

MAINE STATE LEGISLATURE

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L.D. 1974

DATE: 4/19/06

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TRANSPORTATION

Minority

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

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "B" to H.P. 1382, L.D. 1974, Bill, "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 Years Ending June 30, 2005 and June 30, 2006"

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

'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 Years Ending June 30, 2006 and June 30, 2007'

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

'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 immediately; and

COMMITTEE AMENDMENT

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 the Highway Fund for the fiscal years ending June 30, 2006 and June 30, 2007, to the departments listed, the following sums.

**ADMINISTRATIVE AND FINANCIAL SERVICES,
DEPARTMENT OF**

Buildings and Grounds Operations 0080

Initiative: Provides funding for the increase in fuel and utility costs.

HIGHWAY FUND	2005-06	2006-07
All Other	\$100,000	\$0
HIGHWAY FUND TOTAL	\$100,000	\$0

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

	2005-06	2006-07
HIGHWAY FUND	\$100,000	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$100,000	\$0

PUBLIC SAFETY, DEPARTMENT OF

State Police 0291

Initiative: Provides funding for a new heating system at the Maine State Police garage in South Portland.

HIGHWAY FUND	2005-06	2006-07
Capital Expenditures	\$31,500	\$0
HIGHWAY FUND TOTAL	\$31,500	\$0

Motor Vehicle Inspection 0329

Initiative: Provides funding for increased vehicle fuel costs.

COMMITTEE AMENDMENT "B" to H.P. 1382, L.D. 1974

2	HIGHWAY FUND	2005-06	2006-07
	All Other	\$0	\$1,504
4			
	HIGHWAY FUND TOTAL	<u>\$0</u>	<u>\$1,504</u>
6			
	Traffic Safety 0546		
8			
	Initiative: Provides funding for increased vehicle fuel costs.		
10			
	HIGHWAY FUND	2005-06	2006-07
12	All Other	\$0	\$1,800
14			
	HIGHWAY FUND TOTAL	<u>\$0</u>	<u>\$1,800</u>
16			
	Traffic Safety - Commercial Vehicle Enforcement 0715		
18			
	Initiative: Provides funding for increased vehicle fuel costs.		
20			
	HIGHWAY FUND	2005-06	2006-07
22	All Other	\$25,968	\$7,404
24			
	HIGHWAY FUND TOTAL	<u>\$25,968</u>	<u>\$7,404</u>
26			
	PUBLIC SAFETY, DEPARTMENT OF		
	DEPARTMENT TOTALS	2005-06	2006-07
28	HIGHWAY FUND	\$57,468	\$10,708
30			
	DEPARTMENT TOTAL - ALL FUNDS	<u>\$57,468</u>	<u>\$10,708</u>
32			
	SECRETARY OF STATE, DEPARTMENT OF		
34			
	Administration - Motor Vehicles 0077		
36			
	Initiative: Continues 10 Motor Vehicle Service Representative limited-period positions established in Financial Order 002087 F6 for the purpose of handling increased customer transactions involving driver's licenses. Personal Services funding is not needed in fiscal year 2005-06 as a result of filling these positions later in the fiscal year than originally intended.		
38			
40			
42			
	HIGHWAY FUND	2005-06	2006-07
44	Personal Services	\$0	\$477,020
46			
	HIGHWAY FUND TOTAL	<u>\$0</u>	<u>\$477,020</u>
48			
	Administration - Motor Vehicles 0077		

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "B" to H.P. 1382, L.D. 1974

Initiative: Reduces funding approved in Public Law 2005, chapter 411 that provided funds for certain services from licensed sign language interpreters.

4	HIGHWAY FUND	2005-06	2006-07
6	All Other	(\$66,000)	(\$101,000)
8	HIGHWAY FUND TOTAL	<u>(\$66,000)</u>	<u>(\$101,000)</u>

10 **Administration - Motor Vehicles 0077**

12 Initiative: Provides funding to pay the \$1 driver's license
14 agent fee for processing driver's licenses, state identifications
and duplicate driver's licenses online.

16	HIGHWAY FUND	2005-06	2006-07
18	All Other	\$12,000	\$15,600
20	HIGHWAY FUND TOTAL	<u>\$12,000</u>	<u>\$15,600</u>

22 **Administration - Motor Vehicles 0077**

24 Initiative: Provides funding for capital improvements for
building security and computer room security at the Bureau of
26 Motor Vehicles building at 101 Hospital Street in Augusta.

