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State of Maine
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON TRANSPORTATION

TO: Honorable Dawn Hill, Senate Chair
Honorable Peggy Rotundo, House Chair
Members, Joint Standing Committee on Appropriations and Financial Affairs

FROM: Edward J. Mazurek, Senate Chair *EJM*
Charles K. Theriault, House Chair *C.K.T.*
Joint Standing Committee on Transportation

RE: **General Fund 2014-2015 Biennial Budget (LR 1046)**

The Joint Standing Committee on Transportation voted unanimously (of those members present) on April 3, 2013 to approve Parts A, EEE, FFF, III and that section of Part OOO which amends Title 36 §1484, sub-§3, ¶E proposed by the Governor and presented at the joint hearing with your Committee. We have attached the individual budget sheets used to conduct the joint public hearing indicating the individual votes for each initiative and language part.

In terms of that section of Part OOO which amends Title 36 §1489, the Committee voted unanimously to respectfully recommend that your Committee vote out that section of this Part. This section has no impact on General Fund revenue or appropriations. It proposes to deposit into the Highway Fund excise tax collected on truck tractors (this revenue currently is collected by and stays with municipalities). This section would provide \$8,000,000 in revenue to the Highway Fund over the 2014-2015 biennium and is also included within Part I of the 2014-2015 Highway Fund biennial budget. The Transportation Committee respectfully requests that your Committee vote this section out of LR 1046 and allow us to further vet this issue during our deliberations on the 2014-2015 Highway Fund biennial budget bill, which has not yet had a public hearing. That would allow the Transportation Committee to evaluate the proposal in light of the entire Highway Fund biennial budget and available funding.

If you have any questions, or need further clarification, please feel free to contact us.

Cc: Suzanne Voynik, OFPR
Karen Nadeau-Drillen, OPLA

Sec. A-62. Appropriations and allocations.

The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

State Police 0291

Initiative: BASELINE BUDGET

	History 2011-12	History 2012-13	2013-14	2014-15
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	313.500	313.500	313.500	313.500
Personal Services	\$15,583,902	\$15,504,496	\$16,561,987	\$17,121,592
All Other	\$7,636,610	\$7,612,302	\$7,782,844	\$7,794,064
GENERAL FUND TOTAL	\$23,220,512	\$23,116,798	\$24,344,831	\$24,915,656
	History 2011-12	History 2012-13	2013-14	2014-15
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	4.000	4.000	4.000	4.000
Personal Services	\$300,542	\$1,258,514	\$322,846	\$338,635
All Other	\$2,120,304	\$2,220,304	\$2,120,304	\$2,120,304
FEDERAL EXPENDITURES FUND TOTAL	\$2,420,846	\$3,478,818	\$2,443,150	\$2,458,939
	History 2011-12	History 2012-13	2013-14	2014-15
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	4.000	4.000	4.000	4.000
Personal Services	\$256,365	\$759,108	\$276,064	\$286,498
All Other	\$564,269	\$571,194	\$400,539	\$400,539
OTHER SPECIAL REVENUE FUNDS TOTAL	\$820,634	\$1,330,302	\$676,603	\$687,037

Justification:

Provide full law enforcement services to areas that do not have their own police departments. Patrol the rural roads, Interstate system, and Maine Turnpike enforcing motor vehicle laws and covering crashes. Investigate all homicides outside of Portland and Bangor as well as investigate other major crimes. Provide crime lab as well as other specialized law enforcement services and maintain the criminal history records information.

State Police 0291

Initiative: Provides funding for the approved arbitration decision and award retroactive range change of 4 Forensic Chemist I positions and 2 Forensic Scientist positions from range 23 to range 25, the reclassification of one State Police Forensic Specialist position to a State Police Computer Forensic Examiner position and the reclassification of one State Police Sergeant position to a State Police Lieutenant position.

