out as provided in this paragraph.

6
7 (1) Any municipality with a population less than 7,500
8 according to the most recent United States census and
9 otherwise eligible to be an urban compact municipality,
10 and with no compact area summer maintenance
11 responsibilities as of January 1, 1999, may opt not to
12 be an urban compact municipality and not to have a
13 compact area, within one year of the effective date of
14 this subparagraph, or within 6 months of notification
15 under this section. A municipality that has made a
16 decision to opt out may at a later date opt to become
17 an urban compact municipality. A municipality that
18 does not opt out may not at a later date do so, until
19 or unless an intervening United States census makes the
20 municipality ineligible under paragraph B. A
21 municipality may not opt out of maintenance
22 jurisdiction over roads upon an expansion of an
23 established compact area. A municipality that is an
24 urban compact municipality during one census period but
25 does not meet the criteria of this section according to
26 the subsequent United States census may continue to be
27 an urban compact municipality.

28
29 (2) Any municipality eligible to be an urban compact
30 municipality, that has compact area state highway
31 winter maintenance responsibilities on January 1, 1999,
32 and that has opted out of summer maintenance
33 responsibilities shall continue winter maintenance
34 responsibilities on compact areas of state highways.
35 Any municipality eligible to be an urban compact
36 municipality and that has no compact area state highway
37 winter maintenance responsibilities on January 1, 1999,
38 and that has opted out of summer maintenance
39 responsibilities, may choose to undertake winter
40 maintenance responsibilities on compact areas of state
41 highways. In any case, the department and the
42 municipality may negotiate winter maintenance
43 responsibilities based on the most cost-effective
44 routes and schedules for winter maintenance
45 activities. These municipalities may not be urban
46 compact municipalities, but must be reimbursed for
47 winter maintenance on state highways pursuant to
48 section 1803-B, subsection 1, paragraph B, subparagraph
49 (1). Municipalities reimbursed for winter maintenance
50 under this paragraph are not also eligible for

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reimbursement for those same highway segments based on any other provision of law.

3. Good condition upon transfer. When the responsibility for maintenance of a section of state or state aid highway is to be transferred to a municipality as a result of population growth, and when the municipality is not eligible to opt out of summer maintenance pursuant to subsection 2, paragraph C, the department shall prepare a capital and maintenance plan to ensure that the section of state or state aid highway is in good repair at the time of transfer. The plan must be developed in consultation with the affected municipality. For the purpose of this subsection, "good repair" means actions intended to reasonably avoid nonroutine maintenance activities for a minimum of 10 years and includes consideration of ditching, culverts, major structural defects and pavement condition ratings of 3.3 or higher as determined by the department. This subsection applies to a municipality that has previously opted out of summer maintenance pursuant to subsection 2, paragraph C at such point as population growth makes the municipality ineligible to opt out.

Sec. C-4. 23 MRSA §802, as amended by PL 1981, c. 492, Pt. C, §7, is further amended to read:

§802. Maintenance by State

State aid highways shall ~~shall~~ must be continually maintained under the direction and control of the department at the expense of the State except as provided in section 754 and 1003.

Sec. C-5. 23 MRSA §1001, 4th ¶, as amended by PL 1981, c. 588, §2, is repealed and the following enacted in its place:

The maintenance provisions of this section and sections 705, 751, 1003 and 1005-A do not apply to compact areas of urban compact municipalities as defined in section 754.

PART D

Sec. D-1. 23 MRSA §1801, as enacted by PL 1981, c. 492, Pt. C, §26, is repealed and the following enacted in its place:

§1801. Findings and purpose

Municipal transportation assistance funds must be targeted to the capital needs of rural roads and highways and must also reflect urban maintenance responsibilities on state and state aid roadways.

2 Municipal transportation assistance funds must be adjusted
3 according to increases or decreases in Highway Fund resources
4 available for transportation.

