

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

FIRST SPECIAL SESSION

July 11, 1991 to July 18, 1991

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 9, 1991

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST SPECIAL SESSION

of the

ONE HUNDRED AND FIFTEENTH LEGISLATURE

JULY 11, 1991 to JULY 18, 1991

Provides for the deallocation of funds to offset the temporary funding provided by Private and Special Law 1991, chapters 42 and 43.

1991-92

FINANCE, DEPARTMENT OF

Departments and Independent Agencies - Statewide

Personal Services (\$1,000,000)

Provides for the deallocation of funds to offset the temporary funding provided by Private and Special Law 1991, chapter 43.

Sec. SSS-7. Calculation and transfer. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer is authorized to calculate the payments, expenditures or encumbrances authorized by Resolve 1991, chapter 42; Private and Special Law 1991, chapters 42 and 43; and Public Law 1991, chapter 528 and to retroactively assign the liabilities for those payments, expenditures or encumbrances to the appropriate accounts based on the funding authorizations provided by this Act.

Sec. SSS-8. Legislative intent. It is the intent of the Legislature that the funding authorizations in Public Law 1991, chapter 528 are no longer authorized on the effective date of this Act.

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

Effective July 17, 1991, unless otherwise indicated.

CHAPTER 592

H.P. 1389 - L.D. 1977

An Act to Make Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1992 and June 30, 1993

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

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the

Sec. SSS-3. Allocation. The following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this Act.

1991-92

FINANCE, DEPARTMENT OF

Departments and Independent Agencies - Statewide

Personal Services (\$3,000,000)

Provides for the deallocation of funds to offset the temporary funding provided by Private and Special Law 1991, chapter 43.

Sec. SSS-4. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

1991-92

FINANCE, DEPARTMENT OF

Departments and Independent Agencies - Statewide

Personal Services (\$2,000,000)

Provides for the deallocation of funds to offset the temporary funding provided by Private and Special Law 1991, chapter 43.

Sec. SSS-5. Allocation. The following funds are allocated from Federal Block Grant funds to carry out the purposes of this Act.

1991-92

FINANCE, DEPARTMENT OF

Departments and Independent Agencies - Statewide

Personal Services (\$400,000)

Provides for the deallocation of funds to offset the temporary funding provided by Private and Special Law 1991, chapter 43.

Sec. SSS-6. Allocation. The following funds are allocated from All Other funds to carry out the purposes of this Act.

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

Appropriations and allocations. In order to provide for necessary expenditures of State Government and other purposes for the fiscal years ending June 30, 1992 and June 30, 1993 the following sums as designated in the following tabulations are appropriated or allocated out of any money not otherwise appropriated or allocated.

	1991-92	1992-93
UNIFIED BUDGET ACT - HIGHWAY FUND CURRENT SERVICES DEPARTMENT OF ADMINISTRATION		
BUREAU OF PUBLIC IMPROVEMENTS		
State Police Headquarters Building Maintenance		
Highway Fund		
Positions - Legislative Count	(5.0)	(5.0)
Personal Services	60,236	64,998
All Other	40,750	40,964
Fund Total	100,986	105,962
Other Participating Funds		
**General Fund		
Personal Services	60,236	64,998
All Other	40,750	40,964
Fund Total	100,986	105,962
SUMMARY - STATE POLICE HEADQUARTERS BUILDING MAINTENANCE		
Positions - Legislative Count	(5.0)	(5.0)
Personal Services	120,472	129,996
All Other	81,500	81,928
Program Total	201,972	211,924
Transportation Building Maintenance		
Highway Fund		
Positions - Legislative Count	(14.0)	(14.0)
Personal Services	372,038	397,013
All Other	203,920	208,244
Fund Total	575,958	605,257
SUMMARY - DEPARTMENT OF ADMINISTRATION		
Highway Fund		
Positions - Legislative Count	(19.0)	(19.0)
Personal Services	432,274	462,011
All Other	244,670	249,208
Umbrella Fund Total	676,944	711,219

Other Participating Funds		
**General Fund		
Personal Services	60,236	64,998
All Other	40,750	40,964
Umbrella Fund Total	100,986	105,962

SUMMARY - DEPARTMENT OF ADMINISTRATION

Positions - Legislative Count	(19.0)	(19.0)
Personal Services	492,510	527,009
All Other	285,420	290,172
UMBRELLA GRAND TOTAL	777,930	817,181

DEPARTMENT OF FINANCE

STATE CLAIMS COMMISSION
Claims Board

Highway Fund		
Positions - Legislative Count	(2.0)	(2.0)
Personal Services	99,929	106,424
All Other	48,749	50,254
Capital Expenditures	1,975	
Fund Total	150,653	156,678

DEPARTMENT OF PUBLIC SAFETY

Administration - Public Safety

Highway Fund		
Positions - Legislative Count	(14.0)	(14.0)
Personal Services	434,306	463,539
All Other	73,496	76,955
Fund Total	507,802	540,494

Other Participating Funds

**General Fund		
Positions - Legislative Count	(5.0)	(5.0)
Personal Services	281,845	298,407
All Other	10,081	10,469
Fund Total	291,926	308,876

Other Special Revenue

Positions - Other Count	(4.0)	(4.0)
Personal Services	180,441	192,652
All Other	26,306	27,637
Fund Total	206,747	220,289

SUMMARY - ADMINISTRATION - PUBLIC SAFETY

Positions - Legislative Count	(19.0)	(19.0)
Positions - Other Count	(4.0)	(4.0)
Personal Services	896,592	954,598
All Other	109,883	115,061
Program Total	1,006,475	1,069,659

Motor Vehicle Inspection

Highway Fund		
Positions - Legislative Count	(12.0)	(12.0)
Personal Services	612,980	645,406
All Other	184,816	112,420
Capital Expenditures	44,814	78,425
Fund Total	842,610	836,251