Ref. #: 2382

Committee Vote: in 11.0

AFA Vote: _____

	2013-14	2014-15
GENERAL FUND		
Personal Services	\$26,339	\$26,884
GENERAL FUND TOTAL	\$26,339	\$26,884

Ref. #: 2383

Committee Vote: in 11.0

AFA Vote: _____

FEDERAL EXPENDITURES FUND

	2013-14	2014-15
Personal Services	\$6,366	\$6,576
FEDERAL EXPENDITURES FUND TOTAL	\$6,366	\$6,576

Justification:

Bureau of Human Resources approved range changes for 5 Forensic Chemist position numbers: 065007083, 7129, 7361, 7453A and 7453B (job class code 4217) to range 25, effective 8/08/2005; 2 Forensic Scientists position numbers: 065002331 and 3551 (job class code 4215) to range 25, effective 7/18/2005; 1 State Police Lieutenant position number 065003771, effective 8/01/2011; and 1 State Police Computer Forensic Examiner position number 065002781, effective 8/01/2011. The increased cost of these reclasses cannot be absorbed by these accounts.

State Police 0291

Initiative: Transfers the Liquor Enforcement program to the Department of Administrative and Financial Services, Alcohol Beverages - General Operations program.

Ref. #: 2384

Committee Vote: in 11.0

AFA Vote: _____

GENERAL FUND

	2013-14	2014-15
All Other	\$10,200	\$10,200
GENERAL FUND TOTAL	\$10,200	\$10,200

Justification:

Through the zero based budgeting process, it was concluded that liquor licensing was more appropriately administered within the Department of Administrative and Financial Services. There is a residual cost for rent to the Maine State Police program.

State Police 0291

Initiative: Adjusts funding from 51% General Fund and 49% Highway Fund to 67% General Fund and 33% Highway Fund.

Ref. #: 2385

Committee Vote: in 11.0

AFA Vote: _____

GENERAL FUND

	2013-14	2014-15
Personal Services	\$5,204,510	\$5,380,109
All Other	\$2,257,209	\$2,260,729
GENERAL FUND TOTAL	\$7,461,719	\$7,640,838

Justification:

No justification provided.

**STATE POLICE 0291
PROGRAM SUMMARY**

	History 2011-12	History 2012-13	2013-14	2014-15
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	313.500	313.500	313.500	313.500
Personal Services	\$15,583,902	\$15,504,496	\$21,792,836	\$22,528,585
All Other	\$7,636,610	\$7,612,302	\$10,050,253	\$10,064,993
GENERAL FUND TOTAL	\$23,220,512	\$23,116,798	\$31,843,089	\$32,593,578
	History 2011-12	History 2012-13	2013-14	2014-15
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	4.000	4.000	4.000	4.000
Personal Services	\$300,542	\$1,258,514	\$329,212	\$345,211
All Other	\$2,120,304	\$2,220,304	\$2,120,304	\$2,120,304
FEDERAL EXPENDITURES FUND TOTAL	\$2,420,846	\$3,478,818	\$2,449,516	\$2,465,515
	History 2011-12	History 2012-13	2013-14	2014-15
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	4.000	4.000	4.000	4.000
Personal Services	\$256,365	\$759,108	\$276,064	\$286,498
All Other	\$564,269	\$571,194	\$400,539	\$400,539
OTHER SPECIAL REVENUE FUNDS TOTAL	\$820,634	\$1,330,302	\$676,603	\$687,037

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	History 2011-12	History 2012-13	2013-14	2014-15
Personal Services	\$301,672	\$302,416	\$297,423	\$310,522
All Other	\$5,347	\$5,347	\$5,347	\$5,347
FEDERAL EXPENDITURES FUND TOTAL	\$307,019	\$307,763	\$302,770	\$315,869

Justification:

Oversees and enforces the laws regarding vehicle size and weight for the protection of Maine's infrastructure. Verifies compliance of the Federal Motor Carrier Safety Regulations through both roadside enforcement efforts and terminal safety reviews of Motor Carriers, all in an effort to reduce commercial vehicle related crashes statewide. Roadside enforcement includes the verification of valid commercial driver's licenses, hours-of-service for drivers, vehicle safety inspections, and the weighing of vehicles.

