

MAINE STATE LEGISLATURE

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m
R. of S.

L.D. 524

2
4
DATE: 5/23/15

(Filing No. H-458)

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8
TRANSPORTATION

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

14 STATE OF MAINE
16 HOUSE OF REPRESENTATIVES
18 122ND LEGISLATURE
20 FIRST SPECIAL SESSION

22 COMMITTEE AMENDMENT "A" to H.P. 400, L.D. 524, Bill, "An
24 Act To Facilitate Reimbursement of Public Utilities Relocation
26 Costs"

28 Amend the bill by striking out all of section 1 and
30 inserting in its place the following:

32 'Sec. 1. 23 MRSA §4210-A is enacted to read:

34 §4210-A. Payment for cost of relocating utility facilities
36 underground in federally designated historic districts
38 on federal aid highways

40 1. Reimbursement. The department, in the course of
42 delivering the federal surface transportation program, 23 United
44 States Code, Section 133 (2005) may reimburse a National Register
46 Historic District or the community in which the National Register
48 Historic District is located for the portion of the cost to move
50 or relocate overhead utilities underground to the extent that
such payments by the department are eligible for reimbursement
under the federal surface transportation program pursuant to 23
United States Code, Section 133 (2005). To be eligible for this
reimbursement, the project must be located in a National Register
Historic District and on the National Highway System and may not
increase the department's cost or liability in complying with the
National Historic Preservation Act, 16 United States Code,
Sections 470 to 470x-6 (2005) or with 49 United States Code,
Section 303 (2005). For the purposes of this section, "National
Register Historic District" means a district that is individually
listed in the National Register of Historic Places pursuant to
the National Historic Preservation Act, 16 United States Code,
Sections 470 to 470x-6 (2005).

COMMITTEE AMENDMENT

R. of S.

COMMITTEE AMENDMENT **A** " to H.P. 400, L.D. 524

2 The amount paid in any biennium under this section may not exceed
3 federal surface transportation program funds available under 23
4 United States Code, Section 133 (2005) to reimburse the State in
5 that biennium.

6
7 2. Rules. The department may adopt rules necessary to
8 implement this section. The rules must be consistent with any
9 applicable federal regulations relating to the cost of relocation
10 and with rules adopted pursuant to section 255. Rules adopted
11 pursuant to this section are routine technical rules as defined
12 in Title 5, chapter 375, subchapter 2-A.'

14
15 **SUMMARY**

16
17 This amendment allows the Department of Transportation to
18 use federal transportation funds to reimburse a National Register
19 Historic District for the portion of the cost to move or relocate
20 overhead utilities underground on the National Highway System to
21 the extent that such payments are eligible for reimbursement
22 under the federal surface transportation program under 23 United
23 States Code, Section 133 (2005).

24
25 **FISCAL NOTE REQUIRED**
26 **(See attached)**

COMMITTEE AMENDMENT



Approved: 05/13/05 *MRC*

122nd MAINE LEGISLATURE

LD 524

LR 1051(02)

An Act To Facilitate Reimbursement of Public Utilities Relocation Costs

Fiscal Note for Bill as Amended by Committee Amendment 'A'

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

No net cost impact - Highway Fund

Reprioritization of budgeted expenditures - Federal Expenditures Fund

Fiscal Detail and Notes

Allowing the Department of Transportation to reimburse public utilities for relocation costs in certain circumstances will have no net impact on Highway Fund costs because the Highway Fund will be reimbursed by certain federal funds. Any federal funds used for reimbursement purposes will not be available for other highway and bridge related projects.