6 Responsibility for decisions regarding maintenance and
7 improvement of roads must follow the principle that roads that
8 primarily serve regional or statewide needs must be the State's
9 responsibility, roads that primarily serve local needs must be a
10 local responsibility and roads that primarily serve as minor
11 collector routes may be improved through a partnership between
12 municipalities and the State.

14 The Legislature recognizes that without municipal
15 participation the State has few resources to make necessary
16 capital improvements to state aid minor collector highways.

18 The purpose of the Urban-Rural Initiative Program
19 established in this subchapter is to provide equitable financial
20 assistance to communities for their use in improving local roads,
21 maintaining state roads in urban compact areas and assisting the
22 State in making capital improvements to state aid minor collector
23 highways.

24 In order to meet the purposes set out in this section, the
25 Urban-Rural Initiative Program has a Rural Road Initiative and an
26 Urban Compact Initiative as components.

28 **Sec. D-2. 23 MRSA §1802-A, sub-§1,** as amended by PL 1995, c.
29 678, §1 and affected by §7, is repealed.

30 **Sec. D-3. 23 MRSA §1802-A, sub-§1-A** is enacted to read:

32 **1-A. Capital improvement.** "Capital improvement" means any
33 work on a road or bridge that has a life expectancy of at least
34 10 years or restores the load-carrying capacity.

36 **Sec. D-4. 23 MRSA §1803-B,** as amended by PL 1995, c. 678, §3
37 and affected by §7, is repealed and the following enacted in its
38 place:

39 **§1803-B. Rural Road Initiative and Urban Compact Initiative**

41 **1. Distribution and use of funds.** Funds from the
42 Urban-Rural Initiative Program must be distributed to each
43 eligible municipality, county or Indian reservation under the
44 Rural Road Initiative and the Urban Compact Initiative.

45 **A. Rural Road Initiative funds must be distributed as**
46 **follows.**

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COMMITTEE AMENDMENT "A" to H.P. 690, L.D. 957

2 (1) Funds are distributed at a rate of \$600 per year
4 per lane mile for all rural state aid minor collector
6 roads and all local roads located outside urban compact
8 areas as defined in section 754, except that funds are
 distributed at a rate of \$300 per year per lane mile
 for all seasonal town ways.

10 (2) Effective July 1, 2000, funds must be used for
12 capital improvements as defined by this chapter, or for
14 capital improvements to state aid minor collector roads
 as described in subsection 4. Prior to July 1, 2000,
 funds may be used only for the maintenance and
 improvement of public roads.

16 B. Urban Compact Initiative funds must be distributed as
18 follows.

20 (1) Funds are distributed at a rate of \$2,500 per year
22 per lane mile for summer maintenance performed by
24 municipalities on state and state aid highways in
26 compact areas as defined in section 754. For each lane
28 mile beyond the 2nd lane on a highway with more than 2
30 lanes, funds are reimbursed at a rate of \$1,250 per
 lane mile for summer maintenance in compact areas.
 Funds are distributed at a rate of \$1,700 per year per
 lane mile for winter maintenance performed by
 municipalities on state highways in compact areas as
 defined in sections 754 and 1001 regardless of the
 number of lanes.

32 (2) Funds must be used only for the maintenance or
34 improvement of public roads.

36 C. The Urban-Rural Initiative Program payment defined as
38 the combined Urban Compact Initiative and Rural Road
40 Initiative annual payment to any municipality, county, or
 Indian reservation may not be less than the fiscal year 1999
 Local Road Assistance Program payment.

42 D. Beginning July 1, 2001, the annual funding dedicated for
44 the Urban-Rural Initiative Program must bear the same
46 percentage relationship to the sum of the General Fund and
48 Highway Fund allocation to the department for highway
50 purposes as was provided during fiscal year 2000-01. On
 July 1, 2001 and every July 1st thereafter, the commissioner
 shall administratively adjust the base funding and the
 reimbursement rates per lane mile proportionately according
 to revenue available.