TRAFFIC SAFETY - COMMERCIAL VEHICLE ENFORCEMENT 0715

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	History 2011-12	History 2012-13	2013-14	2014-15
Personal Services	\$301,672	\$302,416	\$297,423	\$310,522
All Other	\$5,347	\$5,347	\$5,347	\$5,347
FEDERAL EXPENDITURES FUND TOTAL	\$307,019	\$307,763	\$302,770	\$315,869

Turnpike Enforcement 0547

Initiative: BASELINE BUDGET

	History 2011-12	History 2012-13	2013-14	2014-15
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	36.000	36.000	36.000	36.000
Personal Services	\$4,099,121	\$4,126,715	\$4,343,362	\$4,472,011
All Other	\$1,145,163	\$1,150,386	\$1,153,761	\$1,153,761
Capital Expenditures	\$99,724	\$253,379	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,344,008	\$5,530,480	\$5,497,123	\$5,625,772

Justification:

Provide law enforcement coverage, such as motor vehicle enforcement, crash investigation, and criminal investigation in order to provide a safe motoring environment on the Turnpike.

Turnpike Enforcement 0547

Initiative: Provides funding for the replacement of 4 vehicles.

Ref. #: 2420 One Time Committee Vote: in 11.0 AFA Vote: _____

	2013-14	2014-15
OTHER SPECIAL REVENUE FUNDS		
Capital Expenditures	\$100,000	\$100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,000	\$100,000

Justification:

The Turnpike Enforcement program has a replacement cycle for vehicles that requires the purchase of four pursuit vehicles per year of this biennium.

TURNPIKE ENFORCEMENT 0547

PROGRAM SUMMARY

	History 2011-12	History 2012-13	2013-14	2014-15
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	36.000	36.000	36.000	36.000
Personal Services	\$4,099,121	\$4,126,715	\$4,343,362	\$4,472,011
All Other	\$1,145,163	\$1,150,386	\$1,153,761	\$1,153,761
Capital Expenditures	\$99,724	\$253,379	\$100,000	\$100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,344,008	\$5,530,480	\$5,597,123	\$5,725,772

PUBLIC SAFETY, DEPARTMENT OF

DEPARTMENT TOTALS	2013-14	2014-15
GENERAL FUND	\$31,843,089	\$32,593,578
FEDERAL EXPENDITURES FUND	\$2,752,286	\$2,781,384
OTHER SPECIAL REVENUE FUNDS	\$6,273,726	\$6,412,809
DEPARTMENT TOTAL - ALL FUNDS	\$40,869,101	\$41,787,771

Sec. A-66. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF

Administration - Motor Vehicles 0077

Initiative: BASELINE BUDGET

	History 2011-12	History 2012-13	2013-14	2014-15
FEDERAL EXPENDITURES FUND				
All Other	\$485,423	\$485,423	\$485,423	\$485,423
FEDERAL EXPENDITURES FUND TOTAL	\$485,423	\$485,423	\$485,423	\$485,423
	History 2011-12	History 2012-13	2013-14	2014-15
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	1,000	1,000	1,000	1,000
Personal Services	\$91,692	\$92,056	\$100,720	\$103,626
All Other	\$184,878	\$186,359	\$186,359	\$186,359
OTHER SPECIAL REVENUE FUNDS TOTAL	\$276,570	\$278,415	\$287,079	\$289,985

Justification:

The Bureau of Motor Vehicles was established to provide public safety and better regulation of traffic through administration of the laws of the State relating to motor vehicles and to the operators and operation thereof. Under the auspices of the Secretary of State, the Bureau provides the general public with a main office, thirteen branch office locations, and 503 municipalities throughout the state, where motor vehicle registrations may be obtained. There are approximately 1.4 million vehicle registrations processed annually. The Bureau provides titling of approximately 400,000 motor vehicles annually. The Bureau collects and submits sales tax to Maine Revenue Services when a vehicle is purchased and registered through a private sale. There were approximately 194,021 vehicles registered as private sales and BMV collected \$24,304,507.82 in sales tax revenues in FY2012. The Bureau is also responsible for implementing commercial vehicle laws, including truck registration, weight permits, and fuel tax programs. Driver licenses may be obtained at the main office, in the thirteen branch office locations and through 25 mobile unit locations. There are roughly 1,037,000 licensed drivers in the State. The Bureau ensures that applicants applying for operator licenses have the ability, knowledge and necessary skills for safe vehicle operation. The Bureau investigates and licenses motor vehicle and trailer dealers; conducts hearings on violations of motor vehicle laws to determine if the individual's privilege to operate or register a vehicle should be suspended, withheld or revoked and also determines when reinstatement is permissible. There are approximately 7,000 hearings conducted on an annual basis and approximately 50,000 reinstatement fees collected. The Bureau administers the driver and motorcycle education programs, by licensing and monitoring 215 driver education schools, 97 motorcycle schools, 27 truck schools and 492 instructors. The Bureau also has a Medical Review unit which is responsible for the determination of a driver's ability to operate a vehicle based on various functional ability profiles and on adverse driving report received. This unit performs approximately 15,000 reviews each year and this number is rising. The total estimated undedicated revenue the Bureau will be collecting for the Highway Fund for the 2014-2015 biennium is \$179,270,281.