28	HIGHWAY FUND	2005-06	2006-07
30	Capital Expenditures	\$118,500	\$0
32	HIGHWAY FUND TOTAL	<u>\$118,500</u>	<u>\$0</u>

34 **Administration - Motor Vehicles 0077**

36 Initiative: Continues one Deputy Secretary of State position
established by financial order in accordance with the Maine
Revised Statutes, Title 5, section 81 to manage the department's
computer migration project. This position will end on October 28,
38 2006. Transfers All Other to Personal Services to fund the
position.

40	HIGHWAY FUND	2005-06	2006-07
42	Personal Services	\$0	\$34,750
44	All Other	\$0	(\$34,750)
46	HIGHWAY FUND TOTAL	<u>\$0</u>	<u>\$0</u>

48	SECRETARY OF STATE, DEPARTMENT OF		
50	DEPARTMENT TOTALS	2005-06	2006-07
	HIGHWAY FUND	\$64,500	\$391,620

COMMITTEE AMENDMENT "B" to H.P. 1382, L.D. 1974

2	DEPARTMENT TOTAL - ALL FUNDS	<u>\$64,500</u>	<u>\$391,620</u>
4	TRANSPORTATION, DEPARTMENT OF		
6	Bond Interest - Highway 0358		
8	Initiative: Allocates funding for debt service interest on bonds issued for highway and bridge improvement projects.		
10			
12	HIGHWAY FUND	2005-06	2006-07
	All Other	\$0	\$438,603
14	HIGHWAY FUND TOTAL	<u>\$0</u>	<u>\$438,603</u>
16	Highway and Bridge Improvement 0406		
18	Initiative: Provides funding for capital improvement projects resulting from increased revenue estimates provided by the Revenue Forecasting Committee in December 2005.		
20			
22	HIGHWAY FUND	2005-06	2006-07
	Capital Expenditures	\$1,845,000	\$3,320,000
24	HIGHWAY FUND TOTAL	<u>\$1,845,000</u>	<u>\$3,320,000</u>
26	Highway and Bridge Improvement 0406		
28	Initiative: Provides funding for capital improvement projects resulting from a fiscal year 2004-05 unencumbered balance forward lapsing to the unallocated surplus of the Highway Fund in fiscal year 2005-06.		
30			
32			
34	HIGHWAY FUND	2005-06	2006-07
	All Other	\$3,000,000	\$0
36	Capital Expenditures	\$7,944,305	\$0
38	HIGHWAY FUND TOTAL	<u>\$10,944,305</u>	<u>\$0</u>
40	Callahan Mine Site Restoration 2007		
42	Initiative: Provides funding for continued mitigation expenses of the Callahan Mine site.		
44			
46	OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
	All Other	\$500,000	\$500,000
48	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500,000</u>	<u>\$500,000</u>
50	Island Ferry Service 0326		

COMMITTEE AMENDMENT "B" to H.P. 1382, L.D. 1974

2 Initiative: Provides funding for the collective bargaining cost
 4 of the Maine State Ferry Service. Funding for fiscal year
 6 2005-06 reflects resources transferred from the Marine Highway
 Transportation program. Fiscal year 2006-07 funding is provided
 by an anticipated increase in Maine State Ferry Service revenues.

8	ISLAND FERRY SERVICES FUND	2005-06	2006-07
	Personal Services	\$109,253	\$222,165
10		<hr/>	<hr/>
	ISLAND FERRY SERVICES FUND TOTAL	\$109,253	\$222,165

12 **Island Ferry Service 0326**

14 Initiative: Provides funding for the increased cost of fuel for
 16 ferry vessels.

18	ISLAND FERRY SERVICES FUND	2005-06	2006-07
	All Other	\$300,000	\$0
20		<hr/>	<hr/>
	ISLAND FERRY SERVICES FUND TOTAL	\$300,000	\$0

22 **Marine Highway Transportation 2016**

24 Initiative: Provides funding for the collective bargaining cost
 26 of the Maine State Ferry Service. Funding for fiscal year
 28 2005-06 reflects resources transferred from the Marine Highway
 Transportation program. Fiscal year 2006-07 funding is provided
 by an anticipated increase in Maine State Ferry Service revenues.

