

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1379

H.P. 1014

House of Representatives, March 18, 2003

**An Act To Make Additional Allocations From the Highway Fund
and Other Funds for the Expenditures of State Government and To
Change Certain Provisions of State Law Necessary to the Proper
Operations of State Government for the Fiscal Year Ending June
30, 2003**

(EMERGENCY)

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative USHER of Westbrook. (GOVERNOR'S BILL)
Cosponsored by Senator HATCH of Somerset and
Representative: McKENNEY of Cumberland, Senator: SAVAGE of Knox.

Emergency preamble. Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

Whereas, the 90-day period may not terminate until after the
beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the
operation of state departments and institutions will become due
and payable prior to June 30, 2003; and

Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

PART A

Sec. A-1. Supplemental allocations. There are allocated from
various funds for the fiscal year ending June 30, 2003, to the
departments listed, the following sums.

PUBLIC SAFETY, DEPARTMENT OF 16

Traffic Safety Commercial Vehicle Enforcement 0715

Initiative: Transfer one Auto Mechanic position from Liquor
Enforcement.

Highway Fund	2002-03
Positions - Legislative Count	1.000

Liquor Enforcement - Bureau of 0293

Initiative: Transfer one Auto Mechanic position to Traffic
Safety Commercial Vehicle Enforcement.

General Fund	2002-03
Positions - Legislative Count	(1.000)

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS

2002-03

HIGHWAY FUND

\$0

DEPARTMENT TOTAL - ALL FUNDS

0

2 **SECRETARY OF STATE, DEPARTMENT OF 29**

4 **Administration - Motor Vehicles 0077**

6 Initiative: This initiative funds the increased costs expected
8 to be incurred for services provided by BIS on the BULL mainframe
10 during the months of May and June, 2003, and will allow
10 operations to continue at current levels until the migration to
10 the Bureau's new computer system is complete.

12	Highway Fund	2002-03
	All Other	\$286,636
14		
	Total	<hr/> 286,636

16 **Administration - Motor Vehicles 0077**

18 Initiative: This initiative funds contractual services for
20 needed functionality in the bureau's new computer system that was
22 not included in the original request for proposal. Current
24 services will be maintained, and in some cases enhanced, as a
24 direct result of the functionality derived from this initiative.

24	Highway Fund	2002-03
26	All Other	156,174
28		
	Total	<hr/> 156,174

30 **Administration - Motor Vehicles 0077**

32 Initiative: This initiative funds Personal Services overtime
34 that will allow current staff to test the bureau's new computer
34 system while maintaining current operations.

36	Highway Fund	2002-03
	Personal Services	200,000
38		
	Total	<hr/> 200,000

40 **SECRETARY OF STATE, DEPARTMENT OF**
42 **DEPARTMENT TOTALS** **2002-03**

44 **HIGHWAY FUND** **642,810**

46 **DEPARTMENT TOTAL - ALL FUNDS**

642,810

48 **TRANSPORTATION, DEPARTMENT OF 17**

50 **Highway and Bridge Improvement 0406**

2 Initiative: To provide for the supplemental funding for current
 4 highway and bridge improvement projects due to project
 6 construction changes and/or increased contractor costs. This
 8 amount is the nonfederal share of the increased cost of these
 projects. This funding is necessary in order to maintain the
 capital improvement schedule as previously established for this
 fiscal period.

10	Highway Fund	2002-03
12	Capital Expenditures	3,892,702
14	Total	<u>3,892,702</u>

16 **Highway Maintenance 0330**

18 Initiative: Provides for the deallocation of Personal Services
 20 funding that was carried forward from fiscal year 2001-02 and is
 not necessary to fund Personal Services costs in fiscal year
 2002-03.

22	Highway Fund	2002-03
24	Personal Services	(3,892,702)
26	Total	<u>(3,892,702)</u>

28 **TRANSPORTATION, DEPARTMENT OF
 DEPARTMENT TOTALS**

30	HIGHWAY FUND	0
32	DEPARTMENT TOTAL - ALL FUNDS	<u>0</u>

34 **SECTION TOTALS**

36	HIGHWAY FUND	642,810
38	SECTION TOTAL - ALL FUNDS	<u>\$642,810</u>

40 **PART B**

42 **Sec. B-1. Supplemental allocations.** The following funds are
 44 allocated from the Highway Fund for the fiscal year ending June
 46 30, 2003, to the departments listed, in order to provide funding
 for approved reclassifications and range changes.

