

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DATE: 6/4/99

(Filing No. H-752)

TRANSPORTATION

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

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

COMMITTEE AMENDMENT "C" 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.

Table with 3 columns: Description, 1999-00, 2000-01. Rows include: ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF; Salary Plan; Personal Services (\$481,948); DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES; TOTAL (481,948).

R 0 3

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48
50

**PUBLIC SAFETY,
DEPARTMENT OF**

State Police

All Other (90,000) (12,000)

Deallocates funds allocated in Public Law 1999, chapter 152 for the purchase of fleet management system software and maintenance.

**DEPARTMENT OF PUBLIC SAFETY
TOTAL**

(90,000) (12,000)

**TRANSPORTATION,
DEPARTMENT OF**

Highway and Bridge Improvement

Capital Expenditures 4,000,000 4,642,069

Provides for the allocation of funds to meet current services needs.

Highway Maintenance

Capital Expenditures 1,045,000 1,455,000

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

Highway Maintenance

All Other 200,000 800,000
Capital Expenditures (200,000) (800,000)

TOTAL 0 0

Provides for the deallocation of Capital Expenditures funding for the construction of state-owned sand and salt

R. 0. 0.

2 facilities and the allocation
of All Other funding for the
4 municipal sand and salt
cost-sharing program.

6 **Urban-Rural Initiative Program**

8 All Other 22,150,000 23,000,000

10 Provides for the allocation
of funds to restore current
12 services funding to the Local
Road Assistance program and
14 to augment the new
Urban-Rural Initiative
16 program.

18 **DEPARTMENT OF TRANSPORTATION
TOTAL**

27,195,000 29,097,069

20 **TOTAL ALLOCATIONS**

22 \$27,586,948 \$29,085,069

24 **PART B**

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 B-1. 36 MRSA §2903, sub-§1**, as repealed and replaced by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

28
30 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
32 State, at the rate of ~~19¢~~ 22¢ per gallon, except that the rate is
3.4¢ per gallon on internal combustion engine fuel, as defined in
34 section 2902, bought or used for the purpose of propelling jet or
turbojet engine aircraft.

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

38
40 1-B. Inventory tax. All internal combustion fuel on which
the 19¢ per gallon tax rate in effect prior to August 1, 1999 has
42 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 3¢ per gallon.
44 Distributors and retail dealers holding such tax-paid inventory
shall make payment of the inventory tax to the State Tax Assessor
46 by September 15, 1999 accompanied by a form prescribed by the
assessor.

48
50 **Sec. B-3. 36 MRSA §3203, sub-§1**, as enacted by PL 1997, c.
738, §10, is amended to read:

1008

2 1. **Generally.** Except as provided in section 3204-A, an
4 excise tax is levied and imposed on all suppliers of special fuel
6 sold and on all users of special fuel used in this State for each
gallon of distillate at the rate of 20¢ ~~23¢~~ per gallon and for
each gallon of low-energy fuel at the rate of 18¢ ~~21¢~~ per gallon.

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

10 **§3203-B. Inventory tax**

12 All special fuel on which the 20¢ per gallon tax rate in
14 effect prior to August 1, 1999 has been imposed pursuant to
16 section 3203, subsection 1 that is held in inventory by a
18 distributor or retail dealer as of the close of July 31, 1999 is
20 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 September 15,
1999 accompanied by a form prescribed by the assessor.

22 **Sec. B-5. Application.** Those sections of this Part that amend
24 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.

26 **PART C**

28 **Sec. C-1. 23 MRSA §704, first ¶,** as amended by PL 1971, c. 593,
30 §22, is further amended to read:

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

2 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
4 approach is changed in degree or kind of use, a permit shall-be
is required.

6
8 **Sec. C-2. 23 MRSA §705**, as repealed and replaced by PL 1989,
c. 46, §1, is amended to read:

10 **§705. Culverts**

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

24
26 For locations on town ways and on state and state aid
highways within the compact area of a an urban compact
28 municipality having a population of 6,000 and over pursuant to
section 754, the municipality shall must be petitioned by the
abutter pursuant to section 704. Should a permit be issued, the
30 abutter shall provide, at the abutter's expense, a culvert
satisfactory to the municipality, which the municipality shall
32 install and thereafter maintain.