BUREAU OF CAPITOL SECURITY Capitol Security - Bureau of			All Other	2,323,595	2,067,893
			Capital Expenditures	200,500	192,500
Other Participating Funds			Program Total	3,014,255	2,787,117
**General Fund			OFFICE OF THE STATE FIRE MARSHAL Fire Marshal - Office of		
Positions - Legislative Count	(16.0)	(16.0)	Other Participating Funds		
Personal Services	477,238	513,754	Federal Expenditure Fund		
All Other	31,127	32,210	All Other	10,000	
Capital Expenditures	17,269	3,000	Fund Total	10,000	
Fund Total	525,634	548,964	Other Special Revenue		
MAINE CRIMINAL JUSTICE ACADEMY Criminal Justice Academy			Positions - Other Count	(35.0)	(35.0)
Other Participating Funds			Personal Services	1,344,707	1,439,593
**General Fund			All Other	441,092	349,867
Positions - Legislative Count	(14.0)	(14.0)	Fund Total	1,785,799	1,789,460
Personal Services	505,228	538,803	SUMMARY - FIRE MARSHAL - OFFICE OF		
All Other	221,303	224,770	Positions - Other Count	(35.0)	(35.0)
Capital Expenditures	3,365	3,000	Personal Services	1,344,707	1,439,593
Fund Total	729,896	766,573	All Other	451,092	349,867
Federal Expenditure Fund			Program Total	1,795,799	1,789,460
All Other	209,025	214,716	BUREAU OF HIGHWAY SAFETY Highway Safety - Department of Public Safety		
Fund Total	209,025	214,716	Highway Fund		
Other Special Revenue			Positions - Legislative Count	(7.0)	(7.0)
Positions - Other Count	(2.0)	(2.0)	Personal Services	205,471	218,032
Personal Services	75,581	79,641	All Other	288,295	289,796
All Other	204,219	214,054	Fund Total	493,766	507,828
Fund Total	279,800	293,695	Other Participating Funds		
SUMMARY - CRIMINAL JUSTICE ACADEMY			Federal Expenditure Fund		
Positions - Legislative Count	(14.0)	(14.0)	Positions - Other Count	(1.0)	(1.0)
Positions - Other Count	(2.0)	(2.0)	Personal Services	102,361	109,349
Personal Services	580,809	618,444	All Other	258,150	269,444
All Other	634,547	653,540	Capital Expenditures	100,000	74,000
Capital Expenditures	3,365	3,000	Fund Total	460,511	452,793
Program Total	1,218,721	1,274,984	Other Special Revenue		
BUREAU OF INTERGOVERN- MENTAL DRUG ENFORCEMENT Intergovernmental Drug Enforcement			Positions - Other Count	(1.0)	(1.0)
Other Participating Funds			Personal Services	33,835	37,333
**General Fund			All Other	83,144	86,601
Positions - Legislative Count	(11.0)	(11.0)	Capital Expenditures	34,500	34,500
Personal Services	490,160	526,724	Fund Total	151,479	158,434
All Other	1,073,595	1,088,903	SUMMARY - HIGHWAY SAFETY - DEPARTMENT OF PUBLIC SAFETY		
Fund Total	1,563,755	1,615,627	Positions - Legislative Count	(7.0)	(7.0)
Federal Expenditure Fund			Positions - Other Count	(2.0)	(2.0)
All Other	1,250,000	750,000	Personal Services	341,667	364,714
Fund Total	1,250,000	750,000	All Other	629,589	645,841
Other Special Revenue			Capital Expenditures	134,500	108,500
All Other		228,990	Program Total	1,105,756	1,119,055
Capital Expenditures	200,500	192,500	BUREAU OF LIQUOR ENFORCE- MENT Liquor Enforcement		
Fund Total	200,500	421,490	Other Participating Funds		
SUMMARY - INTERGOVERN- MENTAL DRUG ENFORCEMENT			**General Fund		
Positions - Legislative Count	(11.0)	(11.0)	Positions - Legislative Count	(26.0)	(26.0)
Personal Services	490,160	526,724	Personal Services	1,095,882	1,167,210

All Other	98,218	100,838
Capital Expenditures	42,807	44,976
Fund Total	1,236,907	1,313,024
BUREAU OF STATE POLICE		
Anti-drug Abuse Program		
Other Participating Funds		
**General Fund		
All Other	205,000	205,000
Fund Total	205,000	205,000
Private Investigator Licensing		
Other Participating Funds		
Other Special Revenue		
Positions - Other Count	(2.0)	(2.0)
Personal Services	54,245	58,075
All Other	9,032	9,443
Fund Total	63,277	67,518
Licensing and Enforcement - Beano and Games of Chance		
Other Participating Funds		
Other Special Revenue		
Positions - Other Count	(6.0)	(6.0)
Personal Services	244,581	261,258
All Other	54,545	52,348
Capital Expenditures	14,269	14,992
Fund Total	313,395	328,598
Marijuana Eradication and Suppression		
Other Participating Funds		
Federal Expenditure Fund		
All Other	20,000	20,000
Fund Total	20,000	20,000
Motor Carrier Safety		
Other Participating Funds		
Federal Expenditure Fund		
Positions - Other Count	(8.0)	(8.0)
Personal Services	259,966	287,464
All Other	47,167	49,347
Capital Expenditures	42,807	
Fund Total	349,940	336,811
Other Special Revenue		
Positions - Legislative Count	(35.0)	(35.0)
Personal Services	1,545,574	1,646,566
All Other	217,576	235,676
Capital Expenditures	145,996	45,279
Fund Total	1,909,146	1,927,521
SUMMARY - MOTOR CARRIER SAFETY		
Positions - Legislative Count	(35.0)	(35.0)
Positions - Other Count	(8.0)	(8.0)
Personal Services	1,805,540	1,934,030
All Other	264,743	285,023
Capital Expenditures	188,803	45,279
Program Total	2,259,086	2,264,332

STATE POLICE		
Highway Fund		
Personal Services	10,083,322	10,663,421
All Other	2,329,099	2,375,758
Capital Expenditures	853,937	988,864
Fund Total	13,266,358	14,028,043
Other Participating Funds		
**General Fund		
Positions - Legislative Count	(393.0)	(393.0)
Personal Services	10,137,233	10,722,375
All Other	2,313,736	2,383,845
Capital Expenditures	853,937	988,864
Fund Total	13,304,906	14,095,084
Federal Expenditure Fund		
Positions - Other Count	(1.0)	(1.0)
Personal Services	24,582	27,109
All Other	446	492
Fund Total	25,028	27,601
Other Special Revenue		
Positions - Other Count	(10.0)	(10.0)
Personal Services	402,240	429,830
All Other	170,764	178,470
Fund Total	573,004	608,300
SUMMARY - STATE POLICE		
Positions - Legislative Count	(393.0)	(393.0)
Positions - Other Count	(11.0)	(11.0)
Personal Services	20,647,377	21,842,735
All Other	4,814,045	4,938,565
Capital Expenditures	1,707,874	1,977,728
Program Total	27,169,296	28,759,028
Traffic Safety		
Highway Fund		
Positions - Legislative Count	(9.0)	(9.0)
Personal Services	519,717	549,299
All Other	77,347	81,853
Fund Total	597,064	631,152
Other Participating Funds		
Other Special Revenue		
Positions - Legislative Count	(6.0)	(6.0)
Personal Services	340,669	358,426
All Other	54,179	58,131
Capital Expenditures	28,748	
Fund Total	423,596	416,557
SUMMARY - TRAFFIC SAFETY		
Positions - Legislative Count	(15.0)	(15.0)
Personal Services	860,386	907,725
All Other	131,526	139,984
Capital Expenditures	28,748	
Program Total	1,020,660	1,047,709
Turnpike Enforcement		
Other Participating Funds		
Other Special Revenue		
Positions - Other Count	(27.0)	(27.0)
Personal Services	1,467,840	1,552,795