30	HIGHWAY FUND	2005-06	2006-07
	All Other	\$109,253	\$0
32		<hr/>	<hr/>
	HIGHWAY FUND TOTAL	\$109,253	\$0

36 **Marine Highway Transportation 2016**

38 Initiative: Provides funding for the increased cost of fuel for
 40 ferry vessels.

42	HIGHWAY FUND	2005-06	2006-07
	All Other	\$300,000	\$0
44		<hr/>	<hr/>
	HIGHWAY FUND TOTAL	\$300,000	\$0

46 **Maintenance and Operations 0330**

48 Initiative: Provides funding for the increased cost of heating
 50 oil, diesel, salt and plow steel.

COMMITTEE AMENDMENT "b" to H.P. 1382, L.D. 1974

2	HIGHWAY FUND	2005-06	2006-07
	All Other	\$2,350,954	\$0
4	HIGHWAY FUND TOTAL	<u>\$2,350,954</u>	<u>\$0</u>
6	Maintenance and Operations 0330		
8	Initiative: Reduces funds due to a reimbursement of Federal Emergency Management Agency costs.		
10	HIGHWAY FUND	2005-06	2006-07
12	Personal Services	(\$374,261)	\$0
14	All Other	(\$1,069,503)	\$0
16	HIGHWAY FUND TOTAL	<u>(\$1,443,764)</u>	<u>\$0</u>
18	Maintenance and Operations 0330		
20	Initiative: Reduces funds for rental costs due to a one-time increase in Fleet Services resources as a result of the divestiture of the employee health fund.		
22	HIGHWAY FUND	2005-06	2006-07
24	All Other	(\$1,316,443)	\$0
26	HIGHWAY FUND TOTAL	<u>(\$1,316,443)</u>	<u>\$0</u>
28	TRANSPORTATION, DEPARTMENT OF		
30	DEPARTMENT TOTALS	2005-06	2006-07
32	HIGHWAY FUND	\$12,789,305	\$3,758,603
34	OTHER SPECIAL REVENUE FUNDS	\$500,000	\$500,000
36	ISLAND FERRY SERVICES FUND	\$409,253	\$222,165
38	DEPARTMENT TOTAL - ALL FUNDS	<u>\$13,698,558</u>	<u>\$4,480,768</u>
40	SECTION TOTALS	2005-06	2006-07
42	HIGHWAY FUND	\$13,011,273	\$4,160,931
44	OTHER SPECIAL REVENUE FUNDS	\$500,000	\$500,000
46	ISLAND FERRY SERVICE	\$409,253	\$222,165
48	SECTION TOTAL - ALL FUNDS	<u>\$13,920,526</u>	<u>\$4,883,096</u>

PART B

48 **Sec. B-1. Supplemental allocations.** There are allocated from
50 the Highway Fund for the fiscal years ending June 30, 2006 and
June 30, 2007, to the departments listed, the following sums,

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "B" to H.P. 1382, L.D. 1974

in order to provide funding for approved reclassifications and range changes.

TRANSPORTATION, DEPARTMENT OF

Maintenance and Operations 0330

	2005-06	2006-07
HIGHWAY FUND		
Personal Services	\$4,040	\$8,581
All Other	(\$4,040)	(\$8,581)

HIGHWAY FUND TOTAL	\$0	\$0
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	2005-06	2006-07
FEDERAL EXPENDITURES FUND		
Personal Services	\$383	\$813

FEDERAL EXPENDITURES FUND TOTAL	\$383	\$813
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Suspense Receivable - Transportation 0344

	2005-06	2006-07
OTHER SPECIAL REVENUE FUNDS		
Personal Services	\$51	\$108
All Other	(\$51)	(\$108)

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0
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Highway and Bridge Improvement 0406

	2005-06	2006-07
HIGHWAY FUND		
Personal Services	\$2,037	\$2,879
All Other	(\$2,037)	(\$2,879)

HIGHWAY FUND TOTAL	\$0	\$0
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	2005-06	2006-07
FEDERAL EXPENDITURES FUND		
Personal Services	\$2,457	\$3,469

FEDERAL EXPENDITURES FUND TOTAL	\$2,457	\$3,469
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TRANSPORTATION, DEPARTMENT OF DEPARTMENT TOTALS

