

MAINE STATE LEGISLATURE

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M
R.S.

L.D. 957

DATE: 6-1-99

(Filing No. H-729)

MINORITY
TRANSPORTATION

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

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

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

Sec. A-1. 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.

	1999-00	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Salary Plan		
Personal Services	\$481,948	
Provides for the allocation of funds for the salary plan.		
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	481,948	
PUBLIC SAFETY, DEPARTMENT OF		

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2	State Police		
4	All Other	(90,000)	(12,000)
6	Deallocates funds allocated		
8	in Public Law 1999, chapter		
10	152 for the purchase of fleet		
	management system software		
	and maintenance.		
12	DEPARTMENT OF PUBLIC		
	SAFETY		
14	TOTAL	<u>(90,000)</u>	<u>(12,000)</u>
16	TRANSPORTATION,		
	DEPARTMENT OF		
18	Highway and Bridge		
20	Improvement		
22	Capital Expenditures	4,000,000	4,642,069
24	Provides for the allocation		
26	of funds to meet current		
	services needs.		
28	Highway and Bridge		
	Improvement		
30	Capital Expenditures		(3,420,886)
32	Deallocates funds through a		
34	reduction of infrastructure		
36	construction within the		
	Highway and Bridge		
	Improvement Program.		
38	Highway Maintenance		
40	Capital Expenditures	1,045,000	1,455,000
42	Provides for the allocation		
44	of funds for the replacement		
46	of state-owned sand and salt		
	storage buildings.		
48	Highway Maintenance		

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2	All Other	200,000	800,000
	Capital Expenditures	(200,000)	(800,000)
4		<hr/>	<hr/>
6	TOTAL	0	0

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

16 Urban-Rural Initiative Program

18	All Other	22,150,000	23,000,000
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20 Provides for the allocation
of funds to restore current
22 services funding to the Local
Road Assistance program and
24 to augment the new
Urban-Rural Initiative
26 program.

28	DEPARTMENT OF TRANSPORTATION		
	TOTAL	<hr/>	<hr/>
30		27,195,000	25,676,183

32	TOTAL ALLOCATIONS	<hr/>	<hr/>
34		\$27,586,948	\$25,664,183

PART B

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

38 **1. Excise tax imposed.** An excise tax is imposed on
40 internal combustion engine fuel used or sold within this State,
including sales to the State or a political subdivision of the
42 State, at the rate of ~~19¢~~ 22¢ per gallon beginning October 1,
1999, 23¢ per gallon beginning July 1, 2000 and 24¢ per gallon
44 beginning July 1, 2001, except that the rate is 3.4¢ per gallon
on internal combustion engine fuel, as defined in section 2902,
46 bought or used for the purpose of propelling jet or turbojet
engine aircraft.

48 **Sec. B-2. 36 MRSA §2903, sub-§§1-B, 1-C and 1-D** are enacted to
50 read:

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2 1-B. Inventory tax. All internal combustion fuel on which
4 the 19¢ per gallon tax rate in effect prior to October 1, 1999
6 has been imposed pursuant to subsection 1 that is held in
8 inventory by a distributor or retail dealer as of the close of
10 September 30, 1999 is subject to an inventory tax of 3¢ per
gallon. Distributors and retail dealers holding such tax-paid
inventory shall make payment of the inventory tax to the State
Tax Assessor by November 15, 1999 accompanied by a form
prescribed by the assessor.

12 1-C. Inventory tax. All internal combustion fuel on which
14 the 22¢ per gallon tax rate in effect prior to July 1, 2000 has
16 been imposed pursuant to subsection 1 that is held in inventory
18 by a distributor or retail dealer as of the close of June 30,
20 2000 is subject to an inventory tax of 1¢ per gallon.
Distributors and retail dealers holding such tax-paid inventory
shall make payment of the inventory tax to the State Tax Assessor
by August 15, 2000 accompanied by a form prescribed by the
assessor.