All Other	115,213	119,488
Capital Expenditures	29,876	47,055
Fund Total	1,612,929	1,719,338

SUMMARY - DEPARTMENT OF PUBLIC SAFETY

Highway Fund		
Positions - Legislative Count	(42.0)	(42.0)
Personal Services	11,855,796	12,539,697
All Other	2,953,053	2,936,782
Capital Expenditures	898,751	1,067,289
Umbrella Fund Total	15,707,600	16,543,768

Other Participating Funds

**General Fund		
Positions - Legislative Count	(465.0)	(465.0)
Personal Services	12,987,586	13,767,273
All Other	3,953,060	4,046,035
Capital Expenditures	917,378	1,039,840
Umbrella Fund Total	17,858,024	18,853,148

Federal Expenditure Fund

Positions - Other Count	(10.0)	(10.0)
Personal Services	386,909	423,922
All Other	1,794,788	1,303,999
Capital Expenditures	142,807	74,000
Umbrella Fund Total	2,324,504	1,801,921

Other Special Revenue

Positions - Legislative Count	(41.0)	(41.0)
Positions - Other Count	(87.0)	(87.0)
Personal Services	5,689,713	6,056,169
All Other	1,376,070	1,560,705
Capital Expenditures	453,889	334,326
Umbrella Fund Total	7,519,672	7,951,200

SUMMARY - DEPARTMENT OF PUBLIC SAFETY

Positions - Legislative Count	(548.0)	(548.0)
Positions - Other Count	(97.0)	(97.0)
Personal Services	30,920,004	32,787,061
All Other	10,076,971	9,847,521
Capital Expenditures	2,412,825	2,515,455
UMBRELLA GRAND TOTAL	43,409,800	45,150,037

**DEPARTMENT OF THE SECRETARY OF STATE
DIVISION OF MOTOR VEHICLES
Administration - Motor Vehicles**

Highway Fund		
Positions - Legislative Count	(364.5)	(364.5)
Positions - Other Count	(0.5)	(0.5)
Personal Services	11,322,776	12,167,457
All Other	5,842,649	6,071,020
Capital Expenditures	180,089	250,120
Fund Total	17,345,514	18,488,597

Other Participating Funds

Federal Expenditure Fund		
Positions - Other Count	(2.0)	(2.0)
Personal Services	55,244	60,970
All Other	131,166	138,640
Fund Total	186,410	199,610

Other Special Revenue		
Positions - Legislative Count	(17.0)	(17.0)
Positions - Other Count	(2.0)	(2.0)
Personal Services	534,810	576,846
All Other	120,149	109,141
Fund Total	654,959	685,987

SUMMARY - ADMINISTRATION - MOTOR VEHICLES

Positions - Legislative Count	(381.5)	(381.5)
Positions - Other Count	(4.5)	(4.5)
Personal Services	11,912,830	12,805,273
All Other	6,093,964	6,318,801
Capital Expenditures	180,089	250,120
Program Total	18,186,883	19,374,194

Fuel Use Decal Program

Highway Fund		
Positions - Legislative Count	(8.0)	(8.0)
Personal Services	202,533	220,015
All Other	52,268	53,934
Fund Total	254,801	273,949

SUMMARY - DEPARTMENT OF THE SECRETARY OF STATE

Highway Fund		
Positions - Legislative Count	(372.5)	(372.5)
Positions - Other Count	(0.5)	(0.5)
Personal Services	11,525,309	12,387,472
All Other	5,894,917	6,124,954
Capital Expenditures	180,089	250,120
Umbrella Fund Total	17,600,315	18,762,546

Other Participating Funds

Federal Expenditure Fund		
Positions - Other Count	(2.0)	(2.0)
Personal Services	55,244	60,970
All Other	131,166	138,640
Umbrella Fund Total	186,410	199,610

Other Special Revenue

Positions - Legislative Count	(17.0)	(17.0)
Positions - Other Count	(2.0)	(2.0)
Personal Services	534,810	576,846
All Other	120,149	109,141
Umbrella Fund Total	654,959	685,987

SUMMARY - DEPARTMENT OF THE SECRETARY OF STATE

Positions - Legislative Count	(389.5)	(389.5)
Positions - Other Count	(4.5)	(4.5)
Personal Services	12,115,363	13,025,288
All Other	6,146,232	6,372,735
Capital Expenditures	180,089	250,120
UMBRELLA GRAND TOTAL	18,441,684	19,648,143

DEPARTMENT OF TRANSPORTATION**BUREAU OF FINANCE AND ADMINISTRATION
(TRANSPORTATION)
Administration and Planning**

Highway Fund		
Positions - Legislative Count	(200.0)	(200.0)
Positions - Other Count	(0.5)	(0.5)
Personal Services	6,494,175	6,697,863
All Other	3,150,621	3,296,047
Capital Expenditures	367,650	332,500
Fund Total	10,012,446	10,326,410

Highway Fund		
All Other	42,717	42,717
Fund Total	42,717	42,717

Local Bridges		
Highway Fund		
Personal Services	368,356	381,041
All Other	181,644	168,946
Capital Expenditures	400,000	400,000
Fund Total	950,000	949,987

Other Participating Funds		
Federal Expenditure Fund		
Personal Services	660,000	660,000
All Other	299,034	301,618
Capital Expenditures	2,310,000	2,310,000
Fund Total	3,269,034	3,271,618

Other Special Revenue		
Personal Services	400,000	400,000
All Other	200,000	200,000
Capital Expenditures	1,400,000	1,400,000
Fund Total	2,000,000	2,000,000

Other Participating Funds		
Federal Expenditure Fund		
Personal Services	1,588,927	1,640,576
All Other	559,800	596,000
Capital Expenditures	90,000	90,000
Fund Total	2,238,727	2,326,576

SUMMARY - ADMINISTRATION AND PLANNING

Positions - Legislative Count	(200.0)	(200.0)
Positions - Other Count	(0.5)	(0.5)
Personal Services	8,083,102	8,338,439
All Other	3,710,421	3,892,047
Capital Expenditures	457,650	422,500
Program Total	12,251,173	12,652,986

Suspense Receivable - Transportation

Other Participating Funds		
Other Special Revenue		
Personal Services	685,463	697,460
All Other	314,080	324,700
Capital Expenditures	150,000	150,000
Fund Total	1,149,543	1,172,160

SUMMARY - LOCAL BRIDGES

Personal Services	1,428,356	1,441,041
All Other	680,678	670,564
Capital Expenditures	4,110,000	4,110,000
Program Total	6,219,034	6,221,605