	2005-06	2006-07
HIGHWAY FUND	\$0	\$0
FEDERAL EXPENDITURES FUND	\$2,840	\$4,282
OTHER SPECIAL REVENUE FUNDS	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	\$2,840	\$4,282
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PART C

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Sec. C-1. 23 MRSA §4210-C, sub-§2, as enacted by PL 2005, c. 457, Pt. GGG, §3, is amended to read:

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2. **Purpose of account.** The purpose of the account is to allow the Highway Fund to provide support to the Maine State Ferry Service that was previously provided by the General Fund because ferries are an integral part of the highway system and carry motor vehicles and are the only method of vehicular transportation available to and from the islands. The state support to the Marine Highway account may not exceed 50% of the budgeted revenues that support the operating cost of the Maine State Ferry Service.

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PART D

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Sec. D-1. Transfer of Highway Fund unallocated balance; capital program needs; Department of Transportation. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, at the close of fiscal years 2005-06 and 2006-07, the State Controller shall transfer amounts exceeding \$1,000,000 from the unallocated balance in the Highway Fund after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute and the fiscal year 2005-06 unallocated balance dedicated to the fiscal year 2006-07 budgets to the Department of Transportation for capital needs in the Highway and Bridge Improvement and Maintenance and Operations programs. The Commissioner of Transportation is authorized to allot these funds by financial order upon the recommendation of the State Budget Officer and the approval of the Governor. The transferred amounts are considered adjustments to allocations. Within 30 days of approval of the financial order, the Commissioner of Transportation shall provide to the members of the joint standing committee of the Legislature having jurisdiction over transportation matters a report detailing the financial status of the department's capital program.

42

PART E

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Sec. E-1. Transfer authorized. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, for the fiscal years ending June 30, 2006 and June 30, 2007 the Commissioner of Transportation is authorized to transfer, by financial order upon the recommendation of the State Budget Officer and approval of the Governor, identified Highway Fund Personal Services savings to any other program or line category

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within the Highway Fund to fund capital program needs. The financial order must identify the specific savings in Personal Services after assuming all costs for that program including collective bargaining costs. The Commissioner of Transportation shall provide a report by September 15, 2006 and September 15, 2007 to the members of the joint standing committee of the Legislature having jurisdiction over transportation matters detailing the financial adjustments to the Highway Fund.

PART F

Sec. F-1. Transfer of Personal Services allocations.

Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, available balances of Highway Fund allocations for Personal Services in fiscal years 2005-06 and 2006-07 may be transferred by financial order between programs and departments within the Highway Fund upon recommendation of the State Budget Officer and approval of the Governor to be used for costs associated with collective bargaining agreements for state employees.

PART G

Sec. G-1. Bond Retirement - Highway Fund; lapsed balances.

Notwithstanding any other provision of law, \$2,222 of the unencumbered balance in fiscal year 2004-05 in the Bond Retirement - Highway Fund account in the Department of Transportation lapses to the unallocated surplus in the Highway Fund in fiscal year 2005-06.

PART H

Sec. H-1. Calculation and transfer; health insurance savings.

Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in section 2 that apply against each Highway Fund account for all departments and agencies from savings in the cost of health insurance and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2006-07.

Sec. H-2. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF
Departments and Agencies - Statewide 0016

2 Initiative: Reduces funding to reflect additional savings to the
4 State for the cost of health insurance through negotiated plan
savings.

6	HIGHWAY FUND	2005-06	2006-07
	Personal Services	\$0	(\$2,212,649)
8		<hr/>	<hr/>
10	HIGHWAY FUND TOTAL	\$0	(\$2,212,649)

12 **PART I**

14 **Sec. I-1. Lapsed balances.** Notwithstanding any other provision
16 of law, \$10,944,305 of unencumbered balance in the Personal
Services line category from fiscal year 2004-05 in the
18 Maintenance and Operations account in the Department of
Transportation lapses to the unallocated surplus of the Highway
Fund in fiscal year 2005-06.

22 **PART J**

24 **Sec. J-1. PL 2005, c. 405, Pt. I, §1** is amended to read:

26 **Sec. I-1. Nonlapsing funds; Administration - Motor Vehicle;
computer system.** Any balance not to exceed \$1,100,000 remaining
28 in the Administration - Motor Vehicle program, Bureau of Motor
Vehicles within the Department of the Secretary of State may not
30 lapse at the end of fiscal year 2004-05 and 2005-06 but must be
carried forward into fiscal year 2005-06 and 2006-07 for the
32 purpose of development of the bureau's computer system and to
improve the efficiency and effectiveness of the bureau's
34 processes and programs.