48		2002-03
50	PUBLIC SAFETY, DEPARTMENT OF	

2	Administration - Public Safety	
4	Personal Services	(\$15,862)
6	Highway Safety DPS	
8	Personal Services	15,862
10	State Police	
12	Personal Services	4,515
14	All Other	(4,515)
16	TOTAL	<hr/> 0
18	DEPARTMENT OF PUBLIC SAFETY	
18	TOTAL	<hr/> 0
20	TRANSPORTATION, DEPARTMENT OF	
22	Highway and Bridge Improvement	
24	Personal Services	118,620
26	All Other	(118,620)
28	TOTAL	<hr/> 0
30	DEPARTMENT OF TRANSPORTATION	
30	TOTAL	<hr/> 0
32	SECTION TOTALS	2002-03
34	SECTION TOTAL - ALL FUNDS	<hr/> \$0
36	Sec. B-2. Allocations; Federal Expenditures Fund. There are	
38	allocated from the Federal Expenditures Fund for the fiscal year	
40	ending June 30, 2003, to the departments listed, the sums	
42	identified in the following, in order to provide funding for	
44	approved reclassifications and range changes.	
46		2002-03
48	TRANSPORTATION, DEPARTMENT OF	
50	Highway and Bridge Improvement	
50	Personal Services	\$118,620
50	TRANSPORTATION, DEPARTMENT OF	<hr/>

TOTAL 118,620

SECTION TOTALS

SECTION TOTAL - ALL FUNDS \$118,620

PART C

2
4
6
8
10 **Sec. C-1. Lease-purchase authorization; Department of**
12 **Administrative and Financial Services.** Pursuant to the Maine Revised
14 Statutes, Title 5, section 1587, the Department of Administrative
16 and Financial Services on behalf of the Department of the
18 Secretary of State may enter into financing arrangements for the
20 acquisition of software and systems for a motor vehicle database
22 and computer system to support the operations of the Department
24 of the Secretary of State as approved in Public Law 2001, chapter
26 361, section 35. The financing agreements may not exceed 5 years
28 in duration and \$6,500,000 in principal costs. The interest rate
30 may not exceed 5% and the total interest costs may not exceed
32 \$977,000. The annual principal and interest costs must be paid
34 from the appropriate line category allocations in the Department
36 of the Secretary of State.

26 **Sec. C-2. Lease-purchase authorized for vans, buses and other**
28 **transportation vehicles involved with public transit.** Pursuant to the
30 Maine Revised Statutes, Title 5, section 1587, the Department of
32 Transportation, Special Revenue Fund, is authorized to establish
34 lease-purchase contracts for the procurement of vans, buses and
36 other transportation vehicles. The term of the contracts may not
38 be more than 8 years. The outstanding principal debt may not
40 exceed \$1,000,000. The interest rate may not exceed 8% and
42 outstanding debt for interest may not exceed \$240,000.

PART D

38 **Sec. D-1. PL 1997, c. 674, Pt. C, §§2 and 3,** as amended by PL 1999,
40 c. 737, Pt. E, §1, are further amended to read:

42 **Sec. C-2. Amended lease-purchase authorized for engineering**
44 **vehicles or equipment.** Pursuant to the Maine Revised Statutes,
46 Title 5, section 1587, the Department of Transportation, Highway
48 Fund, is authorized to establish lease-purchase contracts for the
50 procurement of engineering vehicles or equipment. The term of
52 the contracts may not be more than 7 years. The ~~cumulative-total~~
54 principal-value outstanding principal debt of the lease-purchase

contracts may not exceed \$10,000,000. The interest rate may not exceed 8% and the ~~total~~ outstanding debt for interest may not exceed \$2,400,000.

Sec. C-3. Amended lease-purchase authorized for vehicles or equipment. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Transportation, Motor Transport Service, is authorized to establish lease-purchase contracts for the procurement of vehicles or equipment. The term of the contracts may not be more than 7 years. The ~~cumulative-total principal-value~~ outstanding principal debt of the lease-purchase contracts may not exceed \$12,000,000. The interest rate may not exceed 8% and ~~total-interest-costs~~ outstanding debt for interest may not exceed \$2,880,000.

PART E

Sec. E-1. Highway Fund Salary Plan; lapsed balances. Notwithstanding any other provision of law, \$4,000,000 in the Compensation and Benefit Plan, Highway Fund account in the Department of Administrative and Financial Services lapses to the unallocated balance of the Highway Fund in fiscal year 2002-03.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

SUMMARY

This bill does the following.

Part A makes allocations of funds for fiscal year 2002-03.

Part B makes allocations of funds for approved reclassifications and range changes.

Part C authorizes the Department of Administrative and Financial Services on behalf of the Department of the Secretary of State to enter into financing arrangements for the acquisition of software and systems for a motor vehicle database and computer system to support the operations of the Department of the Secretary of State as approved in Public Law 2001, chapter 361, section 35.

It also authorizes the Department of Transportation to establish lease-purchase contracts for the procurement of vans, buses and other transportation vehicles.

Part D amends Public Law 1997, chapter 674, the authority for lease-purchase for engineering vehicles or equipment and other vehicles and equipment for Motor Transportation Service.

2 Part E lapses funds from the Highway Fund Compensation and
Benefits Plan to the unallocated balance of the Highway Fund.

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FISCAL NOTE

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ALLOCATIONS

10

2002-03

12

HIGHWAY FUND

14

PART A, section 1

\$642,810

16

PART B, section 1

\$0

18

HIGHWAY FUND, TOTAL

\$642,810

20

FEDERAL EXPENDITURES FUND

22

PART B, section 2

\$118,620

24

FEDERAL EXPENDITURES FUND, TOTAL

\$118,620