BUREAU OF MAINTENANCE AND OPERATIONS

Bridge Maintenance

Highway Fund		
Positions - Legislative Count	(18.0)	(18.0)
Positions - Other Count	(161.0)	(161.0)
Personal Services	6,123,512	6,412,009
All Other	3,163,270	3,254,920
Capital Expenditures	167,000	188,000
Fund Total	9,453,782	9,854,929

Local Road Assistance

Highway Fund		
All Other	19,400,000	19,300,000
Fund Total	19,400,000	19,300,000

Collector Road Program

Highway Fund		
Positions - Legislative Count	(33.0)	(33.0)
Positions - Other Count	(27.5)	(27.5)
Personal Services	1,358,961	1,417,170
All Other	2,099,432	2,041,223
Capital Expenditures	840,000	840,000
Fund Total	4,298,393	4,298,393

Motor Transport Service

Other Participating Funds		
Highway Garage Fund		
Positions - Other Count	(259.0)	(259.0)
Personal Services	9,196,396	9,598,031
All Other	14,708,541	15,570,748
Fund Total	23,904,937	25,168,779

Highway Maintenance

Highway Fund		
Positions - Legislative Count	(96.0)	(96.0)
Positions - Other Count	(957.0)	(957.0)
Personal Services	36,021,221	37,628,213
All Other	39,954,148	40,755,489
Capital Expenditures	4,994,000	4,994,000
Fund Total	80,969,369	83,377,702

Radio Operations - Highway

Highway Fund		
Positions - Legislative Count	(6.0)	(6.0)
Personal Services	224,770	232,648
All Other	90,413	92,515
Capital Expenditures	64,285	57,917
Fund Total	379,468	383,080

Island Town Refunds - Highway

Highway Fund		
Positions - Legislative Count	(15.0)	(15.0)
Positions - Other Count	(46.0)	(46.0)
Personal Services	1,623,526	1,697,011
All Other	2,181,882	2,221,459
Capital Expenditures	65,000	30,000
Fund Total	3,870,408	3,948,470

Traffic Service

Highway Fund		
Positions - Legislative Count	(15.0)	(15.0)
Positions - Other Count	(46.0)	(46.0)
Personal Services	1,623,526	1,697,011
All Other	2,181,882	2,221,459
Capital Expenditures	65,000	30,000
Fund Total	3,870,408	3,948,470

Other Participating Funds			All Other	287,827	288,060
Federal Expenditure Fund					
Personal Services	568,704	600,000	Fund Total	511,139	516,273
All Other	1,302,541	1,352,863			
Fund Total	1,871,245	1,952,863	Federal Expenditure Fund		
			All Other	97,875	104,654
			Capital Expenditures	20,000	20,000
SUMMARY - TRAFFIC SERVICE			Fund Total	117,875	124,654
Positions - Legislative Count	(15.0)	(15.0)			
Positions - Other Count	(46.0)	(46.0)	SUMMARY - ADMINISTRATION -		
Personal Services	2,192,230	2,297,011	AERONAUTICS		
All Other	3,484,423	3,574,322	Positions - Legislative Count	(5.0)	(5.0)
Capital Expenditures	65,000	30,000	Personal Services	223,312	228,213
Program Total	5,741,653	5,901,333	All Other	385,702	392,714
			Capital Expenditures	20,000	20,000
BUREAU OF PROJECT DEVELOPMENT			Program Total	629,014	640,927
Bond Interest - Highway					
Highway Fund			Administration - Ports and Marine Transportation		
All Other	6,574,053	5,770,257			
Fund Total	6,574,053	5,770,257	Other Participating Funds		
			**General Fund		
Bond Retirement - Highway			All Other	1,871,348	1,871,348
Highway Fund			Fund Total	1,871,348	1,871,348
All Other	10,475,000	11,675,000			
Fund Total	10,475,000	11,675,000	Air Search and Rescue		
Highway and Bridge Improvement			Other Participating Funds		
Highway Fund			**General Fund		
Positions - Legislative Count	(630.5)	(630.5)	All Other	30,000	30,000
Positions - Other Count	(75.5)	(75.5)	Fund Total	30,000	30,000
Personal Services	12,566,099	13,041,895	Augusta State Airport		
All Other	5,480,169	5,584,183			
Capital Expenditures	5,933,901	5,358,105	Other Participating Funds		
Fund Total	23,980,169	23,984,183	Augusta State Airport		
			Positions - Other Count	(10.5)	(10.5)
Other Participating Funds			Personal Services	323,102	341,844
Federal Expenditure Fund			All Other	103,346	107,336
Personal Services	12,591,028	13,091,899	Fund Total	426,448	449,180
All Other	5,985,956	9,889,962			
Capital Expenditures	54,269,924	86,943,806	Island Ferry Service		
Fund Total	72,846,908	109,925,667			
			Other Participating Funds		
Other Special Revenue			Island Ferry Services Fund		
Capital Expenditures	6,000,000	6,000,000	Positions - Other Count	(64.0)	(64.0)
Fund Total	6,000,000	6,000,000	Personal Services	2,288,190	2,384,441
			All Other	1,166,413	1,212,346
SUMMARY - HIGHWAY AND BRIDGE IMPROVEMENT			Fund Total	3,454,603	3,596,787
Positions - Legislative Count	(630.5)	(630.5)			
Positions - Other Count	(75.5)	(75.5)	Ports and Marine Transportation		
Personal Services	25,157,127	26,133,794			
All Other	11,466,125	15,474,145	Other Participating Funds		
Capital Expenditures	66,203,825	98,301,911	Marine Ports Fund		
Program Total	102,827,077	139,909,850	Positions - Other Count	(5.0)	(5.0)
			Personal Services	198,237	207,252
BUREAU OF TRANSPORTATION SERVICES			All Other	53,288	61,189
Administration - Aeronautics			Fund Total	251,525	268,441
Other Participating Funds					
**General Fund			Railroad Assistance Program		
Positions - Legislative Count	(5.0)	(5.0)	Highway Fund		
Personal Services	223,312	228,213	All Other	1,000,000	1,000,000
			Fund Total	1,000,000	1,000,000

