



THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION



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CHRISTOPHER D. CLEMENT, SR. COMMISSIONER

JEFF BRILLHART, P.E. ASSISTANT COMMISSIONER

February 1, 2013 Bureau of Rail and Transit

The Honorable Mary Jane Wallner, Chairman Fiscal Committee of the General Court State House Concord, New Hampshire 03301

Signature: J. Hassan Date: 3/8/13 Approved by Fiscal Committee

Her Excellency, Governor Margaret Wood Hassan and the Honorable Council State House Concord, New Hampshire 03301

REQUESTED ACTION

1. Pursuant to RSA 14:30-a, VI, authorize the Department of Transportation, Bureau of Rail and Transit to budget and expend prior year carry forward funds in the amount of \$346,497 from the Special Railroad Fund for maintenance and repair of active State-owned railroad lines effective upon Fiscal Committee and Governor and Council approval through June 30, 2013.

Funds are to be budgeted as follows: 100% Other Funds (Special Railroad Funds).

Table with 4 columns: Fund Code, FY2013 Budget, Requested Change, Revised Budget. Rows include Special Railroad Fund, Expenses (Current Expense, Rents-Leases, Grants, Construction), Total, Source of Funds, and Revenue (Agency Income).

2. Pursuant to RSA 228:69, I (b), authorize the Department of Transportation, Bureau of Rail and Transit to expend an amount not to exceed \$346,497 for maintenance and repair of active state-owned railroad lines, effective upon Fiscal Committee and Governor and Council approval through June 30, 2013.

## EXPLANATION

RSA 228:68 establishes the Special Railroad Fund for the deposit of revenues produced on the state-owned railroad corridors through user fees paid by railroads, leases and fees paid by other landowners, and other revenues. This dedicated fund is required to comply with Federal regulations that require lease or other income on property acquired with Federal funds to be used to maintain those properties.

RSA 228:69, I (a) requires that 20 percent of the 2012 calendar year railroad user fees deposited in the Special Railroad Fund be paid to the cities and towns through which the state-owned railroad lines pass. These amounts will be paid out to the respective towns at the end of fiscal year 2013.

RSA 228:69, I (b) authorizes the Department of Transportation to expend funds from the Special Railroad Fund on maintenance and repair of state-owned railroad lines. The Department will use these funds to continue repairs and maintenance activities on state-owned lines in 2013. The cost of engineering and construction administration will also be paid from these funds. The Special Railroad Fund receives revenues derived from railroad user fees, leases and crossing agreements, and a portion of the state railroad tax. The Department of Transportation, Bureau of Rail and Transit will reimburse responsible parties for their railroad infrastructure maintenance expenses. The operating railroads are:

Plymouth & Lincoln Railroad (Vendor 157711)  
New Hampshire Central Railroad (Vendor 157337)  
Conway Scenic Railroad (Vendor 154819)  
New England Southern Railroad (Vendor 161682)  
Milford-Bennington Railroad (Vendor 156441)  
Claremont-Concord Railroad (Vendor 156559)

These funds will be encumbered upon issuance of purchase orders by the Bureau of Purchase and Property. Your approval is respectfully requested.

Sincerely,



Christopher D. Clement, Sr.  
Commissioner

ATTACHMENT

**Department of Transportation**  
**FISCAL SITUATION FISCAL YEAR 2013**  
**04-096-096-960010-2991**

Special Railroad Fund

Estimated revenue budgeted:	\$	394,317
Prior year carryforward revenue:	\$	523,827
Additional non-budgeted revenue:	-	<hr/>
Amount available to budget:	\$	918,144
Less current FY13 budget authorization:	\$	<hr/> 394,317
Total available for budgeting:	\$	523,827
Amount to be budgeted this request:	\$	<hr/> 346,497
Amount available to budget with future requests:	\$	<hr/> 177,330