Administration - Motor Vehicles 0077

Initiative: Reduces funding in the Maine Motor Vehicle Franchise Fund to match expenditures with anticipated revenues.

Ref. #: 2482

Committee Vote: in 11-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2013-14	2014-15
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All Other	\$0	(\$1,159)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$1,159)

Justification:

Provides for a reduction in All Other expenditures for the Maine Motor Vehicle Franchise Fund to match revenue projections.

**ADMINISTRATION - MOTOR VEHICLES 0077
PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	History 2011-12	History 2012-13	2013-14	2014-15
All Other	\$485,423	\$485,423	\$485,423	\$485,423
FEDERAL EXPENDITURES FUND TOTAL	\$485,423	\$485,423	\$485,423	\$485,423

OTHER SPECIAL REVENUE FUNDS	History 2011-12	History 2012-13	2013-14	2014-15
POSITIONS - LEGISLATIVE COUNT	1,000	1,000	1,000	1,000
Personal Services	\$91,692	\$92,056	\$100,720	\$103,626
All Other	\$184,878	\$186,359	\$186,359	\$185,200
OTHER SPECIAL REVENUE FUNDS TOTAL	\$276,570	\$278,415	\$287,079	\$288,826

Municipal Excise Tax Reimbursement Fund 0871

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	History 2011-12	History 2012-13	2013-14	2014-15
All Other	\$850,000	\$880,000	\$880,000	\$880,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$850,000	\$880,000	\$880,000	\$880,000

Justification:

The Municipal Excise Tax Reimbursement Fund is a dedicated, nonlapsing fund established by statute, Title 29A Section 533-A1. An apportioned excise tax is collected and deposited into the fund from nonresident owners of commercial vehicles participating in the International Registration Plan who are paying an apportioned registration fee to the State of Maine. The revenue collected is used to reimburse municipalities for lost excise tax revenue. The Secretary of State reimburses participating municipalities the difference between the amount of excise tax that would have been collected on certain commercial vehicles in the previous fiscal year based on the manufacturer's suggested retail price (MSRP), and the actual amount of excise tax that was collected in the previous year based on the vehicle selling price. Municipal participation in the reimbursement program is optional. Any revenue collected in the previous fiscal year over and above the total amount reimbursed to all participating municipalities in the current fiscal year reverts back to the Highway Fund.

Municipal Excise Tax Reimbursement Fund 0871

Initiative: Provides funding for reimbursement to municipalities based on current projections.

Ref. #: 2495

Committee Vote: in 11.0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2013-14	2014-15
All Other	\$45,000	\$45,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$45,000	\$45,000

Justification:

No justification provided.

**MUNICIPAL EXCISE TAX REIMBURSEMENT FUND 0871
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	History 2011-12	History 2012-13	2013-14	2014-15
All Other	\$850,000	\$880,000	\$925,000	\$925,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$850,000	\$880,000	\$925,000	\$925,000

SECRETARY OF STATE, DEPARTMENT OF

DEPARTMENT TOTALS	2013-14	2014-15
FEDERAL EXPENDITURES FUND	\$485,423	\$485,423
OTHER SPECIAL REVENUE FUNDS	\$1,212,079	\$1,213,826
DEPARTMENT TOTAL - ALL FUNDS	\$1,697,502	\$1,699,249

in 11.0

PART EEE

Sec. EEE-1. 25 MRSA §1509-A, as enacted by PL 2007, c. 682, §1 and affected by §8 is repealed.

