

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 471

H.P. 364

House of Representatives, February 10, 2011

An Act To Reduce Certain Highway Fund Obligations

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST
Clerk

Presented by Representative CEBRA of Naples.
Cosponsored by Senator THOMAS of Somerset and
Representatives: CURTIS of Madison, CUSHING of Hampden, GILLWAY of Searsport,
PARRY of Arundel, RIOUX of Winterport, ROSEN of Bucksport, SARTY of Denmark,
WILLETTE of Mapleton.

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

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

4 **1. Establishment of account.** The department shall establish, through the
5 Department of Administrative and Financial Services, Office of the State Controller, the
6 Marine Highway account, referred to in this section as "the account," in the ~~Highway~~
7 General Fund.

8 **Sec. 2. 23 MRSA §4210-C, sub-§2**, as amended by PL 2005, c. 664, Pt. C, §1, is
9 further amended to read:

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

16 **Sec. 3. 23 MRSA §4210-F** is enacted to read:

17 **§4210-F. Highway resurfacing and maintenance paving**

18 Notwithstanding any provision of law to the contrary, the same amount of funds
19 appropriated from the General Fund to support the Maine State Ferry Service pursuant to
20 section 4210-C, subsection 2 must be allocated from the Highway Fund to be used for
21 highway resurfacing and maintenance paving.

22 Notwithstanding any provision of law to the contrary, an amount representing 16% of
23 the total funding for the Department of Public Safety, Bureau of State Police provided
24 pursuant to Title 25, section 1509-A must be allocated from the Highway Fund to be used
25 for highway resurfacing and maintenance paving.

26 **Sec. 4. 25 MRSA §1509-A**, as enacted by PL 2007, c. 682, §1 and affected by §8,
27 is amended to read:

28 **§1509-A. Funding**

29 Beginning in fiscal year ~~2009-10~~ 2012-13, state funding for the Department of Public
30 Safety, Bureau of State Police must be provided as follows:

31 **1. Highway Fund.** ~~Forty-nine~~ Thirty-three percent must be allocated from the
32 Highway Fund pursuant to Title 23, section 1653; and

33 **2. General Fund.** ~~Fifty-one~~ Sixty-seven percent must be appropriated from the
34 General Fund.

35 **Sec. 5. Effective date.** This Act takes effect July 1, 2012.

1 **SUMMARY**

2 This bill:

3 1. Changes the state funding support for the Maine State Ferry Service from the
4 Highway Fund to the General Fund;

5 2. Decreases the portion of the Department of Public Safety, Bureau of State Police
6 funding provided by the Highway Fund from 49% to 33% and increases the portion of
7 funding provided by the General Fund from 51% to 67%; and

8 3. Provides that the amount of savings to the Highway Fund due to the transfer of
9 support of the Maine State Ferry Service from the Highway Fund to the General Fund
10 and due to the reduction of funding, from 49% to 33%, from the Highway Fund to
11 support the Bureau of State Police must be used for highway resurfacing and maintenance
12 paving.