

MAINE STATE LEGISLATURE

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L.D. 162

Date: 3/5/21

(Filing No. H- 4)

TRANSPORTATION

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 118, L.D. 162, "An Act To Make Supplemental Allocations from the Highway Fund and Other Funds 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 Year Ending June 30, 2021"

Amend the bill by inserting after the title and before enacting clause the following:

Emergency preamble. Whereas, acts and resolves 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

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,'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'PART A

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

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF
Buildings and Grounds Operations 0080**

Initiative: Reduces funding to align with projected actual expenses for fuel costs. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
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COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 118, L.D. 162

1	All Other	(22,500)	\$0	\$0
2				
3	HIGHWAY FUND TOTAL	<u>(22,500)</u>	<u>\$0</u>	<u>\$0</u>
4	Buildings and Grounds Operations 0080			
5	Initiative: Reduces funding by managing materials and supplies expenses within available			
6	resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.			
7	HIGHWAY FUND	2020-21	2021-22	2022-23
8	All Other	(\$18,000)	\$0	\$0
9				
10	HIGHWAY FUND TOTAL	<u>(\$18,000)</u>	<u>\$0</u>	<u>\$0</u>
11	Buildings and Grounds Operations 0080			
12	Initiative: Reduces funding by deferring planned maintenance of buildings and grounds.			
13	This initiative relates to the curtailments ordered in Financial Order 001152 F1.			
14	HIGHWAY FUND	2020-21	2021-22	2022-23
15	All Other	(\$12,000)	\$0	\$0
16				
17	HIGHWAY FUND TOTAL	<u>(\$12,000)</u>	<u>\$0</u>	<u>\$0</u>
18	Buildings and Grounds Operations 0080			
19	Initiative: Reduces funding to align with projected actual expenses for electricity costs.			
20	This initiative relates to the curtailments ordered in Financial Order 001152 F1.			
21	HIGHWAY FUND	2020-21	2021-22	2022-23
22	All Other	(\$4,376)	\$0	\$0
23				
24	HIGHWAY FUND TOTAL	<u>(\$4,376)</u>	<u>\$0</u>	<u>\$0</u>
25	Revenue Services, Bureau of 0002			
26	Initiative: Reduces funding by allocating position costs from the Highway Fund to the			
27	General Fund to better reflect actual work percentages. This initiative relates to the			
28	curtailments ordered in Financial Order 001152 F1.			
29	HIGHWAY FUND	2020-21	2021-22	2022-23
30	Personal Services	(\$50,047)	\$0	\$0
31	All Other	(\$3,210)	\$0	\$0
32				
33	HIGHWAY FUND TOTAL	<u>(\$53,257)</u>	<u>\$0</u>	<u>\$0</u>
34				
35	ADMINISTRATIVE AND			
36	FINANCIAL SERVICES,			
37	DEPARTMENT OF			
38	DEPARTMENT TOTALS	2020-21	2021-22	2022-23
39				
40	HIGHWAY FUND	(\$110,133)	\$0	\$0
41				

1 **DEPARTMENT TOTAL - ALL** **(\$110,133)** **\$0** **\$0**
 2 **FUNDS**

3 **Sec. A-2. Appropriations and allocations.** The following appropriations and
 4 allocations are made.

5 **MUNICIPAL BOND BANK, MAINE**

6 **TransCap Trust Fund Z064**

7 Initiative: Recognizes revenue changes approved by the Revenue Forecasting Committee
 8 in its report dated December 1, 2020.

9 OTHER SPECIAL REVENUE	2020-21	2021-22	2022-23
10 FUNDS			
11 All Other	\$599,823	\$0	\$0
12			
13 OTHER SPECIAL REVENUE FUNDS	\$599,823	\$0	\$0
14 TOTAL			

15 **Sec. A-3. Appropriations and allocations.** The following appropriations and
 16 allocations are made.

17 **PUBLIC SAFETY, DEPARTMENT OF**

18 **Motor Vehicle Inspection 0329**

19 Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support
 20 public health and public safety Personal Services costs identified as an allowable use by
 21 guidance from the United States Department of the Treasury. This initiative relates to the
 22 curtailments ordered in Financial Order 001152 F1.

