

# MAINE STATE LEGISLATURE

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*M*  
**R.O.S.**

*W. G.*

L.D. 1285

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4  
DATE: *June 13, 2001*

(Filing No. S-344)

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**TRANSPORTATION**

8  
Reported by: **The Majority**

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Reproduced and distributed under the direction of the Secretary  
of the Senate.

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**STATE OF MAINE  
SENATE  
120TH LEGISLATURE  
FIRST REGULAR SESSION**

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COMMITTEE AMENDMENT "*A*" to S.P. 388, L.D. 1285, Bill, "An  
Act to Make Supplemental Highway Allocations for the Expenditures  
of State Government and to Change Certain Provisions of the Law  
Necessary to the Proper Operations of State Government for the  
Fiscal Years Ending June 30, 2002 and June 30, 2003"

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26  
Amend the bill by striking out the title and substituting  
the following:

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**'An Act to Make Supplemental Highway Allocations for the  
Expenditures of State Government and to Change Certain Provisions  
of the Law Necessary to the Proper Operations of State Government  
for the Fiscal Years Ending June 30, 2001, June 30, 2002 and June  
30, 2003'**

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34  
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36  
Further amend the bill by striking out everything after the  
enacting clause and before the emergency clause and inserting in  
its place the following:

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38  
**'PART A**

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**Sec. A-1. Allocations.** In order to provide for necessary  
expenditures of State Government and other purposes for the  
fiscal years ending June 30, 2002 and June 30, 2003, the  
following sums as designated in the following tabulations are  
allocated out of any money not otherwise allocated.

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46  
**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

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New Initiative: Provides funds for the Salary Plan to cover  
prospective salary cost increases associated with the collective  
bargaining process.

**COMMITTEE AMENDMENT**

R.O.S.

COMMITTEE AMENDMENT "A" to S.P. 388, L.D. 1285

2	<b>Highway Fund</b>	<b>2001-02</b>	<b>2002-03</b>
	Personal Services		\$2,346,927
4			
	Total		<u>2,346,927</u>

6	<b>ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF</b>		
8	<b>Department totals</b>	<b>2001-02</b>	<b>2002-03</b>
	<b>Department Summary - All Funds</b>		<b>2,346,927</b>
10	<b>Department Summary - Highway Fund</b>		<b>2,346,927</b>

12 **PUBLIC SAFETY, DEPARTMENT OF**

14 **State Police**  
New Initiative: Minimum shift coverage.

16	<b>Highway Fund</b>	<b>2001-02</b>	<b>2002-03</b>
18	Personal Services	608,929	621,471
	All Other	54,071	56,529
20			
	Total	<u>663,000</u>	<u>678,000</u>

22  
24 New Initiative: Transfer one Secretary position from the Bureau of Liquor Enforcement.

26	<b>Highway Fund</b>	<b>2001-02</b>	<b>2002-03</b>
	Personal Services	25,128	25,835
28	All Other	268	276
30			
	Total	<u>25,396</u>	<u>26,111</u>

32 New Initiative: Transfer one Clerk Typist III position to the Bureau of Liquor Enforcement.

34	<b>Highway Fund</b>	<b>2001-02</b>	<b>2002-03</b>
36	Personal Services	(22,733)	(23,409)
	All Other	(243)	(250)
38			
	Total	<u>(22,976)</u>	<u>(23,659)</u>

40	<b>PUBLIC SAFETY, DEPARTMENT OF</b>		
42	<b>Department totals</b>	<b>2001-02</b>	<b>2002-03</b>
	<b>Department Summary - All Funds</b>	<b>665,420</b>	<b>680,452</b>
44	<b>Department Summary - Highway Fund</b>	<b>665,420</b>	<b>680,452</b>

46 **SECRETARY OF STATE, DEPARTMENT OF THE**

48 **Administration - Motor Vehicles**  
50 New Initiative: Provides funds for 10 limited-period Motor Vehicle Service Representative positions through June 7, 2003.