22 1-D. Inventory tax. All internal combustion fuel on which
24 the 23¢ per gallon tax rate in effect prior to July 1, 2001 has
26 been imposed pursuant to subsection 1 that is held in inventory
28 by a distributor or retail dealer as of the close of June 30,
30 2001 is subject to an inventory tax of 1¢ per gallon.
Distributors and retail dealers holding such tax-paid inventory
shall make payment of the inventory tax to the State Tax Assessor
by August 15, 2001 accompanied by a form prescribed by the
assessor.

32 **Sec. B-3. 36 MRS §3203, sub-§1,** as enacted by PL 1997, c.
34 738, §10, is amended to read:

36 **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
38 gallon of distillate at the rate of ~~20¢~~ 23¢ per gallon beginning
40 October 1, 1999, 24¢ per gallon beginning July 1, 2000 and 25¢
per gallon beginning July 1, 2001 and for each gallon of
low-energy fuel at the rate of ~~18¢~~ 21¢ per gallon beginning
42 October 1, 1999, 22¢ per gallon beginning July 1, 2000 and 23¢
per gallon beginning July 1, 2001.

44 **Sec. B-4. 36 MRS §§3203-B, 3203-C and 3203-D** are enacted to
46 read:

48 **§3203-B. Inventory tax**

50 All special fuel on which the 20¢ per gallon tax rate in
52 effect prior to October 1, 1999 has been imposed pursuant to
section 3203, subsection 1 that is held in inventory by a

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2 distributor or retail dealer as of the close of September 30,
3 1999 is subject to an inventory tax of 3¢ per gallon.
4 Distributors and retail dealers holding such tax-paid inventory
5 shall make payment of the inventory tax to the State Tax Assessor
6 by November 15, 1999 accompanied by a form prescribed by the
7 assessor.

8 **§3203-C. Inventory tax**

10 All special fuel on which the 23¢ per gallon tax rate in
11 effect prior to July 1, 2000 has been imposed pursuant to section
12 3203, subsection 1 that is held in inventory by a distributor or
13 retail dealer as of the close of June 30, 2000 is subject to an
14 inventory tax of 1¢ per gallon. Distributors and retail dealers
15 holding such tax-paid inventory shall make payment of the
16 inventory tax to the State Tax Assessor by August 15, 2000
17 accompanied by a form prescribed by the assessor.

18 **§3203-D. Inventory tax**

20 All special fuel on which the 24¢ per gallon tax rate in
21 effect prior to July 1, 2001 has been imposed pursuant to section
22 3203, subsection 1 that is held in inventory by a distributor or
23 retail dealer as of the close of June 30, 2001 is subject to an
24 inventory tax of 1¢ per gallon. Distributors and retail dealers
25 holding such tax-paid inventory shall make payment of the
26 inventory tax to the State Tax Assessor by August 15, 2001
27 accompanied by a form prescribed by the assessor.

30 **PART C**

32 **Sec. C-1. 23 MRSA §704, first ¶, as amended by PL 1971, c. 593,**
34 **§22, is further amended to read:**

36 It shall--be is unlawful to construct or maintain any
37 driveway, entrance or approach within the right-of-way of any
38 state or state aid highway which ~~that~~ lies outside of the compact
39 ~~er--built-up--section,--so--called~~ area of an urban compact
40 municipality, as defined in section 754, without a written permit
41 from the department, or if within the compact ~~er--built--up~~
42 section,--so-called area, without a written permit from the proper
43 town officials, and such the right-of-way shall--be--deemed is
44 considered the full width of the right-of-way as laid out by the
45 State, county or the town. The department is directed and towns
46 are authorized ~~and--directed~~ to make such rules and regulations as
47 to design, location and construction of driveways, entrances and
48 approaches on said those highways as will adequately protect and
49 promote the safety of the traveling public, but the department
50 and the towns shall--in--no--case may not deny reasonable ingress to

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2 and egress ~~to~~ from property abutting the highway except on
4 limited access highways. ~~No A permit shall-be~~ is not required
6 for any existing driveway, entrance or approach unless the grade
8 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.