23 HIGHWAY FUND	2020-21	2021-22	2022-23
24 Personal Services	(\$71,651)	\$0	\$0
25			
26 HIGHWAY FUND TOTAL	(\$71,651)	\$0	\$0

27 **State Police 0291**

28 Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support
 29 public health and public safety Personal Services costs identified as an allowable use by
 30 guidance from the United States Department of the Treasury. This initiative relates to the
 31 curtailments ordered in Financial Order 001152 F1.

32 HIGHWAY FUND	2020-21	2021-22	2022-23
33 Personal Services	(\$6,393,340)	\$0	\$0
34			
35 HIGHWAY FUND TOTAL	(\$6,393,340)	\$0	\$0

36 **Traffic Safety 0546**

37 Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support
 38 public health and public safety Personal Services costs identified as an allowable use by
 39 guidance from the United States Department of the Treasury. This initiative relates to the
 40 curtailments ordered in Financial Order 001152 F1.

41 HIGHWAY FUND	2020-21	2021-22	2022-23
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COMMITTEE AMENDMENT "A" to H.P. 118, L.D. 162

1	Personal Services	(\$490,021)	\$0	\$0
2				
3	HIGHWAY FUND TOTAL	(\$490,021)	\$0	\$0
4	Traffic Safety - Commercial Vehicle Enforcement 0715			
5	Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support			
6	public health and public safety Personal Services costs identified as an allowable use by			
7	guidance from the United States Department of the Treasury. This initiative relates to the			
8	curtailments ordered in Financial Order 001152 F1.			
9	HIGHWAY FUND	2020-21	2021-22	2022-23
10	Personal Services	(\$2,100,945)	\$0	\$0
11				
12	HIGHWAY FUND TOTAL	(\$2,100,945)	\$0	\$0
13				
14	PUBLIC SAFETY, DEPARTMENT			
15	OF			
16	DEPARTMENT TOTALS			
17		2020-21	2021-22	2022-23
18	HIGHWAY FUND	(\$9,055,957)	\$0	\$0
19				
20	DEPARTMENT TOTAL - ALL	(\$9,055,957)	\$0	\$0
21	FUNDS			
22	Sec. A-4. Appropriations and allocations. The following appropriations and			
23	allocations are made.			
24	SECRETARY OF STATE, DEPARTMENT OF			
25	Administration - Motor Vehicles 0077			
26	Initiative: Reduces funding one time to reflect projected actual expenses for contracted			
27	information technology services for hardware and software. This initiative relates to the			
28	curtailments ordered in Financial Order 001152 F1.			
29	HIGHWAY FUND	2020-21	2021-22	2022-23
30	All Other	(\$120,000)	\$0	\$0
31				
32	HIGHWAY FUND TOTAL	(\$120,000)	\$0	\$0
33	Administration - Motor Vehicles 0077			
34	Initiative: Reduces funding one time by managing one vacant Staff Development Specialist			
35	IV position until April 2021. This initiative relates to the curtailments ordered in Financial			
36	Order 001152 F1.			
37	HIGHWAY FUND	2020-21	2021-22	2022-23
38	Personal Services	(\$61,826)	\$0	\$0
39				
40	HIGHWAY FUND TOTAL	(\$61,826)	\$0	\$0
41	Administration - Motor Vehicles 0077			

1 Initiative: Reduces funding one time by managing miscellaneous professional fees and
 2 services expenses within available resources. This initiative relates to the curtailments
 3 ordered in Financial Order 001152 F1.

4	HIGHWAY FUND	2020-21	2021-22	2022-23
5	All Other	(\$13,632)	\$0	\$0
6				
7	HIGHWAY FUND TOTAL	<u>(\$13,632)</u>	<u>\$0</u>	<u>\$0</u>

8 **Administration - Motor Vehicles 0077**

9 Initiative: Reduces funding one time to reflect projected actual expenses for out-of-state
 10 travel expenses. This initiative relates to the curtailments ordered in Financial Order
 11 001152 F1.