# COMMITTEE AMENDMENT

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 388, L.D. 1285

2	<b>Highway Fund</b>	<b>2001-02</b>	<b>2002-03</b>
	Personal Services	261,011	359,410
4	All Other	32,109	9,191
		<hr/>	<hr/>
6	Total	293,120	368,601
8	<b>SECRETARY OF STATE, DEPARTMENT OF THE</b>		
	<b>Department totals</b>	<b>2001-02</b>	<b>2002-03</b>
10	<b>Department Summary - All Funds</b>	<b>293,120</b>	<b>368,601</b>
12	<b>Department Summary - Highway Fund</b>	<b>293,120</b>	<b>368,601</b>
14	<b>TRANSPORTATION, DEPARTMENT OF</b>		
	<b>Highway and Bridge Improvement</b>		
16	New Initiative: Provides for the allocation of funds to continue		
18	highway and bridge improvement projects based on available		
	additional revenues.		
20	<b>Highway Fund</b>	<b>2001-02</b>	<b>2002-03</b>
	All Other	500,000	500,000
22	Capital Expenditures	2,400,000	2,400,000
		<hr/>	<hr/>
24	Total	2,900,000	2,900,000
26	<b>Urban-Rural Initiative Program</b>		
	New Initiative: Provides for an allocation of funds for the		
28	Urban-Rural Initiative Program representing its share of the		
	proposed additional revenues.		
30	<b>Highway Fund</b>	<b>2001-02</b>	<b>2002-03</b>
32	All Other	450,000	450,000
		<hr/>	<hr/>
34	Total	450,000	450,000
36	<b>TRANSPORTATION, DEPARTMENT OF</b>		
	<b>Department totals</b>	<b>2001-02</b>	<b>2002-03</b>
38	<b>Department Summary - All Funds</b>	<b>3,350,000</b>	<b>3,350,000</b>
40	<b>Department Summary - Highway Fund</b>	<b>3,350,000</b>	<b>3,350,000</b>
	<b>STATEWIDE SUMMARY - ALL FUNDS</b>	<b>\$4,308,540</b>	<b>\$6,745,980</b>
42	<b>STATEWIDE SUMMARY - HIGHWAY FUND</b>	<b>\$4,308,540</b>	<b>\$6,745,980</b>

**PART B**

**Sec. B-1. Allocations; Highway Fund.** The following funds are allocated from the Highway Fund for the fiscal years ending June 30, 2002 and June 30, 2003 to the departments listed in

**COMMITTEE AMENDMENT**

COMMITTEE AMENDMENT "A" to S.P. 388, L.D. 1285

order to provide funding for approved reclassifications and range changes.

	2001-02	2002-03
<b>PUBLIC SAFETY, DEPARTMENT OF</b>		
<b>Administration - Public Safety</b>		
Personal Services	\$4,433	\$4,492
All Other	(4,433)	(4,492)
TOTAL	0	0
<b>State Police</b>		
Personal Services	20,072	14,459
All Other	(20,072)	(14,459)
TOTAL	0	0
<b>Traffic Safety</b>		
Personal Services	2,629	2,629
All Other	(2,629)	(2,629)
TOTAL	0	0
<b>DEPARTMENT OF PUBLIC SAFETY</b>		
TOTAL	0	0
<b>SECRETARY OF STATE, DEPARTMENT OF THE</b>		
<b>Administration - Motor Vehicle</b>		
Personal Services	7,030	7,116
All Other	(7,030)	(7,116)
TOTAL	0	0
<b>DEPARTMENT OF THE SECRETARY OF STATE</b>		
TOTAL	0	0
<b>TRANSPORTATION, DEPARTMENT OF</b>		
<b>Administration and Planning</b>		
Personal Services	47,804	42,142
All Other	(47,804)	(42,142)