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2 2. Retention of allocation for Urban-Rural Initiative
3 Program. Prior to apportioning funds to each municipality, the
4 department shall retain sufficient funds from the allocation for
5 the Urban-Rural Initiative Program to ensure equitable funds are
6 provided for roads in unorganized areas and for administration.

7 3. Payment of funds. One quarter of the funds apportioned
8 to each municipality must be paid by the State to the
9 municipality before September 1st, December 1st, March 1st and
10 June 1st each year.

11 5. State aid minor collector capital projects. State aid
12 minor collector capital projects as determined by the department
13 are financed with contributions of Rural Road Initiative funds
14 not to exceed 33% of project costs with the remainder provided by
15 the State. Local funds other than Rural Road Initiative funds
16 committed to the projects are matched by state funds at the
17 discretion of the department and at a ratio that may exceed 33%
18 of local funds. If the department is not allocated sufficient
19 funds to match offered municipal funds, then the department must
20 reject or defer any new municipal offers and award matching funds
21 to municipalities with pending offers based on a priority order
22 consistent with an established departmental 6-year plan for state
23 aid minor collector capital projects.

24 6. Municipal, county or Indian reservation administration.
25 Municipalities or counties or Indian reservations may choose to
26 administer rural minor collector capital projects based on mutual
27 agreement guided by policies and procedures adopted by the
28 department. The state share must be available prior to
29 construction or contract. Municipal, county or Indian
30 reservation equipment and material contributions are included as
31 part of the contribution of Rural Road Initiative funds. Project
32 cost overruns or savings are shared by the municipality, county
33 or Indian reservation and the State according to the cost-sharing
34 ratio established in subsection 5. State savings must be used
35 for the purposes of state aid minor collector capital projects
36 within the State. Municipal, county or Indian reservation
37 savings may be used for any purpose allowed pursuant to
38 subsection 1, paragraph A. At the discretion of the
39 municipality, county or Indian reservation, project cost savings
40 including matched state funds may accrue entirely toward
41 additional or expanded minor collector state aid capital projects
42 within that same jurisdiction.

43 **Sec. D-5. 23 MRSA §1804**, as enacted by PL 1981, c. 492, Pt.
44 **C, §26**, is amended to read:

45 **§1804. Municipal, county or Indian reservation requirements**

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COMMITTEE AMENDMENT "A" to H.P. 690, L.D. 957

2 To be eligible to receive funds from the ~~Local--Road~~
 3 ~~Assistance---Program~~ Urban-Rural Initiative Program, each
 4 municipality, county or Indian reservation shall, prior to August
 5 1st each year, certify in a manner acceptable to the department
 6 that the funds ~~will--be~~ are used ~~only--for--the--maintenance--or~~
 7 ~~improvement--of--public--roads~~ in a manner consistent with this
 8 chapter. To be guaranteed to receive state matching funds for
 9 any Rural Road Initiative funds directed to state-aid minor
 10 collector capital projects, each municipality, county and Indian
 11 reservation, prior to May 1st of each even-numbered year, shall
 12 submit a 6-year plan to the department describing the intended
 13 state aid minor collector projects to be financed with funds
 14 currently available, funds provided over the 6-year period
 15 beginning July 1st of the following year and any other funds or
 16 financing. The report must include details sufficient to
 17 estimate needed state matching funds, and must indicate whether
 18 the municipality intends to administer the project. The report
 19 also must describe any funds held in reserve for future state aid
 20 minor collector projects.

21 **Sec. D-6. 23 MRSA §1805**, as enacted by PL 1981, c. 492, Pt.
 22 C, §26, is repealed.