36 **PART K**

38 **Sec. K-1. PL 2005, c. 12, Pt. PPP, §2** is amended to read:

40 **Sec. PPP-2. Costs to Highway Fund.** Costs to the Highway Fund
42 must be provided in the Salary Plan account referred to in this
Act to cover the costs to the Highway Fund in the amount of
44 \$3,704,004 for the fiscal year ending June 30, 2006 and in the
amount of \$7,594,947 for the fiscal year ending June 30, 2007 to
46 implement the economic terms of the collective bargaining
agreements, including market pay adjustments and benefits, made
48 by the State and the Maine State Employees Association, American
Federation of State, County and Municipal Employees and, Maine
50 State Troopers Association, and Maine State Law Enforcement

Association, and, notwithstanding the Maine Revised Statutes, Title 26, section 979-D, subsection 1, paragraph E, subparagraph (3), for confidential employees.

PART L

Sec. L-1. 29-A MRSA §2354-B, as enacted by PL 2005, c. 421, §1 and affected by §2, is amended to read:

§2354-B. Pilot project to allow commercial vehicles at Canadian weight limits to travel from the Canadian border at Calais to Baileyville and from the Canadian border at Van Buren to a rail yard in Van Buren

1. Pilot project. Notwithstanding section 2354, the Commissioner of Transportation, in consultation with the Department of Public Safety and the Department of the Secretary of State, is authorized to conduct a pilot project that allows certain commercial vehicles at Canadian gross vehicle weight limits to travel from the Canadian border at Calais to Baileyville and from the Canadian border at Van Buren to a rail yard in Van Buren. This pilot project must include the following conditions and components.

A. The only allowable ~~route~~ routes of travel under the pilot project ~~is~~ are travel from the United States-Canada border in Calais, across North Street to U.S. Route 1, north on U.S. Route 1 to Access Road in Baileyville, east on Access Road to Domtar Woodland Mill on Main Street and north on Main Street to the Louisiana-Pacific Oriented Strand Board mill in Baileyville; and from the United States-Canada border in Van Buren on Bridge Street, east into the rail yard in Van Buren, located approximately 2/10 of one mile from the border.

B. Allowable truck configuration under this pilot project must be limited to:

(1) A 3-axle truck tractor with a 3-axle semitrailer at a gross vehicle weight of 108,900 pounds; and

(2) A 3-axle truck tractor with a semitrailer-semitrailer combination, configured as a B-train double with 8 axles total, at a gross vehicle weight of 137,700 pounds. The weight of the 2nd semitrailer may not exceed the weight of the first semitrailer.

C. Maine axle weight limits, axle group limits, commodity

COMMITTEE AMENDMENT "B" to H.P. 1382, L.D. 1974

2 allowances, maximum dimensions and all other commercial
vehicle limits and requirements must apply under the pilot
4 project, except that the B-train double overall length limit
must be 82.02 feet, or 25 meters.

6 D. The manufacturer's ratings for gross vehicle weight,
axle capacity, brake systems and other components for which
8 a manufacturer's rating is available may not be exceeded
under the pilot project.

10 E. Each truck combination under the pilot project must
12 display a credential obtained for a fee from the Secretary
of State. The fee must be established by the Commissioner
14 of Transportation in an amount to cover related
administrative costs, compliance monitoring and the
16 additional cost of highway damage resulting from the pilot
project, calculated using accepted engineering practices.
18 The Secretary of State shall adopt rules to implement this
paragraph in consultation with the Department of
20 Transportation and the Department of Public Safety. Rules
adopted pursuant to this paragraph are routine technical
22 rules as defined in Title 5, chapter 375, subchapter 2-A.

24 F. The Commissioner of Transportation may revoke the
privileges under the pilot project of participating trucks
26 and trucking companies for cause, including repeatedly
exceeding size and weight limits or operating outside the
28 designated route of travel. Revocation by the Commissioner
of Transportation is considered a final agency action.

