



THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF TRANSPORTATION



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CHRISTOPHER D. CLEMENT, SR.  
COMMISSIONER

JEFF BRILLHART, P.E.  
ASSISTANT COMMISSIONER

August 25, 2014  
Bureau of Rail and Transit

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

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 to Budget and Expend prior year carry-forward funds in the amount of \$500,000 from the Special Railroad Fund for the maintenance and repair of State-owned railroad lines effective upon Fiscal Committee and Governor and Council approval through June 30, 2015.

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

<u>04-096-096-960010-2991</u> Special Railroad Fund	FY 2015 Modified Budget	Requested Change	FY 2015 Revised Budget
<b>Expenses:</b>			
020 500241 Current Expense	\$ 0	\$ 10,000	\$ 10,000
022 500242 Rents-Leases Other than State	0	20,000	20,000
046 500463 Engineering Consultants	0	35,000	35,000
073 500579 Grants Non Federal	0	110,000	110,000
400 500871 Construction	0	325,000	325,000
Total	\$ 0	\$500,000	\$500,000
<b>Source of Funds</b>			
<b>Revenue:</b>			
009 407323 Agency Income	\$ 0	\$500,000	\$500,000
Total	\$ 0	\$500,000	\$500,000

2. Pursuant to RSA 228:69, I (b), authorize the Department of Transportation, Bureau of Rail & Transit, to expend an amount not to exceed \$500,000 from the Special Railroad Fund for maintenance and repair of State-

owned railroad lines and bridges effective upon Fiscal Committee and Governor and Council approval through June 30, 2015.

**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 2014 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 2015.

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 including track, minor bridge and drainage projects on state-owned lines in 2015. 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 the railroads operating on the State-owned rail lines and other responsible parties for their infrastructure construction and maintenance expenses on the State-owned rail lines and bridges. The operating railroads on the State owned rail corridors and the estimated construction funds (400 500871) to be encumbered and expended on their operating lines are:

Department of Transportation (Vendor 177927)	\$ 20,000
Plymouth & Lincoln Railroad (Vendor 157711)	\$100,000
New Hampshire Central Railroad (Vendor 157337)	\$ 30,000
Conway Scenic Railroad (Vendor 154819)	\$120,000
New England Southern Railroad (Vendor 161682)	\$ 30,000
Milford-Bennington Railroad (Vendor 156441)	\$ 5,000
Claremont-Concord Railroad (Vendor 156559)	\$ 5,000

To resolve unanticipated events and circumstances on the State-owned rail lines, the estimated amounts listed above are subject to adjustment by the Administrator of the Bureau of Rail & Transit. Your approval is respectfully requested.

Consultant costs will use current statewide contracts, therefore, new consultants will not be contracted for these projects.

Sincerely,



Christopher D. Clement, Sr.  
Commissioner

**Department of Transportation**  
**Fiscal Situation Fiscal Year 2015**  
**04-096-096-960010-2991**  
**Special Railroad Fund**

2013 Revenue balance forward	\$ 708,945
2014 Actual revenue	685,771
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Gross revenue available to budget	1,394,716
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Less:	
2014 Encumbrances	452,628
2014 Expenditures	397,876
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Net revenue available to budget	544,212
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<b>2015 amount to be budgeted this request</b>	<b>500,000</b>
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Amount available to budget for future requests	\$ 44,212
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	Amount	Encumbrances and Expenditures	Total
Prior year 2013 carry forward	\$ 708,945	\$ 452,628	\$ 256,317
Revenue received 2014	685,771	397,876	287,895
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	\$ 1,394,716	\$ 850,504	\$ 544,212