12	HIGHWAY FUND	2020-21	2021-22	2022-23
13	All Other	(\$4,542)	\$0	\$0
14				
15	HIGHWAY FUND TOTAL	<u>(\$4,542)</u>	<u>\$0</u>	<u>\$0</u>

16 **Administration - Motor Vehicles 0077**

17 Initiative: Provides funding for increased costs as a result of higher STA-CAP rates.

18	HIGHWAY FUND	2020-21	2021-22	2022-23
19	All Other	\$984,645	\$0	\$0
20				
21	HIGHWAY FUND TOTAL	<u>\$984,645</u>	<u>\$0</u>	<u>\$0</u>

22 **Administration - Motor Vehicles 0077**

23 Initiative: Provides one-time funding for contracted services to modernize driver's license
 24 and vehicle services systems. These funds do not lapse but must be carried forward to the
 25 next fiscal year to be used for the same purpose.

26	HIGHWAY FUND	2020-21	2021-22	2022-23
27	All Other	\$1,919,990	\$0	\$0
28				
29	HIGHWAY FUND TOTAL	<u>\$1,919,990</u>	<u>\$0</u>	<u>\$0</u>

30

31 **SECRETARY OF STATE,**
 32 **DEPARTMENT OF**
 33 **DEPARTMENT TOTALS**

34		2020-21	2021-22	2022-23
35	HIGHWAY FUND	\$2,704,635	\$0	\$0
36				
37	DEPARTMENT TOTAL - ALL	<u>\$2,704,635</u>	<u>\$0</u>	<u>\$0</u>
38	FUNDS			

39 **Sec. A-5. Appropriations and allocations.** The following appropriations and
 40 allocations are made.

41 **TRANSPORTATION, DEPARTMENT OF**
 42 **Administration 0339**

1 Initiative: Reduces funding by managing the equivalent of 6 position vacancies within
 2 available resources. This initiative relates to the curtailments ordered in Financial Order
 3 001152 F1.

4	HIGHWAY FUND	2020-21	2021-22	2022-23
5	Personal Services	(\$381,610)	\$0	\$0
6				
7	HIGHWAY FUND TOTAL	<u>(\$381,610)</u>	<u>\$0</u>	<u>\$0</u>

8 **Highway and Bridge Capital 0406**

9 Initiative: Reduces funding by managing the equivalent of 45% of 36 position vacancies
 10 within available resources. This initiative relates to the curtailments ordered in Financial
 11 Order 001152 F1.

12	HIGHWAY FUND	2020-21	2021-22	2022-23
13	Personal Services	(\$991,553)	\$0	\$0
14				
15	HIGHWAY FUND TOTAL	<u>(\$991,553)</u>	<u>\$0</u>	<u>\$0</u>

16 **Highway and Bridge Capital 0406**

17 Initiative: Provides an allocation for flexible federal highway funds contained in the so-
 18 called Coronavirus Response and Relief Supplemental Appropriations Act of 2021 within
 19 the federal Consolidated Appropriations Act, 2021.

20	FEDERAL EXPENDITURES FUND	2020-21	2021-22	2022-23
21	Capital Expenditures	\$15,000,000	\$0	\$0
22				
23	FEDERAL EXPENDITURES FUND	<u>\$15,000,000</u>	<u>\$0</u>	<u>\$0</u>
24	TOTAL			

25 **Highway Light Capital Z095**

26 Initiative: Provides an allocation for flexible federal highway funds contained in the so-
 27 called Coronavirus Response and Relief Supplemental Appropriations Act of 2021 within
 28 the federal Consolidated Appropriations Act, 2021.

29	FEDERAL EXPENDITURES FUND	2020-21	2021-22	2022-23
30	Capital Expenditures	\$6,000,000	\$0	\$0
31				
32	FEDERAL EXPENDITURES FUND	<u>\$6,000,000</u>	<u>\$0</u>	<u>\$0</u>
33	TOTAL			

34 **Local Road Assistance Program 0337**

35 Initiative: Reduces funding to municipalities for maintenance or improvement of public
 36 roads in order to meet the requirement in the Maine Revised Statutes, Title 23, section
 37 1803-B that the Local Road Assistance Program be funded at 9% of the Department of
 38 Transportation Highway Fund allocations. This initiative relates to the curtailments ordered
 39 in Financial Order 001152 F1.