30 **2. Definition.** As used in this section, unless the context
32 otherwise indicates, "B-train double" means a truck
tractor-semitrailer-semitrailer combination vehicle in which the
34 2 trailing units are connected with a B-train assembly. The
B-train assembly is a rigid frame extension attached to the rear
36 frame of a first semitrailer that allows for a 5th wheel
connection point for a 2nd semitrailer. This combination has one
38 less articulation point than the conventional A-dolly-connected
truck tractor-semitrailer-trailer combination.

40 **3. Report.** The Commissioner of Transportation shall submit
42 a report to the joint standing committee of the Legislature
having jurisdiction over transportation matters for presentation
44 to the First Regular Session of the 124th Legislature. The
report must include the status of the pilot project, the impact
46 of the pilot project on road conditions and recommendations for
continuance, discontinuance or modification of the pilot
48 project's terms.

50 **4. Termination of pilot project.** The Commissioner of

2 Transportation is authorized to terminate the pilot project at
any time if, in the commissioner's judgment, continuation of the
4 pilot project would cause excessive damage to a public way.

6 5. **Repeal.** This section is repealed December 31, 2010.

8 **PART M**

10 **Sec. M-1. 36 MRS §3208-A, first ¶,** as enacted by PL 1983, c.
12 438, §5, is amended to read:

14 Any political subdivision of the State which ~~which~~ that buys and
uses special fuel as defined in section ~~3201~~ 3202, subsection 6,
16 and which ~~that~~ that has paid a tax levied as provided by this chapter
either directly by the collection of the tax by the vendor from
18 the consumer, or indirectly by adding the amount of the tax to
the price of the fuel and paid by the consumer, shall ~~must~~ be
20 reimbursed in the amount of the tax paid upon presenting to the
State Tax Assessor a statement accompanied by the original
22 invoices showing purchases. By contractual agreement, any agency
of this State or political subdivision of this State may assign
24 to another person its right to receive funds under this section.
Applications for refunds shall ~~must~~ be filed with the State Tax
Assessor within 12 months from the date of purchase.

26
28 **PART N**

30 **Sec. N-1. Biennial report.** In conjunction with the
presentation of the biennial Highway Fund Current Services
32 Budget, the Commissioner of Administrative and Financial Services
shall prepare and deliver to the joint standing committee of the
34 Legislature having jurisdiction over transportation matters a
report of all Highway Fund allocations necessary to support the
36 Department of Transportation Service Center pursuant to Public
Law 2005, chapter 12, Part G, section 2.

38 **Sec. N-2. Committee report.** By January 30th of each year, the
40 Commissioner of Administrative and Financial Services shall
provide to the joint standing committee of the Legislature having
42 jurisdiction over transportation matters a report detailing the
charges made to each Highway Fund allocation to support the
44 operations of the Department of Transportation pursuant to Public
Law 2005, chapter 12, Part G, section 2 for the prior state
46 fiscal year.

48 **PART O**

50 **Sec. O-1. 32 MRS §85, sub-§6,** as amended by PL 2003, c.

COMMITTEE AMENDMENT "B" to H.P. 1382, L.D. 1974

559, §1, is further amended to read:

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6. **Ambulance operator course.** By January 1, 2007, a person whose job description includes operating an ambulance in an emergency mode or transporting a patient must possess within 6 months of being employed, certification of successful completion of a basic ambulance vehicle operator course, or a course that has been approved by the board as an equivalent, in order to operate an ambulance in an emergency mode or to transport a patient. This requirement applies to all paid and volunteer ambulance operators and transporters. This requirement is in addition to vehicle operator requirements of Title 29-A or other law. A person whose job description includes operating an ambulance in an emergency mode or transporting a patient who successfully completes a basic ambulance vehicle operator course or a course that has been approved by the board as an equivalent may apply to the board for reimbursement for the cost of the course.

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PART P

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Sec. P-1. Appropriations and allocations. The following appropriations and allocations are made.

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TRANSPORTATION, DEPARTMENT OF

28

Maintenance and Operations 0330

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Initiative: Transfers 2 Traffic Control Electrician positions, 2 Building and Trades Apprentice positions, 2 Building and Trades Specialist positions and 8 Heavy Vehicle and Equipment Supervisor positions from the Fleet Services program to the Maintenance and Operations program.

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HIGHWAY FUND	2005-06	2006-07
POSITIONS - FTE COUNT	0.000	14.000
Personal Services	\$0	\$753,704

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HIGHWAY FUND TOTAL	\$0	\$753,704
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42

Maintenance and Operations 0330

44

Initiative: Transfers one Heavy Equipment Operator position from the Maintenance and Operations program to the Fleet Services program.