23 **Sec. D-7. 23 MRSA §1914, sub-§9**, as amended by PL 1995, c.
 24 390, §2, is further amended to read:
 25

26 **9. Jurisdiction by local authority in compact areas.**
 27 Except as otherwise provided in this chapter, administration of
 28 this chapter by the Department of Transportation does not apply
 29 to ~~on-premise~~ on-premises advertisements located in compact or
 30 ~~built-up--sections~~ areas of an urban compact municipality, as
 31 defined in section 754, the administration of which is the
 32 responsibility of local authority. In compact ~~or-built-up~~ areas
 33 of an urban compact municipality adjacent to the interstate, the
 34 Department of Transportation is responsible for the
 35 administration of this section. ~~The--"compact--or--built-up~~
 36 ~~section--of--any--town--or--city--is--the--territory--contiguous--to--any~~
 37 ~~highway--that--is--built--up--with--buildings--devoted--to--business--or~~
 38 ~~dwelling--purposes--that--are--situated--less--than--200--feet--apart--for~~
 39 ~~a--distance--of--at--least--1/4--of--a--mile.~~

40 **Sec. D-8. 35-A MRSA §2502, sub-§1, ¶¶A and B**, as amended by PL
 41 1993, c. 163, §1, are further amended to read:
 42

43 A. The Department of Transportation, when the public way is
 44 a state, state-aid or federal-aid highway, except for state
 45 or state-aid highways in the compact areas of urban compact
 46 municipalities having a population over 6,000 as defined in
 47 Title 23, section 754;
 48
 49
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COMMITTEE AMENDMENT "A" to H.P. 690, L.D. 957

2 B. The municipal officers or their designees, when the
3 public way is a city street or town way or a state or
4 state-aid highway in the compact areas of urban compact
5 municipalities and having a population over 6,000 as defined
6 in Title 23, section 754; and

7 **Sec. D-9. 35-A MRSA §2502, sub-§2**, as amended by PL 1993, c.
8 163, §2, is repealed.

9 **Sec. D-10. Maine Revised Statutes amended; revision clause.**
10 Wherever in the Maine Revised Statutes the words "Local Road
11 Assistance Program" appear or reference is made to that program
12 or those words, they are amended to read and mean "Urban-Rural
13 Initiative Program," or "program" and the Revisor of Statutes
14 shall implement this revision when updating, publishing or
15 republishing the statutes.

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18 **PART E**

19 **Sec. E-1. Reports.** The Department of Transportation shall
20 report to the joint standing committee of the Legislature having
21 jurisdiction over transportation matters by January 12, 2001 on
22 matters including but not limited to:

23 1. Joint state and municipal efforts to address urban
24 capital planning and programming, including the capital condition
25 of urban compact highways; and

26 2. The nature and extent of municipal participation in
27 state aid minor collector capital projects.

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30 **PART F**

31 **Sec. F-1. Transitional clause.** Disbursements to municipalities
32 during the first quarter of fiscal year 1999-00, beginning July
33 1, 1999, must be equal to those made during the final quarter of
34 fiscal year 1998-99.

35 **Sec. F-2. Major collector state aid municipal match.** During the
36 fiscal years ending July 1, 2000, and July 1, 2001, the
37 department shall apply any balance remaining in the Urban-Rural
38 Initiative Program toward payment of municipal debts to the
39 department incurred as a result of planned or executed major
40 collector state aid reconstruction projects, which payments would
41 otherwise be due to the department after September 1, 1999.

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44 **PART G**

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 690, L.D. 957

2 **Sec. G-1. 29-A MRSA §451, sub-§1-B,** as enacted by PL 1997, c.
776, §7, is amended to read:

4 **1-B. New dealer plate issue.** The Secretary of State shall
provide for a new issue of dealer plates and shall begin issuing
6 the new dealer plates no later than December 31, ~~1999~~ 2000 to all
dealers licensed pursuant to chapter 9, subchapter III.

10 **PART H**

12 **Sec. H-1. Alternative to gas tax; report.** By January 3, 2000 the
Commissioner of Administrative and Financial Services, the
14 Commissioner of Transportation, the Commissioner of Public Safety
and the Secretary of State shall jointly report to the Joint
16 Standing Committee on Transportation. This report must include
an analysis and recommendations about replacing the current fuel
18 taxes authorized in statute with alternative revenue sources that
can provide the Highway Fund with a principal revenue source that
20 would have greater flexibility to provide revenue and that keeps
pace with normal inflationary pressures.