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

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

40 1. Jurisdiction. Except as otherwise provided, all state
and state aid highways within compact areas of urban compact
42 municipalities, as defined in subsection 2, as determined by the
department must be maintained in good repair by the town in which
44 the highways are located at the expense of the town.
Municipalities must be notified one year in advance of changes in
46 compact or built-up sections that place additional maintenance
responsibilities on the municipalities. Municipalities may waive
48 the requirement of the one-year notice. When any town neglects to
maintain the highways within 14 days after notice given its
50 municipal officers by the department, the department may proceed

2 to make necessary repairs to that way, which must be paid for by
3 the State and the cost for the repairs must be withheld from
4 funds due the town under the Urban-Rural Initiative Program,
5 established in chapter 19, subchapter VI. The amounts collected
6 from these towns must be added to the fund for maintenance of
7 state and state aid highways.

8 **2. Urban compact municipalities and compact areas; opt-out**
9 **provision. Urban compact municipalities and compact areas are**
10 **defined as follows and may opt out in accordance with this**
11 **subsection.**

12
13 **A. Compact areas are compact or built-up sections as**
14 **defined in section 2 and include intermittent compact**
15 **sections separated by short intervals that are not compact.**
16 **The department may exclude from the compact area controlled**
17 **access highways within compact sections. Compact areas may**
18 **be designated only in urban compact municipalities. Compact**
19 **areas on local roads, for the purposes of calculation of**
20 **distributions pursuant to chapter 19, subchapter VI, are**
21 **those road segments in urban compact municipalities lying**
22 **within compact areas as documented by the department as of**
23 **January 1, 1999.**

24
25 **B. Urban compact municipalities are those in which the**
26 **population according to the last United States census**
27 **exceeds 7,500 inhabitants. Urban compact municipalities are**
28 **also those in which the population according to the last**
29 **United States census is less than 7,500 inhabitants but more**
30 **than 2,499 inhabitants, and in which the ratio of people**
31 **whose place of employment is in a given municipality to**
32 **employed people residing in that same municipality according**
33 **to the last United States census is 1.0 or greater, and when**
34 **the municipality has not exercised the opt-out provision of**
35 **this section.**

36
37 **C. Municipalities may opt out as provided in this paragraph.**

38
39 **(1) Any municipality with a population less than 7,500**
40 **according to the most recent United States census and**
41 **otherwise eligible to be an urban compact municipality,**
42 **and with no compact area summer maintenance**
43 **responsibilities as of January 1, 1999, may opt not to**
44 **be an urban compact municipality and not to have a**
45 **compact area, within one year of the effective date of**
46 **this subparagraph, or within 6 months of notification**
47 **under this section. A municipality that has made a**
48 **decision to opt out may at a later date opt to become**
49 **an urban compact municipality. A municipality that**
50 **does not opt out may not at a later date do so, until**

or unless an intervening United States census makes the municipality ineligible under paragraph B. A municipality may not opt out of maintenance jurisdiction over roads upon an expansion of an established compact area. A municipality that is an urban compact municipality during one census period but does not meet the criteria of this section according to the subsequent United States census may continue to be an urban compact municipality.

(2) Any municipality eligible to be an urban compact municipality, that has compact area state highway winter maintenance responsibilities on January 1, 1999, and that has opted out of summer maintenance responsibilities shall continue winter maintenance responsibilities on compact areas of state highways. Any municipality eligible to be an urban compact municipality and that has no compact area state highway winter maintenance responsibilities on January 1, 1999, and that has opted out of summer maintenance responsibilities, may choose to undertake winter maintenance responsibilities on compact areas of state highways. In any case, the department and the municipality may negotiate winter maintenance responsibilities based on the most cost-effective routes and schedules for winter maintenance activities. These municipalities may not be urban compact municipalities, but must be reimbursed for winter maintenance on state highways pursuant to section 1803-B, subsection 1, paragraph B, subparagraph (1). Municipalities reimbursed for winter maintenance under this paragraph are not also eligible for 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

COMMITTEE AMENDMENT

R 0 8

2 maintenance pursuant to subsection 2, paragraph C at such point
3 as population growth makes the municipality ineligible to opt out.

4 **Sec. C-4. 23 MRSA §802**, as amended by PL 1981, c. 492, Pt. C,
5 §7, is further amended to read:

6 **§802. Maintenance by State**

7
8 State aid highways shall must be continually maintained
9 under the direction and control of the department at the expense
10 of the State except as provided in section 754 and 1003.