**Ref's.**

COMMITTEE AMENDMENT "A" to S.P. 388, L.D. 1285

2	TOTAL	0	0
4	<b>Bridge Maintenance</b>		
6	Personal Services	98,218	55,687
6	All Other	(98,218)	(55,687)
8	TOTAL	<hr/> 0	<hr/> 0
10	<b>Highway and Bridge Improvement</b>		
12	Personal Services	89,165	73,108
14	All Other	(89,165)	(73,108)
16	TOTAL	<hr/> 0	<hr/> 0
18	<b>Highway Maintenance</b>		
20	Personal Services	269,330	103,048
20	All Other	(269,330)	(103,048)
22	TOTAL	<hr/> 0	<hr/> 0
24	<b>Traffic Service</b>		
26	Personal Services	10,199	9,773
28	All Other	(10,199)	(9,773)
30	TOTAL	<hr/> 0	<hr/> 0
32	<b>DEPARTMENT OF TRANSPORTATION</b>		
32	TOTAL	<hr/> 0	<hr/> 0
34	<b>SECTION</b>		
36	TOTAL ALLOCATIONS	<hr/> 0	<hr/> 0

**Sec. B-2. Allocations; Federal Expenditures Fund.** The following funds are allocated from the Federal Expenditures Fund for the fiscal years ending June 30, 2002 and June 30, 2003 to the departments listed in order to provide funding for approved reclassifications and range changes.

	2001-02	2002-03	
44			
46	<b>TRANSPORTATION, DEPARTMENT OF</b>		
48	<b>Highway and Bridge Improvement</b>		
50	Personal Services	195,161	141,318
50	All Other	(195,161)	(141,318)

**COMMITTEE AMENDMENT**

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 388, L.D. 1285

2	TOTAL	0	0
4	<b>Traffic Services</b>		
6	Personal Services	7,735	6,170
8	All Other	(7,735)	(6,170)
10	TOTAL	0	0
12	<b>DEPARTMENT OF TRANSPORTATION</b>		
14	<b>TOTAL</b>	0	0
16	<b>SECTION</b>		
18	<b>TOTAL ALLOCATIONS</b>	0	0

18           **Sec. B-3. Allocations; Island Ferry Service Fund.** The following  
20 funds are allocated from the Island Ferry Service Fund for the  
22 fiscal years ending June 30, 2002 and June 30, 2003 to the  
departments listed in order to provide funding for approved  
reclassifications and range changes.

24		<b>2001-02</b>	<b>2002-03</b>
26	<b>TRANSPORTATION, DEPARTMENT OF</b>		
28	<b>Island Ferry Service</b>		
30	Personal Services	9,552	4,640
32	<b>DEPARTMENT OF TRANSPORTATION</b>		
34	<b>TOTAL</b>	9,552	4,640
36	<b>SECTION</b>		
38	<b>TOTAL ALLOCATIONS</b>	\$9,552	\$4,640

**PART C**

40           **Sec. C-1. 29-A MRSA §603, sub-§1,** as amended by PL 1999, c.  
42 470, §7, is further amended to read:

44           **1. Fee of \$23.** A fee of ~~\$15~~ \$23 must be paid to the  
46 Secretary of State for the following:

48           A. A report of a search of the records of the Bureau of  
Motor Vehicles for each name or identification number;

**COMMITTEE AMENDMENT**

**ROS**

COMMITTEE AMENDMENT "A" to S.P. 388, L.D. 1285

- 2 B. Filing an application for a first certificate of title,  
including security interest;
- 4 C. Filing notice of a security interest after the first  
certificate of title has been issued;
- 6 D. A certificate of title after a transfer;
- 8 E. A certificate of salvage;
- 10 F. A corrected certificate of title or salvage;
- 12 G. A duplicate certificate; or
- 14 H. Assignment of a new vehicle identification number.

16 For a person who possesses a trailer or semitrailer registration  
18 pursuant to section 512, subsection 3, the fee is \$10 \$18.

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**PART D**

22

24 **Sec. D-1. Supplemental allocations.** There are allocated from  
various funds for the fiscal years ending June 30, 2002 and June  
26 30, 2003, to the departments listed, the following sums.

26

**TRANSPORTATION, DEPARTMENT OF**

28

**Highway and Bridge Improvement**

30

New Initiative: Reallocates funds from All Other to Personal  
Services to fund department-initiated position reorganizations  
32 and reclassifications.