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

14 **§705. Culverts**

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

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

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

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

44 **1. Jurisdiction.** Except as otherwise provided, all state
and state aid highways within compact areas of urban compact
municipalities, as defined in subsection 2, as determined by the
46 department must be maintained in good repair by the town in which
the highways are located at the expense of the town.
48 Municipalities must be notified one year in advance of changes in
compact or built-up sections that place additional maintenance
50 responsibilities on the municipalities. Municipalities may waive

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2 the requirement of the one-year notice. When any town neglects to
4 maintain the highways within 14 days after notice given its
6 municipal officers by the department, the department may proceed
8 to make necessary repairs to that way, which must be paid for by
10 the State and the cost for the repairs must be withheld from
12 funds due the town under the Urban-Rural Initiative Program,
14 established in chapter 19, subchapter VI. The amounts collected
16 from these towns must be added to the fund for maintenance of
18 state and state aid highways.

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

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

50 B. Urban compact municipalities are those in which the
52 population according to the last United States census
54 exceeds 7,500 inhabitants. Urban compact municipalities are
56 also those in which the population according to the last
58 United States census is less than 7,500 inhabitants but more
60 than 2,499 inhabitants, and in which the ratio of people
62 whose place of employment is in a given municipality to
64 employed people residing in that same municipality according
66 to the last United States census is 1.0 or greater, and when
68 the municipality has not exercised the opt-out provision of
70 this section.

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

74 (1) Any municipality with a population less than 7,500
76 according to the most recent United States census and
78 otherwise eligible to be an urban compact municipality,
80 and with no compact area summer maintenance
82 responsibilities as of January 1, 1999, may opt not to
84 be an urban compact municipality and not to have a
86 compact area, within one year of the effective date of
88 this subparagraph, or within 6 months of notification
90 under this section. A municipality that has made a

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2 decision to opt out may at a later date opt to become
3 an urban compact municipality. A municipality that
4 does not opt out may not at a later date do so, until
5 or unless an intervening United States census makes the
6 municipality ineligible under paragraph B. A
7 municipality may not opt out of maintenance
8 jurisdiction over roads upon an expansion of an
9 established compact area. A municipality that is an
10 urban compact municipality during one census period but
11 does not meet the criteria of this section according to
12 the subsequent United States census may continue to be
13 an urban compact municipality.

14 (2) Any municipality eligible to be an urban compact
15 municipality, that has compact area state highway
16 winter maintenance responsibilities on January 1, 1999,
17 and that has opted out of summer maintenance
18 responsibilities shall continue winter maintenance
19 responsibilities on compact areas of state highways.
20 Any municipality eligible to be an urban compact
21 municipality and that has no compact area state highway
22 winter maintenance responsibilities on January 1, 1999,
23 and that has opted out of summer maintenance
24 responsibilities, may choose to undertake winter
25 maintenance responsibilities on compact areas of state
26 highways. In any case, the department and the
27 municipality may negotiate winter maintenance
28 responsibilities based on the most cost-effective
29 routes and schedules for winter maintenance
30 activities. These municipalities may not be urban
31 compact municipalities, but must be reimbursed for
32 winter maintenance on state highways pursuant to
33 section 1803-B, subsection 1, paragraph B, subparagraph
34 (1). Municipalities reimbursed for winter maintenance
35 under this paragraph are not also eligible for
36 reimbursement for those same highway segments based on
37 any other provision of law.

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

7 **Sec. C-4. 23 MRSA §802**, as amended by PL 1981, c. 492, Pt. C,
8 §7, is further amended to read:

9 **§802. Maintenance by State**

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

13 **Sec. C-5. 23 MRSA §1001, 4th ¶**, as amended by PL 1981, c. 588,
14 §2, is repealed and the following enacted in its place:

15 The maintenance provisions of this section and sections 705,
16 751, 1003 and 1005-A do not apply to compact areas of urban
17 compact municipalities as defined in section 754.