Other Participating Funds		
**General Fund		
Positions - Legislative Count	(3.0)	(3.0)
Personal Services	105,248	112,422
All Other	239,605	239,684
Fund Total	344,853	352,106
Other Special Revenue		
All Other	218,478	235,142
Fund Total	218,478	235,142
<u>SUMMARY - RAILROAD ASSISTANCE PROGRAM</u>		
Positions - Legislative Count	(3.0)	(3.0)
Personal Services	105,248	112,422
All Other	1,458,083	1,474,826
Program Total	1,563,331	1,587,248
RAILROAD PRESERVATION AND ASSISTANCE FUND		
Other Participating Funds		
Other Special Revenue		
All Other	300,000	400,000
Fund Total	300,000	400,000
State Plane		
Other Participating Funds		
**General Fund		
Positions - Legislative Count	(2.0)	(2.0)
Personal Services	112,554	114,364
All Other	73,467	75,158
Fund Total	186,021	189,522
Transportation Services		
Other Participating Funds		
**General Fund		
All Other	300,000	300,000
Fund Total	300,000	300,000
Federal Expenditure Fund		
Personal Services	253,400	261,310
All Other	1,560,762	1,545,639
Capital Expenditures	3,185,150	3,705,000
Fund Total	4,999,312	5,511,949
Other Special Revenue		
Capital Expenditures	600,000	600,000
Fund Total	600,000	600,000
<u>SUMMARY - TRANSPORTATION SERVICES</u>		
Personal Services	253,400	261,310
All Other	1,860,762	1,845,639
Capital Expenditures	3,785,150	4,305,000
Program Total	5,899,312	6,411,949
Van-Pool Services		
Other Participating Funds		
Other Special Revenue		
All Other	60,873	63,485
Capital Expenditures	20,000	20,000
Fund Total	80,873	83,485

CURRENT SERVICES		
Highway Fund		
Positions - Legislative Count	(1,434.0)	(1,434.0)
Positions - Other Count	(1,268.0)	(1,268.0)
Personal Services	88,693,928	93,003,454
All Other	102,934,738	104,563,954
Capital Expenditures	13,912,651	13,517,931
Fund Total	205,541,317	211,085,339
Other Participating Funds		
**General Fund		
Positions - Legislative Count	(475.0)	(475.0)
Personal Services	13,488,936	14,287,270
All Other	6,796,057	6,891,249
Capital Expenditures	917,378	1,039,840
Fund Total	21,202,371	22,218,359
Federal Expenditure Fund		
Positions - Other Count	(12.0)	(12.0)
Personal Services	16,104,212	16,738,677
All Other	11,731,922	15,233,375
Capital Expenditures	60,017,881	93,142,806
Fund Total	87,854,015	125,114,858
Other Special Revenue		
Positions - Legislative Count	(58.0)	(58.0)
Positions - Other Count	(89.0)	(89.0)
Personal Services	7,309,986	7,730,475
All Other	2,589,650	2,893,173
Capital Expenditures	8,623,889	8,504,326
Fund Total	18,523,525	19,127,974
Highway Garage Fund		
Positions - Other Count	(259.0)	(259.0)
Personal Services	9,196,396	9,598,031
All Other	14,708,541	15,570,748
Fund Total	23,904,937	25,168,779
Island Ferry Services Fund		
Positions - Other Count	(64.0)	(64.0)
Personal Services	2,288,190	2,384,441
All Other	1,166,413	1,212,346
Fund Total	3,454,603	3,596,787
Augusta State Airport		
Positions - Other Count	(10.5)	(10.5)
Personal Services	323,102	341,844
All Other	103,346	107,336
Fund Total	426,448	449,180
Marine Ports Fund		
Positions - Other Count	(5.0)	(5.0)
Personal Services	198,237	207,252
All Other	53,288	61,189
Fund Total	251,525	268,441
CURRENT SERVICES		
Positions - Legislative Count	(1,967.0)	(1,967.0)
Positions - Other Count	(1,707.5)	(1,707.5)
Personal Services	137,602,987	144,291,444
All Other	140,083,955	146,533,370
Capital Expenditures	83,471,799	116,204,903
STATEWIDE GRAND TOTAL	361,158,741	407,029,717

PART B

Sec. B-1. Allocation. The following funds are allocated from the Highway Fund for the fiscal years ending June 30, 1992 and June 30, 1993 to carry out the purposes of this Act.

	1991-92	1992-93
ADMINISTRATION, DEPARTMENT OF		
State Police Headquarters Building Maintenance		
All Other	(\$4,539)	(\$2,255)
Provides for the deallocation of funds from a reduction in All Other expenditures.		
DEPARTMENT OF ADMINISTRATION TOTAL	<u>(\$4,539)</u>	<u>(\$2,255)</u>
PUBLIC SAFETY, DEPARTMENT OF		
Administration - Public Safety		
Positions - Legislative Count Personal Services	(-1.0) (\$3,497)	(-1.0) (\$1,367)
Provides for the deallocation of funds from the deletion of one vacant Clerk Typist I position, one Clerk Stenographer II position and provides for the transfer of the Chief Accountant position from the General Fund.		
State Police		
Capital Expenditures	(\$212,747)	
Provides for the deallocation of funds for the purchase of vehicles.		
DEPARTMENT OF PUBLIC SAFETY TOTAL	<u>(\$216,244)</u>	<u>(\$1,367)</u>
TRANSPORTATION, DEPARTMENT OF		
Collector Road Program		
All Other	(\$1,050,520)	(\$2,041,223)
Capital Expenditures	(420,000)	(840,000)
TOTAL	<u>(\$1,470,520)</u>	<u>(\$2,881,223)</u>
Provides for the deallocation of funds from the Collector Road Program.		
Highway and Bridge Improvement		
All Other	(\$3,416,169)	(\$3,500,183)
Capital Expenditures	(2,343,867)	(2,207,853)
TOTAL	<u>(\$5,760,036)</u>	<u>(\$5,708,036)</u>

Provides for the deallocation of funds from the Highway and Bridge Improvement Program for fiscal year 1991-92 and fiscal year 1992-93.

Highway Maintenance		
Capital Expenditures		(\$4,300,000)
Provides for the deallocation of funds from the Highway Maintenance Program for fiscal year 1992-93.		
Railroad Assistance Program		
All Other	(\$1,000,000)	(\$1,000,000)
Provides for the deallocation of funds from the Railroad Assistance Program.		
DEPARTMENT OF TRANSPORTATION TOTAL	<u>(\$8,230,556)</u>	<u>(\$13,889,259)</u>
SECTION B-1 TOTAL ALLOCATIONS	<u>(\$8,451,339)</u>	<u>(\$13,892,881)</u>

Sec. B-2. Allocation. The following funds are allocated from the Highway Fund for the fiscal years ending June 30, 1992 and June 30, 1993, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1991-92	1992-93
PUBLIC SAFETY, DEPARTMENT OF		
Administration - Public Safety		
Personal Services	\$913	\$913
State Police		
Personal Services	\$2,158	\$2,309
DEPARTMENT OF PUBLIC SAFETY TOTAL	<u>\$3,071</u>	<u>\$3,222</u>
SECRETARY OF STATE, DEPARTMENT OF THE		
Administration - Motor Vehicles		
Personal Services	\$13,257	\$11,384
Fuel Use Decal Program		
Personal Services	\$724	\$727
DEPARTMENT OF THE SECRETARY OF STATE TOTAL	<u>\$13,981</u>	<u>\$12,111</u>

TRANSPORTATION, DEPARTMENT OF

Administration and Planning

Personal Services \$7,303 \$7,490

Highway Maintenance

Personal Services \$2,746 \$2,746

DEPARTMENT OF TRANSPORTATION

TOTAL \$10,049 \$10,236

SECTION B-2

TOTAL ALLOCATIONS \$27,101 \$25,569

PART C

Sec. C-1. Allocation. The following funds are allocated from the Highway Fund for the fiscal years ending June 30, 1992 and June 30, 1993 to carry out the purposes of this Act.