34

	<b>2001-02</b>	<b>2002-03</b>
<b>Highway Fund</b>		
Personal Services	\$253,624	\$256,725
All Other	(253,624)	(256,725)
Total	0	0

42

**Federal Expenditures Fund**

44

Personal Services	760,873	770,174
All Other	(760,873)	(770,174)

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Total	0	0
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**Urban-Rural Initiative Program**



R.O.S.

COMMITTEE AMENDMENT "A" to S.P. 388, L.D. 1285

2 New Initiative: Provides for the deallocation of funds currently  
not required to permit the allocation of funds for the Island  
4 Town Refund program.

	2001-02	2002-03
<b>Highway Fund</b>		
All Other	(15,000)	(15,000)

10 **Highway Maintenance**  
12 New Initiative: Reallocates funds from All Other to Personal  
14 Services to fund department-initiated position reorganizations  
and reclassifications.

	2001-02	2002-03
<b>Highway Fund</b>		
Personal Services	39,876	41,365
All Other	(39,876)	(41,365)
Total	0	0

24 **Traffic Service**  
26 New Initiative: Reallocates funds from All Other to Personal  
28 Services to fund department-initiated position reorganizations  
and reclassifications.

	2001-02	2002-03
<b>Highway Fund</b>		
Personal Services	22,191	22,466
All Other	(22,191)	(22,466)
Total	0	0

<b>Federal Expenditures Fund</b>		
Personal Services	66,572	67,397
All Other	(66,572)	(67,397)
Total	0	0

44 **Bridge Maintenance**  
46 New Initiative: Reallocates funds from All Other to Personal  
48 Services to fund department-initiated position reorganizations  
and reclassifications.

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 388, L.D. 1285

	2001-02	2002-03
2		
4	<b>Highway Fund</b>	
6	Personal Services	18,326
6	All Other	(18,326)
8	Total	0
10	<b>Motor Transport Service</b>	
12	New Initiative: Reallocates funds from All Other to Personal Services to fund department-initiated position reorganizations and reclassifications.	
14		
16		
18	<b>Highway Garage Fund</b>	
20	Personal Services	1,839
20	All Other	(1,839)
22	Total	0
24	<b>Island Town Refunds - Highway</b>	
26	New Initiative: Provides for the allocation of All Other funds to properly pay the island towns, in accordance with the Maine Revised Statutes, Title 29-A, section 203.	
28		
30		
32	<b>Highway Fund</b>	
34	All Other	15,000
36	<b>Administration and Planning</b>	
38	New Initiative: Reallocates funds from All Other to Personal Services to fund department-initiated position reorganizations and reclassifications.	
40		
42	<b>Highway Fund</b>	
44	Personal Services	6,908
46	All Other	(6,908)
48	Total	0
50	<b>DEPARTMENT OF TRANSPORTATION</b>	
	<b>TOTAL</b>	<b>\$0</b>

# COMMITTEE AMENDMENT

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**PART E**

**Sec. E-1. Authorization of financing for Department of Transportation headquarters building renovation.** Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Commissioner of Administrative and Financial Services may enter into a financing arrangement for the renovation and furnishing of the Department of Transportation headquarters building located in Augusta under which the principal for the financing agreements may not exceed \$5,000,000. The rate of interest is estimated to be 6.0% over a 10-year period and to result in a total interest cost of approximately \$1,651,233. The commissioner may encumber, mortgage or otherwise grant security interests in the building and real property appurtenant to the building. The annual costs of this agreement must be paid from the Highway Fund allocations to the Department of Administrative and Financial Services. An annual Highway Fund allocation is required for this purpose to meet principal and interest costs beginning in fiscal year 2002-03. The agreement must provide a nonallocation clause in the event funds are not allocated or that funds are not available for this purpose.

**PART F**

**Sec. F-1. Supplemental allocations.** There are allocated from the Highway Fund for the fiscal years ending June 30, 2002 and June 30, 2003, to the departments listed, the following sums.