11
12 **Sec. C-5. 23 MRSA §1001, 4th ¶**, as amended by PL 1981, c. 588,
13 §2, is repealed and the following enacted in its place:

14
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
19
20 **PART D**

21
22 **Sec. D-1. 23 MRSA §1801**, as enacted by PL 1981, c. 492, Pt.
23 C, §26, is repealed and the following enacted in its place:

24
25 **§1801. Findings and purpose**

26
27 Municipal transportation assistance funds must be targeted
28 to the capital needs of rural roads and highways and must also
29 reflect urban maintenance responsibilities on state and state aid
30 roadways.

31
32 Municipal transportation assistance funds must be adjusted
33 according to increases or decreases in Highway Fund resources
34 available for transportation.

35
36 Responsibility for decisions regarding maintenance and
37 improvement of roads must follow the principle that roads that
38 primarily serve regional or statewide needs must be the State's
39 responsibility, roads that primarily serve local needs must be a
40 local responsibility and roads that primarily serve as minor
41 collector routes may be improved through a partnership between
42 municipalities and the State.

43
44 The Legislature recognizes that without municipal
45 participation the State has few resources to make necessary
46 capital improvements to state aid minor collector highways.

47
48 The purpose of the Urban-Rural Initiative Program
49 established in this subchapter is to provide equitable financial
50

104

2 assistance to communities for their use in improving local roads,
3 maintaining state roads in urban compact areas and assisting the
4 State in making capital improvements to state aid minor collector
5 highways.

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

10 **Sec. D-2. 23 MRSA §1802-A, sub-§1,** as amended by PL 1995, c.
11 678, §1 and affected by §7, is repealed.

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

14 **1-A. Capital improvement.** "Capital improvement" means any
15 work on a road or bridge that has a life expectancy of at least
16 10 years or restores the load-carrying capacity.

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

22 **§1803-B. Rural Road Initiative and Urban Compact Initiative**

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

30 **A. Rural Road Initiative funds must be distributed as**
31 **follows.**

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

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

44 **B. Urban Compact Initiative funds must be distributed as**
45 **follows.**

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

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

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

40 D. Beginning July 1, 2001, the annual funding dedicated for
42 the Urban-Rural Initiative Program must bear the same
44 percentage relationship to the sum of the General Fund and
46 Highway Fund allocation to the department for highway
48 purposes as was provided during fiscal year 2000-01. On
50 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
not to exceed 33% of project costs with the remainder provided by
the State. Local funds other than Rural Road Initiative funds
committed to the projects are matched by state funds at the
discretion of the department and at a ratio that may exceed 33%

RWS

2 of local funds. If the department is not allocated sufficient
3 funds to match offered municipal funds, then the department must
4 reject or defer any new municipal offers and award matching funds
5 to municipalities with pending offers based on a priority order
6 consistent with an established departmental 6-year plan for state
7 aid minor collector capital projects.

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

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

29 **§1804. Municipal, county or Indian reservation requirements**

30 To be eligible to receive funds from the Local--Road
31 Assistance---Program Urban-Rural Initiative Program, each
32 municipality, county or Indian reservation shall, prior to August
33 1st each year, certify in a manner acceptable to the department
34 that the funds will--be are used only--for--the--maintenance--or
35 improvement--of--public--roads in a manner consistent with this
36 chapter. To be guaranteed to receive state matching funds for
37 any Rural Road Initiative funds directed to state-aid minor
38 collector capital projects, each municipality, county and Indian
39 reservation, prior to May 1st of each even-numbered year, shall
40 submit a 6-year plan to the department describing the intended
41 state aid minor collector projects to be financed with funds
42 currently available, funds provided over the 6-year period
43 beginning July 1st of the following year and any other funds or
44 financing. The report must include details sufficient to
45 estimate needed state matching funds, and must indicate whether
46 the municipality intends to administer the project. The report
47 shall be submitted to the department by the deadline specified in
48 the report.

also must describe any funds held in reserve for future state aid minor collector projects.

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

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

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

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

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

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

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

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

RRS

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48
50

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, the Commissioner of Transportation, the Commissioner of Public Safety and the Secretary of State shall jointly report to the Joint Standing Committee on Transportation. This report must

100

2 include an analysis and recommendations about replacing the
4 current fuel taxes authorized in statute with alternative revenue
6 sources that can provide the Highway Fund with a principal
8 revenue source that would have greater flexibility to provide
10 revenue and that keeps pace with normal inflationary pressures.