1991-92 1992-93

PUBLIC SAFETY, DEPARTMENT OF

State Police

Personal Services \$2,300,000 \$5,700,000

Provides funds to reflect the 2¢ per gallon gas tax surcharge for 12 months each fiscal year.

DEPARTMENT OF PUBLIC SAFETY

TOTAL \$2,300,000 \$5,700,000

SECRETARY OF STATE,
DEPARTMENT OF THE

Motor Vehicles - Administration

Positions (-11.0) (-11.0)
Personal Services (\$193,343) (\$195,851)
All Other 404,720 (29,887)
Capital Expenditures 74,456 (28,008)

TOTAL \$285,833 (\$253,746)

Provides for the deallocation of funds due to the elimination of 5 Laborer positions, 3 Computer Operator positions, one Driver License Examiner I position, one seasonal Driver License Examiner I position, 2 Clerk Stenographer I positions and one Clerk II position. Funds are allocated for 1/2 of the positions of Assistant Secretary of State and an Administrative Assistant. Also, this allocation includes capital equipment adjustments and general operating expenses for branch leases and plate operations.

Fuel Use Decal Program

Positions (-1.0) (-1.0)
Personal Services (\$19,632) (\$19,632)

Provides for the deallocation of funds due to the elimination of one Clerk Typist II position.

DEPARTMENT OF THE SECRETARY

OF STATE
TOTAL \$266,201 (\$273,378)

TRANSPORTATION, DEPARTMENT OF

Bond Interest - Highway

All Other (\$186,450)

Provides for a deallocation of funds no longer needed.

Highway Maintenance

All Other (\$548,550)

Provides for a deallocation of funds no longer needed.

Railroad Assistance Program

All Other \$735,000

Provides funds for grade crossing maintenance reimbursement.

Highway and Bridge Improvement

Capital Expenditures \$6,300,000

Provides funds for the Scarborough Interchange project.

DEPARTMENT OF

TRANSPORTATION
TOTAL \$-0- \$6,300,000

SECTION C-1

TOTAL ALLOCATIONS \$2,566,201 \$11,726,622

Sec. C-2. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

1991-92 1992-93

ADMINISTRATION, DEPARTMENT OF

State Police Headquarters
Building Maintenance

Personal Services (\$1,258) (\$5,486)

Provides for a deallocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

Transportation Building Maintenance

Personal Services (\$3,752) (\$16,589)

Provides for a deallocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

Provides for a deallocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

DEPARTMENT OF PUBLIC SAFETY
TOTAL (\$74,252) (\$467,065)

DEPARTMENT OF ADMINISTRATION
TOTAL (\$5,010) (\$22,075)

SECRETARY OF STATE,
DEPARTMENT OF THE

FINANCE, DEPARTMENT OF

Administration - Motor Vehicles

Claims Board

Personal Services (\$219) (\$3,297)

Provides for a deallocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

Personal Services (\$100,200) (\$502,410)

Provides for a deallocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

Fuel Use Decal Program

DEPARTMENT OF FINANCE
TOTAL (\$219) (\$3,297)

Personal Services (\$2,212) (\$9,395)

Provides for a deallocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

PUBLIC SAFETY, DEPARTMENT OF**Administration - Public Safety**

Personal Services (\$4,276) (\$19,475)

Provides for a deallocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

DEPARTMENT OF THE SECRETARY
OF STATE
TOTAL (\$102,412) (\$511,805)

TRANSPORTATION, DEPARTMENT
OF

Motor Vehicle Inspection

Administration and Planning

Personal Services (\$3,591) (\$24,999)

Provides for a deallocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

Personal Services (\$31,582) \$204,513

Provides for a deallocation and an allocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

Highway Safety

Bridge Maintenance

Personal Services (\$1,580) (\$8,949)

Provides for a deallocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

Personal Services (\$53,808) \$117,351

Provides for a deallocation and an allocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

State Police

Collector Road Program

Personal Services (\$61,643) (\$392,890)

Provides for a deallocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

Personal Services (\$12,276) \$24,140

Provides for a deallocation and an allocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

Traffic Safety

Highway Maintenance

Personal Services (\$3,162) (\$20,752)

Personal Service (\$308,996) \$704,223

Provides for a deallocation and an allocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

Local Bridges

Personal Services	(\$1,500)	\$11,594
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Provides for a deallocation and an allocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

Radio Operations - Highway

Personal Services	(\$1,595)	\$5,399
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Provides for a deallocation and an allocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

Traffic Service

Personal Services	(\$13,418)	\$34,355
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Provides for a deallocation and an allocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

Highway and Bridge Improvement

Personal Services	(\$94,038)	\$322,192
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Provides for a deallocation and an allocation of funds due to the over budgeting of health benefits and an adjustment of the payroll.

DEPARTMENT OF TRANSPORTATION TOTAL	(\$517,213)	\$1,423,767
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SECTION C-2 TOTAL ALLOCATIONS	(\$699,106)	\$419,525
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PART D

Sec. D-1. 29 MRSA §246-A, sub-§6, as enacted by PL 1981, c. 689, §1, is amended to read:

6. Trip permits. ~~The~~ In lieu of fuel tax licensing and reporting, the Secretary of State may issue, by telegram or otherwise, a trip permit ~~which that~~ identifies a specific vehicle and ~~such that~~ vehicle may operate without a fuel use identification decal being displayed for a period not to exceed 5 3 consecutive days. Such a trip permit ~~shall~~ must accompany the vehicle at all times while being operated on the highways of this State. The fee for a ~~5-day~~ 3-day trip permit is ~~\$5~~ \$50.

Sec. D-2. 36 MRSA §2903, sub-§1, as repealed and replaced by PL 1989, c. 502, Pt. A, §133, is repealed and the following enacted in its place:

1. Excise tax imposed. Except as provided in subsection 2, an excise tax is imposed on internal combustion engine fuel as follows.

A. Except as provided in paragraph B, the excise tax on internal combustion engine fuel used or sold within this State, including sales to the State or a political subdivision of the State, is 19¢ a gallon.

B. Internal combustion engine fuel may be taxed only once under this section. The distributor that first receives the fuel in this State is primarily responsible for paying the tax except when the fuel is sold and delivered to a licensed exporter wholly for exportation from the State or to another distributor in the State, in which case the purchasing distributor is primarily responsible for paying the tax.