	2001-02	2002-03
<b>PUBLIC SAFETY, DEPARTMENT OF</b>		
<b>State Police</b>		
All Other	\$780,000	\$891,000
Allocates funds for the purchase of mobile data terminals for use in patrol cars.		
<b>DEPARTMENT OF PUBLIC SAFETY</b>		
<b>TOTAL</b>	<u>780,000</u>	<u>891,000</u>
<b>TRANSPORTATION, DEPARTMENT OF</b>		
<b>Highway and Bridge Improvement</b>		

R.O.S.

COMMITTEE AMENDMENT "A" to S.P. 388, L.D. 1285

2	Capital Expenditures	788,434	815,881
4	Allocates funds to restore		
6	cuts made in Private and		
	Special Law 2001, chapter 23.		
8	<b>Highway and Bridge Improvement</b>		
10	All Other	650,000	650,000
	Capital Expenditures	650,000	650,000
12			
14	Total	<u>1,300,000</u>	<u>1,300,000</u>
16	Allocates additional funds		
18	for highway and bridge		
	improvement projects.		
20	<b>Urban-Rural Initiative Program</b>		
22	All Other	662,802	(535,891)
24	Adjusts the net allocation		
26	for the Urban-Rural		
28	Initiative Program as		
30	required by the provisions of		
	the Maine Revised Statutes,		
	Title 23, section 1803-B,		
	subsection 1, paragraph D.		
32	<b>DEPARTMENT OF TRANSPORTATION</b>		
	<b>TOTAL</b>	<u>2,751,236</u>	<u>1,579,990</u>
34	<b>SECTION</b>		
	<b>TOTAL ALLOCATIONS</b>	<u>\$3,531,236</u>	<u>\$2,470,990</u>

**PART G**

**Sec. G-1. Lapsed balance.** Notwithstanding any other provision of law, the State Controller shall lapse \$2,601,813 from the Highway Fund salary plan program to Highway Fund unallocated surplus at the close of the fiscal year ending June 30, 2001.

**PART H**

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

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2001-02

**TRANSPORTATION, DEPARTMENT OF**

**Highway Maintenance**

All Other	\$1,100,000
Capital Expenditures	1,100,000

Allocates \$1,100,000 for the cost of reimbursing municipalities for Priority 1 and Priority 2 sand and salt building projects and \$1,100,000 for funding Priority 1 projects for the Department of Transportation. Funds allocated for this purpose may not lapse but must be carried into the next fiscal year.

<b>DEPARTMENT OF TRANSPORTATION</b>	
<b>TOTAL</b>	\$2,200,000

**PART I**

**Sec. I-1. 23 MRSA §1965, sub-§1, ¶I,** as enacted by PL 1981, c. 595, §3, is amended to read:

I. Make contracts with the United States or any instrumentality or agency of the United States, another state or any instrumentality, municipality or agency of another state, including multi-state entities composed of other state agencies, this State or any of its agencies or instrumentalities, municipalities, public corporations, or bodies existing therein, private corporations, partnerships, associations and individuals;

**PART J**

**Sec. J-1. 29-A MRSA §1304, sub-§4, ¶C,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

C. The instruction permit entitles the permittee, as long as the permit is in the permittee's immediate possession, to drive a school bus on a public way. The permit is valid for one year.

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 388, L.D. 1285

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(1) The permittee must be accompanied by a licensed school bus operator who has at least one year of driving experience and is at least 22 years of age.

(2) The accompanying operator must occupy a seat in the immediate vicinity of the permittee and, except other persons who have been issued a school bus instruction permit, no other passengers may be allowed on the bus.

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PART K

14

**Sec. K-1. Task force to study municipal excise tax and other motor vehicle registration fees.** The Secretary of State shall appoint a task force that includes representation from the Maine Municipal Association to study the motor vehicle excise tax as well as other taxes and fees associated with the registration of a motor vehicle. The task force shall:

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1. Evaluate the cumulative cost of all taxes and fees associated with motor vehicle registration as compared to taxes and fees assessed by other states;

24

2. Evaluate municipal reliance on the excise tax as a source of local revenue; and

26

3. Make a report of its recommendations and findings by January 15, 2002 to the Joint Standing Committee on Transportation, which has the authority to report out legislation.