40	HIGHWAY FUND	2020-21	2021-22	2022-23
41	All Other	(\$1,066,382)	\$0	\$0
42				
		<u></u>	<u></u>	<u></u>

1 HIGHWAY FUND TOTAL (\$1,066,382) \$0 \$0

2 **Maintenance and Operations 0330**

3 Initiative: Reduces funding by deferring the planned purchasing of heavy trucks in the Fleet
4 Services program. This initiative relates to the curtailments ordered in Financial Order
5 001152 F1.

6 HIGHWAY FUND 2020-21 2021-22 2022-23
7 All Other (\$2,000,000) \$0 \$0

8
9 HIGHWAY FUND TOTAL (\$2,000,000) \$0 \$0

10 **Maintenance and Operations 0330**

11 Initiative: Reduces funding by managing payments to the Fleet Services program within
12 available resources. This initiative relates to the curtailments ordered in Financial Order
13 001152 F1.

14 HIGHWAY FUND 2020-21 2021-22 2022-23
15 All Other (\$1,700,000) \$0 \$0

16
17 HIGHWAY FUND TOTAL (\$1,700,000) \$0 \$0

18 **Maintenance and Operations 0330**

19 Initiative: Reduces funding by deferring planned payments to the Facility Fund program
20 for maintenance of Department of Transportation facilities. This initiative relates to the
21 curtailments ordered in Financial Order 001152 F1.

22 HIGHWAY FUND 2020-21 2021-22 2022-23
23 All Other (\$500,000) \$0 \$0

24
25 HIGHWAY FUND TOTAL (\$500,000) \$0 \$0

26 **Maintenance and Operations 0330**

27 Initiative: Reduces funding by managing small equipment purchases within available
28 resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

29 HIGHWAY FUND 2020-21 2021-22 2022-23
30 Capital Expenditures (\$300,000) \$0 \$0

31
32 HIGHWAY FUND TOTAL (\$300,000) \$0 \$0

33 **Multimodal - Freight Rail 0350**

34 Initiative: Reduces funding by allocating Highway Fund Multimodal - Freight Rail
35 program support to allowable Other Special Revenue Funds sources. This initiative relates
36 to the curtailments ordered in Financial Order 001152 F1.

37 HIGHWAY FUND 2020-21 2021-22 2022-23
38 All Other (\$603,599) \$0 \$0

39
40 HIGHWAY FUND TOTAL (\$603,599) \$0 \$0

41 **Multimodal - Island Ferry Service Z016**

COMMITTEE AMENDMENT "A" to H.P. 118, L.D. 162

1 Initiative: Reduces funding by allocating Highway Fund Multimodal - Island Ferry Service
 2 program support to allowable Other Special Revenue Funds sources. This initiative relates
 3 to the curtailments ordered in Financial Order 001152 F1.

4	HIGHWAY FUND	2020-21	2021-22	2022-23
5	All Other	(\$6,091,588)	\$0	\$0
6				
7	HIGHWAY FUND TOTAL	<u>(\$6,091,588)</u>	<u>\$0</u>	<u>\$0</u>

8				
9	TRANSPORTATION,			
10	DEPARTMENT OF			
11	DEPARTMENT TOTALS	2020-21	2021-22	2022-23
12				
13	HIGHWAY FUND	(\$13,634,732)	\$0	\$0
14	FEDERAL EXPENDITURES	\$21,000,000	\$0	\$0
15	FUND			
16				
17	DEPARTMENT TOTAL - ALL	<u>\$7,365,268</u>	<u>\$0</u>	<u>\$0</u>
18	FUNDS			

19 **PART B**

20 **Sec. B-1. Transfer of funds; Department of Transportation, Local Road**
 21 **Assistance Program.** Notwithstanding any provision of law to the contrary, the State
 22 Controller shall transfer \$21,712,948 by June 30, 2021 from the unencumbered balance of
 23 the Local Road Assistance Program, Highway Fund account in the Department of
 24 Transportation to the unallocated surplus of the Highway Fund.