18 **PART D**

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

21 **§1801. Findings and purpose**

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

26 Municipal transportation assistance funds must be adjusted
27 according to increases or decreases in Highway Fund resources
28 available for transportation.

29 Responsibility for decisions regarding maintenance and
30 improvement of roads must follow the principle that roads that
31 primarily serve regional or statewide needs must be the State's
32 responsibility, roads that primarily serve local needs must be a
33 local responsibility and roads that primarily serve as minor
34 collector routes may be improved through a partnership between
35 municipalities and the State.

36 The Legislature recognizes that without municipal
37 participation the State has few resources to make necessary
38 capital improvements to state aid minor collector highways.

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

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

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

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

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

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

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

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

A. Rural Road Initiative funds must be distributed as follows.

(1) Funds are distributed at a rate of \$600 per year per lane mile for all rural state aid minor collector roads and all local roads located outside urban compact 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.

(2) Effective July 1, 2000, funds must be used for capital improvements as defined by this chapter, or for 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.

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

(1) Funds are distributed at a rate of \$2,500 per year per lane mile for summer maintenance performed by municipalities on state and state aid highways in compact areas as defined in section 754. For each lane mile beyond the 2nd lane on a highway with more than 2 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.

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

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

D. Beginning July 1, 2001, the annual funding dedicated for the Urban-Rural Initiative Program must bear the same percentage relationship to the sum of the General Fund and Highway Fund allocation to the department for highway 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.

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

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

5. State aid minor collector capital projects. State aid minor collector capital projects as determined by the department are financed with contributions of Rural Road Initiative funds

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2 not to exceed 33% of project costs with the remainder provided by
4 the State. Local funds other than Rural Road Initiative funds
6 committed to the projects are matched by state funds at the
8 discretion of the department and at a ratio that may exceed 33%
10 of local funds. If the department is not allocated sufficient
funds to match offered municipal funds, then the department must
reject or defer any new municipal offers and award matching funds
to municipalities with pending offers based on a priority order
consistent with an established departmental 6-year plan for state
aid minor collector capital projects.

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

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

36 **§1804. Municipal, county or Indian reservation requirements**

38 To be eligible to receive funds from the ~~Local--Road~~
40 ~~Assistance---Program~~ **Urban-Rural Initiative Program**, each
42 municipality, county or Indian reservation shall, prior to August
44 1st each year, certify in a manner acceptable to the department
46 that the funds will--be are used ~~only--for--the--maintenance--or~~
48 ~~improvement--of--public--roads~~ in a manner consistent with this
50 chapter. To be guaranteed to receive state matching funds for
any Rural Road Initiative funds directed to state-aid minor
collector capital projects, each municipality, county and Indian
reservation, prior to May 1st of each even-numbered year, shall
submit a 6-year plan to the department describing the intended
state aid minor collector projects to be financed with funds
currently available, funds provided over the 6-year period
beginning July 1st of the following year and any other funds or

COMMITTEE AMENDMENT

2 financing. The report must include details sufficient to
3 estimate needed state matching funds, and must indicate whether
4 the municipality intends to administer the project. The report
5 also must describe any funds held in reserve for future state aid
6 minor collector projects.

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

9 **Sec. D-7. 23 MRSA §1914, sub-§9**, as amended by PL 1995, c.
10 390, §2, is further amended to read:

11 **9. Jurisdiction by local authority in compact areas.**
12
13 Except as otherwise provided in this chapter, administration of
14 this chapter by the Department of Transportation does not apply
15 to ~~on-premise on-premises~~ advertisements located in compact or
16 built-up-sections areas of an urban compact municipality, as
17 defined in section 754, the administration of which is the
18 responsibility of local authority. In compact or ~~built-up~~ areas
19 of an urban compact municipality adjacent to the interstate, the
20 Department of Transportation is responsible for the
21 administration of this section. ~~The--"compact--or--built-up~~
22 ~~section"--of-any-town-or-city-is-the-territory-contiguous-to-any~~
23 ~~highway-that-is-built-up-with-buildings-devoted-to-business-or~~
24 ~~dwelling-purposes-that-are-situated-less-than-200-feet-apart-for~~
25 ~~a-distance-of-at-least-1/4-of-a-mile.~~