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HIGHWAY FUND	2005-06	2006-07
POSITIONS - FTE COUNT	0.000	(1.000)
Personal Services	\$0	(\$46,342)

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COMMITTEE AMENDMENT "B" to H.P. 1382, L.D. 1974

2	HIGHWAY FUND TOTAL	\$0	(\$46,342)
4	Maintenance and Operations 0330		
6	Initiative: Deallocates savings in billable costs from the Fleet		
8	Services program as a result of the reorganization in Maintenance		
	and Operations.		
10	HIGHWAY FUND	2005-06	2006-07
	All Other	\$0	(\$707,362)
12		<hr/>	<hr/>
14	HIGHWAY FUND TOTAL	\$0	(\$707,362)
16	Maintenance and Operations 0330		
18	Initiative: Eliminates one Heavy Vehicle and Equipment Supervisor		
20	position as a result of the reorganization of Maintenance and		
	Operations.		
22	HIGHWAY FUND	2005-06	2006-07
	POSITIONS - FTE COUNT	0.000	(1.000)
	Personal Services	\$0	(\$56,629)
24		<hr/>	<hr/>
26	HIGHWAY FUND TOTAL	\$0	(\$56,629)
28	Fleet Services 0347		
30	Initiative: Transfers 2 Traffic Control Electrician positions, 2		
32	Building and Trades Apprentice positions, 2 Building and Trades		
	Specialist positions and 8 Heavy Vehicle and Equipment Supervisor		
	positions from the Fleet Services program to the Maintenance and		
	Operations program.		
34	FLEET SERVICES FUND	2005-06	2006-07
36	POSITIONS - FTE COUNT	0.000	(14.000)
	Personal Services	\$0	(\$753,704)
38		<hr/>	<hr/>
40	FLEET SERVICES FUND TOTAL	\$0	(\$753,704)
42	Fleet Services 0347		
44	Initiative: Transfers one Heavy Equipment Operator position from		
	the Maintenance and Operations program to the Fleet Services		
	program.		
46	FLEET SERVICES FUND	2005-06	2006-07
48	POSITIONS - FTE COUNT	0.000	1.000
	Personal Services	\$0	\$46,342
50		<hr/>	<hr/>

COMMITTEE AMENDMENT "B" to H.P. 1382, L.D. 1974

2	FLEET SERVICES FUND TOTAL	\$0	\$46,342
4	TRANSPORTATION, DEPARTMENT OF DEPARTMENT TOTALS	2005-06	2006-07
6	HIGHWAY FUND	\$0	(\$56,629)
8	FLEET SERVICES FUND	\$0	(\$707,362)
10	DEPARTMENT TOTAL - ALL FUNDS	\$0	(\$763,991)
12	SECTION TOTALS	2005-06	2006-07
14	HIGHWAY FUND	\$0	(\$56,629)
16	FLEET SERVICES FUND	\$0	(\$707,362)
18	SECTION TOTAL - ALL FUNDS	\$0	(\$763,991)

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

SUMMARY

This is the minority report of the committee.

Part A

Part A makes supplemental allocations for fiscal years 2005-06 and 2006-07.

Part B

Part B makes allocations for approved reclassifications and range changes.

Part C

Part C limits the state support to the Marine Highway account to 50% of the budgeted revenues that support the operating cost of the Maine State Ferry Service.

Part D

Part D transfers amounts exceeding \$1,000,000 from the unallocated balance in the Highway Fund after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute to the Department of Transportation for capital needs in the Highway and Bridge Improvement and Maintenance and Operations programs.

Part E

COMMITTEE AMENDMENT "B" to H.P. 1382, L.D. 1974

2 Part E transfers identified Highway Fund Personal Services
4 savings to any other program or line category within the Highway
Fund to fund capital program needs.

6 Part F

8 Part F authorizes available Personal Services balances in
10 the Highway Fund accounts to be transferred between programs and
departments within the fund by financial order to be used for
12 collective bargaining agreement costs.

14 Part G

16 Part G lapses \$2,222 of the unencumbered balance in fiscal
18 year 2004-05 in the Bond Retirement - Highway Fund account in the
Department of Transportation to the unallocated surplus in the
Highway Fund in fiscal year 2005-06.