25 **PART C**

26 **Sec. C-1. Transfer of funds; Department of Transportation, Bond Interest-**
 27 **Highway account.** Notwithstanding any provision of law to the contrary, the State
 28 Controller shall transfer \$70,109 by June 30, 2021 from the unencumbered balance of the
 29 Bond Interest-Highway Highway Fund account in the Department of Transportation to the
 30 unallocated surplus of the Highway Fund.

31 **PART D**

32 **Sec. D-1. Transfer of funds; Department of Secretary of State,**
 33 **Administration - Motor Vehicles program.** Notwithstanding any provision of law
 34 to the contrary, the State Controller shall transfer \$2,904,635 by June 30, 2021 from the
 35 unencumbered balance in the Department of Secretary of State, Administration - Motor
 36 Vehicles program, Highway Fund account to the Highway Fund unallocated surplus.'

37 Amend the bill by adding before the summary the following:

38 **'Emergency clause.** In view of the emergency cited in the preamble, this legislation
 39 takes effect when approved.'

40 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
 41 number to read consecutively.

SUMMARY

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Part A makes allocations.

Part B transfers \$21,712,948 of the available balance in the Local Road Assistance Program, Highway Fund account in the Department of Transportation to the Highway Fund unallocated surplus by June 30, 2021 to fund a Highway Fund shortfall in fiscal year 2020-21.

Part C transfers \$70,109 of the available balance in the Bond Interest-Highway Highway Fund account in the Department of Transportation to the Highway Fund unallocated surplus by June 30, 2021 to fund a Highway Fund shortfall in fiscal year 2020-21.

Part D transfers \$2,904,635 by June 30, 2021 from the Department of Secretary of State, Administration - Motor Vehicles program, Highway Fund account to the unallocated surplus of the Highway Fund.

FISCAL NOTE REQUIRED
(See attached)

**130th MAINE LEGISLATURE**

LD 162

LR 1972(02)

An Act To Make Supplemental Allocations from the Highway Fund and Other Funds 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 Year Ending June 30, 2021

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-4)

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

	FY 2020-21	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Net Cost (Savings)					
Highway Fund	(\$44,783,879)	\$0	\$0	\$0	\$0
Appropriations/Allocations					
Highway Fund	(\$20,096,187)	\$0	\$0	\$0	\$0
Federal Expenditures Fund	\$21,000,000	\$0	\$0	\$0	\$0
Other Special Revenue Funds	\$599,823	\$0	\$0	\$0	\$0
Transfers					
Highway Fund	\$24,687,692	\$0	\$0	\$0	\$0
Fund Detail by Section					
Appropriations/Allocations					
Highway Fund					
PART A, Section 1	(\$110,133)	\$0	\$0	\$0	\$0
PART A, Section 3	(\$9,055,957)	\$0	\$0	\$0	\$0
PART A, Section 4	\$2,704,635	\$0	\$0	\$0	\$0
PART A, Section 5	(\$13,634,732)	\$0	\$0	\$0	\$0
Federal Expenditures Fund					
PART A, Section 5	\$21,000,000	\$0	\$0	\$0	\$0
Other Special Revenue Funds					
PART A, Section 2	\$599,823	\$0	\$0	\$0	\$0
Transfers					
Highway Fund					
PART B, Section 1	\$21,712,948	\$0	\$0	\$0	\$0
PART C, Section 1	\$70,109	\$0	\$0	\$0	\$0
PART D, Section 1	\$2,904,635	\$0	\$0	\$0	\$0

Fiscal Detail and Notes

The bill makes adjustment to Highway Fund, Other Special Revenue Funds and Federal Expenditures Fund allocations for fiscal year 2020-21 and transfers unencumbered balances in selected programs to the unallocated surplus of the Highway Fund.