C. This subsection does not apply to internal combustion engine fuel:

- (1) Sold wholly for exportation from this State;
- (2) Brought into this State in the ordinary standardized equipment fuel tank attached to and a part of a motor vehicle and used in the operation of that vehicle in this State;
- (3) Sold in bulk to any political subdivision of this State;
- (4) Bought or used by any person to propel jet or turbojet engine aircraft;
- (5) Brought into this State in the fuel tanks of an aircraft; or
- (6) On which the collection of the tax imposed by this section is precluded by federal law or regulation.

This subsection is repealed on July 1, 1993.

Sec. D-3. 36 MRSA §2903, sub-§1-A, as enacted by PL 1987, c. 793, Pt. B, §1, is repealed and the following enacted in its place:

1-A. Excise tax imposed. Except as provided in subsection 2, an excise tax is imposed on internal combustion engine fuel as follows.

A. Except as provided in paragraph B, the excise tax on internal combustion engine fuel used or sold within this State, including sales to the State or a political subdivision of the State, is 17¢ a gallon.

B. Internal combustion engine fuel may be taxed only once under this section. The distributor that first receives the fuel in this State is primarily responsible for paying the tax except when the fuel is sold and delivered to a licensed exporter wholly for exportation from the State or to another distributor in the State, in which case the purchasing distributor is primarily responsible for paying the tax.

C. This subsection does not apply to internal combustion engine fuel:

(1) Sold wholly for exportation from this State;

(2) Brought into this State in the ordinary standardized equipment fuel tank attached to and a part of a motor vehicle and used in the operation of that vehicle in this State;

(3) Sold in bulk to any political subdivision of this State;

(4) Bought or used by any person to propel jet or turbojet engine aircraft;

(5) Brought into this State in the fuel tanks of an aircraft; or

(6) On which the collection of the tax imposed by this section is precluded by federal law or regulation.

This subsection takes effect on July 1, 1993.

Sec. D-4. 36 MRSA §2906, first ¶, as amended by PL 1983, c. 862, §87, is further amended to read:

Every distributor, importer, or exporter, holding a valid certificate as such, shall, on or before the ~~last 21st~~ day of each month, render a report to the State Tax Assessor stating the number of gallons of internal combustion engine fuel received, sold and used in the State by ~~him the distributor, importer or exporter~~ during the preceding calendar month; on forms ~~to be~~ furnished by the State Tax Assessor. Such reports ~~shall must~~ contain such further information pertinent thereto as the State Tax Assessor ~~shall prescribe~~ prescribes and the State Tax Assessor may make such other reasonable rules ~~and regulations~~ regarding the administration and enforcement of the Gasoline Tax Act as ~~he may deem~~ the State Tax Assessor determines necessary or expedient, copies of which ~~shall must~~ be sent to such certificate holders. ~~He~~ The State Tax Assessor or his the State Tax Assessor's duly authorized agent ~~shall must~~ have access during reasonable business hours to the books, invoices and vouchers of such certificate holders ~~which may~~ that show the fuel handled by the certificate holder. At the time of the filing of the report, each distributor and importer shall pay to the State Tax Assessor a tax at the rate set forth in section 2903 upon each gallon ~~so~~ reported as sold,

distributed or used. An allowance of not more than 1% from the amount of fuel received by the distributor, plus 1% on all transfers in vessels, tank cars or full tank truck loads by a distributor in the regular course of ~~his~~ business from one of ~~his~~ the distributor's places of business to another within the State, may be allowed by the State Tax Assessor to cover the loss through shrinkage, evaporation or handling sustained by the distributor. The total allowance for such losses ~~shall may~~ may not exceed 2% of the receipts by such distributor and no further deduction ~~shall may~~ may be allowed unless the State Tax Assessor is satisfied on definite proof submitted to ~~him~~ the State Tax Assessor that a further deduction should be allowed by ~~him~~ for a loss sustained through fire, accident or some unavoidable calamity.

Sec. D-5. 36 MRSA §3203, as amended by PL 1987, c. 793, Pt. A, §12, is further amended to read:

§3203. Tax levied

An excise tax is levied and imposed ~~upon on~~ all suppliers of special fuel sold and on all users of special fuel used in this State ~~on for~~ each gallon of distillate at the rate of ~~14¢~~ 20¢ per gallon and, ~~beginning July 1, 1988, at the rate prescribed in section 2903, plus 3¢ per gallon and, on for~~ each gallon of low-energy fuel at the rate ~~prescribed in section 2903, less 1 cent of~~ 18¢ per gallon, except sales of special fuel made to the State or any political subdivision of the State; the special fuel sold or used in such form and under such circumstances as ~~shall preclude~~ precludes the collection of this tax by reasons of the laws of the United States; sold only for exportation from this State; delivered into a tank used solely for heating or cooking purposes, sold for resale to a licensed or registered supplier; and sold to a person for the generation of power for resale or manufacturing. When special fuel is delivered by a supplier on a consignment basis to a consumer or to a retail outlet, whether the retail outlet is wholly owned by the supplier or not, it ~~shall be~~ is considered to have been "sold" within the meaning of the Special Fuel Tax Act. All taxes collected under this section ~~shall must~~ be credited to the Highway Fund. When kerosene is delivered into a separate tank for retail sale, the excise tax is not to be collected by the supplier, rather licensed users shall remit the tax in accordance with section 3207.

Sec. D-6. 36 MRSA §3203-A, sub-§4, as enacted by PL 1983, c. 740, is amended to read:

4. Penalties. Any supplier who sells special fuel under this section with the knowledge that it will not be used for heating purposes and any person who purchases special fuel under this section and uses the fuel for any purpose other than heating ~~shall be subject to a civil penalty of \$100 for each violation~~ commits a Class E crime and is subject to a fine of not less than \$250, payable to the State, to be recovered in a civil action which may not be reduced.

Sec. D-7. 36 MRSA §3216, first ¶, as repealed and replaced by PL 1989, c. 878, Pt. B, §33, is amended to read:

Any person who refuses or neglects to make any statement, report, payment or return required by this chapter, or who refuses or neglects to pay interest or penalties arising from the nonpayment of taxes required by this chapter, or who knowingly makes, or who aids or assists any other person in making, a false statement in a return or report to the State Tax Assessor; or in connection with an application for refund of any tax, or who knowingly collects or attempts to collect, or causes to be paid to that person or to any other person, either directly or indirectly, any refund of that tax without being entitled to that refund or is in violation of the affidavit as prescribed for registered sellers in section 3205, ~~is guilty of~~ commits a Class E crime and is subject to a fine of not less than \$250, which may not be reduced. Any fines collected pursuant to this section must be credited to the Highway Fund.