24 **PART I**

26 **Sec. I-1. Appropriation.** The following funds are appropriated
from the General Fund to carry out the purpose of this Part.

	1999-00	2000-01
30 INLAND FISHERIES AND WILDLIFE,		
32 DEPARTMENT OF		
34 Enforcement Operations		
36 All Other	\$5,825	\$6,453
38 Provides for the		
40 appropriation of funds for		
snowmobile enforcement costs.'		

42 Further amend the bill by inserting at the end before the
summary the following:

44 **FISCAL NOTE**

	1999-00	2000-01	BIENNIUM
46 APPROPRIATIONS/ALLOCATIONS			

48

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 690, L.D. 957

2	General Fund			
4	Part A			
	Section A-1	\$22,000,000	0	\$22,000,000
6				
	Part I			
8	Section I-1	5,825	6,453	12,278
10	General Fund Total	<u>\$22,005,825</u>	<u>\$6,453</u>	<u>\$22,012,278</u>
12	Highway Fund			
14	Part A			
	Section A-2	\$5,586,948	\$29,085,069	\$34,672,017
16				
	Highway Fund Total	<u>\$5,586,948</u>	<u>\$29,085,069</u>	<u>\$34,672,017</u>
18				
20	REVENUES			
22	General Fund			
	Part B	\$5,825	\$6,453	\$12,278
24	General Fund Total	<u>\$5,825</u>	<u>\$6,453</u>	<u>\$12,278</u>
26	Highway Fund			
28	Part B	\$14,275,094	\$15,558,913	\$29,834,007
30	Highway Fund Total	<u>\$14,275,094</u>	<u>\$15,558,913</u>	<u>\$29,834,007</u>
32	Other Special Revenue			
34	Part B	\$77,475	\$85,819	\$163,294
36	Other Special Revenue			
38	Total	<u>\$77,475</u>	<u>\$85,819</u>	<u>\$163,294</u>

40 Increasing the gasoline tax will increase the amount of
42 funds that are set aside as General Fund revenue for the
Department of Inland Fisheries and Wildlife for snowmobile
44 enforcement purposes; the amounts are \$5,825 and \$6,453 in fiscal
years 1999-00 and 2000-01, respectively. To meet the
46 constitutional requirement that appropriations to the department
are at least equal to the undedicated revenues collected by the
48 department, the bill includes additional General Fund
appropriations for the department of the same amounts for fiscal
years 1999-00 and 2000-01, respectively.

50

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 690, L.D. 957

2 Increasing the gasoline tax will also increase the amounts
4 set aside for the Snowmobile Trail Fund and the ATV Recreational
6 Management Fund within the Department of Conservation. The
8 estimated increases of dedicated revenue to the department are
10 \$77,475 and \$85,819 in fiscal years 1999-00 and 2000-01,
12 respectively.'

SUMMARY

- 10 This is the majority report of the committee.
- 12 Part A appropriates funds from the General Fund and allocates
14 funds from the Highway Fund.
- 16 Part B increases the gas tax by 2¢ effective August 1, 1999.
- 18 Parts C and D restructure the Local Road Assistance Program
20 as the new Rural Road Initiative and Urban Compact Initiative.
- 22 Part E requires the Department of Transportation to report
24 to the Legislature regarding urban capital programming and
municipal participation in state aid minor collector capital
projects.
- 26 Part F requires municipal disbursements to be made according
28 to formulas existing prior to the effective date of the Act.
- 30 Part G delays the production of dealer plates by one year.
- 32 Part H requires the Department of Transportation, the
Department of Administrative and Financial Services and the
34 Department of Public Safety and the Secretary of State to submit
a report recommending possible alternatives to the gas tax.
- 36 Part I appropriates funds from the General Fund to the
38 Department of Inland Fisheries and Wildlife to properly reflect
the distribution of gasoline tax set aside required by the Maine
Revised Statutes, Title 36, section 2903-B.

COMMITTEE AMENDMENT