26
27 **Sec. D-8. 35-A MRSA §2502, sub-§1, ¶¶A and B**, as amended by PL
28 1993, c. 163, §1, are further amended to read:

29
30 A. The Department of Transportation, when the public way is
31 a state, state-aid or federal-aid highway, except for state
32 or state-aid highways in the compact areas of urban compact
33 municipalities having a population over 6,000 as defined in
34 Title 23, section 754;

35
36 B. The municipal officers or their designees, when the
37 public way is a city street or town way or a state or
38 state-aid highway in the compact areas of urban compact
39 municipalities and having a population over 6,000 as defined
40 in Title 23, section 754; and

41
42 **Sec. D-9. 35-A MRSA §2502, sub-§2**, as amended by PL 1993, c.
43 163, §2, is repealed.

44
45 **Sec. D-10. Maine Revised Statutes amended; revision clause.**
46 Wherever in the Maine Revised Statutes the words "Local Road
47 Assistance Program" appear or reference is made to that program
48 or those words, they are amended to read and mean "Urban-Rural
49 Initiative Program," or "program" and the Revisor of
50

Statutes shall implement this revision when updating, publishing or republishing the statutes.

PART E

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

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

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

PART F

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

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

PART G

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

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

PART H

Sec. H-1. Alternative to gas tax; report. By January 3, 2000 the Commissioner of Administrative and Financial Services,

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2

REVENUES

4

General Fund

Part B

\$6,947

\$12,875

\$19,822

6

General Fund Total

\$6,947

\$12,875

\$19,822

8

Highway Fund

10

Part B

\$17,111,131

\$31,152,373

\$48,263,504

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Highway Fund Total

\$17,111,131

\$31,152,373

\$48,263,504

14

Other Special Revenue

16

Part B

\$92,393

\$171,242

\$263,635

18

Other Special Revenue

20

Total

\$92,393

\$171,242

\$263,635

22

Increasing the gasoline tax will increase the amount of funds that are set aside as General Fund revenue for the Department of Inland Fisheries and Wildlife for snowmobile enforcement purposes; the amounts are \$6,947 and \$12,875 in fiscal years 1999-00 and 2000-01, respectively. To meet the constitutional requirement that appropriations to the department are at least equal to the undedicated revenues collected by the department, the bill includes additional General Fund appropriations for the department of the same amounts for fiscal years 1999-00 and 2000-01, respectively.

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Increasing the gasoline tax will also increase the amounts set aside for the Snowmobile Trail Fund and the ATV Recreational Management Fund within the Department of Conservation. The estimated increases of dedicated revenue to the department are \$92,393 and \$171,242 in fiscal years 1999-00 and 2000-01, respectively.'

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SUMMARY

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This is the minority report of the committee.

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Part A allocates funds from the Highway Fund.

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Part B increases the gas tax by 3¢ effective August 1, 1999, by an additional 1¢ effective July 1, 2000 and by an additional 1¢ effective July 1, 2001.

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Parts C and D restructure the Local Road Assistance Program

RCS

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

as the new Rural Road Initiative and Urban Compact Initiative.

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Part E requires the Department of Transportation to report to the Legislature regarding urban capital programming and municipal participation in state aid minor collector capital projects.

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Part F requires municipal disbursements to be made according to formulas existing prior to the effective date of the Act.

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Part G delays the production of dealer plates by one year.

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Part H requires the Department of Transportation, the Department of Administrative and Financial Services and the Department of Public Safety and the Secretary of State to submit a report recommending possible alternatives to the gas tax.

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Part I appropriates funds from the General Fund to the 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.