Sec. D-8. 36 MRSA §3217, as amended by PL 1989, c. 878, Pt. G, §6, is further amended to read:

§3217. Additional violations

Any user, or any agent or employee of any user, who ~~shall consume~~ consumes any fuel in a registered motor vehicle within the State, when that user is not the holder of an uncanceled license as required by this chapter, or when that user has failed to file any report or pay tax, ~~penalty or interest~~ as required by this chapter ~~and chapter 7, or when that user has refused or neglected to pay interest or penalties arising from the nonpayment of taxes required by this chapter~~ commits a Class E crime and is subject to a fine of not less than \$250, which may not be reduced. Each day or part thereof during which any person ~~shall consume~~ consumes any fuel in a registered motor vehicle within the State, when that user is not the holder of an uncanceled license as required by this chapter, or when that user has failed to file any report or pay tax, ~~interest or penalty~~ as required by this chapter ~~and chapter 7, shall constitute~~ or when that user has refused or neglected to pay interest or penalties arising from the nonpayment of taxes required by this chapter constitutes a separate violation within the meaning of this section. Any fines collected pursuant to this section must be credited to the Highway Fund.

Sec. D-9. PL 1989, c. 921, Pt. E, §2 is amended by adding at the end a new sentence to read:

Funds expended pursuant to a financing arrangement may include the cost of equipment.

Sec. D-10. PL 1991, c. 9, Pt. E, §40 is amended to read:

Sec. E-40. Repayment to Highway Fund. Funds advanced from the Maine Turnpike Authority under this Part, as an early payment of the Maine Turnpike Authority's

fiscal year 1991-92 Highway Fund obligation, must be ~~repaid~~ returned to the Highway Fund ~~in the amount of \$5,000,000 on August 1, 1991 and in the amount of \$10,000,000 on July 1, 1992~~ through increased gas taxes in the amount of \$8,700,000 in fiscal year 1991-92 and \$6,300,000 in fiscal year 1992-93.

Sec. D-11. P&SL 1955, c. 186, §1, first sentence, as amended by P&SL 1983, c. 94, §1, is further amended to read:

~~The State Highway Commission~~ Department of Transportation is hereby authorized and directed to expend on the unimproved portion of Baxter State Park road, so called, commencing at or near Millinocket Lake and extending to Sourdnahunk Field, and the unimproved portion of the road which leads from Baxter State Park road via Togue Ponds in Township 2, Range 9, to its terminus on land of the State at Roaring Brook in Township 3, Range 9, Piscataquis County, and the unimproved portion of the road which begins at Sourdnahunk Field, T. 4, R. 10, Piscataquis County; thence to Sourdnahunk Lake, T. 5, R. 10; thence to Dwelly Pond and McCarthy's which is located on the south branch of Trout Brook; thence to the end of the designated state aid road in T. 6, R. 8, Penobscot County, also the road from the last mentioned road to South Branch Lake in Township 5, Range 9, also the road from the west line of Township 5, Range 10, said west line being a portion of the west boundary of Baxter State Park, to the intersection of said road with the road from Dwelly Pond and McCarthy's to the end of the designated state aid road in T. 6, R. 8, Penobscot County, as much as ~~shall be deemed~~ necessary for their maintenance, including bridges and culverts, but not to exceed \$60,000 per year, some portions of the above described being private roads, open to the public.

Sec. D-12. P&SL 1955, c. 186, §1, as amended by P&SL 1983, c. 94, §1, is further amended by adding after the first sentence a new sentence to read:

Beginning in fiscal year 1991-92, for each gate that allows public ingress and egress to Baxter State Park, the department may expend \$20,000 for the purposes authorized by this Act, up to a total of \$60,000 per fiscal year.

Sec. D-13. Funding for Bureau of State Police. Notwithstanding Public Law 1987, chapter 793, Part B, section 4, for fiscal years 1991-92 and 1992-93 only, funding for the Department of Public Safety, Bureau of State Police must be approximately equal to the following:

	1991-92	1992-93
Highway Fund	64%	78%
General Fund	36%	22%

State Police funding will return to a 50% General Fund appropriation and a 50% Highway Fund allocation for fiscal year 1993-94 and thereafter.

Sec. D-14. Repeal. Section 2 of this Part is repealed July 1, 1993.

Sec. D-15. Effective date. Section 3 of this Part takes effect July 1, 1993.

PART E

Retroactivity. All appropriations and allocations authorized in this Act are retroactive to July 1, 1991 unless otherwise specified.

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

Effective July 17, 1991, unless otherwise indicated.

CHAPTER 593

S.P. 131 - L.D. 233

An Act to Amend the Provisions Regarding the Uniform Traffic Ticket and Complaint

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

Sec. 1. 29 MRSA §2300, sub-§1-A is enacted to read:

1-A. Creation of forms. The Commissioner of Public Safety is responsible for creating the forms of Uniform Traffic Ticket and Complaint, subject to the approval of the forms by the Chief Judge of the District Court.

Sec. 2. 29 MRSA §2300, sub-§2, ¶A, as enacted by PL 1975, c. 430, §54, is amended to read:

A. The ~~District Court~~ Commissioner of Public Safety shall be responsible for all Uniform Traffic Tickets and Complaints issued to law enforcement agencies or others.

Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1991-92	1992-93
JUDICIAL DEPARTMENT		
Courts - Supreme, Superior, District and Administrative		
All Other	(\$8,333)	(\$10,000)
Provides for the deappropriation of funds from printing costs due to the transfer of the responsibility		

for Uniform Traffic Ticket and Complaint forms to the Department of Public Safety.

Sec. 4. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

	1991-92	1992-93
PUBLIC SAFETY, DEPARTMENT OF		
Traffic Safety		
All Other	\$8,333	\$10,000
Provides funds for the costs associated with printing the Uniform Traffic Ticket and Complaint forms.		

Effective October 17, 1991.

CHAPTER 594

H.P. 389 - L.D. 563

An Act to Amend the Auctioneer Licensing Law Relating to the Sale of Motor Vehicles at Public Auction

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

29 MRSA §366, sub-§1, as amended by PL 1989, c. 481, Pt. A, §19, is further amended to read:

1. **License.** ~~No~~ A person may ~~not~~ engage in the business of auctioning vehicles without ~~having first been~~ being issued a vehicle auction business license by the Secretary of State in accordance with this subchapter. ~~No~~ A vehicle auction business license may ~~not~~ be issued ~~unless and until the Secretary of State has caused to be made causes~~ a thorough inspection of the premises upon which the proposed business is to be conducted. Prior to the issuance of a vehicle auction business license, the Secretary of State shall be satisfied that the proposed business ~~has met~~ meets all the requirements of this section and that all other general conditions and proposed methods of operation are suitable for carrying on the business. This section does not apply to vehicle auctioneers who are licensed and bonded pursuant to Title 32, chapter 5-A and who are conducting a vehicle auction incidental to the liquidation of a business or an estate.

Effective October 17, 1991.