PART I

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

		1999-00	2000-01
14	INLAND FISHERIES AND WILDLIFE,		
16	DEPARTMENT OF		

18 Enforcement Operations

20	All Other	\$8,726	\$9,666
-----------	-----------	---------	---------

22 Provides for the
24 appropriation of funds for
snowmobile enforcement costs.

PART J

28 **Sec. J-1. 29-A MRSA §526** is enacted to read:

30 §526. Surcharge on certain registrations

32 All revenues collected from surcharges assessed under this
34 section must be credited to the Highway Fund. Notwithstanding
36 any other provision of this Title, on and after October 1, 1999,
38 an additional \$2 fee payable at the time of registration is
40 assessed on registration fees established under any of the
following sections: 455 to 457; 462; 501; 504 to 506; 508; 509;
511 to 513; 515; 516; 518 to 521; or 523, subsections 3 and 4.

PART K

44 **Sec. K-1. Allocation.** The following funds are allocated from
46 the Highway Fund to carry out the purposes of this Part.

		2000-01
48	TRANSPORTATION, DEPARTMENT OF	

R. & S.

2 **Highway and Bridge Improvement**

4 All Other (\$2,500,000)

6 Deallocates funds previously allocated by
Public Law 1999, chapter 152.

8
10 Further amend the bill by inserting at the end before the
summary the following:

12 **FISCAL NOTE**

14 **1999-00 2000-01 BIENNIUM**

16 **APPROPRIATIONS/ALLOCATIONS**

18 General Fund

20 Part I

22 Section I-1 8,726 9,666 18,392

24 General Fund Total \$8,726 \$9,666 \$18,392

26 Highway Fund

28 Part A

Section A-1 \$27,586,948 \$29,085,069 \$56,672,017

30 Part K

32 Section K-1 (\$2,500,000) (\$2,500,000)

34 Highway Fund Total \$27,586,948 \$26,585,069 \$54,172,017

36 **REVENUES**

38 General Fund

40 Part B \$8,726 \$9,666 \$18,392

42 General Fund Total \$8,726 \$9,666 \$18,392

44 Highway Fund

46 Part B \$21,384,475 \$23,308,758 \$44,693,233

48 Part J

Section J-1 2,117,993 2,823,990 4,941,983

50 Highway Fund Total \$23,502,468 \$26,132,748 \$49,635,216

COMMITTEE AMENDMENT

Other Special Revenue

2	Part B	\$116,062	\$128,563	\$244,625
4		<hr/>	<hr/>	<hr/>
6	Other Special Revenue			
6	Total	\$116,062	\$128,563	\$244,625

8
 10 Increasing the gasoline tax will increase the amount of
 12 funds that are set aside as General Fund revenue for the
 14 Department of Inland Fisheries and Wildlife for snowmobile
 16 enforcement purposes; the amounts are \$8,726 and \$9,666 in fiscal
 18 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.

20 Increasing the gasoline tax will also increase the amounts
 22 set aside for the Snowmobile Trail Fund and the ATV Recreational
 24 Management Fund within the Department of Conservation. The
 estimated increases of dedicated revenue to the department are
 \$116,062 and \$128,563 in fiscal years 1999-00 and 2000-01,
 respectively.'

28 **SUMMARY**

30 This is a unanimous committee report.

32 Part A allocates funds from the Highway Fund.

34 Part B increases the gas tax by 3¢ effective August 1, 1999.

36 Parts C and D restructure the Local Road Assistance Program
 38 as the new Rural Road Initiative and Urban Compact Initiative.

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

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

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

50 Part H requires the Department of Transportation, the
 Department of Administrative and Financial Services and the

COMMITTEE AMENDMENT

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

2 Department of Public Safety and the Secretary of State to submit
a report recommending possible alternatives to the gas tax.

4 Part I appropriates funds from the General Fund to the
6 Department of Inland Fisheries and Wildlife to properly reflect
the distribution of gasoline tax set aside required by the Maine
8 Revised Statutes, Title 36, section 2903-B.

10 Part J assesses an additional annual \$2 fee on registration
fees for environmental registration plates, University of Maine
12 System plates, antique vehicle registration plates, temporary
registration plates, motor vehicles, commercial motor vehicles,
14 farm trucks, motor homes, truck campers, trailers and
semitrailers, special mobile equipment, motorcycles and parking
16 control vehicles, stock cars, emergency vehicles, firefighter
registration plates, specialty equipment, disability registration
18 plates, special veterans registration plates and veterans vanity
plates.

20 Part K allocates funds from the Highway Fund.

COMMITTEE AMENDMENT