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Date: (Filing No. S-)

TRANSPORTATION

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**STATE OF MAINE
SENATE
132ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 704, L.D. 1804, “An Act Concerning Funding and Oversight of Transportation Matters”

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 3 MRSA §521, as enacted by PL 1981, c. 702, Pt. S, is repealed and the following enacted in its place:

§521. Committees

1. Oversight of financial matters. The joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs is authorized to provide oversight of financial matters, excluding financial matters described in subsection 2 or those items over which the Legislative Council has statutory authority.

2. Oversight of Highway Fund. The joint standing committee of the Legislature having jurisdiction over transportation matters is authorized to provide oversight of financial matters related to the Highway Fund, including all allocations and subdivisions of an allocation from the Highway Fund and excluding those items over which the Legislative Council has statutory authority.

Sec. 2. 3 MRSA §522, as amended by PL 1997, c. 24, Pt. DD, §1, is further amended to read:

§522. Purpose and powers

The joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, referred to in this section as "the committee," shall oversee the transfer of funds in accordance with Title 5, section 1585, the transfer of funds in accordance with any other provision of law, block grant changes in accordance with Title 5, section 1670 and any other related fiscal matters, except that the committee may not oversee any financial matters that are overseen by the joint standing committee of the Legislature having jurisdiction over transportation matters pursuant to section 522-C. The committee shall also review all other financial orders that have been submitted to the Office of Fiscal and Program Review since the last meeting, except for those financial orders reviewed by

COMMITTEE AMENDMENT

1 the joint standing committee of the Legislature having jurisdiction over transportation
2 matters pursuant to section 522-C. The committee may meet monthly or as often as is
3 determined necessary by the chairs.'

4 Amend the bill in section 2 in §522-C in the first indented paragraph in the 3rd line
5 (page 1, line 20 in L.D.) by inserting after the following: "changes" the following:
6 'pertaining to transportation matters'

7 Amend the bill in section 2 in §522-C in the first indented paragraph in the 5th line
8 (page 1, line 22 in L.D.) by striking out the following: "or" and inserting the following: ';'

9 Amend the bill in section 2 in §522-C in the first indented paragraph in the 5th line
10 (page 1, line 22 in L.D.) by inserting after the following: "Vehicles" the following: '; and
11 the Department of Public Safety, Bureau of Highway Safety and Bureau of State Police
12 pursuant to Title 23, section 1653, subsections 2-A and 2-B'

13 Amend the bill by striking out all of section 3 and inserting the following:

14 '**Sec. 3. 5 MRSA §1585, sub-§1**, as amended by PL 2009, c. 291, §1, is further
15 amended to read:

16 **1. Transfer procedures.** Any balance of any appropriation or subdivision of an
17 appropriation made by the Legislature for any state department or agency, except for those
18 balances transferred in accordance with Title 23, section 1652, which at any time may not
19 be required for the purpose named in such appropriations or subdivision, may be transferred
20 at any time prior to the closing of the books to any other appropriation or subdivision of an
21 appropriation made by the Legislature for the use of the same department or agency for the
22 same fiscal year subject to review by the joint standing committee of the Legislature having
23 jurisdiction over appropriations and financial affairs. Financial orders describing such
24 transfers must be submitted by the Bureau of the Budget to the Office of Fiscal and Program
25 Review 30 days before the transfer is to be implemented. In case of extraordinary
26 emergency transfers, the 30-day prior submission requirement may be waived by vote of
27 the committee. Positions, or funding for those positions, that are currently funded with
28 federal or other funds may not be transferred by financial order to the General Fund.
29 Financial orders proposing to transfer 4th or 3rd quarter allotments to the 3rd, 2nd or 1st
30 quarters that result from trends that will cause financial commitments to exceed current
31 appropriations or allocations are subject to the provisions of this section. The Department
32 of Health and Human Services is authorized to transfer funds within the TANF program
33 account to the ASPIRE-TANF program account as often as necessary in order to support
34 and assist participants in obtaining or retaining employment during the fiscal year. In
35 making a transfer of TANF program funds to the ASPIRE-TANF program account, the
36 department does not need to submit a financial order to the committee in advance of the
37 transfer. For purposes of this subsection, "TANF" and "ASPIRE-TANF program" have the
38 same meaning as in Title 22, section 3762, subsection 1, paragraph E and Title 22, section
39 3781-A, subsection 1, respectively.

40 **Sec. 4. 5 MRSA §1664-A** is enacted to read:

41 **§1664-A. Baseline Highway Fund expenditure and appropriation requirements for**
42 **capital**

43 Beginning July 1, 2027, the baseline expenditure and appropriation requirements,
44 submitted to the State Budget Officer pursuant to section 1665, for capital expenditures in

1 the Department of Transportation, Highway and Bridge Capital; Highway Light Capital;
2 and Multimodal Transportation Fund programs must be no less than:

3 **1. Highway and Bridge Capital program.** For the Department of Transportation,
4 Highway and Bridge Capital program, \$150,000,000;

5 **2. Highway Light Capital program.** For the Department of Transportation, Highway
6 Light Capital program, \$20,000,000; and

7 **3. Multimodal Transportation Fund program.** For the Department of
8 Transportation, Multimodal Transportation Fund program, \$30,000,000.

9 Beginning in 2030 and in every even-numbered year thereafter, on or before September
10 1st, the State Budget Officer shall adjust the baseline expenditure requirements outlined in
11 this section by the percentage change in the Consumer Price Index, as defined in section
12 17001, subsection 9, from the 2 complete calendar years preceding the biennial budget.'

13 Amend the bill by inserting after section 4 the following:

14 '**Sec. 5. 23 MRSA c. 19, sub-c. 4, headnote** is amended to read:

15 **SUBCHAPTER 4**

16 **~~GENERAL HIGHWAY FUND'~~**

17 Amend the bill in section 6 in §1653 by inserting after subsection 2 the following:

18 '**2-A. State police.** Beginning July 1, 2027, for the Department of Public Safety,
19 Bureau of State Police for the purposes described in Title 25, section 1509-B, subsection
20 2;

21 '**2-B. Highway safety.** Beginning July 1, 2027, for the administration of the
22 Department of Public Safety, Bureau of Highway Safety;'

23 Amend the bill in section 6 in §1653 in subsection 5 in the first line (page 3, line 18 in
24 L.D.) by striking out the following: "said tax" and inserting the following: '~~said tax~~ the tax
25 described in subsection 4'

26 Amend the bill in section 6 in §1653 in subsection 8 in the first line (page 3, line 22 in
27 L.D.) by striking out the following: "Pursuant to" and inserting the following: 'Subject to
28 the limitations in'

29 Amend the bill by striking out all of section 7.

30 Amend the bill in section 8 in §1984 in the first indented paragraph in the first line
31 (page 4, line 10 in L.D.) by striking out the following: "2026" and inserting the following:
32 '2028'

33 Amend the bill in section 9 in §4241 in subsection 1 in the 2nd line (page 4, line 22 in
34 L.D.) by inserting after the following: "including" the following: 'public'

35 Amend the bill in section 10 in §4245 in the first indented paragraph in the first line
36 (page 4, line 37 in L.D.) by striking out the following: "2026" and inserting the following:
37 '2028'

38 Amend the bill by striking out all of section 11 and inserting the following:

