

MAINE STATE LEGISLATURE

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DATE: April 6, 2001

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TRANSPORTATION

Reported by:

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STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 212, L.D. 777, Bill, "An Act to Make Additional Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending 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. Supplemental allocations from Highway Fund. There are allocated from the Highway Fund for the fiscal year ending June 30, 2001 to the departments listed the following sums.

2000-01

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Buildings and Grounds Operations

Table with 2 columns: Description and Amount. Rows include Personal Services (\$15,000), All Other (15,000), and TOTAL (0).

Provides for the transfer of All Other funds to Personal Services to cover winter and emergency overtime.

COMMITTEE AMENDMENT "A" to S.P. 212, L.D. 777

2 Maine Revised Statutes, Title
29-A, section 203.

4 Highway Maintenance

6	All Other	1,500,000
	Capital Expenditures	1,500,000
8		<hr/>
10	TOTAL	3,000,000

12 Provides for the allocation
of funds for maintenance
14 materials, equipment rental
and ongoing project
16 commitments.

18 Highway and Bridge Improvement

20	Capital Expenditures	(3,000,000)
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22 Provides for the deallocation
of funds due to the delay in
24 project construction.

26 DEPARTMENT OF TRANSPORTATION
TOTAL

12,116

28 SECTION
TOTAL ALLOCATIONS

(487,884)

30 Sec. A-2. Supplemental allocations from Highway Garage Fund.
32 There are allocated from the Highway Garage Fund for the fiscal
year ending June 30, 2001 the following sums.

34 2000-01

36 TRANSPORTATION, DEPARTMENT OF

38 Motor Transport Service

40	Personal Services	300,000
42	All Other	(300,000)
44		<hr/>
	TOTAL	0

46 Provides for the allocation of funds no
longer required in All Other to cover the
48 cost of collective bargaining increases.

50 DEPARTMENT OF TRANSPORTATION

2 TOTAL 0

4 SECTION
4 TOTAL ALLOCATIONS 0

6 **Sec. A-3. Supplemental allocations from Island Ferry Service Fund.**
8 There are allocated from the Island Ferry Service Fund for the
8 fiscal year ending June 30, 2001 the following sums.

10 2000-01

12 **TRANSPORTATION, DEPARTMENT OF**

14 **Island Ferry Service**

16 Personal Services 200,000

18 Provides for the allocation of funds to
20 cover the cost of collective bargaining
20 increases.

22 **Island Ferry Service**

24 All Other 300,000

26 Provides for the allocation of All Other
28 funding for extraordinary vessel
28 maintenance, fire-fighting equipment and
30 increased fuel costs.

32 **DEPARTMENT OF TRANSPORTATION**
32 **TOTAL** 500,000

34 SECTION
36 **TOTAL ALLOCATIONS** 500,000

38 **Sec. A-4. Allocation.** The following funds are allocated from
40 the Federal Expenditures Fund for the fiscal year ending June 30,
40 2001 to carry out the purposes of this Part.

42 2000-01

44 **TRANSPORTATION, DEPARTMENT OF**

46 **Highway Maintenance**

48 Personal Services 50,000

All Other 50,000

50 Capital Expenditures 500,000

2 Provides for the allocation of funds in
3 order to provide departmental engineering
4 services support costs and contract funding
5 to construct an emergency relief project in
6 southern Maine.

8 **DEPARTMENT OF TRANSPORTATION**
9 **TOTAL** _____
10 600,000

11 **SECTION**
12 **TOTAL ALLOCATIONS** _____
13 600,000

14 **Sec. A-5. Allocation.** The following funds are allocated from
15 Other Special Revenue funds for the fiscal year ending June 30,
16 2001 to carry out the purposes of this Part.

17 **2000-01**

18 **TRANSPORTATION, DEPARTMENT OF**

19 **Highway Maintenance**

20 All Other 150,000
21 Capital Expenditures 150,000

22 Provides for the allocation of funds to meet
23 the municipal share of ongoing maintenance
24 projects.

25 **DEPARTMENT OF TRANSPORTATION**
26 **TOTAL** _____
27 300,000

28 **SECTION**
29 **TOTAL ALLOCATIONS** _____
30 300,000

31 **Sec. A-6. Allocation.** The following funds are allocated from
32 the Marine Ports Fund for the fiscal year ending June 30, 2001 to
33 carry out the purposes of this Part.

34 **2000-01**

35 **TRANSPORTATION, DEPARTMENT OF**

36 **Marine Ports Fund**

37 All Other 3,000,000

38 Provides for the allocation of All Other
39 funds resulting from the sale of the
40

2 Portland Drydock. These funds must be used
to provide a \$1,000,000 grant for a dredging
4 and marine infrastructure loan fund and
\$2,000,000 to support the Ocean
6 Gateway/International Marine Terminal
improvement project at the Portland Pier and
8 any costs for legal services and other
expenses related to delivery of the drydock
10 to the buyer, as well as costs arising from
the removal of hazardous waste and
12 contaminants from the drydock.

14 **DEPARTMENT OF TRANSPORTATION**
TOTAL 3,000,000

16 **SECTION**
TOTAL ALLOCATIONS \$3,000,000

20 **PART B**

22 **Sec. B-1. Nonlapsing funds.** Any unencumbered balance of funds
24 remaining in the Department of Transportation, Administration and
Planning program, Highway Fund account on June 30, 2001, after
26 assuming all costs for that program, including collective
bargaining costs, may not lapse. These funds may be transferred
to the Building Renovations Account established in the Maine
28 Revised Statutes, Title 23, section 1655 within the Department of
Transportation to support building renovation initiatives within
30 the Department of Transportation. Within 30 days of acceptance
of the financial order, the Commissioner of Transportation shall
32 provide to the members of the Joint Standing Committee on
Transportation a report detailing the financial adjustments to
34 affected Highway Fund program accounts and detailing the status
of the Building Renovations Account.

36 **Sec. B-2. Transfer to the Department of Transportation.**
38 Notwithstanding the Maine Revised Statutes, Title 5, section 1585
or any other provision of law, at the close of fiscal year
40 2000-01, the State Controller shall transfer an amount not to
exceed \$3,000,000 from the unallocated balance in the Highway
42 Fund that is in excess of \$17,715,924 after the deduction of all
allocations, financial commitments, other designated funds or any
44 other transfer authorized by statute, to the Highway and Bridge
Improvement program, Highway Fund account, in the Department of
46 Transportation. The Commissioner of Transportation is authorized
to allot these funds, by financial order, upon the recommendation
48 of the State Budget Officer and the approval of the Governor.
Within 30 days of acceptance of the financial order, the
50 Commissioner of Transportation shall provide to the members of

2 the Joint Standing Committee on Transportation a report detailing
the financial status of the Highway and Bridge Improvement
4 program.

6 **PART C**

8 **Sec. C-1. 23 MRSA §4210** is enacted to read:

10 **§4210. Transportation Facilities Fund**

12 **1. Fund established.** The Transportation Facilities Fund,
referred to in this section as the "fund," is established as a
14 nonlapsing fund through the Department of Administrative and
Financial Services, Bureau of Accounts and Control as an internal
16 service fund administered by the Department of Transportation.

18 **2. Fund services.** Money deposited in the fund may include,
but is not limited to, money transferred to the account from
20 within the department, money received from the units within the
department using the rental spaces provided by the fund and
22 earnings by the fund from the Treasurer of State's cash pool.

24 **3. Distribution from fund.** Money distributed from the fund
may be used for the purpose of purchasing, operating,
26 maintaining, improving, repairing, constructing and managing
buildings, including permanent storage facilities, garages and
28 field office buildings, except for buildings and facilities under
the supervision of the Department of Administrative and Financial
30 Services, Bureau of General Services.

32 **4. Leased space.** Use of the fund in order to lease space
to the operating units of the department must comply with the
34 rate schedule approved by the commissioner. Lease payments must
provide for repair costs, operating costs, necessary capital
36 investment, working capital for the fund and must be developed
and levied in accordance with the provisions of Federal Office of
38 Management and Budget Circular A-87 or its successor document.

40 **5. Budget.** Upon recommendation of the State Budget Officer
and approval by the Governor, prior legislatively authorized
42 budgets within the department may be realigned to ensure adequate
funding for projected lease payments. Within 10 days of any
44 realignment of a prior legislatively authorized budget, the
commissioner shall submit a written report that details the
46 realignments to the joint standing committee of the Legislature
having jurisdiction over transportation matters. After
48 realignment of the budgets, full and normal budgeting will occur
for the fund in future years. Expenditures from the fund are
50 subject to allocations that must be approved by the Legislature.

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PART D

Sec. D-1. 23 MRSA §1655 is enacted to read:

§1655. Building Renovations Account

1. Account established. The Building Renovations Account, referred to in this section as the "account," is established in the Highway Fund within the department. The purpose of the account is to maintain temporary control and accountability over the receipt of funds through allocations, transfers or from other various sources that are earmarked for the building renovation project at the Department of Transportation main facility in the Capitol Complex.

2. Nonlapsing account. Any unexpended money remaining in the account at the end of a fiscal year may not lapse but must be carried forward.

3. Transfer authority. The commissioner or the Commissioner of Administrative and Financial Services may transfer funds from the account within the Department of Transportation to the Capital Construction and Improvement Reserve Fund, established in Title 5, section 1742-F, subsection 1 within the Department of Administrative and Financial Services, Bureau of General Services. Funds may be transferred and allotted by financial order upon recommendation of the State Budget Officer and approval of the Governor to be used toward the expenditures of the building renovation project.

PART E

Sec. E-1. 5 MRSA §1742-F is enacted to read:

§1742-F. Capital Construction and Improvement Reserve Fund

1. Fund. The Capital Construction and Improvement Reserve Fund, referred to in this section as the "fund," is established as a program account in the Highway Fund within the Department of Administrative and Financial Services, Bureau of General Services. The purpose of the fund is to maintain control and accountability over the receipt and expenditures of funds earmarked for the building renovation project at the Department of Transportation main facility in the Capitol Complex. Funds appropriated, allocated, transferred or deposited in the fund accrue interest earnings that must be used for construction and improvements of the building renovation project.

COMMITTEE AMENDMENT "A" to S.P. 212, L.D. 777

2	ISLAND FERRY SERVICE FUND, TOTAL	500,000
4	Federal Expenditures Fund	
6	PART A, Section A-4	600,000
8	FEDERAL EXPENDITURES FUND, TOTAL	600,000
10	Other Special Revenue Funds	
12	PART A, Section A-5	300,000
14	OTHER SPECIAL REVENUE FUNDS, TOTAL	300,000
18	Marine Ports Fund	
20	PART A, Section A-6	3,000,000
22	MARINE PORTS FUND, TOTAL	\$3,000,000'
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SUMMARY

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PART A

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Part A:

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1. Makes supplemental allocations from the Highway Fund;

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2. Makes supplemental allocations from the Highway Garage Fund;

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3. Makes supplemental allocations from the Island Ferry Service Fund;

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4. Makes supplemental allocations from the Federal Expenditures Fund;

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5. Makes supplemental allocations from Other Special Revenue funds; and

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6. Makes supplemental allocations from the Marine Ports Fund.

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PART B

Part B:

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1. Authorizes year-end balances in the Administration and Planning program in the Department of Transportation to be transferred to the Building Renovations Account and allotted by financial order; and

2. Authorizes the transfer of up to 100% of the unallocated balance in the Highway Fund in excess of \$17,715,924 but not exceeding \$3,000,000 at the end of fiscal year 2000-01 after the deduction of all allocations, financial commitments, other designated funds or any other transfers authorized by statute to the Highway Fund, Highway and Bridge Improvement program account within the Department of Transportation.

PART C

Part C authorizes the establishment of the Transportation Facilities Fund within the Department of Transportation. This internal service fund is established for the purpose of purchasing, operating, maintaining, improving, repairing, constructing and managing buildings and associated property owned by the department.

PART D

Part D establishes the Building Renovations Account for the building renovation project at the Department of Transportation main facility in Augusta.

PART E

Part E establishes a Capital Construction and Improvement Reserve Fund to be used in conjunction with the Building Renovations Account.