

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 2214

H.P. 1735

House of Representatives, April 8, 2002

Resolve, to Establish and Fund the Task Force on Rail Transportation.

(EMERGENCY)

Reported by Representative JONES for the Joint Standing Committee on Appropriations and Financial Affairs pursuant to Joint Order 2001, H.P. 1727.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

2 **Emergency preamble.** Whereas, Acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

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6 Whereas, it is imperative that the study authorized in this
legislation begin immediately so that the report may be made in a
timely manner; and

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10 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
12 necessary for the preservation of the public peace, health and
safety; now, therefore, be it

14
16 **Sec. 1. Task force established. Resolved:** That the Task Force on
Rail Transportation, referred to in this resolve as the "task
force," is established to develop a rail transportation policy
18 for the State; and be it further

20 **Sec. 2. Membership. Resolved:** That the task force consists
of 13 members appointed as follows:

22
24 1. Two members of the Joint Standing Committee on
Appropriations and Financial Affairs, one of whom is appointed by
the President of the Senate and one of whom is appointed by the
26 Speaker of the House;

28 2. Three members of the Joint Standing Committee on
Business and Economic Development, 2 of whom are appointed by the
30 President of the Senate and one of whom is appointed by the
Speaker of the House;

32 3. Three members of the Joint Standing Committee on
Transportation, one of whom is appointed by the President of the
34 Senate and 2 of whom are appointed by the Speaker of the House;

36 4. One member representing the Board of Directors of the
38 Maine Port Authority, appointed by the President of the Senate;

40 5. One member representing railroad shippers, appointed by
the Speaker of the House;

42 6. One member representing an airport that currently is
44 integrated with an existing rail system, appointed by the
President of the Senate;

46 7. One member representing the Northern New England
48 Passenger Rail Authority, appointed by the Speaker of the House;
and

50 8. One member representing a private railraod in Maine,
52 appointed by the Speaker of the House; and be it further

2 **Sec. 3. Task force chairs. Resolved:** That the first named
3 Senator is the Senate chair of the task force and the first named
4 member of the House is the House chair of the task force; and be
5 it further`

6 **Sec. 4. Appointments; convening of task force. Resolved:** That all
7 appointments must be made no later than 30 days after the
8 effective date of this resolve. The appointing authorities shall
9 notify the Executive Director of the Legislative Council once all
10 appointments have been made. When the appointment of all members
11 has been completed, the chairs of the task force shall call and
12 convene the first meeting of the task force, which must be no
13 later than June 15, 2002; and be it further

14 **Sec. 5. Duties. Resolved:** That the task force shall:

15 1. In cooperation with the Commissioner of Transportation,
16 develop a rail transportation policy and plan that integrates
17 rail, highway, marine and air transportation into an efficient
18 and cohesive system for the entire State that best meets the
19 needs of Maine citizens and Maine businesses;

20 2. Develop visions for an integrated transportation system
21 to be established in 5 and 10 years, and beyond, as far as
22 practicable, and develop the steps that must be taken to achieve
23 each vision within each specified time period;

24 3. Develop emergency and backup plans for railroads that
25 are confronted with the possibility of bankruptcy, significant
26 financial problems or significant reductions in service;

27 4. Review and evaluate current transportation system
28 policies and plans;

29 5. Identify any obstacles to the successful implementation
30 of current and proposed transportation system policies and plans;

31 6. Determine the resources, including "personal services,"
32 "capital" and "all other" funding, needed to achieve each vision,
33 including the means by which these resources can be made
34 available; and

35 7. Create a plan for educating the Legislature and the
36 public with respect to the transportation plans and policies
37 developed by the task force; and be it further

38 **Sec. 6. Meetings. Resolved:** That the task force may meet a
39 maximum of 4 times; and be it further
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2 **Sec. 7. Staff assistance. Resolved:** That, upon approval of the
Legislative Council, the Office of Policy and Legal Analysis
4 shall provide necessary staffing services to the task force; and
be it further

6 **Sec. 8. Compensation. Resolved:** That members of the task
force are entitled to receive the legislative per diem and
8 reimbursement for travel and other necessary expenses related to
their attendance at authorized meetings of the task force.
10 Public members not otherwise compensated by their employers or
other entities that they represent are entitled to receive
12 reimbursement of necessary expenses for their attendance at
authorized meetings of the task force; and be it further

14 **Sec. 9. Report. Resolved:** That the task force shall submit a
16 report that includes its findings and recommendations, to the
Legislative Council by November 6, 2002; and be it further

18 **Sec. 10. Extension. Resolved:** That, if the task force requires
20 a limited extension of time to complete its study and make its
report, it may apply to the Legislative Council, which may grant
22 an extension. Upon submission of its required report, the task
force terminates; and be it further

24 **Sec. 11. Budget. Resolved:** That the chairs of the task force,
26 with assistance from the task force staff, shall administer the
task force's budget. Within 10 days after its first meeting, the
28 task force shall present a work plan and proposed budget to the
Legislative Council for approval. The task force may not incur
30 expenses that would result in the task force's exceeding its
approved budget. Upon request from the task force, the Executive
32 Director of the Legislative Council or the executive director's
designee shall promptly provide the task force chairs and staff
34 with a status report on the task force's budget, expenditures
incurred and paid and available funds; and be it further

36 **Sec. 12. Funding. Resolved:** That, notwithstanding the Maine
38 Revised Statutes, Title 23, section 7103, the State Controller
shall transfer \$6,260 from the Railroad Preservation and
40 Assistance Fund under the Maine Revised Statutes, Title 23,
Section 7103 to the Legislature to fund the task force. These
42 funds must be used for all costs incurred to pay the per diem and
expenses of members of the task force who are Legislators and
44 members who are not otherwise compensated by their employers or
other entities that they represent, the costs to print the task
46 force report and other related costs; and be it further

48 **Sec. 13. Appropriations and allocations. Resolved:** That the
following appropriations and allocations are made.

2 **LEGISLATURE**

4 **Task Force on Rail Transportation**

6 Initiative: Provides funds for the per diem and expenses for
Legislators and other eligible members of the Task Force on
8 Rail Transportation and to print the required report.

10	Other Special Revenue Funds	2001-02	2002-03
11	Personal Services	\$0	\$2,860
12	All Other	0	3,400
14	Total	<u>\$0</u>	<u>\$6,260</u>

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

18

20 **FISCAL NOTE**

22 **2002-03**

24 **APPROPRIATIONS/ALLOCATIONS**

26 Other Funds **\$6,260**

28

30 This resolve includes an allocation from Other Special
Revenue funds of \$6,260 in fiscal year 2002-03 to the Legislature
to provide funds for the per diem and expenses for Legislators
32 and other eligible members of the Task Force on Rail
Transportation.

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36 Funding for the task force is provided by a transfer of
\$5,840 in fiscal year 2002-03 from the Railroad Preservation and
Assistance Fund to the Legislature to carry out the purposes of
38 this resolve.

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SUMMARY

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44 This resolve establishes and funds the Task Force on Rail
Transportation.