

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2576

S. P. 938

In Senate, March 13, 1974

Reported by Senator Sewall of Penobscot from Committee on Appropriations and Financial Affairs pursuant to Joint Order S. P. 889 and printed under Joint Rules No. 18.

HARRY N. STARBRANCH, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

AN ACT Establishing the Maine Public Transit Fund Act.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 23, c. 411, additional. Title 23 of the Revised Statutes is amended by adding a new chapter 411 to read as follows:

CHAPTER 411

MAINE PUBLIC TRANSIT FUND ACT

§ 4210. Short title

This Act shall be known and may be cited as the Maine Public Transit Fund Act.

§ 4211. Findings and purpose

The Legislature finds that the improvement in the transportation of people and goods within, to and from, the State by mass transit on land is essential for the welfare of the citizens of the State and for the development of its resources, commerce and industry. It is the purpose of the Act to create a partnership which permits the local community, through state financial assistance, to exercise the initiative necessary to establish efficient, safe and convenient mass transit services.

§ 4212. Definitions

The following terms, when used in this Act, shall have the following meaning, unless the context otherwise requires:

1. Commissioner. "Commissioner" means the Commissioner of Transportation;

2. Mass transit. "Mass transit" means transportation of the public by bus or any other means of land surface conveyance serving the general public and moving under prescribed routes, except taxicabs and airport limousines.

§ 4213. Establishment of fund

There is established a Maine Public Transit Fund, hereafter referred to as the Fund. The Fund is established to assist state, local and regional governmental units, as well as transit districts, as established in Title 30, chapter 240, to develop and implement mass transit services throughout the State of Maine. The Maine Department of Transportation shall be responsible for the administration of the Maine Public Transit Fund. Not more than 60% of the Fund shall be expended in any one year for capital and operational grants. Not more than 40% of the Fund shall be expended in any one year for planning grants.

§ 4214. Capital and operational grants

The Commissioner of Transportation is authorized, in accordance with the provisions of this chapter and on such terms and conditions as he may prescribe, to make grants from the Fund to assist state, regional and local units of government and transit districts in financing the acquisition, construction, reconstruction and improvements of facilities and equipment for use in mass transit service. Eligible facilities and equipment may include buses and other rolling stock and other real and personal property needed for efficient and coordinated mass transit systems. Grants may be used for payment of ordinary operating expenses. No grant shall be provided under this section unless the commissioner determines that the applicant has or will have:

1. The legal, financial and technical capacity to carry out the proposed project; and

2. Satisfactory continuing control over the use of the facilities and equipment.

Such capital and operational grants shall be expended from the Fund only when "earned" or "matched" by an expenditure of $\frac{1}{2}$ the full cost of the project by the applicant.

§ 4215. Planning grants

The Commissioner of Transportation is authorized to make grants from the Fund to assist state, regional and local units of government and transit districts for the planning and engineering of mass transit projects. A grant under this section shall be made in accordance with criteria established by the commissioner. Such planning grants shall be expended from the Fund only when "earned" or "matched" by an expenditure of $\frac{1}{3}$ the full cost of the project by the applicant.

§ 4216. Report to Legislature

The commissioner shall report annually to the Legislature with respect to outstanding grants and other contractual agreements executed pursuant to this chapter.

§ 4217. Federal matching assistance

Any portion of the state funds expended from the Maine Public Transit Fund may be used to earn federal funds available for the planning, operation and capital improvements of public mass transit facilities.

§ 4218. Rules and regulations

The commissioner may prescribe and promulgate all necessary rules and regulations in order to fulfill the purposes of this chapter.

Sec. 2. Intent. It is the intent of the Legislature that when funds are considered to finance this Act, they should be provided 50% from the General Fund and 50% from the Highway Fund.

STATEMENT OF FACT

The intent of this Act is reflected in the findings and purpose section of the bill.