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The Secretary of State shall reimburse members who are not otherwise compensated by their employers for travel expenses related to task force meetings. The Secretary of State shall provide necessary staff to the task force.

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PART L

**Sec. L-1. 29-A MRSA §2084, sub-§1**, as amended by PL 2001, c. 148, §5, is further amended to read:

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**1. Night equipment.** A bicycle, motorized bicycle or tricycle, when in use in the nighttime, must have:

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A. Lighted a front light that emits a white light visible from a distance of at least 200 feet to the front;

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B. A red or amber light or reflector to the rear that is visible at least 200 feet to the rear; and

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**COMMITTEE AMENDMENT**

RdS

2 C. Reflector material on the pedals, unless the bicyclist  
4 is wearing reflective material on the feet or ankles.

6 ~~A bicyclist must have reflector material on the foot or ankle.~~ A  
8 bicyclist may also use optional supplementary reflectors, lights  
or reflective or lighted safety equipment.'

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

12 **FISCAL NOTE**  
14 **ALLOCATIONS**

	2000-01	2001-02	2002-03
<b>Highway Fund</b>			
PART A, Section A-1	0	4,308,540	6,745,980
PART B, Section B-1	0	0	0
PART D, Section D-1	0	0	0
PART F, Section F-1	0	3,531,236	2,470,990
PART H, Section H-1	0	2,200,000	0
HIGHWAY FUND, TOTAL	0	10,039,776	9,216,970

<b>Federal Expenditures Fund</b>			
PART B, Section B-2	0	0	0
PART D, Section D-1	0	0	0
FEDERAL EXPENDITURES FUND, TOTAL	0	0	0

<b>Island Ferry Service Fund</b>			
PART B, Section B-3	0	9,552	4,640
ISLAND FERRY SERVICES FUND, TOTAL	0	9,552	4,640

44 **HIGHWAY FUND REVENUE**

	2000-01	2001-02	2002-03
PART C	0	3,070,832	3,350,000

HIGHWAY FUND			
REVENUE, TOTAL	0	3,070,832	3,350,000

**ADJUSTMENTS TO HIGHWAY FUND BALANCE**

	2000-01	2001-02	2002-03
PART G	2,601,813	0	0
ADJUSTMENTS			
TO HIGHWAY			
FUND			
BALANCE,			
TOTAL	2,601,813	0	0'

**SUMMARY**

This amendment does the following.

Part A makes supplemental allocations from the Highway Fund.

Part B does the following:

1. It makes supplemental allocations from the Highway Fund for approved reclassifications and range changes;

2. It makes supplemental allocations from the Federal Expenditures Fund for approved reclassifications and range changes; and

3. It makes supplemental allocations from the Island Ferry Services Fund for approved reclassifications and range changes.

Part C amends the law to increase motor vehicle and trailer title fees by \$8.

Part D makes supplemental allocations from the Highway Fund, Highway Garage Fund and Federal Expenditures Fund to accomplish a reorganization of certain programs within the Department of Transportation.

Part E authorizes financing for the renovation of the Department of Transportation headquarters building.

Part F makes supplemental allocations from the Highway Fund to provide mobile data terminals for State Police patrol cars, to restore and add funding for highway and bridge improvement projects and to adjust funding for the Urban-Rural Initiative Program.



RS

COMMITTEE AMENDMENT "A" to S.P. 388, L.D. 1285

2           Part G lapses funds from the Highway Fund Salary Plan to the  
Highway Fund.

4

6           Part H makes supplemental allocations from the Highway Fund  
to reimburse certain municipalities for sand and salt building  
projects and to provide funding for certain sand and salt  
8 building projects for the Department of Transportation.

10           Part I authorizes the Maine Turnpike Authority to enter into  
contracts with other states and entities authorized by other  
12 states.

14           Part J allows another person who has been issued a school  
bus instruction permit to be a passenger on a bus when it is  
16 being operated by a school bus permittee.

18           Part K requires the Secretary of State to convene a task  
force to study the municipal excise tax and other motor vehicle  
20 registration fees.

22           Part L alters the requirements for reflective materials used  
by bicycles, motorized bicycles or tricycles during nighttime use.