20 Part H

22 Part H authorizes the State Budget Officer to calculate the
24 amount of savings from a statewide deallocation that applies
against each Highway Fund account for all departments and
26 agencies from additional savings in the cost of health insurance
and shall transfer the amounts by financial order upon the
approval of the Governor. These transfers are considered
28 adjustments to allocations in fiscal year 2006-07.

30 Part I

32 Part I lapses \$10,944,305 of unencumbered balance in the
34 Personal Services line category from fiscal year 2004-05 in the
Maintenance and Operations account in the Department of
Transportation to the unallocated surplus of the Highway Fund in
36 fiscal year 2005-06.

38 Part J

40 Part J amends Public Law 2005, chapter 405, Part I, section
42 1 by authorizing the Administration - Motor Vehicle Program,
Bureau of Motor Vehicles within the Department of the Secretary
of State to carry forward any unexpended balance that is less
44 than \$1,100,000 from fiscal year 2005-06 to fiscal year 2006-07
for the continued development of the bureau's computer system and
46 to improve the efficiency and effectiveness of the bureau's
processes and programs.

48 Part K

50

COMMITTEE AMENDMENT "B" to H.P. 1382, L.D. 1974

2 Part K adds the Maine State Law Enforcement Association to
the bargaining units authorized to access funding in the Highway
4 Fund Salary Plan account to implement economic terms of
collective bargaining agreements for fiscal years ending June 30,
6 2006 and June 30, 2007.

8 Part L

10 Part L expands to a new location in Van Buren the existing
pilot project allowing commercial vehicles at Canadian weight
12 limits to travel to specified locations in the State.

14 Part M

16 Part M allows the State or its political subdivisions to
assign to another person the right to receive refunds for special
18 fuel taxes.

20 Part N

22 Part N provides the joint standing committee of the
Legislature having jurisdiction over transportation matters
information to support the Department of Transportation Service
24 Center request in the department's All Other line in the biennial
Highway Fund Current Services Budget and to also provide an
26 annual accounting of the actual charges made.

28 Part O

30 Part O authorizes a 6-month grace period for newly employed
ambulance operators to obtain required training for certification
32 purposes.

34 PART P

36 Part P eliminates one Department of Transportation Crew FTE
position and realigns 14 other electrical, carpenter and driver
38 trainer Department of Transportation Crew FTE positions between
Fleet Services, an Internal Service fund and Maintenance and
40 Operations, a Highway Fund program, in order to allow proper
implementation of a new Fleet Management computer system
42 scheduled for July 1, 2006. Given the maintenance and
operational nature of the work of these employees, their cost is
44 more properly associated with Maintenance and Operations. The
current budget location of these positions distorted the
46 financial management and reporting of Fleet Services.

FISCAL NOTE REQUIRED
(See attached)



122nd MAINE LEGISLATURE

LD 1974 LR 3082(03)

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 Years Ending June 30, 2006 and June 30, 2007

Fiscal Note for Bill as Amended by Committee Amendment "B"

Committee: Transportation

Fiscal Note Required: Yes

Minority Report

Fiscal Note

APPROPRIATIONS AND ALLOCATIONS	2005-06	2006-07
Highway Fund		
PART A	13,011,273	4,160,931
PART B	0	0
PART H	0	(2,212,649)
PART P	0	(56,620)
HIGHWAY FUND TOTAL	13,011,273	1,891,653
Federal Expenditures Fund		
PART B	2,840	4,282
FEDERAL EXPENDITURES FUND TOTAL	2,840	4,282
Other Special Revenue Funds		
PART A	500,000	500,000
PART B	0	0
OTHER SPECIAL REVENUE FUNDS TOTAL	500,000	500,000
Island Ferry Services Fund		
PART A	409,253	222,165
ISLAND FERRY SERVICES FUND TOTAL	409,253	222,165
Fleet Services Fund		
PART P	0	(707,362)
FLEET SERVICES FUND TOTAL	0	(707,362)
HIGHWAY FUND UNDEDICATED REVENUE		
PART L	0	28,800
HIGHWAY FUND UNDEDICATED REVENUE	0	28,800

ADJUSTMENTS TO HIGHWAY FUND BALANCE

2005-06

2006-07

PART G

0

2,222

PART I

10,944,305

0

ADJUSTMENTS TO HIGHWAY FUND BALANCE

10,944,305

2,222