Sec. EEE-2. 25 MRSA §1509-B is enacted to read:

§1509-A. Funding

Beginning in fiscal year 2013-14, state funding for the Department of Public Safety, Bureau of State Police must be provided as follows:

1. Highway Fund. Thirty-three percent must be allocated from the Highway Fund pursuant to Title 23, section 1653; and
2. General Fund. Sixty-seven percent must be appropriated from the General Fund.

SUMMARY

PART EEE

This Part requires that the funding for the Bureau of State Police within the Department of Public Safety is 33% Highway Fund and 67% General Fund.

in 11.0

PART FFF

Sec. FFF-1. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, on behalf of the Department of Public Safety, may enter into financing arrangements in fiscal years 2013-14 and 2014-15 for the acquisition of motor vehicles for the State Police. The financing arrangements entered into each fiscal year may not exceed \$2,400,000 in principal costs, and a financing arrangement may not exceed 3 years in duration. The interest rate may not exceed 6%, and total interest costs with respect to the financing arrangements entered into in each fiscal year may not exceed \$300,000. The annual principal and interest costs must be paid from the appropriate line category appropriations and allocations in the Department of Public Safety General Fund and Highway Fund accounts.

SUMMARY

PART FFF

This Part authorizes the Department of Administration and Financial Services to enter into financing arrangements in fiscal years 2013-14 and 2014-15 for the acquisition of motor vehicles for the Department of Public Safety, Bureau of State Police.

in 11.0

PART III

Sec. III-1. Transfer from General Fund undedicated revenue; Callahan Mine Site Restoration, Department of Transportation. Notwithstanding any other provision of law, the State Controller shall transfer \$900,000 by August 15, 2013 and \$750,000 by August 15, 2014 from the General Fund unappropriated surplus revenue to the Callahan Mine Site Restoration program, Other Special Revenue Funds within the Department of Transportation to be used to design and implement clean up initiatives of the Callahan Mine site.

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
Transfers				
General Fund				
PART III, Section 1	(\$900,000)	(\$750,000)	\$0	\$0
Other Special Revenue Funds				
PART III, Section 1	\$900,000	\$750,000	\$0	\$0

SUMMARY

PART III

This Part requires the State Controller to transfer \$900,000 in fiscal years 2013-14 and \$750,000 in fiscal year 2014-15 from the unappropriated surplus of the General Fund to the Callahan Mine Site Restoration program, Other Special Revenue Funds in the Department of Transportation.

PART 000

in 11.0

Sec. 000-1. 36 MRSA §1484, sub-§3, ¶E, as amended by PL 2007, c. 627, §33 is further amended to read:

E. When an excise tax is paid to the Secretary of State under this subsection, it must be deposited in the ~~General~~ Highway Fund.

Sec. 000-1. 36 MRSA §1489, as amended by PL 1985, c. 459, §12 is further amended to read:

36 §1489. Crediting and apportionment of tax received

1. Municipal excise tax account. In municipalities the treasurer shall credit money received from excise taxes to an excise tax account. Except as provided in subsection 3 below, such funds from which it may be appropriated by the municipality for any purpose for which a municipality may appropriate money.

2. County treasurer.

3. Portion for Highway Fund. The Secretary of State and agents appointed by the Secretary of State shall deposit the excise tax collected on truck tractors as defined in 29-A MRSA 101(90) to the state Highway Fund. If such deposit is not made as required, the Department of Transportation may withhold Local Road Assistance Program payments due a municipality pursuant to for 23 MRSA §1803-B.

remove from LR 1046 allow further vetting by Transportation Cate in LR 1060, Pt-F, 2014-2015 HF biennial budget

Revenue	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
General Fund				
PART 000, Section 1	(\$230,568)	(\$230,568)	(\$230,586)	(\$230,586)
Highway Fund				
PART 000, Section 1	\$4,230,568	\$4,230,568	\$4,230,568	\$4,230,568

**SUMMARY
PART 000**

This Part does the following:

It requires that an excise tax paid to the Secretary of State by a nonresident of this State be deposited in the Highway Fund revenue rather than General Fund.

It requires that certain excise tax collected on certain truck tractors be deposited to the Highway Fund.

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